MINUTES OF

BUDGET AND CONTROL BOARD

MEETING

April 23, 1990

13667

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

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

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

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

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

April 23, 1990

MEMORANDUM

TO: Budget and Control Board Division Directors

FROM: William A. McInnis, Deputy Executive Director

SUBJECT: Summary of Board Actions at April 23, 1990, Meeting

This listing of actions is not the minutes of the referenced meeting. It is an unofficial (meaning it has not been approved by the Board) summary of the Board actions taken at that meeting. The minutes of the meeting are presented in a separate, much more detailed document which becomes official when approved by the Board at a subsequent meeting.

1. Congratulated State Treasurer Patterson upon his election to the executive board of the Government Finance Officers Association;

2. Adopted the agenda as proposed after adding, as an emergency item, the receipt of legal advice relating to pending litigation on the aboveground storage of petroleum products to the executive session agenda;

3. Approved the minutes of the April 9, 1990, meetings of the Budget and Control Board, State Education Assistance Authority, and South Carolina Resources Authority;

4. Received as information the Division of Insurance Services activity report for March 1990 on the State Medical, Dental and Insured Benefits Plans;

5. Received as information a Budget Division report on the current transfer policy, Division transfer operating procedures and on recommended adjustments which provided for a monthly report to the Board on transfers having an impact on the annual appropriations process;

6. Received as information the FTE position operating report for the month of March 1990 which showed that a net of 295.50 FTE positions was added to bring the base total to 71,029.75 FTE positions at the end of the month of which 65,230.90 FTE positions were filled and 5,798.85 were vacant;

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7. Received as information a Budget Division report that the transfer of $200,968 of personal service funds was approved during March to bring the total approved for transfer during the fiscal year to $1,769,656;

8. In accord with Code Section 1-11-80, approved the following easement as recommended by the Division of General Services:

County Location:	Anderson County
From:	State of South Carolina
To:	Southern Bell
Description/Purpose:	to construct an equipment cabinet and install communications cable to serve the Department of Mental Health War Veterans Nursing Home
Consideration:	$16;

9. Received as information Division of General Services report that the Department of Energy has approved a $26,000 refund to the Division on the purchase of refined petroleum products from the Exxon Corporation;

10. Received as information a report on capital improvement bond fund draws which showed that $6.3 million were drawn in March to bring the January - March total to about $25.7 million which is 19% of the $135.7 million available in the Group 16 (January - June 1990) period and that $59.9 million had been drawn in the fiscal year through March;

11. Received as information a report on continuation of employment past age 70 and advancement of sick leave during January-March, 1990;

12. Received as information a report that the Department of Corrections has submitted the "Defendants' 21st Quarterly Report on Compliance" in accord with the terms of a negotiated consent decree entered into on January 8, 1985, in relation to the Nelson v. Leeke suit;

13. Received as information reports on the reimbursement of interviewee travel expenses by Mental Health (1) and Clemson University (10);

14. Discussed the role of the State Fire Commission and its relationship with the Board in dealing with fire and life safety matters;

15. Adopted a resolution approving the application of the Medical University of South Carolina requesting the issuance of $2,000,000 principal amount of State Institution Bonds and requesting the Governor and the State Treasurer to issue such bonds or notes in anticipation thereof; and approved the use of excess debt service funds to pay $500,000 principal and the interest due on the 1989 Notes;

16. Adopted a resolution approving the application of Winthrop College requesting the issuance of $1,075,000 principal amount of State Institution Bonds and requesting the Governor and the State Treasurer to issue such bond or notes in anticipation thereof; and approved the use of excess debt service funds to pay $125,000 principal and the interest due on the 1989 Notes;

17. Adopted a resolution approving the issuance of $2,850,000 Multifamily Housing Revenue Bonds of the Housing Finance and Development Authority on behalf of the Westbridge Apartments project located in West Columbia;

18. Adopted resolutions approving proposals (a) through (f) to issue revenue refunding bonds, on the condition that the required reviews are completed with satisfactory results, with the bonds in proposals (a) through (e) to be issued by JEDA through a negotiated private sale to an underwriter for public offering thereafter:

(a) Issuing Authority:	Jobs-Economic Development Authority
Amount of Issue:	$1,550,000 Economic Development Revenue Refunding Bonds
Allocation Amount:	-0-
Name of Project:	Old Claussen's Bakery Partners
Location:	City of Columbia
Employment Impact:	15
Project Description:	inn and retail shops
(b) Issuing Authority:	Jobs-Economic Development Authority
Amount of Issue:	$2,400,000 Economic Development Revenue Refunding Bonds
Allocation Amount:	-0-
Name of Project:	Midland Properties, Ltd.
Location:	City of Columbia
Employment Impact:	65
Project Description:	shopping center renovation
(c) Issuing Authority:	Jobs-Economic Development Authority
Amount of Issue:	$750,000 Economic Development Revenue Refunding Bonds
Allocation Amount:	-0-
Name of Project:	NMFO Associates
Location:	Richland County
Employment Impact:	63
Project Description:	office building and research facility

(d)	Issuing Authority:	Jobs-Economic Development Authority
	Amount of Issue:	$950,000 Economic Development Revenue Refunding Bonds
	Allocation Amount:	-0-
	Name of Project:	Rice Street Associates
	Location:	City of Columbia
	Employment Impact:	14
	Project Description:	retail, wholesale, warehouse space
(e)	Issuing Authority:	Jobs-Economic Development Authority
	Amount of Issue:	$550,000 Economic Development Revenue Refunding Bonds
	Allocation Amount:	-0-
	Name of Project:	Tobul Accumulators Division of Mill and Mine Services
	Location:	City of Bamberg
	Employment Impact:	25
	Project Description:	manufacture hydraulic accumulators
(f)	Issuing Authority:	Richland County
	Amount of Issue:	$1,200,000 Hospital Revenue Refunding Bonds
	Allocation Amount:	-0-
	Name of Project:	Sunset Medical Partnership
	Employment Impact:	102
	Project Description:	medical office building/mental health treatment facility

19. Received as information the status report on the State ceiling which showed that a balance of $145,400,000 is available for allocation to projects;

20. Extended for 31 days the $8,000,000 State ceiling allocation for the Laurens County Teknor Apex Carolina Company project;

21. Authorized the Land Resources Conservation Commission to transfer $21,316 federal funds from personal service to supplies and materials, fixed charges and contributions, and equipment;

22 Allocated $525 from the Civil Contingent Fund to the Board of Occupational Therapy Examiners for additional per diem and travel;

23. Approved a Development Board request for an exemption from the requirement to use State government license plates on a 1990 Ford Aerostar;

24. Carried over the following permanent improvement project establishment request which had been reviewed favorably by the Joint Bond Review Committee:

    On Summary 18-90, Item 4:
    Agency: Aeronautics Commission
    Project: Global Wulfsberg Radios
    Request: Establish project and budget
    Amount: $32,459.60
    Source: Capital improvement bond funds
    Purpose: To purchase 7 radios for use in Aeronautics Commission aircraft to improve air-to-ground communications without the towns' having to purchase additional radio equipment for communication. Capital improvement bond funds authorized for airport improvements are proposed as the source of funds.

25. Approved the following property acquisitions and the related permanent improvement projects as recommended by the Division of General Services:

    a. Mental Health: 0.059 acres on Colonial Drive, to be donated by J. T. Woodward and Margaret O. Brown, project J12-9530;

    b. Mental Retardation: purchase 1.43 acres in Due West for the appraised value of $8,000 using excess debt service funds, project J16-9546, with a budget of $310,000;

    c. Wildlife and Marine Resources Department: purchase 64.88 acres in Pickens County known as Glassy Mountain to be dedicated as a Heritage Preserve for the appraised value of $104,000 using Heritage Land Trust Fund monies, project P34-9567;

26. Agreed to meet at 10 a.m. on Tuesday, May 8, 1990, in the Governor's conference room in the State House;

27. Endorsed a proviso proposing expanding the use of capital improvement bond funds authorized previously for ETV's renovation of State Record facilities to also allow their use under certain conditions on the renovation of facilities located on PYA properties adjacent to the State-Record properties on George Rogers Boulevard;

28. Authorized the Division of Insurance Services to negotiate the continuation of a reinsurance contract;

29. Approved the selection of the Haynsworth, Marion, McKay & Guerard to provide bond counsel services for the Jobs-Economic Development Authority for a $6,200,000 tax-exempt composite refunding bond issue;

30. Denied a request to waive the bond processing fee on a second refunding of $1,200,000 Richland County Hospital Revenue Bonds in connection with the Sunset Medical Partnership project;

31. Authorized the Department of Health and Environmental Control to enter into a personnel settlement with Ms. Geraldine E. Johnson;

32. Received legal advice relating to the State of South Carolina v. City of Columbia annexation litigation and authorized amending the suit to include the five-foot strip annexation issue;

33. Discussed a personnel matter involving employee employment; and

34. Authorized the Board Secretary to execute a resolution relating to the St. Matthews Short Stop appeal matter which is consistent with the Board's March 8 resolution on the Headquarters appeal matter.

MINUTES OF STATE BUDGET AND CONTROL BOARD MEETING

APRIL 23, 1990 10:30 A. M.

The Budget and Control Board met at 10:30 a.m. on Monday, April 23, 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 of the House Ways and Means Committee, was absent.

Also attending were:

Jesse A. Coles, Jr., Ph.D.	Executive Director
William A. McInnis	Secretary
J. Samuel Griswold, Ph.D.	Deputy Executive Director
Alan L. Pollack, Ph.D.	Assistant Executive Director
Charles H. Smith	Assistant Executive Director
Other Board staff	
Joseph D. Shine	Chief Deputy Attorney General
Q. Whitfield Ayres, Ph.D.	Governor's Senior Executive Assistant for Budget and Policy
Luther F. Carter, Ph.D.	Governor's Senior Executive Assistant for Finance and Administration
C. C. "Chuck" Sanders, Jr.	Senior Assistant State Treasurer
George M. Lusk	Senior Assistant Comptroller General
J. Michael Ey	Finance Committee Director of Research
Scott R. Inkley, Jr.	Ways & Means Committee Dir. of Research

Congratulations to Mr. Patterson

Governor Campbell congratulated Mr. Patterson upon his election to the Executive Board of the Government Finance Officers Association. Mr. Patterson thanked Governor Campbell, noting that he is real proud of that honor which resulted from a nationwide vote involving some 12,000 persons.

Adoption of Agenda

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board adopted the agenda as proposed by staff after adding to the executive session agenda as an emergency item the receipt of legal advice relating to pending litigation on the aboveground storage of petroleum products.

Minutes of Previous Meetings

Board members previously had been furnished a draft version of the minutes of the April 9, 1990, meetings of the Budget and Control Board, the State Education Assistance Authority and the South Carolina Resources Authority.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board approved the minutes of the April 9, 1990, meeting of the Budget and Control Board.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board members approved the minutes of the April 9, 1990, meeting of the State Education Assistance Authority.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board members approved the minutes of the April 9, 1990, meeting of the South Carolina Resources Authority.

Blue Agenda

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board approved the blue agenda.

Insurance Services: Activity Report, March (Blue #1)

The Insurance Services Division report on activity in the Medical Benefit Plan, the Dental Benefit Plan and the Insured Benefit Plan during March 1990 was included in the agenda materials. It showed claims and expenses compared to premiums for the Health and Dental Plans individually and combined.

The Division reported that medical claims for March were $14.2 million, bringing the total for the year to $57.9 million. Claims were $24.3 million in January and $19.5 million in February.

The Division speculated that the relatively small amount of claims in March was attributable to the following factors: (1) claims currently going through the system were primarily incurred in 1990, meaning many persons are likely meeting their deductibles at this time; and (2) a disproportionately large number of pending claims because of enrollment problems.

Dental claims for March were reported at $2.1 million, bringing the total for the year to $5.8 million. January claims were $1.9 million and February claims were $1.8 million.

The Board was advised that, at the end of March, the combined reserve balance was just over $36 million.

The Board received as information the Division of Insurance Services activity report for March 1990 on the State Medical, Dental and Insured Benefits Plans.

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

Budget Division: Transfer Requests Operating Procedures (Blue #2)

In the agenda materials, the Division noted that the Board, at the March 13, 1990, meeting, had questioned the effect of budget transfers on current and future operating budgets.

In response, the Division submitted a report in the agenda materials which summarized the current Board-approved transfer policy, Division operating procedures, and recommended adjustments to deal with concerns expressed by the Board.

The Board was advised in the agenda materials that a new report on transfers which impact the appropriations process will be submitted to the Board monthly.

At the meeting, Governor Campbell noted that the new report is further information which will be coming to the Board and that it is in response to the Board's earlier discussion of this matter.

The Board received as information a Budget Division report on the current transfer policy, Division transfer operating procedures and on recommended adjustments which provided for a monthly report to the Board on transfers having an impact on the annual appropriations process.

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

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

The Budget Division reported that a net of 295.50 full-time-equivalent positions (+1.50 State, -16.00 federal and +310.00 other) was added to the authorized base during March which brought the base to a total of 71,029.75 FTE positions.

The Division reported that, at the end of March, 65,230.90 FTE positions were filled and 5,798.85 were vacant. It presented the following comparison:

	Positions Vacant (in %)	
	03/31/89	03/31/90
Total Positions	7.42	8.16
State	6.26	6.60
Federal	10.35	11.30
Other	8.50	9.87

The Board received as information the FTE position operating report for the month of March 1990 which showed that a net of 295.50 FTE positions was added to bring the base total to 71,029.75 FTE positions at the end of the month of which 65,230.90 FTE positions were filled and 5,798.85 were vacant.

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

Budget Division: 1989-90 Personal Service Transfers Report, March (Blue #4)

The Board received as information a Budget Division report that the transfer of $200,968 of personal service funds was approved during March to bring the total approved for transfer during the fiscal year to $1,769,656.

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

General Services: Easement (Blue #5)

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board, in accord with Code Section 1-11-80, approved the following easement as recommended by the Division of General Services:

County Location:	Anderson County
From:	State of South Carolina
To:	Southern Bell
Description/Purpose:	to construct an equipment cabinet and install communications cable to serve the Department of Mental Health War Veterans Nursing Home
Consideration:	$16.

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

General Services: Department of Energy $26,000 Refund (Blue #6)

The Board received as information a Division of General Services report that the Department of Energy has approved a $26,000 refund to the Division on the purchase of refined petroleum products from the Exxon Corporation.

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

Executive Dir: Capital Improvement Bond Fund Draws, Group 16 (Jan-Mar) (B#7)

The Board received as information a report on capital improvement bond fund draws which showed that $6.3 million were drawn in March to bring the January - March total to about $25.7 million which is 19% of the $135.7 million available in the Group 16 (January - June 1990) period and that $59.9 million of these funds had been drawn in the fiscal year through March.

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

Human Resource Mgmt: Employment Beyond Age 70; Advancement of Sick Leave (B#8)

The Division reminded the Board that, on June 10, 1986, it had authorized the Division to approve employment beyond age 70 requests and advancement of sick leave requests and to report those approvals to the Board on a quarterly basis.

Approvals granted during the January-March 1990 quarter were reported in the agenda materials furnished to Board members.

The Board received as information a report on continuation of employment past age 70 and advancement of sick leave during January-March, 1990.

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

Dept of Corrections: Quarterly Compliance Report, Nelson v. Leeke (B#9)

The Board received as information a report that the Department of Corrections has submitted the "Defendants' 21st Quarterly Report on Compliance" in accord with the terms of a negotiated consent decree entered into on January 8, 1985, in relation to the Nelson v. Leeke suit.

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

Executive Director: Interviewee Travel Expense Reimbursement (Blue #10)

The Board received as information reports on the reimbursement of interviewee travel expenses by Mental Health (1) and Clemson University (10).

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

State Fire Commission: Fire Commission Role (Regular #1)

At the meeting, Dr. Coles introduced Mr. Lewis Lee, Chairman of the State Fire Commission, who was present to discuss the role of the Commission and its relationship with the Board.

Mr. Lee thanked the Board for allowing him the opportunity to appear. He said the Fire Commission had been in operation for some ten years and that it has been the Commission's responsibility, as an arm of the Budget and Control Board, to look after the fire and life safety of the citizens of the State of South Carolina.

Mr. Lee said legislation makes the Fire Commission and the State Fire Marshal the fire focal point in the State. He acknowledged that there have been controversies in the past months which have generated much discussion within the State government and throughout the State. He expressed the view

that the Fire Commission, as the State fire focal point, should be the group to suggest to the legislature and the Board policies relating to fire and life safety. He said quite often we have had other agencies and organizations speaking for the fire service when at times they are not always aware of or have knowledge of all the circumstances involved.

He said one of the things which has come out of this is the legislation now pending which will change the appeals process. Mr. Lee said that one of the things he has had the unpleasant duty to do is to stand before the Board when appeals through the process we now have came to the Board from the Appeals Panel. He said we have had quite a bit of unfavorable press because of the Board's involvement in that appeals process. He said that the Fire Commission and the Board and the legislature have worked toward resolving that particular situation. Mr. Lee said he felt that the Fire Commission, with the State Fire Marshal, in plowing the new ground on fire and life safety, had engendered some problems and had stepped on some toes. He also acknowledged that they had caused the Board at times to be out front taking some flak for the Fire Commission and the Division of State Fire Marshal. He said they are working toward making their act better in serving the citizens of the State.

He asked for clarification of the Board's expectations of the Commission, saying that it is the Board's fire focal point.

Governor Campbell expressed appreciation for the job the Fire Commission does. He said he does think that, on occasion, some of our problems stem from the fact that the job might be being performed in a confrontational manner instead of seeking conciliation and, instead of a partnership with the people being regulated, it is almost in a manner which might be dictatorial. He said we had found that some of the problems were not of the Fire Commission's making being instead a failure to educate the local building inspectors and a lack of coordination between regional fire marshals and the local building inspectors as far as the knowledge they had to work with people to solve problems. He referred also to problems of people having been told different things by different officials. He said he thought efforts were moving to remedy that situation and that he thought Mr. Lee and the Commission had moved to address it.

With regard to the role of the Fire Marshal's Office, Governor Campbell said its role is to protect the public safety and to educate and to work with people so that you don't work with them so hard and harsh that they feel you are not there to work with them. He said somehow there has to be the understanding that we are there to work with the public to solve the problem and not be a problem. He said probably ninety percent of the people working in the field do just that and he said he knew the Fire Commission is working on it. He said the role of the Fire Commission is to protect the interest of the public not just from fire but from arbitrary government, from any type of dictatorial stance by a public servant that is going to impact the general public.

Dr. Coles called to Mr. Lee's attention that the Board, at its last two meetings, had taken specific actions which give the sort of direction being sought. He first mentioned the legislation endorsed by the Board which does specify several things which have to happen. Secondly, he referred to the report received by the Board on a study it had authorized which looked at the entire area of appeals and which included many suggestions. Dr. Coles concluded by expressing the view that the Fire Commission now has some directions on which it can move aggressively and positively.

Mr. Lee said they would do that as soon as it gets the information. He cited the aboveground storage tank situation as one in which the Commission had representatives of the petroleum marketing association with the Division of State Fire Marshal and the Commission committee working toward rules and regulations. He said sometimes it was difficult for the groups to talk, noting that if some of the marketing group had their way we wouldn't have any regulations and, on the other hand, he said, as a fire chief, he looks very closely at fire and life safety and would want them to be a little more strict. He said he feels that the rules and regulations now being worked on will find the middle ground. Governor Campbell thanked Mr. Lee for his statement.

Mr. Patterson said he would echo Governor Campbell's sentiments and he asked the Commission to adopt the philosophy of the great prophet Isaiah: come let us sit and reason together.

Information relating to this matter has been retained in these files and is identified as Exhibit 11.

MUSC and Winthrop: Issuance of State Institution Bonds/Notes (R#2)

Bond counsel O. Wayne Corley of the McNair Firm was in attendance.

In the agenda materials, the Medical University asked Board approval of the issuance of $2,000,000 of State Institution Bonds and the use of excess debt service funds to pay $500,000 of the $2,500,000 principal and interest due on 1989 Notes that mature on May 18, 1990. The Board was advised that the MUSC Board of Trustees has made a determination to pay $500,000 of the principal amount outstanding and the interest due on these 1989 Notes from excess debt service funds.

The Board was advised in the agenda materials that notes were issued initially in 1984 in the principal amount of $5,000,000 and that these funds defrayed a portion of the cost of the East Addition, Children's Hospital.

In the agenda materials, Winthrop College asked Board approval of the issuance of $1,075,000 of State Institution Bonds and the use of excess debt service funds to pay the $125,000 principal and the interest due on the $1,200,000 1989 notes that mature on June 13, 1990. The College Board of Trustees has determined to pay $125,000 of the principal amount outstanding and the interest due on these Notes from excess debt service funds.

The Board was advised that notes were issued initially in 1987 in the principal amount of $1,700,000. The funds were applied to the renovation of several academic buildings, including Rutledge Hall in particular.

Upon a motion by Senator Waddell, seconded by Mr. Patterson, the Board adopted a resolution approving the application of the Medical University of South Carolina requesting the issuance of $2,000,000 principal amount of State Institution Bonds and requesting the Governor and the State Treasurer to issue such bonds or notes in anticipation thereof and approved the use of excess debt service funds to pay $500,000 principal and the interest due on the 1989 Notes.

In this same motion, the Board adopted a resolution approving the application of Winthrop College requesting the issuance of $1,075,000 principal amount of State Institution Bonds and requesting the Governor and the State Treasurer to issue such bond or notes in anticipation thereof and approved the use of excess debt service funds to pay $125,000 principal and the interest due on the 1989 Notes.

Information relating to this matter has been retained in these files and is identified as Exhibit 12.

Housing Authority: $2,850,000 Multifamily Housing Revenue Bonds (Reg #3)

Housing Finance and Development Authority Executive Director Anthony Buzzetti was in attendance.

The Board was asked in the agenda materials to adopt a resolution approving conditionally the issuance of $2,850,000 Multifamily Housing Revenue Bonds of the Housing Finance and Development Authority on behalf of the Westbridge Apartments project located in West Columbia.

The Board was advised that no 1990 State ceiling allocation will be required since the Authority will use $2,850,000 of the $75,000,000 carried forward from calendar year 1987.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board adopted a resolution approving the issuance of $2,850,000 Multifamily Housing Revenue Bonds of the Housing Finance and Development Authority on behalf of the Westbridge Apartments project located in West Columbia, subject to the conditions in Section 4 of the resolution.

Information relating to this matter has been retained in these files and is identified as Exhibit 13.

Executive Director: Revenue Bond Issues; State Ceiling Allocations (R#4)

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board adopted resolutions approving proposals (a) through (f) to issue revenue refunding bonds, on the condition that the required reviews are completed with satisfactory results, with the bonds in proposals (a) through (e) to be issued

by JEDA through a negotiated private sale to an underwriter for public offering thereafter:

(a) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $1,550,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Old Claussen's Bakery Partners
Location: City of Columbia
Employment Impact: 15
Project Description: inn and retail shops
(Exhibit 14)

(b) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $2,400,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Midland Properties, Ltd.
Location: City of Columbia
Employment Impact: 65
Project Description: shopping center renovation
(Exhibit 15)

(c) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $750,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: NMFO Associates
Location: Richland County
Employment Impact: 63
Project Description: office building and research facility
(Exhibit 16)

(d) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $950,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Rice Street Associates
Location: City of Columbia
Employment Impact: 14
Project Description: retail, wholesale, warehouse space
(Exhibit 17)

(e) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $550,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Tobul Accumulators Division of Mill and Mine Services
Location : City of Bamberg
Employment Impact: 25
Project Description: manufacture hydraulic accumulators
(Exhibit 18)

(f) Issuing Authority: Richland County
Amount of Issue: $1,200,000 Hospital Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Sunset Medical Partnership
Employment Impact: 102
Project Description: medical office building/mental health treatment facility
(Exhibit 19)

The Board also received as information the status report on the State ceiling (Exhibit 20) which showed that a balance of $145,400,000 is available for allocation to projects.

Information relating to this matter has been retained in these files and is identified as Exhibits 14 through 20, respectively.

Laurens County: Ceiling Allocation Extension (Regular #5)

The Board was advised in the agenda materials that the $8,000,000 ceiling allocation for the Laurens County Teknor Apex Carolina Company project expires April 29 but that the closing date has been delayed until May.

The County requested a 31-day extension to the allocation in accord with Code Section 1-11-560(c).

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board extended for 31 days the $8,000,000 State ceiling allocation for the Laurens County Teknor Apex Carolina Company project.

Information relating to this matter has been retained in these files and is identified as Exhibit 21.

Budget Division: Land Resources Transfer Request (Regular #6)

The Division recommended approval of the Land Resources Conservation Commission request to transfer $21,316 federal funds from personal service to supplies and materials, fixed charges and contributions, and equipment.

The Board was advised in the agenda materials that this transfer will enable the agency to comply with the Petroleum Overcharge grant from the Governor's Office. The grant requires the purchase of 19 units of drip trickle irrigation equipment, 5 no-till planters, 33 no-till drills, supplies associated with the equipment, promotion of the project, and insurance for the operation of the equipment.

The Division reported that funds are available in personal service because of a delay in starting the program and in hiring a full-time employee.

The Board was advised that, if this request is approved, the agency's total personal transfer will be $35,316, and will exceed the amount by $10,316 staff is authorized to approve.

Senator Waddell noted that federal funds are involved which will not lapse to the general fund.

Upon a motion by Senator Waddell, seconded by Mr. Morris, the Board authorized the Land Resources Conservation Commission to transfer $21,316 federal funds from personal service to supplies and materials, fixed charges and contributions, and equipment.

Information relating to this matter has been retained in these files and is identified as Exhibit 22.

Budget Div: Civil Contingent Fund Allocation, Occupational Therapy (Reg #7)

The Budget Division recommended approval of a $525 allocation from the Civil Contingent Fund to the Board of Occupational Therapy Examiners for additional per diem and travel.

The Division advised that the membership of that Board was appointed in November after the budget for the fiscal year had been prepared. It noted that the additional funding will pay for a meeting required to address legal issues.

The Board was advised in the agenda materials that, in 1988-89, the agency lapsed $77.12; $843.19 in 1987-88, and $460.34 in 1986-87 and that, this year, the agency has deposited $5,275 in the general fund. The total amount expected to be deposited this fiscal year is $10,000 which the Division noted more than adequately covers the 115% proviso requirement.

The Division reported that this request also has been submitted to the General Assembly for the 1990-91 budget.

A status report on the Civil Contingent Fund was provided in the agenda materials.

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board allocated $525 from the Civil Contingent Fund to the Board of Occupational Therapy Examiners for additional per diem and travel.

Information relating to this matter has been retained in these files and is identified as Exhibit 23.

Motor Vehicle Mgmnt: Development Bd SG License Plate Exemption (Reg #8)

The Division of Motor Vehicle Management recommended approval of the Development Board request for an exemption from the requirement to use State government license plates on a 1990 Ford Aerostar vehicle operated by the agency.

On April 25, 1989, the Budget and Control Board approved an exemption for two Development Board vehicles and on December 8, 1987, approved an exemption for nine vehicles.

The Board was advised that, if the request is approved, a total of 12 Development Board vehicles will be exempted from the requirement to display State government license plates.

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board approved a Development Board request for an exemption from the requirement to use State government license plates on a 1990 Ford Aerostar.

Information relating to this matter has been retained in these files and is identified as Exhibit 24.

General Services: Permanent Improvement Project (Regular #9)

General Services counsel Wayne Rush appeared before the Board on this matter.

The Board was asked to approve the following permanent improvement project establishment request that had been reviewed favorably by the Joint Bond Review Committee:

On Summary 18-90, Item 4:
Agency: Aeronautics Commission
Project: Global Wulfsberg Radios
Request: Establish project and budget
Amount: $32,459.60
Source: Capital improvement bond funds
Purpose: To purchase 7 radios for use in Aeronautics Commission aircraft to improve air-to-ground communications without the towns' having to purchase additional radio equipment for communication. Capital improvement bond funds authorized for airport improvements are proposed as the source of funds.

Mr. Rush noted that the Commission experienced difficulty during Hurricane Hugo conversing with certain towns because radio equipment was not compatible as far as frequencies were concerned. He said this equipment would enable Commission planes to communicate with the towns and possibly would eliminate the necessity for the towns to buy different equipment.

Governor Campbell asked if most towns don't have fixed base operators and who in the towns will operate the radios in those who don't. Mr. Rush said he could not answer that question. Governor Campbell again asked who the Aeronautics Commission would communicate with if there are no operators in the towns. Senator Waddell said the radios have many channels. Governor Campbell said Aeronautics Commission planes now can contact SLED and the Highway Patrol and perhaps Wildlife. He asked that more information be provided.

Mr. Rush advised that the radios already have been purchased using operating funds and that the Commission request is to use bond funds to reimburse its operating fund account. He said the Division's point is whether or not bond funds authorized for airport improvements could be used for this equipment purchase.

Senator Waddell observed that the radios are no longer manufactured.

Mr. Rush acknowledged that the equipment is obsolete but he advised that it has a projected 15-year life. He also said the Commission has been assured there will be no problems with their maintenance and repair.

Governor Campbell questioned whether this equipment is a bondable item. Mr. Rush said that is the Division's question.

After this discussion, the Board carried over the Aeronautics Commission permanent improvement project establishment request which had been reviewed favorably by the Joint Bond Review Committee.

Information relating to this matter has been retained in these files and is identified as Exhibit 25.

General Services: Land Acquisitions (Regular #10)

Mr. Rush appeared before the Board on this matter.

The Division of General Services recommended approval of the following property acquisitions and the related permanent improvement projects:

a. Mental Health: 0.059 acres on Colonial Drive, to be donated by J. T. Woodward and Margaret O. Brown. The environmental study has indicated one contaminant source, a former service station site, at the corner of Colonial Drive and Harden Street. Dissolved hydrocarbon constituents (BTEX) have been discovered in ground water flow appearing to be somewhat toward the Woodward parcel which may have been impacted. However, because the parcel is surrounded by other State land, the State's liability by accepting the donation is not considered to be increased. The project, J12-9530, was approved by the JBRC on April 3, 1990.

b. Mental Retardation: purchase 1.43 acres in Due West for the appraised value of $8,000 using excess debt service funds. The environmental study indicates no hazardous conditions on the site. The total 8-bed community residence project, J16-9546, with a budget of $310,000, was approved by the JBRC on April 3, 1990.

c. Wildlife and Marine Resources Department: purchase 64.88 acres in Pickens County known as Glassy Mountain to be dedicated as a Heritage Preserve for the appraised value of $104,000 using Heritage Land Trust Fund monies. The property contains several rare plant species and has rock cliffs, a rare land form in South Carolina. The environmental study indicates no hazardous conditions exist on the site. The project, P34-9567, was approved by the JBRC on April 3, 1990.

Upon a motion by Senator Waddell, seconded by Mr. Morris, the Board approved the following property acquisitions and the related permanent improvement projects as recommended by the Division of General Services:

a. Mental Health: 0.059 acres on Colonial Drive, to be donated by J. T. Woodward and Margaret O. Brown, project J12-9530;

b. Mental Retardation: purchase 1.43 acres in Due West for the appraised value of $8,000 using excess debt service funds and the related 8-bed community residence project (J16-9546) with a budget of $310,000; and

c. Wildlife and Marine Resources Department: purchase 64.88 acres in Pickens County known as Glassy Mountain to be dedicated as a Heritage Preserve for the appraised value of $104,000 using Heritage Land Trust Fund monies, project P34-9567.

Information relating to this matter has been retained in these files and is identified as Exhibit 26.

Future Meeting

The Board agreed to meet at 10 a.m. on Tuesday, May 8, 1990, in the Governor's conference room in the State House.

Executive Session

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board agreed to consider the following items, which had been published previously, in executive session.

1	ETV	Discussion of Negotiations Incident to Proposed Contractual Arrangements (Proposed Property Acquisition)
2	Insurance Services	Discussion of Negotiations Incident to Proposed Contractual Arrangements (Reinsurance Contracts)
3	State Treasurer	Receipt of Legal Advice (Bond Counsel Selection)
4	Sunset Medical Partnership	Receipt of Legal Advice (Bond Processing Fee Waiver Request)
5	Human Resource Mgmt.	Receipt of Legal Advice (Personnel Settlement)

6	General Services	Receipt of Legal Advice (Columbia Annexation Suit)
7	Executive Director	Discussion of Personnel Matter (Employee Employment)
8	Fire Marshal Appeal Panel	Receipt of Legal Advice (St. Matthews Short Stop Appeal Matter)

Report on Matters Discussed in Executive Session

Following the executive session, the meeting was opened, and the Board reported on the following items which had been discussed during executive session:

(a) Educational Television Commission: Discussion of Negotiations Incident to Proposed Contractual Arrangements (Proposed Property Acquisition) (Executive #1)

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board endorsed a proviso proposing expanding the use of capital improvement bond funds authorized previously for ETV's construction and renovation of facilities on the State-Record properties now owned by the State to also allow their use under certain conditions on the construction and renovation of facilities located on PYA properties adjacent to the State-Record properties on George Rogers Boulevard.

(b) Insurance Services: Discussion of Negotiations Incident to Proposed Contractual Arrangements (Reinsurance Contracts) (Executive #2)

Upon a motion by Mr. Morris, seconded by Senator Waddell, the Board authorized the Division of Insurance Services to negotiate the continuation of a reinsurance contract.

(c) State Treasurer: Receipt of Legal Advice (Bond Counsel Selection (Executive #3)

Upon a motion by Mr. Patterson, seconded by Senator Waddell, the Board approved the selection of the Haynsworth, Marion, McKay & Guerard firm to provide bond counsel services for the Jobs-Economic Development Authority for a $6,200,000 tax-exempt composite refunding bond issue.

(d) **Sunset Medical Partnership: Receipt of Legal Advice (Bond Processing Fee Waiver Request) (Executive #4)**

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board denied a request to waive the bond processing fee on a second refunding of $1,200,000 Richland County Hospital Revenue Bonds in connection with the Sunset Medical Partnership project.

(e) **Human Resource Management: Receipt of Legal Advice (Personnel Settlement) (Executive #5)**

Upon a motion by Mr. Morris, seconded by Mr. Patterson, the Board authorized the Department of Health and Environmental Control to enter into a personnel settlement with Ms. Geraldine E. Johnson.

(e) **General Services: Receipt of Legal Advice (Columbia Annexation Suit) (Executive #6)**

The Board received legal advice relating to the State of South Carolina v. City of Columbia annexation litigation and, upon a motion by Mr. Morris, seconded by Mr. Patterson, authorized amending the suit to include the five-foot strip annexation issue.

(f) **Executive Director: Discussion of Personnel Matter (Employee Employment) (Executive #7)**

The Board discussed but took no action on a personnel matter involving employee employment.

(g) **Fire Marshal Appeal Panel: Receipt of Legal Advice (St. Matthews Short Stop Appeal Matter) (Executive Add-on)**

Upon a motion by Senator Waddell, seconded by Mr. Morris, the Board authorized the Board Secretary to execute a resolution relating to the St. Matthews Short Stop appeal matter which is consistent with the Board's March 8 resolution on the Headquarters appeal matter.

Governor Campbell advised that he did not participate in the discussion of this matter. He abstained from voting on the motion which was adopted by a vote of 3 to 0.

Adjournment

Upon a motion by Senator Waddell, the meeting was adjourned at 1 p.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 10:15 a.m. on Friday, April 20, 1990.]

EXHIBIT

APR 23 1990 1

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD — BLUE AGENDA

MEETING OF April 23, 1990 — ITEM NUMBER 1

AGENCY: Insurance Services

SUBJECT: Activity Report, March

The Insurance Services Division report on activity in the Medical Benefit Plan, the Dental Benefit Plan and the Insured Benefit Plan during March 1990 shows claims and expenses compared to premiums for the Health and Dental Plans individually and combined.

Medical claims for March were $14.2 million, bringing the total for the year to $57.9 million. Claims were $24.3 million in January and $19.5 million in February.

The small amount of claims is thought to be attributable to the following factors: (1) claims currently going through the system were primarily incurred in 1990, meaning many persons are likely meeting their deductibles at this time; and (2) there is a disproportionately large number of pending claims because of enrollment problems.

Dental claims for March were $2.1 million, bringing the total for the year to $5.8 million. January claims were $1.9 million and February claims were $1.8 million.

Details are provided in the attachment.

At the end of March, the combined reserve balance was just over $36 million.

BOARD ACTION REQUESTED:

Receive as information the Insurance Services activity report for March 1990 on the State Medical, Dental and Insured Benefits Plans.

ATTACHMENTS:

Bennett April 16 letter to Coles; referenced report.

13694

APR 18 1990

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF INSURANCE SERVICES

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

POST OFFICE BOX 11696
1201 MAIN STREET, SUITE 300
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0065

JAMES E. BENNETT, CPCU
DIVISION DIRECTOR

April 16, 1990

RECEIVED
APR 17 1990
BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Jesse A. Coles, Jr., Ph.D.
Executive Director
Budget & Control Board
612 Wade Hampton Office Building
P.O. Box 12444
Columbia, South Carolina 29211

Dear Dr. Coles:

Attached is a copy of the Division of Insurance Services' Monthly Activity Report for March. This report provides information on claims and expenses for the medical and dental plans for this calendar year.

HEALTH

Claims for the State Health Plan in March equalled $14.2 million, bringing the total for the year to $57.9 million. The small amount of claims in March is thought to be attributable to two factors. One, claims currently going through the system were primarily incurred in 1990, meaning that many persons are likely meeting their deductibles at this time. Two, the claims processor reports that there remain a disproportionately large number of pending claims because of problems with electronic data communications regarding enrollment.

DENTAL

Claims for the Dental Plan in March equalled $2.1 million, bringing the total for the year to $5.8 million.

Please call me if you have any questions about this report.

Sincerely,

James E. Bennett

James E. Bennett, CPCU
Director
Division of Insurance Services

JEB/c

Enclosure

EXHIBIT
APR 23 1990 1
STATE BUDGET & CONTROL BOARD

09-Apr-90

STATE OF SOUTH CAROLINA
MEDICAL AND DENTAL BENEFIT PLAN
MONTHLY ACTIVITY REPORT
1990

ENROLLMENT	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
State Plan and HMOs - Number	168,671	168,714	169,391							
HMO Coverage - Number	9,921	10,596	10,648							
% Under HMOs	5.88%	6.70%	6.71%							
State Health Plan - Number	158,750	158,118	158,743							
State Health Plan										
% Subscriber Only	56.31%	56.37%	56.69%							
% with Dependents	43.69%	43.63%	43.31%							
% Actives	79.57%	79.20%	79.27%							
% Retirees	19.06%	19.08%	19.01%							
% Survivors and COBRAs	1.37%	1.72%	1.72%							
% Under Basic Plan (A)	16.22%	11.85%	11.35%							
% Under Expanded Plan (B)	83.78%	88.15%	88.65%							
Dental Coverage - Number	167,320	167,315	167,955							
% with Dependents	36.86%	39.22%	39.41%							
FINANCIALS (Combined - Medical & Dental)										
Contributions:										
Employer	20,127,830	20,597,165	19,635,566							
Employee	7,792,882	7,844,500	7,979,827							
HMO Premiums	(910,182)	(1,065,567)	(996,065)							
Total	27,010,530	27,376,098	26,619,328							
Claims & Expenses:										
Claims	26,230,634	21,233,707	16,288,574							
Administrative Expenses	1,347,642	559,420	604,374							
Total	27,578,276	21,793,127	16,892,948							
Interest Income	150,564	134,924	179,346							
* Reserve Balance	20,388,763	26,106,658	36,012,384							
Fiscal YTD										
Contributions (Employer & Employee)	27,920,712	56,362,377	83,977,770							
HMO Premiums	(910,182)	(1,975,749)	(2,971,814)							
Claims	26,230,634	47,464,341	63,752,915							
Administrative Expenses	1,347,642	1,907,062	2,511,436							

* Beginning Balance January 1, 1990 $20,805,945

STATE BUDGET & CONTROL BOARD
APR 23 1990
EXHIBIT 1

13696

STATE OF SOUTH CAROLINA

MEDICAL BENEFIT PLAN

MONTHLY ACTIVITY REPORT

1990

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
FINANCIALS - Medical Only										
Contributions										
Employer	18,488,676	18,955,228	17,975,194							
Employee	6,896,928	6,809,832	6,992,329							
HMO Premiums	(910,182)	(1,065,567)	(996,065)							
Total	24,475,422	24,699,493	23,971,458							
Claims & Expenses:										
Claims	24,282,739	19,472,791	14,166,088							
** Administrative Expenses	1,239,442	451,194	495,726							
Total	25,522,181	19,923,985	14,661,814							
Loss Ratio (%)	104.28%	80.67%	61.16%							
Interest Income	90,297	78,845	115,730							
* Reserve Balance	11,481,311	16,335,664	25,761,038							
Number Months Claims	0.54	0.76	1.24							
Fiscal YTD										
Contributions (Employer & Employee)	25,385,604	51,150,664	76,118,187							
HMO Premiums	(910,182)	(1,975,749)	(2,971,814)							
Claims	24,282,739	43,755,530	57,921,618							
Administrative Expenses	1,239,442	1,690,636	2,186,362							
Loss Ratio (%)	104.28%	92.42%	82.17%							
** Administrative Expenses:										
BC&BS-Claims Processing	$437,419	$272,345	$355,600							
DIS-Operating Expenses	$700,000									
Crawford-Utilization Review	$102,023	$178,849	$140,126							
Total	$1,239,442	$451,194	$495,726							

* Beginning Balance January 1, 1990 $12,437,773

13697

09-Apr-90

STATE OF SOUTH CAROLINA

DENTAL BENEFIT PLAN

MONTHLY ACTIVITY REPORT

1990

FINANCIALS - DENTAL ONLY	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
Contributions:										
Employer	1,639,154	1,641,937	1,660,372							
Employee	895,954	1,034,668	987,498							
Total	2,535,108	2,676,605	2,647,870							
Claims & Expenses:										
Claims	1,947,895	1,760,916	2,122,486							
GAB-Claims Processing	108,200	108,226	108,648							
Total	2,056,095	1,869,142	2,231,134							
Loss Ratio (%)	81.10%	69.83%	84.26%							
Interest Income	60,267	56,079	63,616							
* Reserve Balance	8,907,452	9,770,994	10,251,346							
Number Months Claims	4.65	5.16	5.31							
Fiscal YTD										
Contributions (Employer & Employee)	2,535,108	5,211,713	7,859,583							
Claims	1,947,895	3,708,811	5,831,297							
GAB-Claims Processing	108,200	216,426	325,074							
Loss Ratio (%)	81.10%	75.32%	78.33%							

* Beginning Balance January 1, 1990 $8,368,172

13698

09-Apr-90

STATE OF SOUTH CAROLINA

INSURED BENEFIT PLAN

MONTHLY ACTIVITY REPORT

1990

	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER
ENROLLMENT										
Optional Life - Number	92,020	92,725	93,245							
FINANCIALS										
DEPENDENT LIFE										
Premiums	22,100	22,841	23,088							
Paid Claims	4,000	39,100	25,200							
Number of claims	4	40	26							
Loss Ratio (%)	18.10%	171.18%	109.15%							
OPTIONAL LIFE (Life & AD&D)										
Premiums	365,578	368,405	370,440							
Paid Claims	212,500	520,000	385,000							
Number of claims	5	19	15							
Loss Ratio (%)	58.13%	141.15%	103.93%							

13699

EXHIBIT 1

APR 23 1990

STATE BUDGET & CONTROL BOARD

EXHIBIT

APR 23 1990 2

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD BLUE AGENDA

MEETING OF April 23, 1990 ITEM NUMBER 2

AGENCY: Budget Division

SUBJECT: Transfer Requests Operating Procedures

On March 13, 1990, the Board questioned the effect of budget transfers on current and future operating budgets.

The Division has prepared a report reflecting the current Board-approved transfer policy, Division operating procedures, and recommended adjustments to deal with concerns expressed by the Board.

A new report on transfers which impact the appropriations process will be submitted to the Board monthly.

BOARD ACTION REQUESTED:

Receive as information a Budget Division report on the current transfer policy, Division transfer operating procedures, and recommended adjustments.

ATTACHMENTS:

Agenda item worksheet; report

13700

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

90-58

Meeting Scheduled for: April 23, 1990 Blue Agenda

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

2. Subject:
   Routine Operating Procedures for Budget Transfer Requests

3. Summary Background Information:
   At its meeting on March 13, 1990, the Budget and Control Board raised several questions concerning budget transfers and the effects of such transfers on current and future operating budgets. The State Budget Division herewith submits a report reflecting the current Board-approved transfer policy, the Budget Division transfer operating procedures, and recommended adjustments to deal with the concerns expressed by the Board.

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. Routine Operating Procedures for Budget Transfer Requests

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

EXHIBIT

APR 23 1990 2

STATE BUDGET & CONTROL BOARD

13701

BUDGET AND CONTROL BOARD
STATE BUDGET DIVISION

Routine Operating Procedures for Budget Transfer Requests

Agency requests for budget transfers are submitted on STARS Form 30 to the State Budget Division. The analyst assigned to the requesting agency initially receives the transfer form; the request may be recommended for approval, recommended for disapproval or recommended for submission to the Budget and Control Board for consideration. If the transfer is recommended for approval, it is reviewed and approved or disapproved by the Assistant Director for Budget Development.

Four major criteria are used by the State Budget Division to determine approval, disapproval or Board consideration of transfers. The criteria are:

1. Legislative Intent
2. Agency Need
3. Agency Justification
4. Budgetary Impact

Legislative intent is the most definitive of the four criteria. Several major legislative intent rules dictate the treatment of transfers. They are:

a. Section 1A.1 of the 1989-90 Appropriation Act states, "Any agency which requests the Budget and Control Board to transfer personal service funds must indicate on the transfer document whether or not a reduction in force is involved."

b. Section 129.16(B) of the 1989-90 Appropriation Act states, "No such transfer may exceed 20% of the program budget." This decree means that for any given fiscal year no more than 20% of the budgeted funds may be transferred from one program to another program. A program is defined as those appropriations displayed under one Roman numeral in the Appropriation Act.

c. On February 11, 1986, the Budget and Control Board approved procedures relating to the directive contained in Section 129.16; historically, for each fiscal year, by section or proviso, the Appropriation Act has included the verbiage of Section 129.16. The procedures require the following before the Board considers an appropriation transfer request:

   1. A clear and concise justification by the requesting agency for the transfer.
   2. Results of a thorough review of the agency submission by staff of the Budget Division including a detailed report supplied by requesting agency that budget realignment is necessary to accomplish the purpose described in the justification statement, and a staff recommendation.

   Likewise, the Board delegated authority to the Budget Division to approve the following types of transfers:

   1. Transfers not changing legislative intent including transfer between programs that do not permanently change the level or substance of the program; transfers within personal service; and transfers within other operating expense.

13702

2. Transfers to other expenditure areas of a cumulative total during a fiscal year of one-fourth of one percent (.0025) of an agency's personal service appropriation or $25,000 of personal service funds, whichever is greater.

d. Other sections and provisos have an indirect application to the treatment of transfer requests. One example is Proviso 129.41 dealing with the approval of agency information technology equipment purchases by the Division of Research and Statistical Services. Before transfers are granted to move appropriations to an equipment budget code, the State Budget Division requires the agency to certify that any such equipment purchases associated with the transfer request are properly approved.

A second example is Proviso 14.64 of the 1989-90 Appropriation Act. This proviso institutes a 4.7% vacancy factor for all state agencies. To implement the intent of this proviso, the Budget Division requires agencies to certify that the movement of significant amounts of personal service funds does not interfere with the agency's ability to manage the increased vacancy factor. Such legislative intent directives are scattered throughout the annual Appropriation Act, and these directives are implemented within the transfer request process.

If an agency transfer request meets all of the above legislative intent rules, then the remaining criteria, agency need, agency justification and budgetary impact, are applied to the consideration for approval. If the transfer request does not meet the legislative intent rules, the transfer request is returned to the agency or sent to the Board with a recommendation of approval or disapproval. Additionally, recommendations for approval or disapproval by the Board are judged by the same criteria.

A vast majority of transfer requests do not require any post- approval monitoring. These transfer requests usually involve an immediate short term need by an agency, an accounting transaction for cash flow purposes or an allocation of a statewide action such as the distribution of the employee base pay increase or an across the board cut in expenditures.

Of those transfer requests that do require post-approval monitoring, most are instances where specific programs are moved from one agency to another or circumstantial changes within an agency dictate a budgetary realignment. Requests for a budgetary realignment resulting from a requested transfer are carefully scrutinized and must be adequately justified by the requesting agency before being granted. In certain cases transfers are approved as interim actions when the following year's Appropriation Act implements program changes.

Transfers requiring monitoring are considered when recommending budget increases to be included in the Board's version of the Appropriation Act. A list of guidelines are used by analysts to determine staff recommendations for funding increases to the Board. Included in that list are:

- Lapse patterns over several years
- Carry forward patterns
- Transfer activity from prior years, especially in the area of personal service and equipment

In order to insure that transfers relevant to deliberations for the succeeding year's Appropriation Act are properly addressed, the Budget Division notifies the Ways and Means Committee or the Senate Finance Committee, which ever is handling the bill, of this type of transfer. Action on these transfers is closely monitored and coorindated with relevant staff until properly executed. Additionally, the Budget Division is enacting a policy of formally notifying the Budget and Control

Board of such transfer activity by means of a monthly report. As a result, all budgetary policy makers will be kept apprised of transfers having impact on the annual Appropriation process.

The State Budget Division views the budget transfer process as a tool for assisting agencies in accomplishing their statutory missions; at the same time the Division takes seriously the issues of accountability and integrity in the budget transfer process.

EXHIBIT
APR 23 1990 2
STATE BUDGET & CONTROL BOARD

EXHIBIT

APR 23 1990 3

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD — BLUE AGENDA

MEETING OF April 23, 1990 — ITEM NUMBER 3

AGENCY: Budget Division

SUBJECT: FTE Operating Report, March

The Budget Division reports that a net of 295.50 full-time-equivalent positions (+1.50 State, -16.00 federal and +310.00 other) was added to the authorized base during March. This brought the base to a total of 71,029.75 FTE positions.

At the end of March, 65,230.90 FTE positions were filled and 5,798.85 were vacant.

	Positions Vacant (in %)	
	03/31/89	03/31/90
Total Positions	7.42	8.16
State	6.26	6.60
Federal	10.35	11.30
Other	8.50	9.87

BOARD ACTION REQUESTED:

Receive as information the FTE position operating report for the month of March 1990 which shows that a net of 295.50 FTE positions was added to bring the base total to 71,029.75 FTE positions at the end of the month of which 65,230.90 FTE positions were filled and 5,798.85 were vacant.

ATTACHMENTS:

Agenda item worksheet and referenced report.

13705

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

90-56

Meeting Scheduled for: April 23, 1990 Blue Agenda

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

2. Subject:
   1989-90 FTE Operating Report for the Month of March 1990

3. Summary Background Information:
   The attached report is submitted in accordance with Section 129.22 of the 1989-90 Appropriation Act. The report exempts all Legislative Employees (718.00) and Judicial Employees (405.47) which totals (1,123.47). 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:

EXHIBIT 3
APR 23 1990
STATE BUDGET & CONTROL BOARD

13706

STATE BUDGET DIVISION
FTE POSITION AUTHORIZED ADJUSTMENTS
TO DATE
3/31/90

	TOTAL FTE POSITIONS	STATE FTE POSITIONS	FEDERAL FTE POSITIONS	OTHER FTE POSITIONS
Total Authorized FTE Position Base per 1989-90 Appropriation Act	71,447.58	41,827.95	8,380.74	21,238.89
Monthly Adjustments				
July	(3.00)	(18.00)	(7.00)	22.00
August	(1.00)		(50.80)	49.80
September	319.14	6.14	13.00	300.00
October	0.00	0.00	0.00	0.00
November	0.00	(8.61)	(29.39)	38.00
December	95.00	6.20	51.30	37.50
January	0.00	0.00	0.00	0.00
February	0.00	(4.41)	(28.80)	33.21
March	295.50	1.50	(16.00)	310.00
Total Net Adjustments	705.64	(17.18)	(67.69)	790.51
Total Adjusted Appropriated FTE Position Base 3/31/90	72,153.22	41,810.77	8,313.05	22,029.40
Less:				
1989-90 Legislative Employees	718.00	716.00	0.00	2.00
1989-90 Judicial Employees	405.47	405.47		
Total Authorized FTE Position Base 3/31/90	71,029.75	40,689.30	8,313.05	22,027.40

Prepared
April 10, 1990

13707

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

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EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

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ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

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

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1205 PENDLETON STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 734-2280

CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

April 10, 1990

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 March 1989-90 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

13708

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

SECTION NO.	AGENCY	TOTAL FTE POSITIONS	STATE FTE POSITIONS	FEDERAL FTE POSITIONS	OTHER FTE POSITIONS
	Total Authorized FTE Position Base 2/28/90	70,734.25	40,687.80	8,329.05	21,717.40
	March Authorized Adjustments				
5B	SLED	1.00	1.00		
11	Appellate Defense	(0.50)	(0.50)		
14G	BCB-General Services Div.	1.00	1.00		
14H	BCB-Fire Marshal	(0.38)	(0.38)		
14J	BCB-Human Resource Mgmt.	0.38	0.38		
17	The Citadel	1.00			1.00
23	Univ. of S.C.			(65.00)	65.00
23	Univ. of S.C.			(2.00)	2.00
25	Medical Univ. of S.C.	205.00			205.00
32	Deaf & Blind School	8.00		4.00	4.00
38	HHSFC	2.00	1.00		1.00
38	HHSFC			1.00	(1.00)
40	Dept. of Mental Health	(3.00)	(2.00)		(1.00)
42	Alcohol & Drug Abuse	2.00		2.00	
43	Dept. Social Services	1.00	1.00		
43	Dept. Social Services	78.00		44.00	34.00
49	Human Affairs Commission	(1.00)	(1.00)		
52	Dept. of Corrections	1.00	1.00		
63	Wildlife & Marine Res.	(1.00)	(1.00)		

66	Parks, Recreat. & Tour.	(1.00)			(1.00)
66	Parks, Recreat. & Tour.	1.00			1.00
80	Dept. of Consumer Affairs	1.00	1.00		
	Total Net Adjustments--March	295.50	1.50	(16.00)	310.00
	Total Authorized FTE Position Base 3/31/90	71,029.75	40,689.30	8,313.05	22,027.40
	Total Filled FTE Positions 3/31/90	65,230.90	38,004.26	7,374.07	19,852.57
	Total Vacant FTE Positions 3/31/90	5,798.85	2,685.04	938.98	2,174.83
	Percent Vacant 3/31/90	8.16%	6.60%	11.30%	9.87%
	Percent Vacant 3/31/89	7.42%	6.26%	10.35%	8.50%
	Percent Vacant 3/31/88	7.80%	6.24%	9.25%	10.18%

Prepared:
April 10, 1990

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

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GOVERNOR

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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: March 27, 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: D10 State Law Enforcement Division (SR)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	447.25	446.25	-	1.00
Adjusted FTE Position Base				448.25	447.25	-	1.00
Authorized Adjustment				1.00	1.00	-	-

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-25) Transferred from the Human Affairs Commission.

13711

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
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205 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: March 1, 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: E22 Appellate Defense (11)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			2/15/90	17.89	17.89		
Adjusted FTE Position Base				17.39	17.39		
Authorized Adjustment				(0.50)	(0.50)		

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board in accordance with Section 129.22 of the 1989-90 Appropriation Act. Authorized FTE position vacant for nine(9) months.

13712 ✓

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR. CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
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(803) 734-2280

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: March 27, 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 Division (14G)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	370.89	134.77	-	236.12
Adjusted FTE Position Base				371.89	135.77	-	236.12
Authorized Adjustment				1.00	1.00	-	-

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-38)

13713

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.
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CHARLES A. BROOKS, JR.
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JAMES M. WADDELL, JR.
CHAIRMAN, SENATE FINANCE COMMITTE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITT

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: March 20, 1990

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

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

_V_ 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 a follows:

Agency: F14 BCB-State 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			3/1/90	80.50	76.00	-	4.50
Adjusted FTE Position Base				80.12	75.62	-	4.50
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. Transfer to BCB-Human Resource Management.

13714

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR. CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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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: March 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: F24 BCB-Human Resource Management (141)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/1/90	102.00	73.00	-	29.00
Adjusted FTE Position Base				102.38	73.38	-	29.00
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. Transfer from BCB-State Fire Marshal.

13715

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

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(803) 734-2280

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: March 27, 1990

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

__Y__ 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: H09 The Citadel (17)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	524.22	329.98	-	194.24
Adjusted FTE Position Base				525.22	329.98	-	195.24
Authorized Adjustment				1.00	-	-	1.00

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-27)

13716

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
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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: March 1, 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: H27 University of South Carolina ~~(25A)~~ 3)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			2/15/90	5,663.64	3,266.03	511.11	1,886.50
Adjusted FTE Position Base				5,663.64	3,266.03	446.11	1,951.50
Authorized Adjustment				-	-	(65.00)	65.00

Authorization/Explanation:
Requested by the agency-Manpower Account

13717

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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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: March 15, 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: H27 University of South Carolina (25)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/1/90	5,663.64	3,266.03	446.11	1,951.50
Adjusted FTE Position Base				5,663.64	3,266.03	444.11	1,953.50
Authorized Adjustment				-	-	(2.00)	2.00

Authorization/Explanation:
Requested by the agency reduction in Federal Funding.

13718

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR. CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: March 27, 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: H51 Medical University of South Carolina (25)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	5,089.53	1,994.08	213.54	2,881.91
Adjusted FTE Position Base				5,294.53	1,994.08	213.54	3,086.91
Authorized Adjustment				205.00	-	-	205.00

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-28)

13719

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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(803) 734-2280

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: March 27, 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: H75 School for The Deaf and The 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			3/15/90	381.18	323.66	20.57	36.95
Adjusted FTE Position Base				389.18	323.66	24.57	40.95
Authorized Adjustment				8.00	-	4.00	4.00

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-29 and Item #90-37)

13720

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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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: March 27, 1990

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

_Y_ 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 State Health & Human Services Finance Commission (38)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	506.00	211.45	290.05	4.50
Adjusted FTE Position Base				508.00	212.45	290.05	5.50
Authorized Adjustment				2.00	1.00	-	1.00

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-30) Transferred from the Department of Mental Health.

13721

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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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: March 29, 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: J02 Health and Human Services Finance Commission (38)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/27/90	508.00	212.45	290.05	5.50
Adjusted FTE Position Base				508.00	212.45	291.05	4.50
Authorized Adjustment				-	-	1.00	(1.00)

Authorization/Explanation:
Requested by the agency to conform two (2.00) FTE Positions to agency source funding (Transferred from the Department of Mental Health).

13722

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
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(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: March 27, 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: J12 Department of Mental Health (40)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	6,599.46	5,126.45	221.87	1,251.14
Adjusted FTE Position Base				6,596.46	5,124.45	221.87	1,250.14
Authorized Adjustment				(3.00)	(2.00)	-	(1.00)

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-30 and Item #90-31) Transferred to the State Health and Human Services Finance Commission and the Department of Social Services.

13723

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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COMPTROLLER GENERAL

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CHARLES A. BROOKS, JR.
DIVISION DIRECTOR

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: March 27, 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: 420 South Carolina Commission on Alcohol & Drug Abuse (42)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	80.51	72.35	3.16	5.00
Adjusted FTE Position Base				82.51	72.35	5.16	5.00
Authorized Adjustment				2.00	-	2.00	-

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-32 and Item #90-33)

13724

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.
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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: March 27, 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: L04 Department of Social Services (43)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	4,641.70	2,039.17	2,524.02	78.51
Adjusted FTE Position Base				4,642.70	2,040.17	2,524.02	78.51
Authorized Adjustment				1.00	1.00	-	-

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-31) Transferred from the Department of Mental Health.

13725

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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ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

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

MEMORANDUM

EXHIBIT

APR 23 1990 3

STATE BUDGET & CONTROL BOARD

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: March 29, 1990

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

V 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: L04 Department of Social Services (43)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/27/90	4,642.70	2,040.17	2,524.02	78.51
Adjusted FTE Position Base				4,720.70	2,040.17	2,568.02	112.51
Authorized Adjustment				78.00	-	44.00	34.00

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-34)

13726

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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COMPTROLLER GENERAL

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CHAIRMAN, SENATE FINANCE COMMITTEE

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CHAIRMAN, WAYS AND MEANS COMMITTEE

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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: March 27, 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: L36 Human Affairs Commission (49)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	52.00	40.55	11.45	
Adjusted FTE Position Base				51.00	39.55	11.45	
Authorized Adjustment				(1.00)	(1.00)	-	

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-25) Transferred to the State Law Enforcement Division.

13727

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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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: March 27, 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: N04 Department of Corrections (52)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	6229.65	5938.22	30.97	260.46
Adjusted FTE Position Base				6230.65	5939.22	30.97	260.46
Authorized Adjustment				1.00	1.00	-	-

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-40) Transferred from the Wildlife and Marine Resources Department.

13728

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

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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: March 27, 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: 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			3/15/90	780.55	439.00	104.75	236.80
Adjusted FTE Position Base				779.55	438.00	104.75	236.80
Authorized Adjustment				(1.00)	(1.00)	-	-

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-40) Transferred to the Department of Corrections.

13729

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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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: March 1, 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: P28 Department of Parks, Recreation and Tourism (66)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			2/15/90	520.67	366.47	-	154.20
Adjusted FTE Position Base				519.67	366.47	-	153.20
Authorized Adjustment				(1.00)	-	-	(1.00)

Authorization/Explanation:
Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board in accordance with Section 129.22 of the 1989-90 Appropriation Act. Authorized FTE position vacant for nine(9) months.

13730

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

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COMPTROLLER GENERAL

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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: March 27, 1990

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

__Y__ 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: P28 Department of Parks, Recreation & Tourism (66)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	519.67	366.47	-	153.20
Adjusted FTE Position Base				520.67	366.47	-	154.20
Authorized Adjustment				1.00	-	-	1.00

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-39) Reestablish FTE Position deleted by Nine (9) Month Vacancy Factor.

13731

STATE OF SOUTH CAROLINA

State Budget and Control Board

STATE BUDGET DIVISION

CARROLL A. CAMPBELL, JR., CHAIRMAN
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STATE TREASURER

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CHAIRMAN, SENATE FINANCE COMMITTEE

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

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

EXHIBIT

APR 23 1990 3

STATE BUDGET & CONTROL BOARD

MEMORANDUM

TO: Mr. George Harris, Manager of Operations

FROM: Curtis Holt, Jr., Assistant Director

DATE: March 27, 1990

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

__Y__ 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: P28 Department of Consumer Affairs (80)

CLASS CODE	CLASS TITLE	SLOT #	INCREASE DECREASE	TOTAL FTE ADJUSTMENT	STATE FTE ADJUSTMENT	FEDERAL FTE ADJUSTMENT	OTHER FTE ADJUSTMENT
Authorized FTE Position Base			3/15/90	51.00	51.00		
Adjusted FTE Position Base				52.00	52.00		
Authorized Adjustment				1.00	1.00		

Authorization/Explanation:

Approved by the Joint Legislative Committee on Personal Service, Financing and Budgeting, and the Budget and Control Board. (Item #90-36)

13732

EXHIBIT

APR 23 1990 4

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
BLUE AGENDA

MEETING OF April 23, 1990
ITEM NUMBER 4

AGENCY: Budget Division

SUBJECT: 1989-90 Personal Service Transfers Report, March

The Budget Division reports that the transfer of $200,968 of personal service funds was approved during March ($183,171 to other operating expenses and $17,797 to equipment).

This brought the total of personal service funds approved for transfer during the fiscal year to $1,769,656.

BOARD ACTION REQUESTED:

Receive as information a Budget Division report that the transfer of $200,968 of personal service funds was approved during March to bring the total approved for transfer during the fiscal year to $1,769,656.

ATTACHMENTS:

Agenda item worksheet and attachment

13733

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

90-57

Meeting Scheduled for: April 23, 1990 Blue Agenda

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

2. Subject:
   FY 1989-90 Authorized Transfer Report for the Month of March

3. Summary Background Information:
   The State Budget Division's March Authorized Transfer Operating Report for Fiscal Year 1989-90 is attached. We have also attached for your review a cumulative Hugo-Related Transfer Report.

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
      2. Hugo-Related Transfer Report

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

EXHIBIT

APR 23 1990 4

STATE BUDGET & CONTROL BOARD

13734

STATE BUDGET DIVISION
ANALYSIS OF 1989-90 AUTHORIZED PERSONAL SERVICE
TRANSFER REQUESTS

DATE	REQUEST NO.	AGENCY	SOURCE OF FUNDS	FROM PERSONAL SERVICE	TO OTHER OPERATING EXPENSES	TO EQUIPMENT
Total Authorized Transfers (31)				$1,568,688	$1,426,743	$141,945
March Authorized Transfers						
(A) 3/13/90	-	F08 BCB-Research & Stat.	State	$ 25,000	$ 25,000	
(B) 3/13/90	-	F12 BCB-General Services	State	25,000	25,000	
(C) 3/13/90	-	F24 BCB-Human Res. Mgmt.	State	25,000	25,000	
(D) 3/27/90	-	J04 DHEC	State	21,903	21,903	
(E) 3/27/90	-	L28 Commission on Aging	Federal	24,981	20,709	$ 4,272
(F) 3/27/90	-	L32 State Housing & Fin.	Other	9,000	9,000	
(G) 3/14/90	-	P08 Land Resources	State	78	78	
(H) 3/20/90	-	P08 Land Resources	State	14,000	14,000	
(I) 3/06/90	-	P12 Forestry Commission	State	20,676	13,751	6,925
(J) 3/23/90	-	P12 Forestry Commission	State	6,925	6,925	
(K) 3/09/90	-	P24 Wildlife & Marine Res.	Federal	10,500	5,500	5,000
(L) 3/28/90	-	R44 Tax Commission	Other	8,600	8,600	
(M) 3/16/90	-	R52 Ethics Commission	State	9,305	7,705	1,600
Total Authorized Transfers For March (13)				$ 200,968	$ 183,171	$ 17,797
Total Authorized Transfers Year-To-Date (44)				$1,769,656	$1,609,914	$159,742

13735

NOTE:	Current Month	Year-To-Date
State Funds	$147,887	$1,545,324
Federal Funds	35,481	94,552
Other Funds	17,600	129,780
TOTAL FUNDS	$200,968	$1,769,656

Prepared
April 10, 1990

PAGE 1 OF 1

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCU
F08		358	50,000.00			

AGENCY VOUCHER NUMBER: 115?

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

C G WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR)
NAME: Research & Stat
ADDRESS: Columbia, S.C.

AGENCY TRANSFERRED FROM
NAME: Same
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: To cover operating expense needs

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
09	350	F08	0132	1001					9901	0158	25,000.00	R150080
										TOTAL 158	25,000.00	

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
09	300	F08	0129	1001					9901	0200	25,000.00	R100070
										TOTAL 200	25,000.00	

STATE BUDGET OFFICE

(A)

REQUESTED BY [signature] DATE 3-8-90 STATE BUDGET ANALYST Debra A Duncan DATE 3-13-90

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

13737 STATE AUDITOR [signature] DATE 3-13-90

STARS FORM 10 10.1.80

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF INTERNAL OPERATIONS

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
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CHAIRMAN, WAYS AND MEANS COMMITTEE

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

1201 MAIN STREET, SUITE 700
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0500

JAMES M. SIMPSON, JR.
DIVISION DIRECTOR

M E M O R A N D U M

TO: Debra Duncan

FROM: Eddy Brice

SUBJECT: Transfer #_____

DATE: _____

Please approve the attached transfer totaling $_____

from: Division F___ Section_____

to: Division F___ Section_____

Reason:

_____

_____

_____

This transfer does not exceed 20% of the program budget as provided by section 129.16B of the 1989-90 Appropriation Act; nor does this transfer violate legislative intent of appropriations.

JEB/esp

13738

(A)

cc: Holt

PAGE 1 OF 1

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCU
F12		632	50,000.00			

AGENCY VOUCHER NUMBER: 145

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR):
NAME: General Svcs.
ADDRESS: Columbia, S.C.

AGENCY TRANSFERRED FROM:
NAME: Comm
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: To cover operating expense needs

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
09	350	F12	2277	1001					9901	0158	5,000.00	06 G104 080
09	350	F12	1878	1001					9901	0158	10,000.00	06 G129 080
09	350	F12	3207	1001					9901	0158	5,000.00	06 G126 080
09	350	F12	4267	1001					9901	0158	5,000.00	06 G181 080
										TOTAL 632	25,000.00	

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
09	300	F12	0137	1001					9901	0200	25,000.00	06 G100 070
										TOTAL 200	25,000.00	

(B)

REQUESTED BY [signature] DATE 3-8-90 STATE BUDGET ANALYST Debra A Duncan DATE 3-13-90

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

13739 STATE AUDITOR [signature] DATE 3-13-90

STARS FORM 30 10.1.80

Submit original and 3 copies

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF INTERNAL OPERATIONS

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

1201 MAIN STREET, SUITE 700
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0500

JAMES M. SIMPSON, 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: Debra Duncan

FROM: Eddy Brice

SUBJECT: Transfer #_____

DATE: _____

Please approve the attached transfer totaling $_____

from: Division F___ Section_____

to: Division F___ Section_____

Reason:

_____

_____

_____

This transfer does not exceed 20% of the program budget as provided by section 129.16B of the 1989-90 Appropriation Act; nor does this transfer violate legislative intent of appropriations.

JEB/esp

13740

(B)

cc: Holt

PAGE 1 OF 1

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUM
F24		358	50,000.00			

AGENCY VOUCHER NUMBER 1451

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER

AGENCY TRANSFERRED TO (CR)
NAME Human Res. Mgmt.
ADDRESS Columbia, S.C.

AGENCY TRANSFERRED FROM (DE
NAME Game
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: To cover offering expense w/ cash.

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
09	350	F24	0165	1001					9901	0158	25,000.00	065 H120 080
										TOTAL	158	25,000.00

EXHIBIT
APR 23 1990 4
STATE BUDGET & CONTROL BOARD

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
09	300	F24	0163	1001					9901	0200	25,000.00	060 H100 070
										TOTAL	200	25,000.00

STATE BUDGET & CONTROL BOARD

C

REQUESTED BY [signature] DATE 3-8-90 STATE BUDGET ANALYST Debra A Duncan DATE 3-13-90

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

13741
STATE AUDITOR [signature] DATE 3-13-90

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

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF INTERNAL OPERATIONS

CARROLL A. CAMPBELL, JR., CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

1201 MAIN STREET, SUITE 700
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-0500

JAMES M. SIMPSON, 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: Debra Duncan

FROM: Eddy Brice

SUBJECT: Transfer # 1150

DATE: 3-8-90

Please approve the attached transfer totaling $ 96,000.-

from: Division F-4 Section (Legal & Comp)

to: Division F-4 Section Admin.

Reason:

To fund authorization from
to fund operating
expenses needed

This transfer does not exceed 20% of the program budget as provided by section 129.16B of the 1989-90 Appropriation Act; nor does this transfer violate legislative intent of appropriations.

JEB/esp

13742

PAGE 1 OF

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUMENT
J04	BB# 089	13,816	$ 196,670.00			

AGENCY VOUCHER NUMBER: BB# 089

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER:

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

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: SAME
ADDRESS:

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	PROJECT POST	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT POST	TRANSACTION AMOUNT	MULTI PURPOSE CODE
09	350	J04	1907	1001							0158		22,859.00	A30i
09	350	J04	1907	1001							0158		12,865.00	A30i
09	350	J04	1907	1001							2300		956.00	A3Gi
09	350	J04	1907	1001							0158		538.00	A30J
09	350	J04	1907	1001							0500		348.00	A3AJ
09	350	J04	1907	1001							0200		2,000.00	A34J
09	350	J04	1907	1001							0600		399.00	A37J
										TOTAL				

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	PROJECT POST	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT POST	TRANSACTION AMOUNT	MULTI PURPOSE CODE
09	300	J04	1907	1001							0500		22,859.00	A3Ai
09	300	J04	1907	1001							0171		12,865.00	A38i
09	300	J04	1907	1001							0171		956.00	A38i
09	300	J04	1907	1001							0171		538.00	A38J
09	300	J04	1907	1001							0300		348.00	A35J
09	300	J04	1907	1001							0300		2,000.00	A35J
09	300	J04	1907	1001							0300		399.00	A35J
										TOTAL				

RECEIVED
JAN 27 1990
Budget and Control Board
FINANCE DIVISION

REQUESTED BY _____ DATE 1/26/90 STATE BUDGET ANALYST _____ DATE _____

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

13743

STATE AUDITOR _____ DATE _____

STARS FORM 30 10-1-80

Submit original and 3 copies

PAGE 2 OF 2

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUM
J04	BB# 089	13,816	$ 196,670.00			

AGENCY VOUCHER NUMBER: BB# 089

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

CG WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR)

NAME: DHEC

ADDRESS: 2600 Bull Street

Columbia, S.C. 29201

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: SAME

ADDRESS:

REASON FOR TRANSFER:

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
09	350	J04	2108	1001							0158		500.00	A30B
09	350	J04	2108	1001							1100		3,000.00	A38B
09	350	J04	2108	1001							1100		3,500.00	A38B
09	350	J04	2108	1001							0600		2,504.00	A37B
09	350	J04	2108	1001							0200		47,969.00	A34J
09	350	J04	4822	1001							2300		897.00	A2GD
										TOTAL	9,532		98,335.00	

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
09	300	J04	2108	1001							0171		500.00	A38B
09	300	J04	2108	1001							0200		3,000.00	A34B
09	300	J04	2108	1001							0300		3,500.00	A35B
09	300	J04	2108	1001							0300		2,504.00	A35B
09	300	J04	2108	1001							0300		47,969.00	A35J
09	300	J04	4822	1001							1100		897.00	A2BD
										TOTAL	4,284		98,335.00	

RECEIVED
MAR 27 1990
Budget and Control Board
STATE BUDGET DIV.

REQUESTED BY _____ DATE 3/27/90 STATE BUDGET ANALYST _____ DATE 3/27/90

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

STATE AUDITOR 13744 DATE (D)

STARS FORM 30 10/1-80

Submit original and 3 copies

South Carolina Department of Health and Environmental Control

2600 Bull Street
Columbia, S.C. 29201

Commissioner
Michael D. Jarrett

Curtis
FYI

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.

March 27, 1990

EXHIBIT

APR 23 1990 4

STATE BUDGET & CONTROL BOARD

Mr. Ed Brophy
State Budget Analyst
Division of State Budgets
530 Edgar Brown Building
Columbia, S.C. 29211

Dear Mr. Brophy:

We are forwarding BB# 089 in the amount of $98,355 for your review and approval. This action is necessary in order to accomodate the numerous requests for budget adjustments as submitted by our District Administrators during our formal fiscal reviews conducted this month. The requested amounts by line item reflect the net cumulative effect of many transfers submitted for the programs indicated. In order to meet our fiscal year deadline for the submission of state funded purchase requisitions, we are submitting only the state portion of the requested transfers at this time. Requests for federal and other fund budget revisions will be addressed on a subsequent transfer once we are able to summarize their impact.

Thank you for your assistance in this matter and if you have any questions, please let us know.

Cy to Kathy
No RIF per WML

Sincerely

Wyman M. Looney, Director
Bureau of Budgets

WML:rb:lc

Enclosure

NO RIF

RECEIVED
MAR 27 1990
Control Board
DIVISION
13745

(D)

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	VOLUME
L28	12	6546	69,472.30			3

AGENCY VOUCHER NUMBER: T0012

CG WARRANT NUMBER:

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

AGENCY TRANSFERRED TO (CR):
NAME: S.C. Commission On Aging
ADDRESS: Suite 500
400 Arbor Lake Dr.
Columbia, S.C. 29223

AGENCY TRANSFERRED FROM (DR):
NAME: S.C. Commission On Aging
ADDRESS: Suite 500
400 Arbor Lake Dr.
Columbia, S.C. 29223

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

REASON FOR TRANSFER: _____

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
09	350	L28	0668	5055				3650	90		0158		6,930.54	
09	350	L28	0668	5055				3654	80		0188		2,190.12	
09	350	L28	0668	5055				3654	80		0500		203.43	
09	350	L28	0668	1601							0200		7,362.06	
09	350	L28	0668	5055				3650	00		0158		3,696.00	
09	350	L28	1470	5055				3650	00		1300		554.00	
09	350	L28	0668	5522				0110	90		0171		12,000.00	
											TOTAL			

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
09	300	L28	0668	5055				3650	90		0200		6,930.54	
09	300	L28	0668	5055				3654	80		0171		2,190.12	
09	300	L28	0668	5055				3654	80		0300		141.81	
09	300	L28	0668	5055				3654	80		0400		61.62	
09	300	L28	0668	1001							0400		3,090.15	
09	300	L28	0668	1001							0600		4271.91	
09	309	L28	0668	5055				3650	00		0300		4250.00	
											TOTAL			

REQUESTED BY: C. Richard Lubin DATE: 3-27-90 STATE BUDGET ANALYST: Diane L Haughton 3/27/90

In the Comptroller General and Treasurer's absence of the Budget and Control Board, the above appropriation transfers are authorized

24,931

STATE AUDITOR _____ DATE _____

STARS FORM 30 - 10 - 80

Submit original and 3 copies

13746

(E)

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE MODIFIER	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	ADJUSTMENT
L28						J

AGENCY VOUCHER NUMBER

CG WARRANT NUMBER

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

AGENCY TRANSFERRED TO (CR):
NAME: S.C. Commission on Aging
ADDRESS: Suite 500
400 Arbor Lake Dr.
Columbia, S.C. 29223

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

AGENCY TRANSFERRED FROM (DR):
NAME: S.C. Commission on Aging
ADDRESS: Suite 500
400 Arbor Lake Dr.
Columbia, S.C. 29223

REASON FOR TRANSFER: _____

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	CM
09	350	L28	1470	5522				0110	90		1300		1,800.00		
TOTAL											3975		34,736.15		

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	CM
09	300	L28	0668	5522				0110	90		0200		13,800.00		
TOTAL											2571		34,736.15		

RECEIVED
MAR 27 1990
Budget and Control Board
BUDGET DIVISION

REQUESTED BY: [illegible] DATE: 3-27-90 STATE BUDGET AND EST: Diane J. Poyton 3/27/90

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

STATE AUDITOR _____ DATE _____

STARS FORM 30 · 10 · 80

SUGGESTED DISTRIBUTION: 3 COPIES

13747

E1

SOUTH CAROLINA COMMISSION ON AGING

March 27, 1990

Mr. George N. Dorn, Jr.
Assistant Director
State Budget Development Division
State Budget and Control Board
532 Edgar Brown Building
1205 Pendleton Street
Columbia, South Carolina 29201

ATTENTION: Ms. Joanne Payton

Dear George:

Attached is our Appropriation Transfer in the amount of $34,736.15 within the State and Federal portion of our budget. The transfer in 3654-80 and 0110-90 is to re-align the budget. The transfer in 3650-90 is needed to avoid the lapsing of federal funds to complete the close-out of Title III-A for 9/30/89. The transfer in 3650-00 and State is to enable the purchase of equipment according to our IT Plan.

This transfer is, with the exception $750.00 (3650-00) and $1,800.00 (0110-90) - (fringe benifits), within the program "Aging Service", and therefore is within the twenty percent (20%) rule, and the intent of the General Assembly.

I certify that the above will be purchased in strict compliance with the procurement code and the agency's approved Information Technology Plan".

If you have any any questions, please contact me.

Sincerely,

C. Richard Schmidt

C. RICHARD SCHMIDT, Senior Accountant
Fiscal and Management Services

CRS/rs:dorn

Attachment

RECEIVED
MAR 27 1990
Budget and Control Board
STATE

Transfer of 24,980.54 out of personal service, federal. GPP.

13748

(E)

SOUTH CAROLINA COMMISSION ON AGING · Fontaine Business Center
400 Arbor Lake Drive, Suite B-500, Columbia, S.C. 29223 803-735-0210

Aging

/

PAGE 1 OF 1

AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUMENT
	871	18,000.00	03-22-90		3

/ VOUCHER NUMBER

009

NCY TRANSFERRED TO (CR)

HSE HOUSING FINANCE

KUMBIA

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

C G WARRANT NUMBER

AGENCY TRANSFERRED FROM (DR)

NAME: SAME

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

FOR TRANSFER:

RANS ODE	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	CGR
50	L32	0677	3414						0171	9,000.00		
								TOTAL	0171	9,000.00		

ANS ODE	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	CGR
00	L32	0677	3414						0200	4,500.00		
00	L32	0677	3414						0500	4,500.00		
								TOTAL	0700	9,000.00		

TED BY Rosalia M. Moore DATE 03-22-90 STATE BUDGET ANALYST Kenneth Brown DATE 3-27-90

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

13749 STATE AUDITOR DATE

(F)

ORM 30 10/1/80

Submit original and 3 copies

SOUTH CAROLINA STATE HOUSING FINANCE AND DEVELOPMENT AUT
1710 GERVAIS STREET, COLUMBIA, SOUTH CAROLINA 29201
Post Office Box 7008, Columbia, South Carolina 29202-7008

March 22, 1990

Mr. Ken Brown
Budget Division
Budget and Control Board
532 Edgar Brown Building
Columbia, S.C. 29201

Ref: Appropriation Transfers

Dear Mr. Brown:

Enclosed, you will find Appropriation Transfer #009 to transfer $9,000.00 from "Temporary Employees" (0171) to "Contractual Services" (0200) and "Travel" (0500). This transfer is needed because the Housing Authority will expend more funds than anticipated sending employees to professional seminars. By training current employees, the Housing Authority will not have to hire the temporary employees that it anticipated needing to perform certain specialized services.

If you have any questions, please contact me at 734-8754.

Sincerely,

Paul M. Linhardt
Senior Accountant, GOF

The agency indicates that there will not be a reduction in force due to this transfer.

Paul M. Linhardt
Senior Acct. 3-28-90

(F)

13750

Executive (803) 734-8702 FAX (803) 734-8758
Finance (803) 734-8878
Rental Housing Programs (803) 734-8835
Homeownership Programs (803) 734-8755

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOC
P08	32	4477	105,748.00			

AGENCY VOUCHER NUMBER: AT-32

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

CG WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR)

NAME: Land Resources Comm.
ADDRESS: 2221 Devine St Ste 222
Columbia, SC 29205

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

AGENCY TRANSFERRED FROM

NAME: (Same)
ADDRESS:

REASON FOR TRANSFER: Provide adequate funds.

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	PROJECT DETAIL	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT DETAIL	TRANSACTION AMOUNT	MULTI PURPOSE CODE
09	350	P08	0744	1001							0400		1,000.00	5033-1001
09	350	P08	0745	1001							0158		48,782.00	5057-1001
09	350	P08	0752	1001							0200		600.00	5233-1001
09	350	P08	0748	1001							0400		500.00	5304-1001
09	350	P08	0751	1001							0171		1,712.00	5340-1001
09	350	P08	0748	3035							0300		280.00	5595-3040
										TOTAL	1629		52,874.00	

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	PROJECT DETAIL	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT DETAIL	TRANSACTION AMOUNT	MULTI PURPOSE CODE
09	300	P08	0744	1001							0114		3,641.00	1001-5001
09	300	P08	0744	1001							0160		8,854.00	1001-5003
09	300	P08	0744	1001							0500		1,000.00	1001-5041
09	300	P08	0745	1001							0171		9,300.00	1001-5058
09	300	P08	0746	1001							0158		5,971.00	1001-5121
09	300	P08	0746	1001							0171		1,600.00	1001-5122
09	300	P08	0747	1001							0158		12,969.00	1001-5177
										TOTAL	CONTINUED.....			

RECEIVED
MAR 14 1990
Budget and Control Board
STATE BUDGET DIVISION

REQUESTED BY [signature] DATE 3/14/90 STATE BUDGET ANALYST [signature] DATE 3-14-90

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

13751

STATE AUDITOR [signature] DATE 3/14/90

STARS FORM 30 10-1-80

Submit original and 3 copies

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCU

AGENCY VOUCHER NUMBER

C G WARRANT NUMBER

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

AGENCY TRANSFERRED TO (CR)

NAME

ADDRESS

AGENCY TRANSFERRED FROM

NAME

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: _____

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
									TOTAL			

EXHIBIT
APR 23 1990 4
STATE BUDGET & CONTROL BOARD

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
09	300	P08	0752	1001						0300	600.00	1001-5245
09	300	P08	0748	1001						0158	6,447.00	1001-5281
09	300	P08	0748	1001						0200	500.00	1001-5282
09	300	P08	0751	1001						0158	1,634.00	1001-5338
09	300	P08	0751	1001						0400	78.00	1001-5363
09	300	P08	0748	3035						0200	280.00	3040-5520
									TOTAL	2848	52,874.00	

Budget and Control Board
STATE BUDGET DIVISION

REQUESTED BY _____ DATE _____ STATE BUDGET ANALYST _____ DATE _____

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

(G)

13752

STATE AUDITOR _____ DATE _____

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

COMMISSION MEMBERS

WILLIAM S. SIMPSON III
Chairman
813 Robert E. Lee Blvd.
James Island, S. C. 29412

WALTER B. COUSINS
P. O. Box 622
Newberry, S. C. 29108

R. E. WELLS, JR.
Route 3, Box 1060
Manning, S. C. 29102

DAVID L. ALLEN
P. O. Box 414
Hartsville, S. C. 29550

O. RICHARD COTHRAN, JR.
441 Griffin Drive
Piedmont, S. C. 29673

John W. Parris
Executive Director

State of South Carolina

LAND RESOURCES CONSERVATION COMMISSION

[illegible]

[illegible] transfer which is necessary [illegible] The following is a detailed explana-

[illegible] is being transferred to Administration's Executive Director account to provide funding to meet payroll for the remainder of the year.

[illegible] is being transferred to Administration's Unclassified Positions account to provide funding to meet payroll for the remainder of the year.

[illegible] is being transferred to Administration's Travel account to provide funding for staff travel and leased cars.

[illegible] is being transferred to Conservation District's Temporary Services account to provide funding for temporary help needed.

[illegible] is being transferred to Mining and Reclamation's Classified Positions account to provide funding to meet payroll for the remainder of the year.

[illegible] is being transferred to Mining and Reclamation's Temporary Services account to provide funding for temporary help needed.

[illegible] is being transferred to Dams and Reservoir Safety's Classified Positions account to provide funding to meet payroll for the remainder of the year.

13753

Mr. Ken Brown
March 10, 1980
Page 2

9. $200.00 - is being transferred to Erosion and Sediment Control's Supplies account to provide funding for office supplies, data processing supplies and postage.

9. $6,447.00 - is being transferred to Soils and Resource Information's Classified Positions account to provide funding to meet payroll for the remainder of the year.

10. $500.00 - is being transferred to Soils and Resource Information's Contractual Services account to provide funding for photocopy repair, telephones, and registration fees.

11. $1,804.00 - is being transferred to Landscape Architect's Classified Positions account to provide funding to meet payroll for the remainder of the year.

12. $78.00 - is being transferred to Landscape Architect's Fixed Charges account to provide funding for photocopy machine rental.

13. $200.00 - is being transferred to MAPP's Contractual Services account to provide funding for research, survey and appraisal, and registration fees.

If you have any questions, please call me or Suzette Hall-Rvals.

Your assistance in the approval of this request is most appreciated.

Sincerely yours,

Mary D. Chamblee
Deputy Director

MDC:shr

Attachment

R.E.

Budget ...
STATE B...

13754

(6)

PAGE _____ OF ____

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCU
P08	33	1558	28,000.00			

AGENCY VOUCHER NUMBER: AT-33

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR)
NAME: Land Resources Comm.
ADDRESS: 2221 Devine St Ste 222
Columbia, SC 29205

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
NAME: (Same)
ADDRESS:

REASON FOR TRANSFER: Provide adequate funds.

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
09	350	P08	0745	1001						0158	14,000.00	5057-1001
									TOTAL	0158	14,000.00	

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
09	300	P08	0744	1001						0500	2,500.00	1001-5041
09	300	P08	0745	1001						0200	8,165.00	1001-5059
09	300	P08	0747	1001						0200	835.00	1001-5178
09	300	P08	0747	1001						0500	2,500.00	1001-5214
									TOTAL	1400	14,000.00	

RECEIVED
MAR 20 1990
Budget and Control Board
STATE BUDGET DIVISION

REQUESTED BY _____ DATE 03/19/90 STATE BUDGET ANALYST Kenneth Brown DATE 3-20-90

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

13755

STATE AUDITOR _____ DATE _____

(H)

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

COMMISSION MEMBERS:

WILLIAM S. SIMPSON III
Chairman
813 Robert E. Lee Blvd.
James Island, S. C. 29412

WALTER B. COUSINS
P. O. Box 622
Newberry, S. C. 29108

R. E. WELLS, JR.
Route 3, Box 1060
Manning, S. C. 29102

State of South Carolina

DAVID L. ALLEN
P. O. Box 414
Hartsville, S. C. 29550

O. RICHARD COTHRAN, JR.
441 Griffin Drive
Piedmont, S. C. 29673

John W. Parris
Executive Director

LAND RESOURCES CONSERVATION COMMISSION

March 19, 1990

Mr. Ken Brown
State Budget Analyst
Office of Budget Development
Post Office Box 11333
Columbia, South Carolina

Dear Ken:

Please find attached an appropriation transfer which is necessary for operation of this agency. The following is a detailed explanation of each transfer.

1. $2,500.00 - is being transferred to Administration's Travel account to provide funds for staff and state commissioner travel.
2. $3,135.00 - is being transferred to Conservation District's Contractual Services account to provide funds for district commissioner travel and attorney fees.
3. $605.00 - is being transferred to Dams and Reservoir Safety's Contractual Services account to provide funds for attorney fees.
4. $2,500.00 - is being transferred to Dams and Reservoir Safety's Travel account to provide funds for staff travel and state leased cars.

This transfer will not necessitate a reduction in force or other personal fund problems.

If you have any questions, please call me or Suzette Hall Rvals.

Your assistance in the approval of this request is most appreciated.

Sincerely yours,

Gary D. Chamblee
Deputy Director

GDC:ahr

Attachment

13756

RECEIVED
MAR 1990
Budget Control Board
BUDGET DIVISION

PAGE 1 OF 1

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOC
P12		7671	79,672.			

AGENCY VOUCHER NUMBER: 900533

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR):
NAME: SCFC
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

AGENCY TRANSFERRED FROM
NAME: SCFC
ADDRESS:

REASON FOR TRANSFER:

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
09	350	P12	4143	3035						0300	880.	83110
09	350	P12	3754	1001						0300	18,280.	55730
09	350	P12	3754	1001						0171	20,676.	56110
									TOTAL	771	39,836	

EXHIBIT
APR 23 1990
4
STATE BUDGET & CONTROL BOARD

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
09	300	P12	4143	3035						0600	880.	83110
09	300	P12	3754	1001						0600	18,280.	55730
09	300	P12	3754	1001						0200	5,000.	56110
09	300	P12	3754	1001						0300	5,000.	56110
09	300	P12	3754	1001						0500	5,000.	56110
09	300	P12	3754	1001						2300	3,000.	56110
09	300	P12	3754	1001						2400	2,676.	56110
									TOTAL	6900	39,836	

RECEIVED
MAR 06 1990
Budget and Control Board
STATE BUDGET DIVISION

REQUESTED BY: J Holland DATE: 3/5/90 STATE BUDGET ANALYST: Robert G Stc DATE: 3/6/90

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

13757 (I) STATE AUDITOR: Allen Kinard DATE: 3-7-90

STARS FORM 30 10-1-80

Submit original and 3 copies

South Carolina Forestry Commission

ROBERT J. GOULD, STATE FORESTER

P.O. BOX 21707 COLUMBIA, S.C. 29221 (803) 737-8800

March 5, 1990

Mr. Robert Stein
Budget Division
Budget & Control Board
Columbia, South Carolina 29201

Dear Mr. Stein:

We are requesting approval of the attached Appropriation Transfer so that we can pay anticipated obligations:

1. $ 880.00	From 4143/3035/0300 To 4143/3035/0600	Palmetto Oil Equipment-- 2,000 gallon above ground gas tank.
2. $18,280.00	From 3754/1001/0300 to 3754/1001/0600	Going out on bid--three all terrain vehicles (four wheel).
3. $20,676.00	From 3754/1001/0171	We desire to move Tempo-
5,000.00	To 3754/1001/0200	rary Personal Service
5,000.00	To 3754/1001/0300	funds to Operations--this
5,000.00	To 3754/1001/0500	is largely due to the em-
3,000.00	To 3754/1001/2300	pack Hugo has had on our
2,676.00	To 3754/1001/2400	budget.

Best regards,

Lyndal Wolford

Lyndal Wolford
Accounting Manager

RECEIVED
Budget and Control Board
STATE BUDGET DIVISION

(I)

13758

PAGE 1 OF 1

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOC
P12		458	13,850.			

AGENCY VOUCHER NUMBER: 900598

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR)
NAME: SCFC
ADDRESS:

AGENCY TRANSFERRED FROM
NAME: SCFC
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:

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
09	350	P12	3754	1001						0158	6925.	
									TOTAL	158	6925.	

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
09	300	P12	3754	1001						0300	6925.	56110
									TOTAL	300	6925.	

RECEIVED
MAR 23 1990
Budget and Control Board
STATE BUDGET DIVISION

REQUESTED BY: L Holford DATE: 3/21/90 STATE BUDGET ANALYST: Robert Stevens DATE: 3/23/90

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

13759

STATE AUDITOR: [signature] DATE: 3-27-9

STARS FORM 30 10-1-80

Submit original and [illegible] copies

South Carolina Forestry Commission

ROBERT J. GOULD, STATE FORESTER

P.O. BOX 21707 COLUMBIA, S.C. 29221 (803) 737-8800

MARCH 23, 1990

MR. ROBERT STEIN
BUDGET DIVISION
BUDGET & CONTROL BOARD
COLUMBIA, SOUTH CAROLINA 29201

DEAR MR. STEIN:

I HAVE BEEN INSTRUCTED BY GILBERT BROWN TO FORWARD THIS APPROPRIATION TRANSFER REQUEST REGARDING PERSONAL SERVICES TO YOU. HURRICANE HUGO HAS PLACED AN EXTREME BURDEN ON OUR BUDGET AND WE ARE IN NEED OF THESE ADDITIONAL FUNDS TO AID OUR EVERY DAY OPERATIONS.

THIS TRANSFER WILL BRING US TO A TOTAL OF $27,601. THAT WE HAVE TRANSFERRED OUT OF PERSONAL SERVICES INTO OPERAIONS. THIS AMOUNT DOES NOT VIOLATE THE ".0025" RULE.

BEST REGARDS,

Lyndal Wolford

LYNDAL WOLFORD
ACCOUNTING MANAGER

RECEIVED
MAR 2 6 1990
Budget and Control Board
STATE BUDGET DIVISION

(J)

13760

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOC
P24	0908	4,688	73,000.00			

AGENCY VOUCHER NUMBER: AT-84

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR):
NAME: Same
ADDRESS:

AGENCY TRANSFERRED FROM
NAME: Wildlife & Marine
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: Justification Attached.

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	PROJECT EXTENSION	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT EXTENSION	TRANSACTION AMOUNT	MULTI PURPOSE CODE
09	350	P24	0788	5000				5000	00		0188		10,500.00	0070093192
09	350	P24	0788	5000				5000	00		0600		10,000.00	0070093192
09	350	P24	4091	5000				5000	00		0200		13,000.00	0070094320
09	350	P24	4091	5000				5000	00		2400		3,000.00	0070094320
										TOTAL	3,388		36,500.00	

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	PROJECT EXTENSION	AGENCY REFERENCE NUMBER	OBJECT CODE	OBJECT EXTENSION	TRANSACTION AMOUNT	MULTI PURPOSE CODE
09	300	P24	4091	5000				5000	00		0300		30,000.00	0070094320
09	300	P24	4091	5000				5000	00		0400		1,500.00	0070094320
09	300	P24	4091	5000				5000	00		0600		5,000.00	0070094320
										TOTAL	1300		36,500.00	

RECEIVED
MAR 9 90
Budget and Control Board
STATE BUDGET DIVISION

REQUESTED BY Carl Wilkes DATE 3-8-90 STATE BUDGET ANALYST [illegible] DATE 3/9/90

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

STATE AUDITOR 13761 DATE 3/16/90

STARS FORM 30 10/1/80

Submit original and 3 copies

South Carolina
Wildlife & Marine
Resources Department

EQUAL OPPORTUNITY AGENCY

James A. Timmerman, Jr., Ph.D.
Executive Director
Paul A. Sandifer, Ph.D.
Director of
Marine Resources Division

March 7, 1990

MEMO TO: Carl Wilkes
THROUGH: Benny Reeves
FROM: Donnie Gibson
SUBJECT: Budget Transfer

FEDERAL FUNDS:

TO:

Program Area: P245070
Mini Code: 4091
Sub-fund Code: 5055

Object Code	0300 Supplies & Materials	+30,000.00
	0400 Fixed Charges & Contributions	+ 1,500.00
	0600 Equipment	+ 5,000.00

FROM:

Program Area: P245065
Mini Code: 0788
Sub-fund Code: 5055

Object Code	0188 Special Contract Employees	-10,500.00 ✓
	0600 Equipment	-10,000.00 ✓

Program Area: P245070
Mini Code: 4091
Sub-fund Code: 5055

Object Code	0200 Contractual Services	-13,000.00 ✓
	2400 Transportation	- 3,000.00 ✓

JUSTIFICATION: Transfer requested to place budget authorization in appropriate area for USDA grant for balance of fiscal year. No IT equipment is included and procurement policies will be adhered to.

(KS)

13762

P. O. Box 12559 ☐ Charleston, South Carolina 29412 ☐ Telephone: 803 — 795-6350

PAGE 1 OF 1

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUME
		1471	17,200.00			

AGENCY VOUCHER NUMBER

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

C G WARRANT NUMBER

AGENCY TRANSFERRED TO (CR)

NAME: SCTC

ADDRESS:

AGENCY TRANSFERRED FROM (D)

NAME: SCTC

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:

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
09	350	R44	0881	3035						0171	8,600.00	
									TOTAL	0171	8,600.00	

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
09	300	R44	1572	3035						1300	8,600.00	
									TOTAL	1300	8,600.00	

EXHIBIT 4

RECEIVED
APR 23 1990
STATE BUDGET & CONTROL BOARD

REQUESTED BY DALE M. RHODES CONTROLLER DATE MAR 28 1990 STATE BUDGET ANALYST Duncan H Doar DATE 3-28-90

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

13763

STATE AUDITOR _____ DATE _____

STARS FORM 30 10-1 80

Submit original and 3 copies

Office Memorandum

SOUTH CAROLINA TAX COMMISSION

TO: Fran Barr

DATE: 3-27-90

FROM: Rebecca Jones

SUBJECT: Appropriation Transfer

The attached appropriation transfer is required to fund FICA associated with $121,000 for temporary positions in the agency's earmarked fund.

C-120-A

RECEIVED
MAR 2 3 1990
Budget Control Board
BUDGET DIVISION

13764 (L)

PAGE _____ OF _____

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUMENT
R52	B 092	1872	$ 18,610	03/15/90		3

AGENCY VOUCHER NUMBER: V 189

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD · FINANCE DIVISION

APPROPRIATION TRANSFER

CG WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR)
NAME: State Ethics Commision
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.

AGENCY TRANSFERRED FROM (DR)
NAME: State Ethics Commissio
ADDRESS:

SON FOR TRANSFER: _____

OM _____

TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	EXT	AGENCY REFERENCE NUMBER	OBJECT CODE	EXT	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C C R
350	R52	0893	1001							0114		4,185.00		
350	R52	0893	1001							0158		5,120.00		
									TOTAL	0272		9,305.00		

TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	EXT	AGENCY REFERENCE NUMBER	OBJECT CODE	EXT	TRANSACTION AMOUNT	MULTI PURPOSE CODE	C G R
300	R52	0893	1001							0200		3,105.00		
300	R52	0893	1001							0300		1,900.00		
300	R52	0893	1001							0500		2,700.00		
300	R52	0893	1001							0600		1,600.00		
												RECEIVED		
												Budget and Control Board STATE BUDGET DIVISION		
									TOTAL	1600		9,305.00		

UESTED BY Gary R Baker 03/15/90 STATE BUDGET ANALYST J Lucas DATE 3-16-90
SP 3-16-90

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

STATE AUDITOR 13765 DAT

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

COMMISSIONERS
EDWARD E. DURYEA, 1ST DISTRICT
CHAIRMAN
RICHARD C. JONES, 5TH DISTRICT
VICE-CHAIRMAN

COMMISSIONERS
EMILY C. PHILLIPS, 2ND DISTRICT
REV. DAVID L. TERRY, 3RD DISTRICT
WILLIAM A. COATES, 4TH DISTRICT
C.A. HOUSEMAN, 6TH DISTRICT

State of South Carolina
State Ethics Commission

GARY R. BAKER
EXECUTIVE DIRECTOR

(803) 253-4192
5000 Thurmond Mall, Suite 111
P.O. Box 11926
Columbia, S.C. 29211

March 15, 1990

Mr. Jim Trexler
Budget Development
527-C Edgar A. Brown Bldg.
Columbia, SC 29201

Dear Jim:

Enclosed is Form 30 requesting transfer of funds from Personal Services-Salaries, to Contractual Services, Supplies, Equipment and Travel. These available funds resulted from salary appropriations for me and the Executive Assistant but approval for salary increases by Human Resource Management was not received.

There has been a substantial increase in the number of complaints, therefore an increase in the nubmer of hearings and Commission meetings. In fact, we have scheduled 12 Commission meetings this fiscal year; the normal schedule is six meetings per fiscal year. Also, because of the complexity of several hearings, it was necessary to engage a court reporter. Additionally, other related costs for Supplies and Travel have increased accordingly.

Please let me now if further information is needed.

Sincerely,

Gary R. Baker
Executive Director

GRB:abs
Enclosure

RECEIVED
MAR 16 1990
Budget and Control Board
STATE BUDGET DIVISION

13766

STATE BUDGET DIVISION
PERSONAL SERVICE AND OTHER
HUGO-RELATED TRANSFERS

No.	Agency	Source of Funds	Personal Service	All Other
	September			
E24	Adjutant General's Office	State	694,000	
	September Total		694,000	
	October			
E24	Adjutant General's Office	Federal		100,000,000
E24	Adjutant General's Office	Federal		867,438
L04	Dept. of Social Services	State		1,800,000
L04	Dept. of Social Services	State		3,666,667
	October Total			106,334,105
	November			
L04	Dept. of Social Services	State		4,000,000
	November Total			4,000,000
	December			
	No Changes			0
	January			
	No Changes			0
	February			
	No Changes			0
	March			
	No Changes			0
	CUMULATIVE TOTAL		694,000	110,334,105

NOTE:

	CURRENT MONTH	YEAR-TO-DATE
State Funds	4,000,000	10,160,667
Federal Funds	0	100,867,438
Other Funds	0	0
	4,000,000	111,028,105

April 12, 1990

EXHIBIT

APR 23 1990 4

13767

STATE BUDGET & CONTROL BOARD

EXHIBIT

APR 23 1990 5

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD BLUE AGENDA

MEETING OF April 23, 1990 ITEM NUMBER 5

AGENCY: General Services

SUBJECT: Easement

Division of General Services recommends Board approval of the following easement in accord with Code Section 1-11-80:

County Location:	Anderson County
From:	State of South Carolina
To:	Southern Bell
Description/Purpose:	to construct an equipment cabinet and install communications cable to serve the Department of Mental Health War Veterans Nursing Home
Consideration:	$16

BOARD ACTION REQUESTED:

Approve the referenced easement as recommended by the Division of General Services.

ATTACHMENTS:

Agenda item worksheets; referenced easements

13768

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: April 23, 1990 Blue Agenda

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

2. Subject:
   Easement to Southern Bell from the State Budget and Control Board, War Veterans Home, Anderson County

3. Summary Background Information:
   The Department of Mental Health is building the War Veterans Nursing Home in Anderson County on a 100-acre tract purchased by the State for DMH in December, 1985. The easement to Southern Bell is for construction of an equipment cabinet and installation of communications cable to serve the institution, and runs contiguous to the highway right-of-way.

   This easement is associated with the easement granted by the Board in January, 1990, to Duke Power.

   Southern Bell has paid a consideration of $16.00.

4. What is Board asked to do?
   Approve the grant of this Easement to Southern Bell, in accordance with Section 1-11-80, 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 Plat
      2. Statutory Authority 1-11-80

EXHIBIT

APR 23 1990 5

STATE BUDGET & CONTROL BOARD

13769

"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.

13770

§ 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.

Southern Bell

RIGHT OF WAY SITE EASEMENT

In consideration of the sum of money hereinafter set out and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged from the Southern Bell Telephone and Telegraph Company, the undersigned, owner(s) of the premises described below, do hereby grant to the Southern Bell Telephone and Telegraph Company, its licensees, agents, successors, assigns, and allied and associated companies, an easement to construct, operate, maintain, add or remove such lines or systems of communications or related services as the grantee may require, consisting of:

(1) poles, guys, anchors, aerial cables and wires;
(2) buried cables and wires, cable terminals, markers, splicing boxes and pedestals;
(3) conduits, manholes, markers, underground cables and wires;
(4) subscriber loop carrier huts and/or cabinets;
(5) and other amplifiers, boxes, appurtenances or devices;
(6) permit application for culvert placements which may extend past the easement along and within the road right-of-way.

upon, over and under a parcel of land in Anderson County, State of S.C., generally described as follows:

Being a portion of the same property described in a Deed (X), Will ( ) recorded in Deed Book, 20-R or Will Package _____ at Page 340 in the Anderson County, S.C. Registry and Shown and Described on Southern Bell Drawing No. A10009 Dated 1-15, 19 90

Records Office and to the fullest extent the undersigned has the power to grant, if at all, over, along and under the roads, streets or highways adjoining or through said property. Said easement is described in detail on "Exhibit A," attached to and made a part of this document.

The following rights are also granted: to allow any other person or company to attach wires or lay cables or conduit within the right of way for communications or electrical power transmission or distribution; ingress and egress to said premises at all times; to clear the land and keep it cleared of all trees, undergrowth or other obstructions within the easement area; to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the easement area which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; to receive from local power company, power service to easement; to enter upon the property covered by this easement for the purpose of making surveys and tests deemed necessary by the Grantee.

The receipt of sixteen and 00 100 Dollars $16.00 is hereby acknowledged by the undersigned.

To have and to hold the above granted easement unto Southern Bell Telephone and Telegraph Company, its successors and assigns forever.

IN WITNESS WHEREOF, the undersigned ha signed on _____ 19__.

Signed, sealed and delivered in the presence of:

_____ L.S.
Name:

_____ L.S.
Name:

X _____
Witness

X _____
Witness

Attest:

_____
Corporate Officer

State of South Carolina
Name of Corporation

X By: _____
Title

Probate

CORPORATION FORM

STATE OF South Carolina
COUNTY OF Richland

Personally appeared before me Douglas McKay III who, being duly sworn says that he saw Carroll A. Campbell, Jr., Chairman, State Budget & Control Bd. _____, a corporation, sign and seal the foregoing instrument, and that he, with Sallie Spade witnessed the execution and delivery thereof as the act and deed of said corporation.

_____ 13771
Affiant

Sworn to and subscribed before me this 23rd day of April, 90

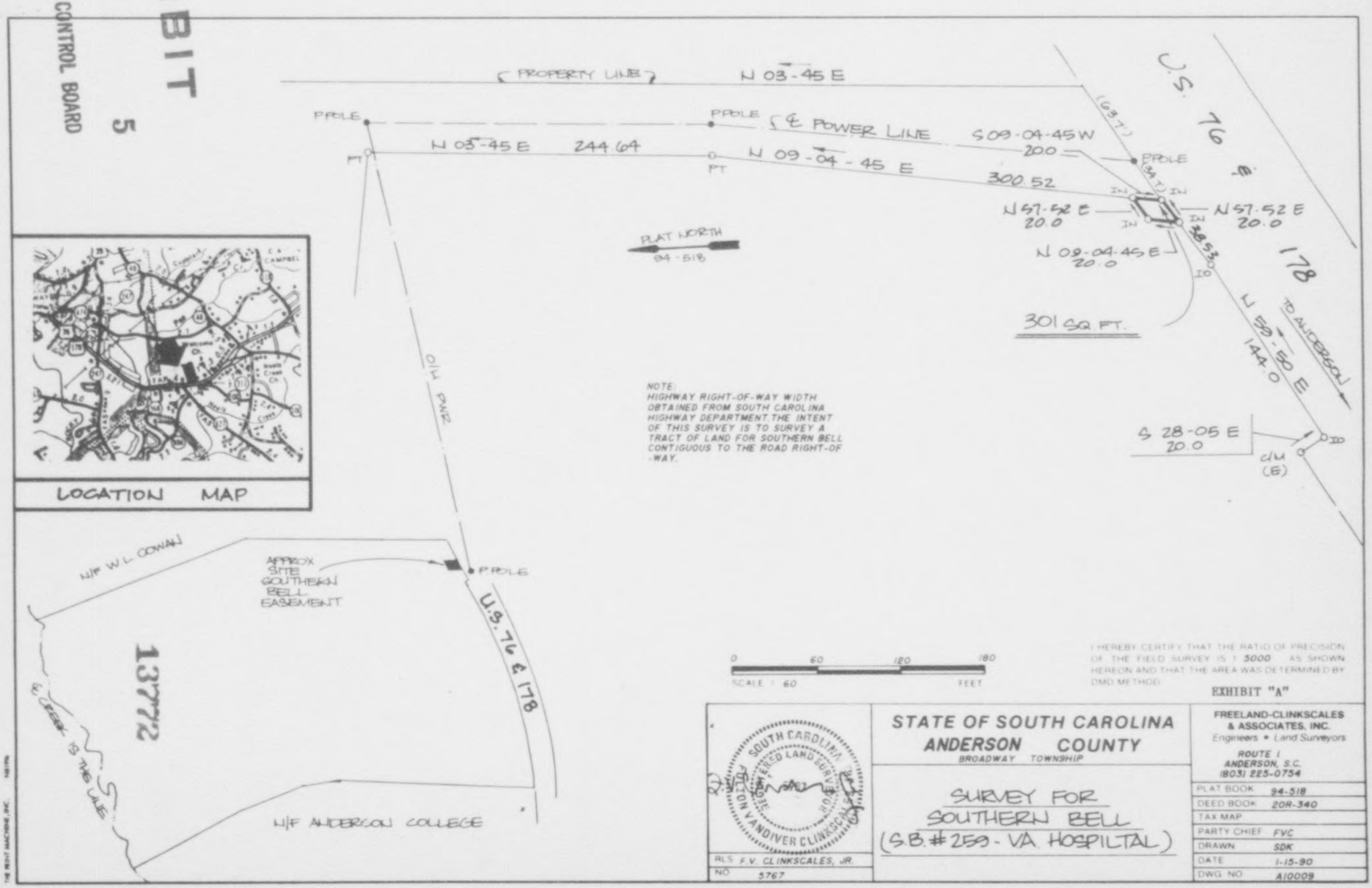
_____
Notary Public

My Commission expires 3-21-95

EXHIBIT 5

APR 23 1990

STATE BUDGET & CONTROL BOARD



I HEREBY CERTIFY THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1 5000 AS SHOWN HEREON AND THAT THE AREA WAS DETERMINED BY DMD METHOD

EXHIBIT "A"

SOUTH CAROLINA REGISTERED LAND SURVEYOR FREELAND VANDIVER CLINKSCALES

RLS F.V. CLINKSCALES, JR.

NO 5767

STATE OF SOUTH CAROLINA

ANDERSON COUNTY

BROADWAY TOWNSHIP

SURVEY FOR SOUTHERN BELL (S.B. # 259 - VA. HOSPILTAL)

FREELAND-CLINKSCALES & ASSOCIATES, INC.

Engineers • Land Surveyors

ROUTE 1

ANDERSON, S.C.

(803) 225-0754

PLAT BOOK	94-518
DEED BOOK	20R-340
TAX MAP	
PARTY CHIEF	FVC
DRAWN	SDK
DATE	1-15-90
DWG. NO.	A10009

EXHIBIT

APR 23 1990 6

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD BLUE AGENDA

MEETING OF APRIL 23, 1990 ITEM NUMBER 6

AGENCY: General Services

SUBJECT: Department of Energy $26,000 Refund

Division Director Kelly reports that the Department of Energy has approved the Division's application for a $26,000 refund on the purchase of refined petroleum products from the Exxon Corporation.

BOARD ACTION REQUESTED:

Receive as information Division of General Services report that the Department of Energy has approved a $26,000 refund to the Division on the purchase of refined petroleum products from the Exxon Corporation.

ATTACHMENTS:

Kelly April 18 letter to Coles.

13773

STATE OF SOUTH CAROLINA

State Budget and Control Board

DIVISION OF GENERAL SERVICES

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

1201 MAIN STREET, SUITE 420
COLUMBIA, SOUTH CAROLINA 29201
(803) 737-3880

RICHARD W. KELLY
DIVISION DIRECTOR

April 18, 1990

RECEIVED
APR 18 1990
BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Dr. Jesse A. Coles, Jr.
Executive Director
Budget and Control Board
612 Wade Hampton Bldg.
Columbia, S.C. 29201

Dear Jesse:

I am pleased to inform you that the Department of Energy has approved our application for a refund on the purchase of refined petroleum products from Exxon Corporation. A check in the amount of $26,000 has been received and forwarded to the State Treasurer's office for deposit.

I would personally like to thank Linda Champion for her work toward the State of South Carolina receiving this refund.

Sincerely,

Richard W. Kelly

cc:
The Honorable Carroll A. Campbell, Jr., Chairman, Budget and Control Board
The Honorable Grady Patterson, State Treasurer
The Honorable Thomas L. Moore, Chairman, Joint Legislative Committee on Energy
Dr. J. Samuel Griswold, Deputy Director, Budget and Control Board
Mr. Gene Maples, Research Coordinator, Joint Legislative Committee on Energy
Mr. Jim Forth, Assistant Director, Materials Management Office
Ms. Linda Champion, Executive Manager, Materials Management Office

EXHIBIT

APR 23 1990 6

STATE BUDGET & CONTROL BOARD

13774

EXHIBIT

APR 23 1990 7

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD BLUE AGENDA

MEETING OF APRIL 23, 1990 ITEM NUMBER 7

AGENCY: Executive Director

SUBJECT: Capital Improvement Bond Fund Draws, Group 16 (January - March)

Agencies drew about $6.3 million of capital improvement bond funds in March. This brought the total drawn for the January - March period to about $25.7 million which is about 19% of the $135.7 million available in the Group 16 (January - June 1990) period.

The fiscal year 1989-90 draw total through March is $59.9 million. For comparison, the draw through March of 1988-89 was $71.5 million and through March of 1987-88 it was just under $60 million.

BOARD ACTION REQUESTED:

Receive as information a report on capital improvement bond fund draws which showed that $6.3 million were drawn in March to bring the January - March total to about $25.7 million which is 19% of the $135.7 million available in the Group 16 (January - June 1990) period and that $59.9 million had been drawn in the fiscal year through March.

ATTACHMENTS:

Referenced report.

13775

CAPITAL IMPROVEMENT BOND FUNDS: DRAWS BY AGENCY, PRIORITY GROUP 16
(Amount Drawn Compared to Amount Available in Group 16)

Agency	January 1990	February 1990	March 1990	April 1990	May 1990	June 1990	Drawn Jan 1990 to End of Month Reported	Available Jan-Jun 90 Group 16	Draw as % of $ Avail Group 16
Adjutant General	10,785.09	808.76	2,814.27				14,408.12	355,640.00	4.05%
Aeronautics Comm	13,646.79	66,989.25	248,655.24				329,291.28	2,268,851.00	14.51%
Agriculture Dept	77,039.79	108,358.43	50,083.86				235,482.08	477,247.00	49.34%
Aquarium, S.C.	.00	.00	.00				0.00	.00	0.00%
Archives & History	32,841.78	.00	.00				32,841.78	56,807.00	57.81%
Budget & Control Bd	20,813.41	6,683.70	60,550.00				88,047.11	4,722,388.00	1.86%
Citadel	.00	2,693,991.00	282,805.00				2,976,796.00	6,042,513.00	49.26%
Clemson University	.00	371,347.19	305,235.85				676,583.04	6,508,054.00	10.40%
Coastal Council	638,555.56	1,004,903.88	332,395.12				1,975,854.56	8,461,150.00	23.35%
Col. of Charleston	1,002,117.00	.00	.00				1,002,117.00	4,414,301.00	22.70%
Corrections Dept	927,084.39	753,440.60	1,694,582.90				3,375,107.89	32,751,236.00	10.31%
de la Howe School	.00	.00	4,450.00				4,450.00	849,505.00	0.52%
Deaf/Blind School	1,061.81	46,616.85	303.35				47,982.01	118,311.00	40.56%
Education Dept	.00	.00	.00				0.00	.00	0.00%
Election Commission	.00	.00	.00				0.00	.00	0.00%
Employment Security	7,358.36	10,660.40	1,790.99				19,809.75	1,006,982.00	1.97%
ETV	220,254.38	107,398.41	73,652.31				401,305.10	5,284,471.00	7.59%
Florence Co. Civic Ct	.00	.00	.00				0.00	1,240,000.00	0.00%
Forestry Commission	.00	.00	.00				0.00	.00	0.00%
Francis Marion	991,000.00	363,900.00	.00				1,354,900.00	1,354,900.00	100.00%
Greenville Arts Cntr.	501,834.00	.00	.00				501,834.00	2,241,365.00	22.39%
Horry Arena	.00	.00	.00				0.00	.00	0.00%
Judicial Department	.00	188,498.31	.00				188,498.31	1,795,000.00	10.50%
Lander College	50,152.35	34,231.08	55,000.00				139,383.43	463,369.00	30.08%
Library, S.C. State	.00	4,287.51	.00				4,287.51	175,000.00	2.45%
Medical University	53,959.28	95,528.32	8,275.95				157,763.55	5,361,501.00	2.94%
Mental Health	502,050.33	73,030.25	117,653.51				692,734.09	1,182,451.00	58.58%
Mental Retardation	55,000.00	88,000.00	96,501.00				239,501.00	4,662,980.00	5.14%
Opportunity School	11,713.14	15,824.16	23,237.19				50,774.49	169,342.00	29.98%
Ports Authority	.00	.00	.00				0.00	3,736,456.00	0.00%
PRT	192,869.75	144,234.97	202,159.40				539,264.12	7,655,131.00	7.04%
Savannah Valley Auth.	3,300,000.00	.00	.00				3,300,000.00	3,300,000.00	100.00%
SC State College	.00	55,683.00	.00				55,683.00	351,483.00	15.84%
SLED	169,285.49	395,760.93	111,214.57				676,260.99	1,823,572.00	37.08%
Tech & Comp Educ	1,008,742.26	1,280,224.49	1,016,064.97				3,305,031.72	12,801,653.00	25.82%
University of SC	1,079,400.00	399,950.00	1,538,220.00				3,017,570.00	9,377,143.00	32.18%
Vocational Rehab.	.00	.00	.00				0.00	.00	0.00%
Wildlife & Marine	.00	.00	.00				0.00	143,815.00	0.00%
Winthrop College	24,246.27	109,581.88	91,863.69				225,691.84	1,440,549.00	15.67%
Youth Services	33,905.85	1,223.86	735.04				35,864.75	3,145,533.00	1.14%
TOTALS	10,925,717.08	8,421,157.23	6,318,244.21				25,665,118.52	135,738,699.00	18.91%

EXHIBIT 7
APR 23 1990
STATE BUDGET & CONTROL BOARD

13776

[cib/a&d/16:15(04/18/90)]

CAPITAL IMPROVEMENT BOND FUNDS: DRAWS BY AGENCY, PRIORITY GROUP 16
(Amount Drawn Compared to Amount Available in Group 16)

Agency	January 1990	February 1990	March 1990	April 1990	May 1990	June 1990	Drawn Jan 1990 to End of Month Reported	Available Jan-Jun 90 Group 16	Draw as % of $ Avail Group 16
Francis Marion	991,000.00	363,900.00	.00				1,354,900.00	1,354,900.00	100.00%
Savannah Valley Auth.	3,300,000.00	.00	.00				3,300,000.00	3,300,000.00	100.00%
Mental Health	502,050.33	73,030.25	117,653.51				692,734.09	1,182,451.00	58.58%
Archives & History	32,841.78	.00	.00				32,841.78	56,807.00	57.81%
Agriculture Dept	77,039.79	108,358.43	50,083.86				235,482.08	477,247.00	49.34%
Citadel	.00	2,693,991.00	282,805.00				2,976,796.00	6,042,513.00	49.26%
Deaf/Blind School	1,061.81	46,616.85	303.35				47,982.01	118,311.00	40.56%
SLED	169,285.49	395,760.93	111,214.57				676,260.99	1,823,572.00	37.08%
University of SC	1,079,400.00	399,950.00	1,538,220.00				3,017,570.00	9,377,143.00	32.18%
Lander College	50,152.35	34,231.08	55,000.00				139,383.43	463,369.00	30.08%
Opportunity School	11,713.14	15,824.16	23,237.19				50,774.49	169,342.00	29.98%
Tech & Comp Educ	1,008,742.26	1,280,224.49	1,016,064.97				3,305,031.72	12,801,653.00	25.82%
Coastal Council	638,555.56	1,004,903.88	332,395.12				1,975,854.56	8,461,150.00	23.35%
Col. of Charleston	1,002,117.00	.00	.00				1,002,117.00	4,414,301.00	22.70%
Greenville Arts Cntr.	501,834.00	.00	.00				501,834.00	2,241,365.00	22.39%
SC State College	.00	55,683.00	.00				55,683.00	351,483.00	15.84%
Winthrop College	24,246.27	109,581.88	91,863.69				225,691.84	1,440,549.00	15.67%
Aeronautics Comm	13,646.79	66,989.25	248,655.24				329,291.28	2,268,851.00	14.51%
Judicial Department	.00	188,498.31	.00				188,498.31	1,795,000.00	10.50%
Clemson University	.00	371,347.19	305,235.85				676,583.04	6,508,054.00	10.40%
Corrections Dept	927,084.39	753,440.60	1,694,582.90				3,375,107.89	32,751,236.00	10.31%
ETV	220,254.38	107,398.41	73,652.31				401,305.10	5,284,471.00	7.59%
PRT	192,869.75	144,234.97	202,159.40				539,264.12	7,655,131.00	7.04%
Mental Retardation	55,000.00	88,000.00	96,501.00				239,501.00	4,662,980.00	5.14%
Adjutant General	10,785.09	808.76	2,814.27				14,408.12	355,640.00	4.05%
Medical University	53,959.28	95,528.32	8,275.95				157,763.55	5,361,501.00	2.94%
Library, S.C. State	.00	4,287.51	.00				4,287.51	175,000.00	2.45%
Employment Security	7,358.36	10,660.40	1,790.99				19,809.75	1,006,982.00	1.97%
Budget & Control Bd	20,813.41	6,683.70	60,550.00				88,047.11	4,722,388.00	1.86%
Youth Services	33,905.85	1,223.86	735.04				35,864.75	3,145,533.00	1.14%
de la Howe School	.00	.00	4,450.00				4,450.00	849,505.00	0.52%
Aquarium, S.C.	.00	.00	.00				0.00	.00	0.00%
Education Dept	.00	.00	.00				0.00	.00	0.00%
Election Commission	.00	.00	.00				0.00	.00	0.00%
Florence Co. Civic Ct	.00	.00	.00				0.00	1,240,000.00	0.00%
Forestry Commission	.00	.00	.00				0.00	.00	0.00%
Horry Arena	.00	.00	.00				0.00	.00	0.00%
Ports Authority	.00	.00	.00				0.00	3,736,456.00	0.00%
Vocational Rehab.	.00	.00	.00				0.00	.00	0.00%
Wildlife & Marine	.00	.00	.00				0.00	143,815.00	0.00%
TOTALS	10,925,717.08	8,421,157.23	6,318,244.21				25,665,118.52	135,738,699.00	18.91%

137777

[cib/a&d/16desc:15(04/18/90)]

CAPITAL IMPROVEMENT BOND FUNDS: DRAWS BY AGENCY, PRIORITY GROUP 16
(Amount Drawn Compared to Amount Available in Group 16)

Agency	January 1990	February 1990	March 1990	April 1990	May 1990	June 1990	Drawn Jan 1990 to End of Month Reported	Available Jan-Jun 90 Group 16	Draw as % of $ Avail Group 16
Corrections Dept	927,084.39	753,440.60	1,694,582.90				3,375,107.89	32,751,236.00	10.31%
Tech & Comp Educ	1,008,742.26	1,280,224.49	1,016,064.97				3,305,031.72	12,801,653.00	25.82%
Savannah Valley Auth.	3,300,000.00	.00	.00				3,300,000.00	3,300,000.00	100.00%
University of SC	1,079,400.00	399,950.00	1,538,220.00				3,017,570.00	9,377,143.00	32.18%
Citadel	.00	2,693,991.00	282,805.00				2,976,796.00	6,042,513.00	49.26%
Coastal Council	638,555.56	1,004,903.88	332,395.12				1,975,854.56	8,461,150.00	23.35%
Francis Marion	991,000.00	363,900.00	.00				1,354,900.00	1,354,900.00	100.00%
Col. of Charleston	1,002,117.00	.00	.00				1,002,117.00	4,414,301.00	22.70%
Mental Health	502,050.33	73,030.25	117,653.51				692,734.09	1,182,451.00	58.58%
Clemson University	.00	371,347.19	305,235.85				676,583.04	6,508,054.00	10.40%
SLED	169,285.49	395,760.93	111,214.57				676,260.99	1,823,572.00	37.08%
PRT	192,869.75	144,234.97	202,159.40				539,264.12	7,655,131.00	7.04%
Greenville Arts Cntr.	501,834.00	.00	.00				501,834.00	2,241,365.00	22.39%
ETV	220,254.38	107,398.41	73,652.31				401,305.10	5,284,471.00	7.59%
Aeronautics Comm	13,646.79	66,989.25	248,655.24				329,291.28	2,268,851.00	14.51%
Mental Retardation	55,000.00	88,000.00	96,501.00				239,501.00	4,662,980.00	5.14%
Agriculture Dept	77,039.79	108,358.43	50,083.86				235,482.08	477,247.00	49.34%
Winthrop College	24,246.27	109,581.88	91,863.69				225,691.84	1,440,549.00	15.67%
Judicial Department	.00	188,498.31	.00				188,498.31	1,795,000.00	10.50%
Medical University	53,959.28	95,528.32	8,275.95				157,763.55	5,361,501.00	2.94%
Lander College	50,152.35	34,231.08	55,000.00				139,383.43	463,369.00	30.08%
Budget & Control Bd	20,813.41	6,683.70	60,550.00				88,047.11	4,722,388.00	1.86%
SC State College	.00	55,683.00	.00				55,683.00	351,483.00	15.84%
Opportunity School	11,713.14	15,824.16	23,237.19				50,774.49	169,342.00	29.98%
Deaf/Blind School	1,061.81	46,616.85	303.35				47,982.01	118,311.00	40.56%
Youth Services	33,905.85	1,223.86	735.04				35,864.75	3,145,533.00	1.14%
Archives & History	32,841.78	.00	.00				32,841.78	56,807.00	57.81%
Employment Security	7,358.36	10,660.40	1,790.99				19,809.75	1,006,982.00	1.97%
Adjutant General	10,785.09	808.76	2,814.27				14,408.12	355,640.00	4.05%
de la Howe School	.00	.00	4,450.00				4,450.00	849,505.00	0.52%
Library, S.C. State	.00	4,287.51	.00				4,287.51	175,000.00	2.45%
Aquarium, S.C.	.00	.00	.00				0.00	.00	0.00%
Education Dept	.00	.00	.00				0.00	.00	0.00%
Election Commission	.00	.00	.00				0.00	.00	0.00%
Florence Co. Civic Ct	.00	.00	.00				0.00	1,240,000.00	0.00%
Forestry Commission	.00	.00	.00				0.00	.00	0.00%
Horry Arena	.00	.00	.00				0.00	.00	0.00%
Ports Authority	.00	.00	.00				0.00	3,736,456.00	0.00%
Vocational Rehab.	.00	.00	.00				0.00	.00	0.00%
Wildlife & Marine	.00	.00	.00				0.00	143,815.00	0.00%
TOTALS	10,925,717.08	8,421,157.23	6,318,244.21				25,665,118.52	135,738,699.00	18.91%

13778

[cib/a&d/16draw:15(04/18/90)]

CAPITAL IMPROVEMENT BOND FUNDS: DRAWS BY AGENCY, PRIORITY GROUP 16
(Amount Drawn Compared to Amount Available in Group 16)

Agency	January 1990	February 1990	March 1990	April 1990	May 1990	June 1990	Drawn Jan 1990 to End of Month Reported	Available Jan-Jun 90 Group 16	Draw as % of $ Avail Group 16
Corrections Dept	927,084.39	753,440.60	1,694,582.90				3,375,107.89	32,751,236.00	10.31%
Tech & Comp Educ	1,008,742.26	1,280,224.49	1,016,064.97				3,305,031.72	12,801,653.00	25.82%
University of SC	1,079,400.00	399,950.00	1,538,220.00				3,017,570.00	9,377,143.00	32.18%
Coastal Council	638,555.56	1,004,903.88	332,395.12				1,975,854.56	8,461,150.00	23.35%
PRT	192,869.75	144,234.97	202,159.40				539,264.12	7,655,131.00	7.04%
Clemson University	.00	371,347.19	305,235.85				676,583.04	6,508,054.00	10.40%
Citadel	.00	2,693,991.00	282,805.00				2,976,796.00	6,042,513.00	49.26%
Medical University	53,959.28	95,528.32	8,275.95				157,763.55	5,361,501.00	2.94%
ETV	220,254.38	107,398.41	73,652.31				401,305.10	5,284,471.00	7.59%
Budget & Control Bd	20,813.41	6,683.70	60,550.00				88,047.11	4,722,388.00	1.86%
Mental Retardation	55,000.00	88,000.00	96,501.00				239,501.00	4,662,980.00	5.14%
Col. of Charleston	1,002,117.00	.00	.00				1,002,117.00	4,414,301.00	22.70%
Ports Authority	.00	.00	.00				0.00	3,736,456.00	0.00%
Savannah Valley Auth.	3,300,000.00	.00	.00				3,300,000.00	3,300,000.00	100.00%
Youth Services	33,905.85	1,223.86	735.04				35,864.75	3,145,533.00	1.14%
Aeronautics Comm	13,646.79	66,989.25	248,655.24				329,291.28	2,268,851.00	14.51%
Greenville Arts Cntr.	501,834.00	.00	.00				501,834.00	2,241,365.00	22.39%
SLED	169,285.49	395,760.93	111,214.57				676,260.99	1,823,572.00	37.08%
Judicial Department	.00	188,498.31	.00				188,498.31	1,795,000.00	10.50%
Winthrop College	24,246.27	109,581.88	91,863.69				225,691.84	1,440,549.00	15.67%
Francis Marion	991,000.00	363,900.00	.00				1,354,900.00	1,354,900.00	100.00%
Florence Co. Civic Ct	.00	.00	.00				0.00	1,240,000.00	0.00%
Mental Health	502,050.33	73,030.25	117,653.51				692,734.09	1,182,451.00	58.58%
Employment Security	7,358.36	10,660.40	1,790.99				19,809.75	1,006,982.00	1.97%
de la Howe School	.00	.00	4,450.00				4,450.00	849,505.00	0.52%
Agriculture Dept	77,039.79	108,358.43	50,083.86				235,482.08	477,247.00	49.34%
Lander College	50,152.35	34,231.08	55,000.00				139,383.43	463,369.00	30.08%
Adjutant General	10,785.09	808.76	2,814.27				14,408.12	355,640.00	4.05%
SC State College	.00	55,683.00	.00				55,683.00	351,483.00	15.84%
Library, S.C. State	.00	4,287.51	.00				4,287.51	175,000.00	2.45%
Opportunity School	11,713.14	15,824.16	23,237.19				50,774.49	169,342.00	29.98%
Wildlife & Marine	.00	.00	.00				0.00	143,815.00	0.00%
Deaf/Blind School	1,061.81	46,616.85	303.35				47,982.01	118,311.00	40.56%
Archives & History	32,841.78	.00	.00				32,841.78	56,807.00	57.81%
Aquarium, S.C.	.00	.00	.00				0.00	.00	0.00%
Education Dept	.00	.00	.00				0.00	.00	0.00%
Election Commission	.00	.00	.00				0.00	.00	0.00%
Forestry Commission	.00	.00	.00				0.00	.00	0.00%
Horry Arena	.00	.00	.00				0.00	.00	0.00%
Vocational Rehab.	.00	.00	.00				0.00	.00	0.00%
TOTALS	10,925,717.08	8,421,157.23	6,318,244.21				25,665,118.52	135,738,699.00	18.91%

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[cib/a&d/16avail:15(04/18/90)]

EXHIBIT

APR 23 1990 7

STATE BUDGET & CONTROL BOARD

EXHIBIT

APR 23 1990 8

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD BLUE AGENDA

MEETING OF April 23, 1990 ITEM NUMBER 8

AGENCY: Human Resource Management

SUBJECT: Employment Beyond Age 70; Advancement of Sick Leave

On June 10, 1986, the Board authorized the Division of Human Resource Management to approve employment beyond age 70 requests and advancement of sick leave requests and to report those approvals to the Board on a quarterly basis.

Attached are approvals granted during the January-March 1990 quarter.

BOARD ACTION REQUESTED:

Receive as information a report on continuation of employment past age 70 and advancement of sick leave during January-March, 1990.

ATTACHMENTS:

Agenda item worksheet and attachments

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

For meeting scheduled for:

April 23, 1990

X *Blue Agenda*
___ *Regular Session Agenda*
___ *Executive Session Agenda*

1. *Submitted By:*
   (a) Agency: Division of Human Resource Management
   (b) Authorized Official Signature: Phyllis M. Mayes

2. *Subject:*
   Employment Beyond Age 70 and Advancement of Sick Leave

3. *Summary Background Information:*

The Budget and Control Board at its June 10, 1986, meeting granted the authority to the Division of Human Resource Management to approve age extension and advancement of sick leave requests and report to the Board on a quarterly basis. Attached are the quarterly reports for age extension and advancement of sick leave requests for your information. These requests were approved in accordance with the requirements of Sections 9-1-1530 and 8-11-40, Code of Laws of South Carolina. The Division of Human Resource Management continues to review age extension requests for law enforcement, faculty, and fire fighters because these categories of employees were exempted from the federal law eliminating mandatory retirement age.

4. *What is Board asked to do?*

No action required.

5. *What is recommendation of the Board Division involved?*

No action required.

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*
Facts Sheet	
Age Extension Quarterly Report	
Advancement of Sick Leave Quarterly Report	

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EXHIBIT

APR 23 1990 8

STATE BUDGET & CONTROL BOARD

Facts Sheet

1. Quarterly Reports are submitted for informational purposes. No action is required by the Budget and Control Board.

2. Approval for the requests has been granted in accordance with Sections 8-14-40 and 9-1-1530, Code of Laws of South Carolina.

3. Advancement of Sick Leave

The following agencies have requested and have been granted approval for the advancement of sick leave to allow the named employees to return to work before being placed on leave without pay:

Legislative Council of the General Assembly	Ms. Nancy Lee
Department of Education	Ms. Wanda Branham
South Carolina Department of Health and Environmental Control	Ms. Vicki Fisher-Moore Mr. Dennis C. Gilbert
Clemson University	Mr. Romaine C. Powell
Budget and Control Board	Ms. Brenda Tucker Ms. Deborah Rayman
Employment Security Commission	Mr. Joe Rivera

4. Age Extension

The University of South Carolina requested and was granted approval for Mr. Charles H. Randall, Professor, to be allowed to continue his employment through June 30, 1991. Mr. Randall will not reach age 73 until January, 1993.

The Medical University of South Carolina requested and was granted approval for Dr. Gordon R. Hennigan to be allowed to continue his employment through June 30, 1991. Dr. Hennigan will not reach age 73 until December 16, 1992.

5. The Division of Human Resource Management continues to review age extension for law enforcement, faculty and firefighters because these categories of employees were exempted from the federal law eliminating a mandatory retirement age.

Prepared by the Division of Human Resource Management

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AGE EXTENSION FOR FY 89-90

January-March 1990 Quarterly Report

Agency	Employee	Date of Birth	Approved Disapproved
University of South Carolina	Mr. Charles H. Randall	1/20	Approved
Medical University of South Carolina	Dr. Gordon R. Hennigan	12/16/19	Approved

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ADVANCEMENT OF SICK LEAVE

January-March 1990 Quarterly Report

Agency	Employee	Number of Days	Approved/ Disapproved
Legislative Council of the General Assembly	Ms. Nancy Lee	Ten	Approved
South Carolina Department of Health and Environmental Control	Ms. Vicki Fisher-Moore	Ten	Approved
	Mr. Dennis C. Gilbert	Three	Approved
Clemson University	Mr. Romaine C. Powell	Ten	Approved
Employment Security Commission	Mr. Joe Rivera	Five	Approved
South Carolina Department of Education	Ms. Wanda Branham	Ten	Approved
Budget and Control Board	Ms. Deborah Rayman	Three	Approved
	Ms. Brenda Tucker	Ten	Approved

EXHIBIT

APR 23 1990 8

STATE BUDGET & CONTROL BOARD

EXHIBIT

APR 23 1990 9

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD BLUE AGENDA

MEETING OF April 23, 1990 ITEM NUMBER 9

AGENCY: Department of Corrections

SUBJECT: Defendant's Quarterly Report on Compliance, Nelson V. Leeke

The Department of Corrections has submitted the "Defendants' 21st Quarterly Report on Compliance" to the court, plaintiffs' counsel, the Budget and Control Board and each institution.

The attached excerpt from the report is a summary of major compliance activities. The detailed report is available to Board members upon request.

BOARD ACTION REQUESTED:

Receive as information a report that the Department of Corrections has submitted the "Defendants' 21st Quarterly Report on Compliance" in accord with the terms of a negotiated consent decree entered into on January 8, 1985, in relation to the Nelson v. Leeke suit.

ATTACHMENTS:

Excerpt from "Defendant's 21st Quarterly Report on Compliance"

APR - 9 1990

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

EXHIBIT

APR 23 1990 9

STATE BUDGET & CONTROL BOARD

April 8, 1990

Mr. William A. McInnis
Deputy Executive Director
S.C. Budget and Control Board
601 Wade Hampton Building
Columbia, South Carolina 29211

RE: Nelson v. Leeke, Civil Action No.: 82-876-2

Dear Mr. McInnis:

According to the terms of the negotiated settlement reached in the above captioned case, the S.C. Department of Corrections is required to submit detailed quarterly reports on compliance to the Court, Plaintiffs' counsel, the S.C. Budget and Control Board and to each institution.

Attached please find a copy of the "Defendants' 21st Quarterly Report on Compliance," for your information and review.

If you have any questions regarding the information contained herein, please feel free to contact me at 737-8431.

Sincerely,

Laurie A. Osler
Executive Assistant for Legal
Settlements and Compliance

Enclosures

LAO/mc

13786

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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Gary Wayne Nelson, et al.,	)	
	)	
Plaintiffs	)	CIVIL ACTION NUMBER 82-876-2
-vs.-	)	
	)	
William D. Leeke, Commissioner South Carolina Department of Corrections, and Members of the South Carolina Board of Corrections,	)	DEFENDANTS' 21ST QUARTERLY REPORT ON COMPLIANCE
	)	
Defendants	)	
	)	

Prepared by:

The Office of the Executive
Assistant for Legal Settlements
and Compliance

Laura A. Osler, Executive Assistant

Columbia, South Carolina
April 8, 1990

EXHIBIT

APR 23 1990 9

STATE BUDGET & CONTROL BOARD

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CONTENT.RPT

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I N T R O D U C T I O N

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INTRODUCTION

This report is submitted to the Court in compliance with the terms of a negotiated Consent Decree entered into between the parties to this action on January 8, 1985. The terms of the Decree were reviewed by the Honorable C. Weston Houck, United States District Court Judge, District of South Carolina, and the Decree was approved by the Court on March 26, 1986.

Under Section III. (U). of the Consent Decree, the Defendants' are required to submit detailed quarterly reports outlining the Department's compliance with the terms of the Agreement. It was the intention of the parties that the timetables for compliance with the various issues set forth in the Decree would commence with the ratification of of the Decree by the parties to this action (Section III. (p).).

This "Twenty-first Quarterly Report on Compliance," contains a listing of the approximately 238 identifiable issues in the Decree, with such issues broken into seventeen (17) compliance categories. The Report further details the activities and efforts undertaken and made during this reporting period to achieve compliance with each issue. Appendices to this Report represent more detailed compliance information concerning certain issues of the Decree for which a lengthy explanation of compliance efforts in the body of the Report appeared unsuitable.

I. Inmate Admissions

During Calendar Year 1989, the average facility count increase/decrease was 148 inmates. Over the past three (3) months (December, 1989 through February, 1990), however, the average facility count increase was reported as 157 inmates. It should be noted that on March 28, 1990, the SCDC reached an all-time high facility count of 14,867, which is 1,704 more inmates in Departmental facilities than were present one year ago.

The figures listed above are significantly higher than the 30 to 50 inmates per month anticipated at the time the Decree was signed. Additionally, it should be pointed out that the expected increase of 30-50 inmates per month provided the factual basis upon which the housing issues of the Decree were premised.

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Admissions continue to cause several instances of housing noncompliance at certain facilities, as described in Section II, below. Total noncompliance (both male and female) reported on March 15, 1990, was 1,175 beds. Of the 1,175 beds in noncompliance with the terms of the Decree, 243 were female beds. Details pertaining to specific areas of noncompliance are contained below.

II. Summary of Departmental Non-Compliance with Inmate Housing Requirements of the Decree

A. Housing Noncompliance at Reception and Evaluation Centers

As reported previously during the first quarter of 1989, male Reception and Evaluation Centers began double-celling inmates in noncompliance with the terms of the Decree. As of March 15, 1990, the following number of cells were double-occupied at Reception and Evaluation Centers:

Institution	# of Double-Cells
Perry Reception and Evaluation	82
Lieber Reception and Evaluation	88
Broad River Reception and Evaluation	80

It should be pointed out that the double-celling at the Reception and Evaluation Centers is a direct result of increased admissions to the Department. Such admissions have also caused a lack of available general population bedspace throughout the Department; thus, making it difficult for Reception and Evaluation Center staff to expeditiously transfer inmates to available beds. Until such a time that admission levels taper or sufficient bedspace is constructed to keep pace with the current admission level, it is expected that Reception and Evaluation Centers will continue to house a certain portion of their population in double-cells.

B. Housing Noncompliance within Male, Minimum Security Institutions

At the present time, Plaintiffs' counsel and Departmental officials are continuing to negotiate to either waive and/or modify the bedspace requirements of the Decree as they relate to minimum security housing. During the month of February, 1990, the parties met again to discuss this issue. In mid-February, 1990, a revised Compromise Agreement was forwarded to Plaintiffs' counsel for their consideration. This Agreement contained the revisions proposed by Plaintiffs' counsel. To date, no response has been received from Plaintiffs' counsel relative to this matter. Until such a time that an agreement is reached between the parties, the Department will continue to house inmates at all minimum security institutions at their present count.

Northside Correctional Center has continued to house male offenders in dayroom areas converted to housing space. As of March 15, 1990, there were approximately 60 inmates housed in dayroom areas at Northside.

C. Housing Noncompliance at the Women's Correctional Center

During this reporting period, noncompliance continued in the Administrative Segregation/Reception Unit (Cottage 9) at the Women's Correctional Center. During this quarter (January 1, 1990 through March 15, 1990) an average of approximately 20 cells were double-occupied with Reception and Evaluation inmates in Cottage 9. In addition, an average of approximately 2 cells were double-occupied with Administrative Segregation inmates refusing to voluntarily consent to such housing. Noncompliance also continued to exist relative to the general population at the Women's Center. On March 15, 1990, there were approximately 243 general population beds placed in noncompliance in Cottages 1-8 at this facility. Of this 243, approximately 63 beds were placed in the television rooms of general population living units in a ward-style living arrangement.

It should be pointed out that during this quarter, the Honorable C. Weston Houck, Federal District Court Judge, issued an Order relative to Plaintiffs' counsel's Motion for Supplemental Relief and to Defendants' Motion to Modify the Decree as they relate to overcrowding at the Women's Center. The Order required the Department to achieve full compliance with the original terms of the Consent Decree at this facility by April 2, 1990.

In response to this ruling, Departmental officials began full implementation of a Court Ordered Early Release Plan that was submitted to the Court for approval in August, 1989. Additionally, the Board of Corrections requested the Governor to declare a state of emergency under the Prison Overcrowding Powers Act in an effort to initiate an early release of female inmates in order to assist in obtaining compliance with this ruling. Further, the Board gave approval to the Attorney General's Office to expedite a Motion for Stay Pending Appeal of the Federal District Court's Order to the Fourth Circuit Court of Appeals. On March 29, 1990, the Fourth Circuit issued a "stay" of the Federal District Court's Order and scheduled a hearing date of June 4, 1990, for arguments to be heard relative to this case.

It should be pointed out, that Departmental officials anticipate all television room housing to be abolished at the Women's Center by April 2, 1990. This is due to the opening of a 96-bed Work Camp at the Lower Savannah Work Release Center on March 29, 1990, that is being utilized to house females until such a time that sufficient female bedspace can be constructed. Another 96-bed unit is scheduled to be open at the Lower Savannah Work Release Center in May, 1990, that could, if necessary, be utilized to house females. Additionally, the Department plans to gain 120 female beds in August, 1990, at the State Park Correctional Center. The addition of these beds should assist in the reduction of beds at the Women's Correctional Center.

For Additional Information Relative to Female Bedspace, Please Refer to Issue #6, page 5, of the Quarterly Report.

III. Summary of Compliance with Other Housing Requirements of the Decree

A. Existing Medium Security General Population Institutional Housing

With the exception of certain housing units at the Women's Correctional Center all remaining existing medium security male institutions have remained in compliance with the housing requirements of the Decree. Compliance with these standards was required by January 8, 1988, under the terms of the Decree.

Existing institutions currently listed as in compliance are, as follows:

Perry Correctional Institution; Dutchman Correctional Institution; Central Correctional Institution; Kirkland Correctional Institution; Manning Correctional Institution; and the Officers' Quarters.

B. New Medium Security Institutional Housing

Double-celling has been fully implemented at the McCormick, Lieber, and Broad River Correctional Institutions.

The new Allendale Correctional Institution opened on May 9, 1989; however, on February 16, 1990, the Department of Health and Environmental Control approved the operating capacity to be increased to 1,104 (full double-celling) at this facility due to the completion of the Waste Water Treatment Plant for this facility. There are currently 924 inmates assigned to Allendale.

The new Evans Correctional Institution opened on July 24, 1989 with a full double-celling capacity of 1,104. As of March 15, 1990, there were approximately 995 inmates housed at this institution.

Double-celling at the above facilities was authorized under the Fourth Circuit Court of Appeals ruling relative to the "Defendants' Motion for Modification of the Consent Decree."

IV. Status of Construction Projects

To date, all construction projects specifically identified in the Decree have been completed. Currently, the project approved by the General Assembly relative to the relocation of the Central Correctional Institution has been re-bid. The anticipated completion date of this project is November, 1992.

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As noted above, the second 96-bed Work Camp was completed on March 29, 1990, and is located at the Lower Savannah Work Release Center in Aiken, South Carolina. This unit is expected to be fully operational by April 2, 1990, and will house females until such a time that sufficient bedspace is constructed/retained. An additional 96-bed unit is scheduled to be completed at Lower Savannah during May, 1990. Should admissions necessitate, this unit may be used to temporarily house females, as well.

It should be noted that the Department recently made a request to the Budget and Control Board for funding to construct an additional 6,016 beds by July 1993. Included in this request are two (2) 1,200-bed facilities for males; a 384-bed facility for females; 15, 96-bed additions to existing facilities; (4), 192-bed Work Release Facilities; (2), 144-bed Pre-Release Centers; a 96-bed addition to the Women's Correctional Center; 480 Reception and Evaluation beds; (2), 50-bed Maximum Security Units; and, a 60-bed Habilitation Unit at Stevenson Correctional Institution.

It should be noted that the above requests were made pursuant to the projected population of the Department over the next five (5) years. The General Assembly is not expected to act on this request until early-summer, 1990.

V. Nelson Complaint System

Information pertaining to the Nelson Complaint System has been included in this edition of the Quarterly Report under Section XVII, "Other Issues." During the months of December, 1989, through February, 1990, approximately 152 Nelson Complaints were processed. Major areas of concern indicated by most inmates were Environmental Sanitation, Classification, and, Health Services.

VI. Abbreviations

The following abbreviations are used throughout this Report:

ACA	-	American Correctional Association
ACR	-	Appalachian Correctional Region
CCR	-	Coastal Correctional Region
CAC	-	Commission on the Accreditation for Corrections
DHEC	-	Department of Health and Environmental Control
NFPA	-	National Fire Protection Association
NIC	-	National Institute of Corrections
MCR	-	Midlands Correctional Region
PC	-	Protective Custody
SCCJA	-	South Carolina Criminal Justice Academy
SCDC	-	South Carolina Department of Corrections
SCDMH	-	South Carolina Department of Mental Health
SSR	-	Substantiated Security Risk
YOA	-	Youthful Offender Act

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The following institutional abbreviations are also used:

ACI	-	Allendale Correctional Institution
AYCC	-	Aiken Youth Correctional Center
BCC	-	Byrnes Clinical Center
BRPRC	-	Blue Ridge Pre-Release/Work Release Center
BRR&EC	-	Broad River Reception and Evaluation Center
BRCI	-	Broad River Correctional Institution
CACI	-	Cross Anchor Correctional Institution
CaWRC	-	Catawba Work Release Center
CCI	-	Central Correctional Institution
CoWRC	-	Coastal Work Release Center
CWRC	-	Campbell Work Release Center
DCI	-	Dutchman Correctional Institution
ECI	-	Evans Correctional Institution
GCI	-	Goodman Correctional Institution
GCC	-	Greenwood Correctional Center
GWC	-	Greenwood Work Camp
GYCC	-	Givens Youth Correctional Center
KCI	-	Kirkland Correctional Institution
LCI	-	Lieber Correctional Institution
LiWRC	-	Livesay Work Release Center
LSWRC	-	Lower Savannah Work Release Center
MCI	-	Manning Correctional Institution
McCI	-	McCormick Correctional Institution
MR&EC	-	Midlands Reception and Evaluation Center
MSC	-	Maximum Security Center (Building 5)
NCC	-	Northside Correctional Center
PCI	-	Perry Correctional Institution
PWRC	-	Palmer Work Release Center
SPCC	-	State Park Correctional Center
SCI	-	Stevenson Correctional Institution
WCI	-	Walden Correctional Institution
WRCI	-	Wateree River Correctional Institution
WPRC	-	Watkins Pre-Release Center
WCC	-	Women's Correctional Center

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STATE BUDGET & CONTROL BOARD

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south carolina
department of corrections

P.O. BOX 21787/4444 BROAD RIVER ROAD/COLUMBIA, SOUTH CAROLINA 29221-1787
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PARKER EVATT, Commissioner

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STATE BUDGET & CONTROL BOARD

April 8, 1990

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BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Jesse A. Coles, Jr., Ph.D.
Executive Director
S.C. Budget and Control Board
612 Wade Hampton Building
Columbia, South Carolina 29211

RE: Nelson v. Leeke, Civil Action No.: 82-876-2

Dear Dr. Coles:

According to the terms of the negotiated settlement reached in the above captioned case, the S.C. Department of Corrections is required to submit detailed quarterly reports on compliance to the Court, Plaintiffs' counsel, the S.C. Budget and Control Board and to each institution.

Attached please find a copy of the "Defendants' 21st Quarterly Report on Compliance," for your information and review.

If you have any questions regarding the information contained herein, please feel free to contact me at 737-8431.

Sincerely,

Laurie A. Osler
Executive Assistant for Legal
Settlements and Compliance

Enclosures

LAO/mc

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BOARD OF CORRECTIONS
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STATE BUDGET & CONTROL BOARD

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Gary Wayne Nelson, et al., Plaintiffs -vs.- William D. Leeke, Commissioner South Carolina Department of Corrections, and Members of the South Carolina Board of Corrections, Defendants	CIVIL ACTION NUMBER 82-876-2 DEFENDANTS' 21ST QUARTERLY REPORT ON COMPLIANCE

Prepared by:

The Office of the Executive
Assistant for Legal Settlements
and Compliance

Laura A. Osler, Executive Assistant

Columbia, South Carolina
April 8, 1990

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I N T R O D U C T I O N

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STATE BUDGET & CONTROL BOARD

INTRODUCTION

This report is submitted to the Court in compliance with the terms of a negotiated Consent Decree entered into between the parties to this action on January 8, 1985. The terms of the Decree were reviewed by the Honorable C. Weston Houck, United States District Court Judge, District of South Carolina, and the Decree was approved by the Court on March 26, 1986.

Under Section III. (U). of the Consent Decree, the Defendants' are required to submit detailed quarterly reports outlining the Department's compliance with the terms of the Agreement. It was the intention of the parties that the timetables for compliance with the various issues set forth in the Decree would commence with the ratification of of the Decree by the parties to this action (Section III. (p).).

This "Twenty-first Quarterly Report on Compliance," contains a listing of the approximately 238 identifiable issues in the Decree, with such issues broken into seventeen (17) compliance categories. The Report further details the activities and efforts undertaken and made during this reporting period to achieve compliance with each issue. Appendices to this Report represent more detailed compliance information concerning certain issues of the Decree for which a lengthy explanation of compliance efforts in the body of the Report appeared unsuitable.

I. Inmate Admissions

During Calendar Year 1989, the average facility count increase/decrease was 148 inmates. Over the past three (3) months (December, 1989 through February, 1990), however, the average facility count increase was reported as 157 inmates. It should be noted that on March 28, 1990, the SCDC reached an all-time high facility count of 14,867, which is 1,704 more inmates in Departmental facilities than were present one year ago.

The figures listed above are significantly higher than the 30 to 50 inmates per month anticipated at the time the Decree was signed. Additionally, it should be pointed out that the expected increase of 30-50 inmates per month provided the factual basis upon which the housing issues of the Decree were premised.

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Admissions continue to cause several instances of housing noncompliance at certain facilities, as described in Section II, below. Total noncompliance (both male and female) reported on March 15, 1990, was 1,175 beds. Of the 1,175 beds in noncompliance with the terms of the Decree, 243 were female beds. Details pertaining to specific areas of noncompliance are contained below.

II. Summary of Departmental Non-Compliance with Inmate Housing Requirements of the Decree

A. Housing Noncompliance at Reception and Evaluation Centers

As reported previously during the first quarter of 1989, male Reception and Evaluation Centers began double-celling inmates in noncompliance with the terms of the Decree. As of March 15, 1990, the following number of cells were double-occupied at Reception and Evaluation Centers:

Institution	# of Double-Cells
Perry Reception and Evaluation	82
Lieber Reception and Evaluation	88
Broad River Reception and Evaluation	80

It should be pointed out that the double-celling at the Reception and Evaluation Centers is a direct result of increased admissions to the Department. Such admissions have also caused a lack of available general population bedspace throughout the Department; thus, making it difficult for Reception and Evaluation Center staff to expeditiously transfer inmates to available beds. Until such a time that admission levels taper or sufficient bedspace is constructed to keep pace with the current admission level, it is expected that Reception and Evaluation Centers will continue to house a certain portion of their population in double-cells.

B. Housing Noncompliance within Male, Minimum Security Institutions

At the present time, Plaintiffs' counsel and Departmental officials are continuing to negotiate to either waive and/or modify the bedspace requirements of the Decree as they relate to minimum security housing. During the month of February, 1990, the parties met again to discuss this issue. In mid-February, 1990, a revised Compromise Agreement was forwarded to Plaintiffs' counsel for their consideration. This Agreement contained the revisions proposed by Plaintiffs' counsel. To date, no response has been received from Plaintiffs' counsel relative to this matter. Until such a time that an agreement is reached between the parties, the Department will continue to house inmates at all minimum security institutions at their present count.

Northside Correctional Center has continued to house male offenders in dayroom areas converted to housing space. As of March 15, 1990, there were approximately 60 inmates housed in dayroom areas at Northside.

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C. Housing Noncompliance at the Women's Correctional Center

During this reporting period, noncompliance continued in the Administrative Segregation/Reception Unit (Cottage 9) at the Women's Correctional Center. During this quarter (January 1, 1990 through March 15, 1990) an average of approximately 20 cells were double-occupied with Reception and Evaluation inmates in Cottage 9. In addition, an average of approximately 2 cells were double-occupied with Administrative Segregation inmates refusing to voluntarily consent to such housing. Noncompliance also continued to exist relative to the general population at the Women's Center. On March 15, 1990, there were approximately 243 general population beds placed in noncompliance in Cottages 1-8 at this facility. Of this 243, approximately 63 beds were placed in the television rooms of general population living units in a ward-style living arrangement.

It should be pointed out that during this quarter, the Honorable C. Weston Houck, Federal District Court Judge, issued an Order relative to Plaintiffs' counsel's Motion for Supplemental Relief and to Defendants' Motion to Modify the Decree as they relate to overcrowding at the Women's Center. The Order required the Department to achieve full compliance with the original terms of the Consent Decree at this facility by April 2, 1990.

In response to this ruling, Departmental officials began full implementation of a Court Ordered Early Release Plan that was submitted to the Court for approval in August, 1989. Additionally, the Board of Corrections requested the Governor to declare a state of emergency under the Prison Overcrowding Powers Act in an effort to initiate an early release of female inmates in order to assist in obtaining compliance with this ruling. Further, the Board gave approval to the Attorney General's Office to expedite a Motion for Stay Pending Appeal of the Federal District Court's Order to the Fourth Circuit Court of Appeals. On March 29, 1990, the Fourth Circuit issued a "stay" of the Federal District Court's Order and scheduled a hearing date of June 4, 1990, for arguments to be heard relative to this case.

It should be pointed out, that Departmental officials anticipate all television room housing to be abolished at the Women's Center by April 2, 1990. This is due to the opening of a 96-bed Work Camp at the Lower Savannah Work Release Center on March 29, 1990, that is being utilized to house females until such a time that sufficient female bedspace can be constructed. Another 96-bed unit is scheduled to be open at the Lower Savannah Work Release Center in May, 1990, that could, if necessary, be utilized to house females. Additionally, the Department plans to gain 120 female beds in August, 1990, at the State Park Correctional Center. The addition of these beds should assist in the reduction of beds at the Women's Correctional Center.

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For Additional Information Relative to Female Bedspace, Please Refer to Issue #6, page 5, of the Quarterly Report.

III. Summary of Compliance with Other Housing Requirements of the Decree

A. Existing Medium Security General Population Institutional Housing

With the exception of certain housing units at the Women's Correctional Center all remaining existing medium security male institutions have remained in compliance with the housing requirements of the Decree. Compliance with these standards was required by January 8, 1988, under the terms of the Decree.

Existing institutions currently listed as in compliance are, as follows:

Perry Correctional Institution; Dutchman Correctional Institution; Central Correctional Institution; Kirkland Correctional Institution; Manning Correctional Institution; and the Officers' Quarters.

B. New Medium Security Institutional Housing

Double-celling has been fully implemented at the McCormick, Lieber, and Broad River Correctional Institutions.

The new Allendale Correctional Institution opened on May 9, 1989; however, on February 16, 1990, the Department of Health and Environmental Control approved the operating capacity to be increased to 1,104 (full double-celling) at this facility due to the completion of the Waste Water Treatment Plant for this facility. There are currently 924 inmates assigned to Allendale.

The new Evans Correctional Institution opened on July 24, 1989 with a full double-celling capacity of 1,104. As of March 15, 1990, there were approximately 995 inmates housed at this institution.

Double-celling at the above facilities was authorized under the Fourth Circuit Court of Appeals ruling relative to the "Defendants' Motion for Modification of the Consent Decree."

IV. Status of Construction Projects

To date, all construction projects specifically identified in the Decree have been completed. Currently, the project approved by the General Assembly relative to the relocation of the Central Correctional Institution has been re-bid. The anticipated completion date of this project is November, 1992.

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As noted above, the second 96-bed Work Camp was completed on March 29, 1990, and is located at the Lower Savannah Work Release Center in Aiken, South Carolina. This unit is expected to be fully operational by April 2, 1990, and will house females until such a time that sufficient bedspace is constructed/retained. An additional 96-bed unit is scheduled to be completed at Lower Savannah during May, 1990. Should admissions necessitate, this unit may be used to temporarily house females, as well.

It should be noted that the Department recently made a request to the Budget and Control Board for funding to construct an additional 6,016 beds by July 1993. Included in this request are two (2) 1,200-bed facilities for males; a 384-bed facility for females; 15, 96-bed additions to existing facilities; (4), 192-bed Work Release Facilities; (2), 144-bed Pre-Release Centers; a 96-bed addition to the Women's Correctional Center; 480 Reception and Evaluation beds; (2), 50-bed Maximum Security Units; and, a 60-bed Habilitation Unit at Stevenson Correctional Institution.

It should be noted that the above requests were made pursuant to the projected population of the Department over the next five (5) years. The General Assembly is not expected to act on this request until early-summer, 1990.

V. Nelson Complaint System

Information pertaining to the Nelson Complaint System has been included in this edition of the Quarterly Report under Section XVII, "Other Issues." During the months of December, 1989, through February, 1990, approximately 152 Nelson Complaints were processed. Major areas of concern indicated by most inmates were Environmental Sanitation, Classification, and, Health Services.

VI. Abbreviations

The following abbreviations are used throughout this Report:

ACA	-	American Correctional Association
ACR	-	Appalachian Correctional Region
CCR	-	Coastal Correctional Region
CAC	-	Commission on the Accreditation for Corrections
DHEC	-	Department of Health and Environmental Control
NFPA	-	National Fire Protection Association
NIC	-	National Institute of Corrections
MCR	-	Midlands Correctional Region
PC	-	Protective Custody
SCCJA	-	South Carolina Criminal Justice Academy
SCDC	-	South Carolina Department of Corrections
SCDMH	-	South Carolina Department of Mental Health
SSR	-	Substantiated Security Risk
YOA	-	Youthful Offender Act

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The following institutional abbreviations are also used:

ACI	-	Allendale Correctional Institution
AYCC	-	Aiken Youth Correctional Center
BCC	-	Byrnes Clinical Center
BRPRC	-	Blue Ridge Pre-Release/Work Release Center
BRR&EC	-	Broad River Reception and Evaluation Center
BRCI	-	Broad River Correctional Institution
CACI	-	Cross Anchor Correctional Institution
CaWRC	-	Catawba Work Release Center
CCI	-	Central Correctional Institution
CoWRC	-	Coastal Work Release Center
CWRC	-	Campbell Work Release Center
DCI	-	Dutchman Correctional Institution
ECI	-	Evans Correctional Institution
GCI	-	Goodman Correctional Institution
GCC	-	Greenwood Correctional Center
GWC	-	Greenwood Work Camp
GYCC	-	Givens Youth Correctional Center
KCI	-	Kirkland Correctional Institution
LCI	-	Lieber Correctional Institution
LiWRC	-	Livesay Work Release Center
LSWRC	-	Lower Savannah Work Release Center
MCI	-	Manning Correctional Institution
McCI	-	McCormick Correctional Institution
MR&EC	-	Midlands Reception and Evaluation Center
MSC	-	Maximum Security Center (Building 5)
NCC	-	Northside Correctional Center
PCI	-	Perry Correctional Institution
PWRC	-	Palmer Work Release Center
SPCC	-	State Park Correctional Center
SCI	-	Stevenson Correctional Institution
WCI	-	Walden Correctional Institution
WRCI	-	Wateree River Correctional Institution
WPRC	-	Watkins Pre-Release Center
WCC	-	Women's Correctional Center

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S E C T I O N I

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STATE BUDGET & CONTROL BOARD

21ST QUARTERLY REPORT ON COMPLIANCE FOR NELSON
April 8, 1990

CATEGORY I: NOTIFICATION

As has been reported in past editions of the Quarterly Report, information regarding the Nelson Decree is still continuously being disseminated to all employees and inmates on a regular basis. Weekly, one-hour, new employee orientation classes are being conducted by a representative of the Compliance Office to ensure that all new employees are familiar with the basic terms of the Decree prior to beginning their job assignments. Additionally, information pertaining to the monthly status of the Nelson Decree is being transmitted to all employees and inmates through the use of the Department's "Video Bulletin Board"--a monthly video new bulletin sent to all institutions and presented to all employees and inmates in an effort to keep such individuals up-to-date as to recent developments throughout the SCDC. Also, training classes regarding the Nelson Decree are conducted by a representative of the Compliance Office and are presented to institutional employees upon the request of the Institution Head.

In addition to the above, copies of the Nelson Decree are still available for inmate review in each inmate living area, institutional library or, if no institutional library is available, in an area of an institution which is generally accessible to inmates. Inmates are still able to request their own personal copy of the Nelson Decree by making a written request to their Warden (or Designee) and signing for receipt of the same. Lastly, most institutional officials now include information relative to the Nelson Decree in their new inmate orientation programs or at least review the summary of the Nelson Decree included in the SCDC's "Inmate Guide" which is disseminated to all new inmates upon their arrival to the SCDC.

A new edition of the Inmate Guide was printed and distributed as of March 20, 1989. This edition of the Guide included a synopsis of the Nelson Consent Decree as is required under the Notification Section of the same.

CATEGORY II: HOUSING

1, 2, and 3. Occupation of a cell, cubicle or room that is less than 150 square feet by three inmates is prohibited.

During this reporting period, all institutions maintained compliance with this issue of the Decree.

Please note that the Campbell and Lower Savannah Work Release Centers still have certain housing areas where triple-celling is occurring pursuant to an "Interim Agreement" between the parties. Information pertaining to this "Agreement" is contained in past editions of this Report. Plaintiffs' counsel and Departmental officials have continued to meet to discuss minimum security and work release housing of inmates throughout the Department. It is hoped that a new "Compromise Agreement" will occur as a result of these meetings relative to inmate housing at such facilities.

4. An appendix will be created and attached to the Settlement which will list the maximum housing capacities for every institution based on the square footage requirements stated in the Decree.

The original "Appendix" was completed before the signing of the Decree and is included as Appendix F to the Decree. However, since the signing of the Decree, modifications (i.e., additions as a result of capital improvement project approvals, renovations resulting in the loss of bedspace, etc.) have occurred at certain institutions which have changed the mandated capacities from those reported in Appendix F of the Decree.

The Compliance Office has continuously kept up with these capacity changes and has made a good faith effort to notify Plaintiffs' counsel as they occur. Appendix A lists all the capacities for all SCDC institutions once all capital improvement projects currently funded are completed. (New construction projects are noted in this list with an asterisk (*)). Inasmuch as the U.S. Supreme Court upheld the decision of the Fourth Circuit Court of Appeals to allow the Department to double-occupy the general population cells at new medium security institutions, the capacities reflected at the new Lieber, McCormick, Broad River, Allendale and Evans Correctional Institutions have been increased to reflect full double-celling. It should be noted, that the figures listed in Appendix A represent minimum capacities for particular institutions. The capacities listed for Administrative Segregation and Protective Custody Housing Units have been listed in this Appendix as single-celled capacities. Yet, the inmate counts in these units may be higher (but still be in compliance) due to the fact that inmates housed in the same have the opportunity to volunteer to be double-celled under the terms of the Decree.

In addition to the above, the Compliance Office calculates daily the number of beds available at every facility based on the daily inmate count and approved Nelson capacities. Information on bedspace availability throughout the Department is forwarded to Plaintiffs' counsel weekly. During this reporting period, for example, the average number of bedspaces available monthly by custody type were, as follows:

Month	Male General Population*	Reception and Evaluation	Female	Special Purpose**	TOTAL***
Dec.	634	0	16	35	685
Jan.	694	0	19	36	749
Feb.	666	0	12	37	715

* Includes all medium, minimum and work release bedspaces available. Reflects available bedspace due to double-celling at BRCI, McCI, LCI, ECI and ACI.

** Special Purpose refers to handicapped and medical bedspace.

*** Totals do not include inmates on "authorized absence" or on medical leave from the Department.

NOTE: Female beds do not include beds at the WCC. Beds available are located at the Greenwood Work Camp and State Park. Normally, averages become available due to the effects of first-of-the-month releases.

5. Inmates confined to their cells longer than 12 hours per day will receive 40 square feet of living space per inmate and will be single-celled unless such inmates sign a voluntary consent form to be double-celled.

During this reporting period, noncompliance with this requirement was reported at the Administrative Segregation Unit at the Women's Correctional Center, and all three (3) male Reception and Evaluation Centers (Perry, Lieber and Broad River). As was noted in the "Introduction" to this Report, increased admissions to the Department are the sole reason for such noncompliance in these areas, as described below.

NONCOMPLIANCE AT MALE CORRECTIONAL FACILITIES

As reported previously, double-occupation of male Reception and Evaluation cells commenced during the first quarter of 1989. The average number of cells double-occupied during this quarter at these three (3) Centers has been, as follows:

Average Number of Cells Double-Occupied at Male Reception and Evaluation Centers (January 1 - March 1, 1990)

Institution	Average # Double-Cells
Perry	81
Lieber	45
Broad River	68

Every effort is made to reduce the number of double-occupied Reception and Evaluation cells after normal first of the month releases. It should be pointed out that all Reception and Evaluation cells are 80 square feet in size at the above-listed institutions.

All instances of noncompliance with the above-listed housing requirements have been reported to the Plaintiffs' counsel.

NONCOMPLIANCE AT FEMALE CORRECTIONAL FACILITIES

During this reporting period, noncompliance continued in the Administrative Segregation/Reception Unit (Cottage 9) at the Women's Correctional Center. During this quarter (January 1, 1990 through March 15, 1990) an average of approximately 20 cells were double-occupied with Reception and Evaluation inmates in Cottage 9. In addition, an average of approximately 2 cells were double-occupied with Administrative Segregation inmates refusing to voluntarily consent to such housing. (For information on the number of general population inmates housed in noncompliance at the Women's Center, please see issue #6, below).

EFFORTS MADE TO CONTROL OVERCROWDING

It should be pointed out, that in order to make available general population bedspace, Departmental officials are currently in the process of screening inmates early for release under the "Supervised Furlough II/Emergency Overcrowding Powers Act (SFII/EPA). Whereas in the past, inmates were eligible for release under this program on the first of every month, Departmental officials are now in the process of releasing such inmates on their eligibility dates. (SEE, ALSO, REQUIREMENT #6, BELOW FOR ADDITIONAL INFORMATION RELATIVE TO THE OVERCROWDING SITUATION AT THE WOMEN'S CORRECTIONAL CENTER).

6. General population inmates at medium/maximum security institutions will receive 50 square feet of living space in wards and cells by January 8, 1988. General population minimum security inmates will receive 50 square feet of living space in cells and 45 square feet in dorms, rooms, and cubicles by January 8, 1990. Between January 8, 1988 and January 8, 1990, 25% reductions in overcrowding must occur at all minimum security institutions so as to phase-in compliance with this issue by January 8, 1990.

STATUS OF THE DOUBLE-CELLING AT NEW, MALE, MEDIUM SECURITY INSTITUTIONS

During previous reporting periods, full double-occupation of the general population cells at new, male medium security facilities was accomplished, pursuant to the ruling of the Fourth Circuit Court of Appeals allowing such a concession. Double-celling raised the capacities of the following institutions from their previously approved single-celling capacity, as follows:

Institution	Single-Celled Capacity	Double-Celled Capacity
Broad River	792	1,236
Lieber	696	1,200
McCormick	600	1,104
Evans	600	1,104
Allendale	600	1,104

To date, all institutions are completely double-celled and such cells are currently occupied. It should be reiterated that the cells at these facilities are between 69 and 73 square feet.

STATUS OF COMPLIANCE AT EXISTING MALE MEDIUM SECURITY FACILITIES

All general population cells at existing medium security facilities are presently housing inmates in compliance with the terms of the Decree.

STATUS OF COMPLIANCE AT MINIMUM SECURITY MALE INSTITUTIONS

Presently, Departmental officials and Plaintiffs' counsel are in the process of negotiating to either temporarily waive and/or modify the housing requirements of the Decree as they pertain to minimum security housing. Until such a time that these negotiations are completed and finalized, minimum security inmates are continuing to be housed in the same manner they were at the time the Decree was signed (no reductions have taken place). It should be noted, that a revised "Compromise Agreement" was forwarded to Plaintiffs' counsel in February, 1990, for their consideration and approval. This Compromise Agreement took into account many of the proposals made by Plaintiffs' counsel pertaining to minimum security bedspace capacities, additional inmate privileges, etc. To date, no response has been received from Plaintiffs' counsel relative to this proposal.

It should be noted, that one minimum security institution is currently housing inmates in a manner inconsistent with the terms of the Decree. Presently, a certain portion of dayroom space at the Northside Correctional Center has been converted to inmate living space due to the lack of minimum security general population bedspace for males. (For information regarding this housing noncompliance, please refer to the "Defendants' Eighteenth Quarterly Report on Compliance".) As of March 15, 1990, there were approximately 60 inmates housed in dayroom space at this facility. The normal inmate living areas throughout this facility are housing inmates pursuant to the housing requirements of the Decree prior to January 8, 1990.

STATUS OF COMPLIANCE AT THE WOMEN'S CORRECTIONAL CENTER

Due to increased admissions, female inmates housed at the Women's Correctional Center are presently being housed in noncompliance with this issue. As of January 1, 1990, the mandated, agreed-upon capacity of this facility was 337. However, as of March 15, 1990, there were approximately 604 female offenders housed at this facility. Of this 604, approximately 243 were housed in noncompliance with the terms of the Decree. A certain portion of these inmates are currently being housed in the television rooms of seven (7) existing Cottages that have been temporarily converted to ward-style housing areas. As of March 15, 1990, approximately 63 females were housed in these dayrooms.

In response to this overcrowding, Plaintiffs' counsel filed a "Motion for Supplemental Relief" with the Federal District Court in order to request that the Court intervene an resolve this compliance matter. Departmental officials responded to Plaintiffs' counsel's Motion and requested that the Court considered modifying the Decree to allow double-celling in all general population areas of the Women's Correctional Center (currently, the terms of the Decree stipulate that only five

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(5) of seven (7) housing units at the Women's Center can be one-half double-celled). Additionally, the Defendants' requested that the Court delay the date by which compliance must be achieved at the Women's Center in light of the fact that additional female housing is currently in the process of being constructed or obtained.

As has been noted in previous editions of this Report, both Plaintiffs' counsel's "Motion for Supplemental Relief" and the Defendants' "Motion to Modify the Decree" were heard by the Federal District Court on September 21, 1989. On February 15, 1990, the Federal District Court issued an Order requiring the Department of Corrections to be in full compliance with all bedspace requirements of the Decree at the Women's Center by April 2, 1990.

In response to this Order, the Board of Corrections called a special meeting on February 21, 1990, and made the decision to request the Governor to declare a state of emergency at the Women's Correctional Center and grant an early release of females pursuant to the State's Prison Overcrowding Powers Act. On March 13, 1990, the Governor denied this request. Additionally, the Board agreed to allow the Attorney General's Office to file a "Motion for Stay" of the Federal District Court's Order and to file an appeal of the same. The appeal of this Order requests the Fourth Circuit Court of Appeals to consider allowing the general population housing unit at the Women's Center to be double-celled. This would result in an increase in capacity from 337 to 502, or by 165 beds. To date, no information has been received relative to the status of this Motion for Stay and Appeal.

In addition to the above, it should be noted that Plaintiffs' counsel and Defendants' counsel requested and received clarification from the Federal District Court as to whether the Order requiring compliance by April 2, 1990, would authorize the Department to implement their own release plan should the Governor deny the early release request required by statute. Both parties were advised that the Order would authorize implementation of a Departmental release plan.

In light of the above, the Department began implementation of their release plan submitted to the Federal District Court on August 1, 1990. To date, approximately 225 nonviolent female offenders have been identified for possible release. It is anticipated that of the 225, roughly 180 would need to be released on April 2, 1990, in order to comply with the Federal District Court's Order. Information pertaining to the achievement of compliance with this Order should a "Stay" not be granted will be forwarded to the Federal District Court, Plaintiffs' counsel, and other appropriate officials under separate cover inasmuch as this Report is scheduled to be published prior to completion of this early release plan.

It should be reported, that in addition to the release of 180 females on April 2, 1990, (if necessary), the Department plans to have completed prior to April 2nd, a 96-bed Work Camp at the Lower Savannah Work Release Center for use by females. Placement of 96 females at this unit, in addition to the release of approximately 180 females, will serve to fully reduce noncompliance at the WCC which has been averaging between 240-250 beds per month. Additionally, the Department plans to place females in a 120-bed unit on the grounds of the State Park Correctional Center in July, 1990, or August, 1990. This unit is presently being operated by the S.C. Department of Mental Retardation. The addition of these beds should serve to enable the Department to maintain compliance at the Women's Correctional Center until such a time that the new, 384-bed Female Facility is completed in Greenwood, South Carolina, in February, 1991.

STATUS OF THE DEPARTMENT'S REQUEST FOR ADDITIONAL BEDSPACE

As has been noted in past editions of the Quarterly Report, the Department made a request in the Fiscal Year 1987-88 Bond Bill for additional bedspace. The following projects were approved and funded for construction:

APPROVED ADDITIONS/NEW INSTITUTIONS

Project	Total # of Beds
Addition to Campbell Work Center	96
Addition to Palmer Work Center	96
Addition to Lower Savannah Work Center	96
Maximum Security Addition to Kirkland Correctional Institution	50
Addition to Givens Youth Center	192
Addition to Stevenson Correctional Institution	96
Ten, Work Camps (96 beds each)	960
Medium/Maximum Male Facility	808
Minimum/Medium Male Facility	808
Female Institution	384
TOTAL	3,586

It should be noted that the funding necessary to operate the above additions and facilities has been secured by the Department, as well. Currently, Construction and Engineering officials are in the process of developing a construction schedule for the completion of these projects. Tentative completion dates have already been provided Plaintiffs' counsel.

In addition to the above, the Budget and Control Board was made aware on December 20, 1989 that funding would need to be made available during FY 1990-91 for construction and operating costs to complete the following projects to keep pace with the anticipated rise in population through July, 1993:

- o (15) 96-bed Minimum Security Additions to Existing Facilities
- o (1) 96-bed Addition to the Women's Correctional Center
- o (2) 192-bed R & E Additions
- o (1) 96-bed R & E Addition
- o (1) 1,200-bed Minimum/Medium Security Institution
- o (2) 144-bed Pre-Release Centers
- o (1) 60-bed Mental Retardation Unit Addition to Stevenson
- o (4) 192-bed Work Release Centers
- o (2) 50-bed Maximum Security Units
- o (1) 384-bed Female Facility
- o (1) 1,200-bed Medium/Maximum Security Institution

6,016 TOTAL BEDS

7. Inmates confined longer than 12 hours per day will receive 50 square feet of living space in all future institutions . . .

As was noted in Issue #5, currently the Department is experiencing noncompliance with this issue at the new Broad River Reception and Evaluation Center and the Lieber Reception and Evaluation Center. Information relative to the number of inmates effected by this noncompliance is contained in issue #5.

8. All inmates in wards, dorms, and rooms at Pre- and Work-Release Centers will receive 45 square feet of living space by January 8, 1990. Between January 8, 1988 and January 8, 1990, 25% reductions in overcrowding at these facilities will need to occur every six months so as to phase in compliance with mandated capacities by January 8, 1980.

See issue #6 above for information pertaining to compliance with this requirement. Under current Nelson requirements, this issue would have required the reduction of approximately 45 work release beds by January 8, 1990. However, inasmuch as Departmental officials and Plaintiffs' counsel are currently negotiating the possibility of modifying the housing requirements of the Decree at minimum security institutions, compliance with this issue has been temporarily waived until a final decision between the parties has been reached.

It should be noted that the Department did receive approval for bond funding to construct 288 additional work release beds (96-bed additions at LSWC, CWC, and PWC). Funding for these projects was released as of October, 1988, and Departmental officials have placed a tentative completion date for the addition to CWC of November, 1990; to LSWC of May, 1990; and, to PWC of March, 1991.

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9. Inmates housed in the following living units may be one-half double-celled under the terms of the Decree: PCI (Dorms 1,2,3,4); CCI (CB-3): KCI (5 of 7 Dorms); MYCC (Dorms 1,2,3,4,5); and WCC (5 of 7 Cottages) . . .

As of this reporting period, CCI, KCI and PCI comply with this requirement. The MYCC is currently scheduled to be replaced with new housing units that conform to all bedspace requirements of the Decree. Currently, Departmental officials and Plaintiffs' counsel are in the process of negotiating to waive compliance at MYCC in light of this replacement. The WCC is currently in noncompliance with this issue as is noted in Issue #5 and #6, above.

10. Inmates housed in institutions on Protective Custody status can voluntarily request to be double-celled . . .

The Department continues to remain in compliance with this requirement. Inmates in Protective Custody at all SCDC institutions are afforded the opportunity to be single-celled or double-celled upon their request. To date, there have not been any reported cases of Protective Custody inmates being involuntarily double-celled.

Please see previous editions of the "Defendants' Quarterly Report on Compliance" for detailed information with regard to this issue.

11. No inmate can be housed in an area not designed for, or deemed suitable for, housing . . .

Currently, noncompliance with this issue is occurring at the Women's Correctional Center in the television rooms; and at the Northside Correctional Center in the dayroom areas that have been converted to ward-style living units (see issue #6 above for more detailed information pertaining to this noncompliance).

12. No inmate may be housed in county facilities longer than 30 days.

During this reporting period, there were no instances of noncompliance with this issue. Additionally, there were no Nelson Complaints filed by any inmate relative to this issue.

13. SCDC can fluctuate above the counts set in the appendix provided that construction schedules are being met.

See CATEGORY XII: CONSTRUCTION for information relative to progress of approved projects.

EXHIBIT

APR 23 1990 9

STATE BUDGET & CONTROL BOARD

14. Capacities will be monitored at all institutions: Capacities at minimum security can deviate 10% and capacities at medium and maximum security institutions can deviate 5% to 10% . . .

Monitoring for this issue will commence once all existing and new medium security institutions are in compliance with bedspace requirements. Compliance with this issue at minimum security institutions and work release centers is presently pending the results of the negotiations currently ongoing with Plaintiffs' counsel regarding waiving or extending the compliance deadlines by which such institutions must come into compliance with the housing requirements of the Decree. Information pertaining to this issue will be periodically forwarded to Plaintiffs' counsel, upon request, until the above conditions exist or are resolved, respectively.

15. The SCDC anticipates that an average net increase of 30 to 50 inmates per month can be expected as measured by quarterly reports.

The 21st Quarterly Report was submitted to the Compliance Office on 3/8/90. The average monthly increase in facility counts reported over the preceding 61-month period was 150. This 61-month count is based on the average monthly increase/decrease in facility counts during the period January, 1985 through January, 1990.

Over the past calendar year (January, 1989 through December, 1989), the average monthly facility count increase was 148. However, over the past three months (December, 1989 through February, 1990), the average increase in facility count was 157. It should be noted that on March 28, 1990, the facility count reached an all-time high of 14,867 which is approximately 1,704 more inmates in Departmental facilities than were present one year ago. Officials of the Department's Resource Information Management Division are continuing to analyze whether the high increase in facility count is an abnormality or will remain constant.

16. Double-bunking in wards at medium security institutions will be permitted only against the walls . . .

It should be noted that CCI is the only medium security institution with ward-style housing. Double-bunking at CCI ceased as a result of the Mattison Agreement. Double-bunking at MCI ceased effective October 5, 1988. All other medium security institutions have cell, room, or cubicle style housing; therefore, this issue does not apply.

17. All double-bunking in wards at medium security cease . . .

All double-bunks at the MCI were eliminated through implementation of the SCDC's "Plan to Attain Compliance with the Housing Requirements of the Decree at Existing Medium Security Institutions." (See issue #6 and APPENDIX B of the "Defendants' Fourteenth Quarterly Report on Compliance" for a complete description of this plan.)

18. Future double-bunking in the wards at minimum security institutions will be allowed only against the walls . . .

During this reporting period, all minimum security institutions have continued to maintain compliance with this issue. Double-bunking of all wards (even those areas of institutions that have been converted to ward-style living space, i.e., Women's Center gymnasium, television rooms, etc.) is currently against the walls.

19. Double-bunking in wards at minimum security institutions will cease . . .

Due to the fact that Plaintiffs' counsel and Departmental officials are in the process of renegotiating the minimum security bedspace requirements of the Decree, this issue is currently not being complied with. Once negotiations are completed, it is anticipated that this compliance issue will be resolved. A requirement of the current Minimum Security Bedspace Compromise Agreement forwarded to Plaintiffs' counsel in early February, 1990, allows for double-bunking in minimum security ward-style housing areas provided that such bunks are placed against the walls. Until such a time that this Agreement is responded to by Plaintiffs' counsel, double-bunking against the walls at minimum security institutions will continue.

CATEGORY III: STAFFING

1. Submit a plan for hiring security personnel pursuant to the recommendations made in the NIC Staffing Study . . .

In order to comply with the recommendations made by the NIC Consultant regarding institutional staffing levels, the SCDC hired 365 institutional employees during FY 1984-85.

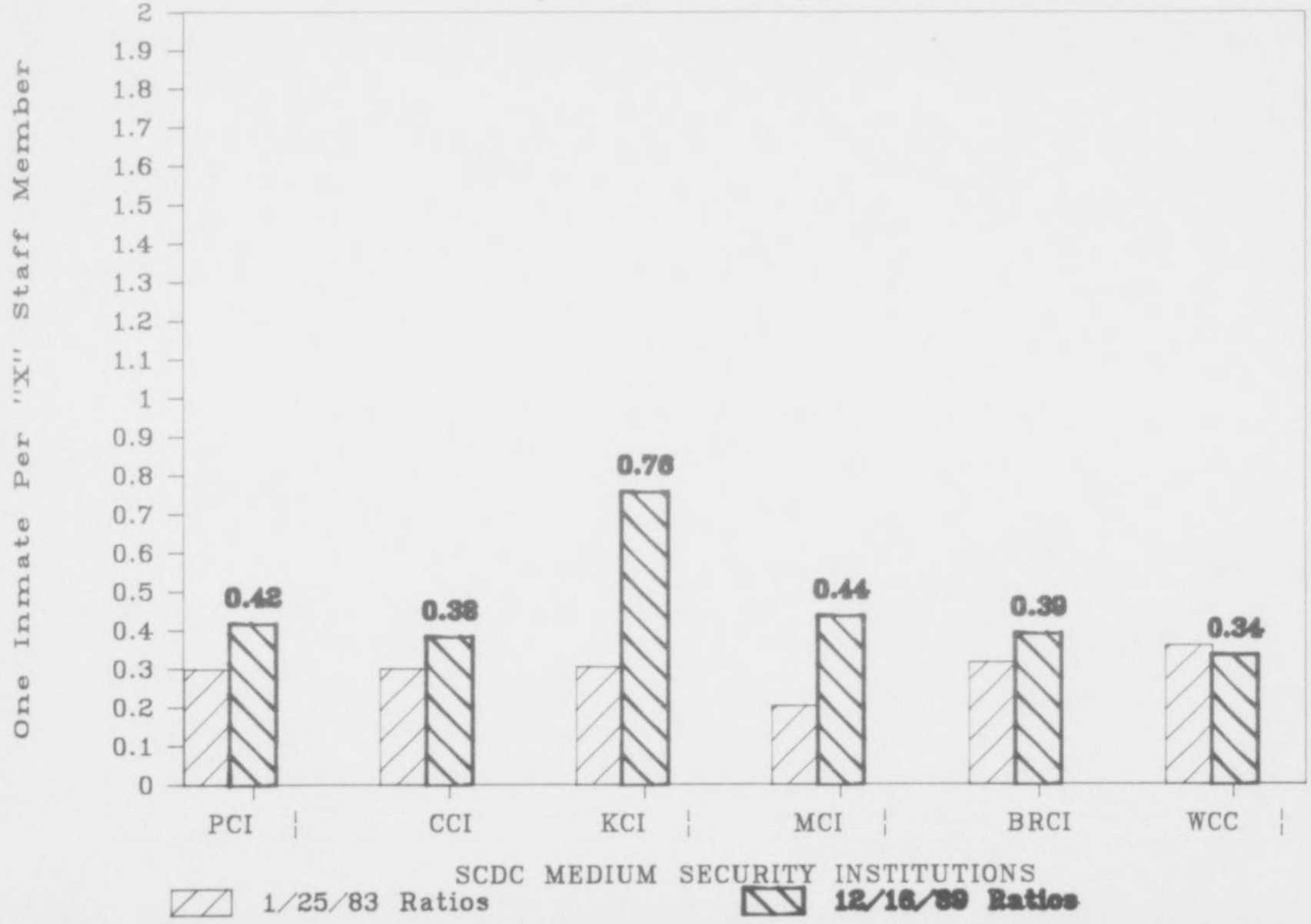
In order to comply with various other Nelson staffing requirements, i.e., sight or sound security; mental health/medical care; classification; etc., the SCDC was authorized to hire 341 new employees during FY 1985-86. A description of these positions is contained in the "Defendants' Sixth Quarterly Report on Compliance," Appendix A, pages 105-111.

For FY 1986-87, approximately 316 new Nelson positions were authorized by the General Assembly for hire. .

During FY 1987-88, funding for 41.5 (31.5 health care, 1 security, and 9 administrative) Nelson positions were authorized to the Department. This number is low compared to the number of positions received in past Fiscal Years inasmuch as this represents the fourth year funding has been authorized for Nelson related staffing requirements. It should be noted that of the 41.5 positions authorized, 8.5 wee subsequently reclassified to better meet the operational needs of the Department. Below is a list by institution/division of the number of staff authorized for hire during FY 1987-88:

MEDIUM SECURITY INMATE/STAFF RATIOS

January 25, 1983. vs. December 16, 1989



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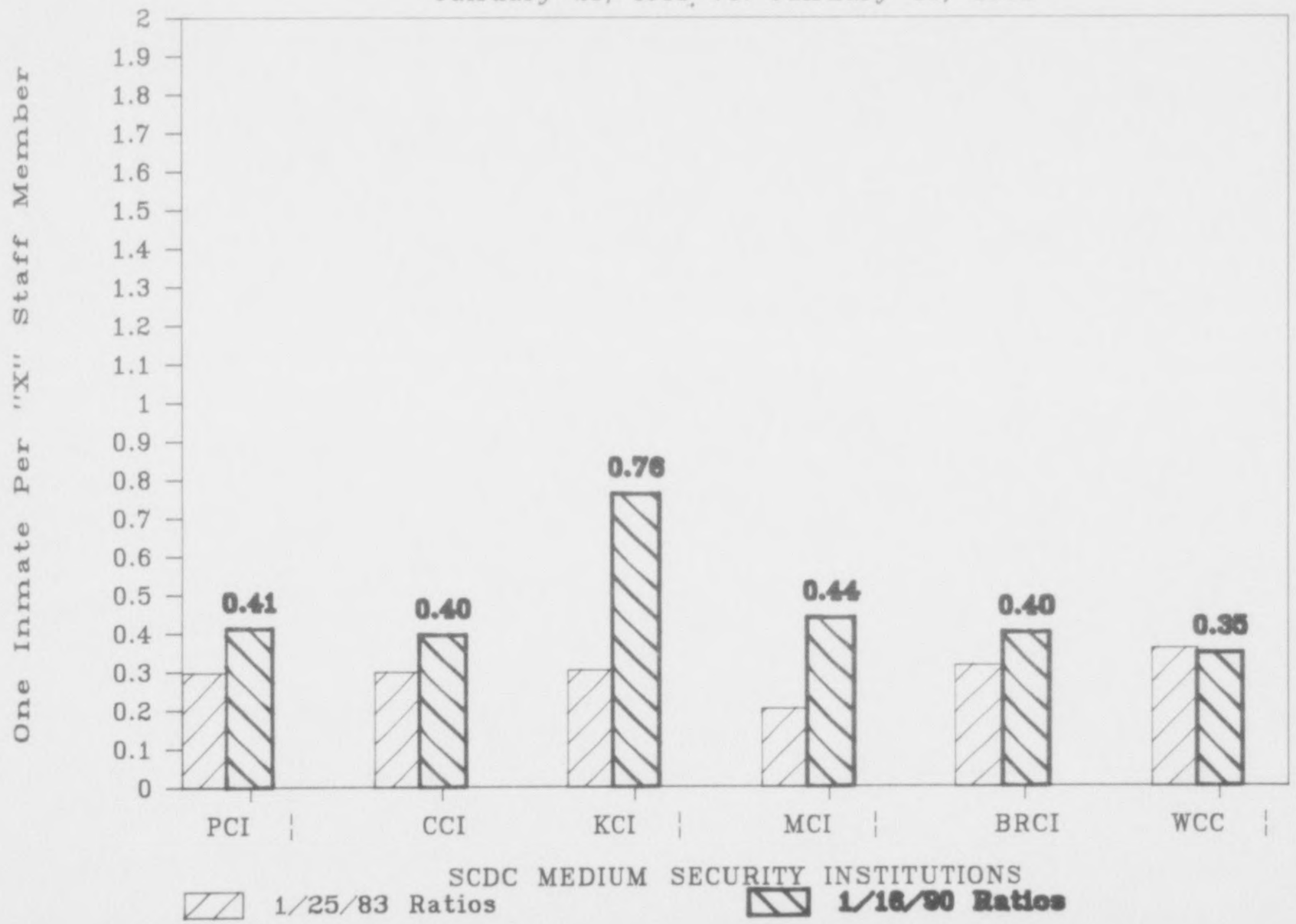
MEDIUM SECURITY INMATE/STAFF RATIOS

January 25, 1983 vs. January 16, 1990



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NELSON POSITIONS FOR FISCAL YEAR 1987-88

INSTITUTION OR DIVISION	NUMBER AUTHORIZED FY 1987-88	NUMBER FILLED THRU 2/28/89
Accounting	2	2
Compliance	1	1
RIM	1	1
Records	3	3
Purchasing	2	2
Training Division	1	1
BRPR/WRC	2	2
CWC	1	1
CAWC	1	1
KCI	1	1
LCI	5	5
LIWC	1	1
LSWC	1	1
MCCI	5	5
PCI	1	1
PWC	1	1
SCI	3	3
WRCI	1	1
TOTAL	33	33

2. The inmate staff ratio for medium and maximum security institutions will not fall below the inmate staff ratio of 1/25/83 . . .

   Inmate staff ratios for medium and maximum security institutions have been monitored through the Compliance Office on computer since October 1, 1984. Monitoring has been accomplished by comparing weekly inmate counts with the number of staff employed at each medium and maximum security institution. The reported inmate/staff ratios on December 16, 1989 and January 16, 1990, are illustrated in Graphs A and B, on the following pages.

   It should be pointed out that the inmate/staff ratios listed for each institution compare the population of the facility for the given day with the authorized security strength of each facility.

   Inmate/staff ratios will continue to be monitored by the Office of the Executive Assistant for Legal Settlements and Compliance on a monthly basis.

3. Correctional officers will be posted inside each ward or cell block in medium and maximum security institutions . . .

   During this reporting period, the following institutions reported compliance with this issue: LCI, LR&E, McCI, PCI, PR&E, MCI, KCI, WCC, BRCI, BRR&E, MCI, CCI, ACI, ECI and DCI.

4. Correctional officers will have sight or sound observation of inmates inside wards and cell blocks at medium, maximum and minimum security institutions . . .

   A compliance problem was discovered during a previous reporting period regarding this issue at State Park Correctional Center. (See "Defendants' Eighteenth Quarterly Report on Compliance" for details.) Currently, a decision has not been made to the possibility of reassigning officers from other area institutions to provide assistance to State Park. Once a decision has been made regarding this matter, information pertaining to the same will be forwarded to Plaintiffs' counsel under separate cover.

5. Procedures relating to the use of inmate labor will be reviewed and modified where necessary . . .

   All institutions have developed a policy to address this issue. Please see previous editions of the Quarterly Report for specific information regarding compliance.

CATEGORY IV: STAFF TRAINING

The Decree requires the Department (SCDC) to comply with all ACA Standards (2-4079 through 2-4101), as modified, relative to staff training. To date, the SCDC has achieved and/or made a good faith effort to achieve compliance with these issues.

Of the many training standards contained in the Decree, the following ten (10) standards require continuous monthly auditing to ensure compliance. Information pertaining to those standards not listed below is included in past editions of the Quarterly Report.

1. ACA STANDARD 2-4080 requires all Departmental Trainers to complete a 40-hour, "Training for Trainers," course prior to beginning any official training.

   To date, 33 Departmental Trainers have completed this course and comply with this standard. At the time of this report, three (3) Institutional Trainers are currently scheduled to attend this training class inasmuch as these trainers were recently hired by the SCDC. It should be noted that this course is a Departmental sponsored course; however, certain trainers have attended either state-sponsored or ACA sponsored courses in order to meet the requirements of this standard.

2. ACA STANDARD 2-4088 requires all new employees hired by the SCDC since the signing of the Decree (January 8, 1985) to attend a 40-hour "Orientation Class" prior to being assigned to their job assignment.

   The SCDC currently sponsors a 40-hour orientation class on a weekly basis at the new SCDC Training Academy. All new employees hired by the Department are immediately scheduled to attend this course during their first week of employment.

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Under extenuating circumstances, certain employees may delay (waive) orientation. Such "waivers" must be approved and signed by the Director of Personnel and by the Executive Assistant for Legal Settlements and Compliance and are only approved should a Division or Institution be short-handed and need their new employees immediately, or if the new employee was a past "temporary" (or "pink slip") employee in the same division and/or institution in which permanent employment is to take effect.

During this reporting period, there were certain employees in noncompliance with this standard. The names of these employees, hours received, and status are listed below, as follows:

EMPLOYEES IN NONCOMPLIANCE WITH ACA STANDARD 2-4088

Employee	Hire Date	Hours Received	Status
June Etheridge	9/18/89	26.0	Balance Not Received
Dale Pierce	9/25/89	36.5	Balance Not Received

3. ACA STANDARD 2-4089 requires all clerical support staff to receive at least 16 hours of inservice training annually.

During a previous reporting period, the system utilized to record and monitor every employees inservice training hours was revised. Previously, employees hired prior to the signing of the Decree were required to receive their required inservice training hours on a Calendar Year Schedule. Employees hired after the signing of the Decree were required to receive their training hours based on their annual hire month. For example, if an employee was hired March 15, 1987, they were required to receive their inservice training hours by March 31, 1988, and so on.

However, in order to make the monitoring of training hours easier, a decision was made to phase all employees into a Calendar Year Training Schedule effective January 1, 1990. Details as to how such a phase-in will be accomplished were included in the Sixteenth Quarterly Report as Appendix B.

During this reporting period, there were two (2) instances of clerical support employees in noncompliance with this 16-hour inservice training requirement. For purposes of this standard, a clerical support employee is defined as those individuals classified in the following positions and working in either the Headquarters Administration Building or Annexes, or in an area within an institution that is <u>not</u> generally accessible to inmates:

Clerical Support Specialists A, B and C
Administrative Support Specialists A, B, and C
Administrative Assistants I and II

EMPLOYEES IN NONCOMPLIANCE WITH ACA STANDARD 2-4089

Employee	Hire Date	Division	Hours Received
Lisa Copeland	2/89	Personnel	14.00
Kathy Modzelewski	Cal. Yr.	Investigation	15.50
Pam McKinney	Cal. Yr.	Budget/Planning	9.50

4. ACA STANDARDS 4-4090, 2-4091, and 2-4093 require all support employees who have regular contact with inmates; all professional specialists who have regular inmate contact; and, all administrative and managerial staff, respectively, to receive at least 40 hours of inservice training annually.

During a previous reporting period, the system utilized to record and monitor every employees inservice training hours was revised. Previously, employees hired prior to the signing of the Decree were required to receive their required inservice training hours on a Calendar Year Schedule. Employees hired after the signing of the Decree were required to receive their training hours based on their annual hire month. For example, if an employee was hired March 15, 1987, they were required to receive their inservice training hours by March 31, 1988, and so on.

In order to make the monitoring of training hours easier, however, a decision was made to phase all employees into a Calendar Year Training Schedule effective January 1, 1990. Details as to how such a phase-in will be accomplished were included in the Sixteenth Quarterly Report as Appendix B.

As has been noted in previous editions of this Report, the Training Branch has all employee training records automated on computer to facilitate the monitoring of compliance with these training standards. Training officials forward copies of computer-generated training reports on a quarterly basis to all SCDC Division heads, Institution heads, Branch Chiefs, and Correctional Officer Supervisors so as to keep such individuals up-to-date on the number of training hours their employees have received for compliance purposes. Additionally, summaries of these reports are also forwarded to the Compliance Office for documentation purposes for the applicable calendar year. A summary compliance report listing employees in noncompliance with their inservice training requirements by anniversary date and calendar year was submitted to the Compliance Office on March 8, 1990. This report lists 349 employees in noncompliance.

The names of the above-mentioned noncomplying employees are included in APPENDIX B of this report. The supervisors of these employees have been advised to implement disciplinary procedures in accordance with the guidelines stipulated in the "Progressive Employee Discipline" policy in order to rectify this noncompliance and exhibit a good faith attempt to comply with this training standard.

5. ACA STANDARD 2-4092 requires all correctional/security officers to complete at least 120 hours of basic training during their first year of employment. This standard also requires correctional personnel to receive an additional 40 hours of inservice training during their first year of employment and every year thereafter, as well.

   With regard to the requirement that all officers receive at least 120 hours of basic, inservice training during their first year of employment, it should be noted that all officers employed by SCDC are required to attend a six-week basic training course during their first six months of employment in order to become certified. To date, there are no officers employed by the Department who have not yet completed this six-week course or who are not scheduled to attend the same. Officers who fail to attend this class or who do not successfully complete this course are terminated from SCDC.

   With regard to the 40-hour inservice training standard required by this standard, it should be noted that of the 349 noncomplying employees listed in issue #4 above, 221 were reported as being Correctional Officers in either their second or third year of employment with the Department. Such officers who have missed training classes listed as "mandatory" by either ACA Standards or institutional standards are either disciplined or not allowed to perform certain tasks and/or duties within this institution until such a time that this training is made up.

6. ACA STANDARD 2-4094 stipulates that all emergency response units have at least one year of experience as a Correctional Officer, complete 40 hours of emergency training prior to being assigned to the unit and receive at least 16 hours of emergency training during their first year as a unit member and every year thereafter.

   Currently, no Emergency Response Team Member of the SCDC has not met these requirements. Additionally, officials of the SCDC Training Division have on file all Emergency Response Team training records, class outlines, and lesson plans for purposes of documenting compliance with this standard.

7. ACA STANDARD 1-4096 mandates that all employees authorized to use a firearm will receive firearms training and demonstrate firearms competency on an annual basis.

   The SCDC Training Branch conducts firearm certification courses and continuously notifies supervisors and Wardens of those employees issued firearms and subject to annual certification. The Training Branch also, on a monthly basis, notifies supervisors and Wardens of those employees who have not passed annual certification or who have not attended such certification classes so that the necessary action can be taken to ensure that such employees are NOT reissued a firearm until certification has been completed.

8. ACA STANDARD 2-4097 requires that all employees authorized to use chemical agents to receive training as to the use of the same, and as to the treatment of individuals exposed to such agents.

To date, the SCDC has always been in compliance with this standard inasmuch as chemical munitions training is the topic of one course covered during the six-week basic correctional officer training class noted above. Additionally, all correctional officers are required to attend at least one chemical munitions training class on an annual basis in order to satisfy their inservice training requirements mandated by ACA Standard 2-4092 (above) and by agency policy. Officials of the SCDC Training Branch and all institutional Training Officers maintain records of all employee training and lesson plans in order to document compliance with this standard. Employees who fail to attend the mandatory chemical munitions training class are not authorized to use chemical munitions in their respective institutions until such a time that they are "recertified." To date, all institutional employees have complied with this standard.

CATEGORY V: HEALTH SERVICES

Only those issues for which additional progress or new information has been indicated have been included under this category. Please refer to the "First Quarterly Report" for compliance information related to issues #1-52, and #61-75. Please refer to the "Ninth Quarterly Report" for compliance information related to issues #53 and #56-60. It should be noted that officials of the Health Services Branch conduct quarterly Nelson audits of all institutional health services branches to ensure that all such divisions are maintaining compliance with the terms of the Decree. As of this reporting period, all institutional health service branches have been reported to be in compliance with the requirements and procedures outlined in the Decree.

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54. Submit for implementing the recommendations made by the health and mental health care consultants . . .

The Department completed the development of a plan for phasing in the recommendations made by certain health care consultants. The Plan calls for the implementation of approximately 19 medical care recommendations and 13 mental health care recommendations. In order to facilitate implementation of the plan, approximately 104.5 new mental health care positions and 116 additional medical care positions were identified. To date, 87 medical care and 14 mental health care positions were authorized by the General Assembly for FY 1985-86. In June, 1986, the General Assembly approved 59 medical and mental health care positions for FY 1986-87. To date, all FY 1985-86 and FY 1986-87 positions have been filled. A complete list of all health care positions and the locations of such positions are included in the "Tenth Quarterly Report on Compliance (FY 1985-86)," and in the "Seventeenth Quarterly Report on Compliance (FY 1986-87)."

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As has been reported in the "Staffing" section of this Report, approximately 31.5 new health care positions were approved for hire during FY 1987-88. Information regarding the status of these positions is included in Section III, Staffing, issue #1.

In addition to the above positions being authorized, the Consultants also recommended that other requirements be implemented by the Department. Information on those recommendations for which compliance progress was made during this quarter is listed below. (See past editions of the Quarterly Report for information pertaining to compliance with those recommendations not listed below).

HEALTH CARE RECOMMENDATIONS

a. Provide staff at major institutions 24 hours/day, 7 days/week.

All major SCDC institutions are in compliance with this requirement.

b. Provide a ten-bed infirmary at the WCC.

The WCC infirmary has been licensed by DHEC and is currently operational.

c. Record the distribution of all medications.

During this reporting period, Health Services officials reported that all institutions were in compliance.

d. Construct an infirmary at the Perry Correctional Institution.

The construction completion date for this project was scheduled for March, 1990. However, due to construction delays, this project is tentatively scheduled for completion in June, 1990.

As noted in previous reports, staff will be recruited closer to the completion date.

e. Prohibit punitive segregation for medical observation.

During this reporting period, no instances of noncompliance were reported with this issue.

f. Physicians are to review charts within 24 hours.

Currently, physicians are reviewing charts within 24 hours, with the exception of weekends and holidays. In these instances, the charts are reviewed on the following work day.

g. Correctional officers are to no longer distribute medication.

Compliance with this issue was maintained at all institutions except for institutions such as NCC, WCI, and GYCC, where nursing coverage is not provided on weekends. At these institutions, security staff distribute medication to those inmates who cannot be given a weekend supply of medication.

MENTAL HEALTH CARE RECOMMENDATIONS

a. Contract psychiatric services on a regular basis.

During this reporting period, compliance was maintained with this issue.

b. Develop Transitional Care Units at selected institutions.

1. Central Correctional Institution: A 68-bed TCU is now located in the Stoney Building and is fully operational.

2. Perry Correctional Institution: This TCU has been fully staffed and is operational. The Director of Construction and Engineering has sent information to the Deputy Commissioner for Operations requesting approval for funding to construct a permanent addition to PCI for TCU purposes as a means to expand TCU services. This proposal is being reviewed and evaluated in light of recent budget funding approved for the Department.

3. Women's Center: Inpatient care is still ongoing inasmuch as the Department did not receive funding to purchase a large trailer for placement on the grounds of the WCC for TCU purposes. TCU employees are presently located in the Administration Building at the WCC. Some group therapy sessions are held in an area adjacent to the WCC Visiting Room. One-on-one TCU counseling is individually held in each inmate's cell or a private area within each inmate's living unit. Funding approval has been granted to build additional office space to be located behind the lock-up unit.

4. Lieber Correctional Institution: The TCU at this facility is fully operational and staffed.

5. Kirkland Correctional Institution: The TCU at this facility is fully operational and staffed.

6. McCormick Correctional Institution: The TCU is located in one of the dorms of this facility and, as previously reported, is fully operational and staffed.

7. Evans Correctional Institution: The TCU at this facility has been recently staffed and is operational.

c. Augment staff at the Gilliam Psychiatric Center.

To date, all positions have been filled to comply with this recommendation.

CATEGORY VI: PROGRAMS

1. All inmates will receive five hours a day of meaningful programs . . .

All institutions report that inmates are afforded the opportunity to participate in "meaningful programs" five (5) hours a day, five (5) days a week. The Classification Branch has implemented procedures for assigning jobs/programs for those inmates who wish to participate. Documentation for all inmates requesting "meaningful programs" is being maintained by the Educational Branch.

For further information on the "Meaningful Programs" issue, please see "Defendants' Sixth Quarterly Report."

2. The present level of educational programs offered by the SCDC will remain the same as the level of programs offered at the signing . . .

The list of educational courses submitted by the Department continues to be complied with.

3. General population inmates will be provided with the opportunity to attend educational courses at least two evenings per week . . .

The following institutions are operable with regard to this issue: CCI, WCC, WRCI, PCI, KCI, CACI, SCI, MCI, MYCC, GCI, AYCC, BRCI, LCI, McCI, and DCI.

It is apparent that some institutions do not have educational programs offered to inmates in the evening; however, inmates that would like to participate in educational programs in the evening may request a transfer to an institution which offers the same, consistent with security/custody needs. Additionally, all work release centers and pre-release centers offer inmates the opportunity to attend "community based" educational programs provided they meet the necessary admission criteria. Information pertaining to the exact community programs afforded such inmates was forwarded to Plaintiffs' counsel for review on December 10, 1986.

4. All inmates will be assigned to programs on an equitable basis. . .

The monthly report of 3/8/90 submitted by the Deputy Commissioner for Program Services listed that all institutions were in compliance with this issue and that all program assignment of inmates is done on an "open entry/open exit basis. . . first come, first service basis" so that no discrimination is present. The Educational Branch confirmed

this statement and reported that all inmates who meet the eligibility requirements contained in SCDC policy are assigned to programs for which they volunteer. Enrollment records and verification is provided by the school principals to indicate that each inmate is assigned quickly, or is placed on a waiting list for the next available slot.

5. Inmates assigned to administrative segregation will receive 5 hours a week, 5 days a week of outdoor exercise . . .

   All institutions are in compliance with this requirement as of 3/8/90.

6. Inmates assigned to protective custody longer than 90 days will receive "meaningful programs" 5 hours a day, 5 days a week . . .

   As reported previously, the Compliance staff submitted a Protective Custody Housing Unit proposal to Departmental officials. Upon finalization, this proposal was submitted to Plaintiffs' counsel for review on January 9, 1990. A copy of this proposal is attached as Appendix E. To date, negative feedback has not been received from Plaintiffs' counsel. Therefore, implementation of this plan has been initiated.

   After discussion among Departmental officials, the Protective Custody Housing Unit at Allendale Correctional Institution is anticipated to be operational on or about June 1, 1990. Presently, SCDC Policy 1500.13-2, "Protective Custody", is being revised and will be submitted for staffing and approval upon completion. ACI's Protective Custody Policy will also be revised to include needed changes and specific guidelines relating to the unit. Further information relative to the progress and operation of this new unit will be included in future editions of this report.

7. An effort will be made to provide earned work credit to inmates for educational and vocational courses . . .

   SCDC officials requested credits for participation in educational courses during the 1986 Legislative Session. Credits for such were passed by the House on February 28, 1986, and subsequently approved in the Senate.

   Credits for participation in educational and vocational programs were approved by the Governor in June, 1985, as part of the "Omnibus Crime Bill." A plan was developed by the Education Branch and implementation of the same began in November, 1986. This plan was included as "Appendix C" in the "Seventh Quarterly Report on Compliance."

CATEGORY VII: LIBRARIES

1. Inmates will have comparable access to libraries regardless of their classification or housing assignment . . .

The monthly reports of 3/8/90 report that all institutions with in-house libraries that house Administrative Segregation and Protective Custody inmates are in compliance with this issue. For a detailed description of how comparable access is achieved by Administrative Segregation and Protective Custody inmates housed in institutions with in-house libraries, please see the "Defendants' Eighth Quarterly Report on Compliance."

The following progress was reported by the Library Services Branch on 3/8/90 for institutions that presently do not have in-house library services:

1. SCI, WCI, SPCC, and GCI: The librarian hired for the bookmobile continues to provide services to inmates at these facilities. For a schedule of the bookmobile's services provided inmates at these facilities, please see the "Ninth Quarterly Report on Compliance."

Circulation statistics for the bookmobile for the months of December, 1989, January and February, 1990, are provided below:

Inst.	Comics	Fiction	Non-Fiction	Period-icals	TOTAL	# of Inmate Visits
GCI	175	714	377	3712	4978	2706
SCI	109	294	244	2614	3261	1107
SPCC	96	337	231	2479	3143	1371
WCI	126	526	310	3366	4328	1987
TOTAL	506	1,871	1,162	12,171	15,710	7,171

2. GYCC: The remodeled trailer purchased for use as a library at GYCC is currently operational for a total of 10 hours per week. Officials at GYCC have indicated, however, that the 10 hours of library service are sufficient to cover the needs of the small number of inmates housed at this facility. To date, a proposal has been forwarded to Plaintiffs' counsel to enable this library to remain operational for only 10 hours; rather than the 37-1/2 hours required. The Department is still awaiting a response from Plaintiffs' counsel regarding this issue and has made an inquiry with regard to the same.

3. AYCC: Currently, the library is available 37-1/2 hours per week for inmate access.

4. MYCC: Currently, the library is available 37-1/2 hours per week for inmate access.

5. MCI: Currently, the library is available 37-1/2 hours per week for inmate access.

6. GCC, NCC, and WRCI: The number of books circulated to inmates at these facilities by means of the "Traveling Library" were as follows:

NUMBER OF BOOKS CIRCULATED

Inst.	Dec.	Jan.	Feb.
GCC*	0	0	0
NCC	4	0	3
WRCI	23	16	8
TOTAL	27	16	11

*GCC officials have chosen not to utilize the "Traveling Library." Therefore, no statistics are provided.

To ensure that administrative segregation inmates are also receiving adequate library services as well, the Director, Library Services, has compiled "circulation statistics" to indicate the number of magazines, newspapers, comics and books circulated to administrative segregation units during the months of December, 1989, January and February, 1990. Also, please note that due to a computer error, statistics reported for November, 1989 in the "Twentieth Quarterly Report" were in error. The correct statistics for November, 1989 are also listed below.

CIRCULATION STATISTICS

NUMBER OF ITEMS CIRCULATED

Inst.	Nov.	Dec.	Jan.	Feb.	TOTAL
BRCI	804	478	806	760	2848
CACI	84	78	53	118	333
CCI	2164	1010	1074	924	5172
DCI	276	508	497	418	1699
KCI	191	79	88	132	490
LCI	260	267	0	379	906
MccCI	333	354	419	345	1451
MCI	247	247	234	191	919
PCI	1035	939	1872	474	4320
WCC	839	985	862	823	3509
TOTAL	6,233	4,945	5,905	4,564	21,647

2. Libraries will be open at all institutions five days per week and at least two evenings for a total of 37-1/2 hours . . .

For institutional library schedules, see "Defendants' Fifth Quarterly Report on Compliance."

During this reporting period, information was obtained through the receipt of an Inmate Nelson Complaint concerning the fact that the BRCI's Library was only operational two (2) evenings for two (2) hours rather than the required three (3) hours, two evenings. Inasmuch as this complaint proved to have merit, Compliance Staff contacted BRCI officials and directed them to extend the operation of the Library by one (1) hour on these two evenings. Confirmation was received by BRCI officials on March 12, 1990, that compliance was achieved.

It should be reported, that beginning April 2, 1990, at the BRCI, officials made the decision to open the library for three (3) evenings per week.

3. Inmate access to the law library will comply with the requirements set forth in "Bounds v. Smith" . . .

A plan to comply with the "Bounds" decision has been completed. In order to allow all inmates access to the law library, five (5) "satellite" law libraries and ten (10) "core" law libraries are being maintained at CACI, NCC, CCI (Cellblock II), CCI (Building 5), and GCI. The ten (10) core law libraries are located at DCI, KCI, PCI, CCI, WCC, MCI, MYCC, WRCI, LCI, and McCI. Past editions of the Quarterly Report include information on the books maintained in each "Core" and "Satellite" library for compliance with this issue.

A "Law Clerk Training" tape, completed by the Compliance Office, is available for review by inmate law clerks working in each "Core" library facility.

It should be noted that video training was selected inasmuch as it enables law clerks the ability to review training information more than once to freshen up on their skills, and it enables the Law Librarians the ability to provide training to new law clerks should they experience turnover. For more information regarding this training tape, please see the "Twelfth Quarterly Report on Compliance."

LAW LIBRARY BOOKMOBILE PROPOSAL

In previous editions of the Quarterly Report, it was noted that a plan to implement a Law Library Bookmobile to service minimum security inmates confined to facilities within the Midland's Correctional Region was near completion. To date, the Bookmobile is ready for operation, however, no Inmate Driver has been secured to operate the Bookmobile. This problem is primarily due to the fact that Inmate Drivers are being heavily utilized by Construction and Engineering

officials to complete much needed institutional construction to add additional bedspaces to the Department. Every effort is currently being made to secure a Bookmobile Inmate Driver by both the Library Services, Legal Compliance and Midland's Correctional Region staff. Once a Driver has been secured, a schedule will be completed indicating when the Bookmobile will visit each facility.

4. Inmates may obtain a pass to use the law library during work or program hours provided they can show a court deadline . . .

   See previous editions of the Quarterly Report for compliance information with regard to this issue.

   To date, there has been no recorded/documented noncompliance with this issue.

5. There will be no loss of inmate bonus pay because of court proceedings provided that an inmate's absence does not exceed seven (7) days . . .

   See previous editions of the Quarterly Report for compliance information relative to this issue.

6. All Institutional and Departmental Policies and Procedures will be made available to inmates in institutional libraries with the exception of those dealing with security and emergency procedures . . .

   The SCDC submitted a list to Plaintiffs' counsel of those departmental policies selected to be omitted from the departmental policy manuals provided inmates at each institution. Plaintiffs' counsel was afforded the opportunity to review this list and comment on the appropriateness of our selections. Previous editions of the Quarterly Report contain a list of those policies which were finally selected for exclusion. During this quarter, Policy 1200.8, "Central Monitoring Cases," as reported in Change Memo #259, was selected for exclusion due to the confidentiality in this policy with regard to inmate records, victim/witness, etc.

   In addition to the above, the SCDC was also required to provide inmates at each institution with copies of their institutional policy manuals. Again, institutional heads were afforded the opportunity to review their policies and omit those which were felt to jeopardize the security of their institution or interfere with emergency procedures. A list of all such policies selected for exclusion was contained in previous editions of the Quarterly Report.

   Additional revised institutional policy exclusion lists will be published in future editions of the Quarterly Report as they are received.

CATEGORY VIII: CLASSIFICATION

1. A classification plan for separating violent and non-violent offenders will be developed . . .

   AIMS implementation continues to proceed on schedule. The following institutions are now fully implemented with AIMS: CCI, KCI, PCI, LCI, MYCC, CACI, DCI, WRCI, GCI, AYCC and MCI. The new McCormick Correctional Institution (McCI), Broad River Correctional Institution (BRCI) and Broad River Reception and Evaluation Center (BRR&EC), Allendale Correctional Institution (ACI), and Evans Correctional Institution (ECI) opened with AIMS in place. Statistics for Serious Incident/Accident Reports are compiled every quarter to ascertain the effectiveness of the AIMS Classification System. Statistics for this quarter were compiled for ACI, AYCC, BRCI, CACI, CCI, DCI, ECI, GCI, KCI, LCI, McCI, MCI, MYCC, PCI, and WRCI, and graphs depicting such incidents are attached to this report as APPENDIX C. A review of these graphs reveals that most serious incidents are committed by Alpha inmates housed in these institutions.

   Classification officials are still continuing to work with outside consultants to develop an Adult Internal Management System for Female Offenders. The overall goal of this new system is to develop a classification system for females similar to the system currently utilized for male classification. For information pertaining to the research being conducted in order to develop this new system, refer to the "Defendants' Sixteenth Quarterly Report on Compliance", Appendix F.

2. A classification plan for double-celling assignments will be developed . . .

   The formal plan for double-celling assignments was submitted on December 20, 1985, and was attached to the "Fourth Quarterly Report" as Appendix B.

3. Develop an overall classification plan for initial and reclassification of inmates . . .

   In previous editions of the Quarterly Report, it has been noted that Classification officials revised their current objective classification system pursuant to the results of the Validation Study. It has also been reported that Plaintiffs' counsel has not yet agreed and/or approved this new revised system inasmuch as they requested additional information pertaining to the same be forwarded to them. To date, however, the new revised system has been implemented at all institutions with the exception of work and pre-release centers. Information pertaining to this revised system is attached to the Sixteenth Quarterly Report as Appendix F.

In addition to the above, Plaintiffs' counsel requested that information pertaining to the use of overrides by Classification Caseworkers, Wardens, etc. be compiled and forwarded to them. On March 8, 1990, the Division of Classification's sixth report was submitted on this subject to the Compliance Office for review. Information pertaining to the use of overrides, type of overrides utilized by Departmental officials, frequency and percentage of such overrides, etc., is attached to this Report as APPENDIX D.

4. Modifications in the current classification plan will be made with regard to such items as inmate classification status, inmate appeal of classification status, and reviews of inmate classification status . . .

This issue has already been complied with and information pertaining to the same is contained in past editions of the Quarterly Report.

CATEGORY IX: VISITATION

The Nelson Decree stipulates that all inmates should currently be allowed contact visitation except in cases when inmates have been determined to be "Substantiated Security Risks" (SSR). Additionally, the Decree requires all Protective Custody inmates to be afforded the opportunity to receive at least four (4) visits per month, up to two (2) hours in length, and inmates in Administrative Segregation status to be afforded up to two (2) visits per month, up to two (2) hours in length.

All institutions maintain compliance with the visitation requirements of the Decree.

CATEGORY X: PHYSICAL RESTRAINTS

The Nelson Decree sets forth the criteria and procedures to be followed when using physical restraints on inmates inside institutions and when transporting inmates. Additionally, this section of the Decree established an appeal route for those inmates who have been designated as SSR inmates.

To date, all institutions have maintained compliance with the Physical Restraint issues outlined in the Decree and all have developed or revised existing institutional policies accordingly.

CATEGORY XI: FIRE SAFETY

1. Submit a plan for meeting the fire safety standards of the ACA and the NFPA . . .

Construction and Engineering officials selected Carlisle and Associates as the Architectural and Engineering Firm to conduct evaluations of all SCDC facilities in order to determine their present compliance with the fire safety standards contained in the Decree. Carlisle and Associates

toured and inspected all SCDC facilities in order to make determinations as to which areas in each institution may be deficient with regard to applicable fire safety standards. Carlisle and Associates submitted plans to correct any noted deficiencies to Construction and Engineering officials inasmuch as a decision was made to have SCDC officials do the actual work necessary. Issues #2-6 describe the current status of work needed for compliance.

2. All smoke detectors and fire alarms will be on contract . . .

   All SCDC institutions have smoke detectors and fire alarms on contract.

3. All gang door releases, emergency exits, and escape ladders will be on contract . . .

   The following institutions still require installation of doors for compliance:

Institution	Status
Givens Youth Correctional Center	Work In Progress
Wateree River Correctional Institution	Work In Progress
Coastal Work Center	Work In Progress

   Blue Ridge Pre-Release Center - All fire life safety renovations will be done by contract. The State Engineering Office is in the process of awarding a contract.

   All other institutions are in compliance with this requirement and work has been completed.

4. Sprinkler and/or smoke evacuation systems will be on contract.

   Work is presently being scheduled to be conducted at the following institutions to install sprinkler systems in compliance with NFPA Standards:

Institution	Status
Dutchman Correctional Institution	Work In Progress
Perry Correctional Institution	Work In Progress

   All other institutions are presently in compliance with this requirement and work has been completed.

5. All smoke barriers will be on contract . . .

   To date, only one facility still requires work to be completed for compliance with this issue:

Institution	Status
Wateree River Correctional Institution	Work In Progress

All other institutions are in compliance with this requirement and work has been completed.

6. All fire walls will be on contract . . .

All SCDC institutions are in compliance with this requirement and work has been completed.

CATEGORY XII: CONSTRUCTION

1. Renovations of CCI Guards' Quarters . . .

The CCI Guards' Quarters (Officers' Quarters) was completed on July 30, 1985, and became fully operational at that time.

2. Renovations of Stoney Building . . .

Since December, 1985, when renovations were completed, the Department utilized this building to house reception and evaluation overflow from the MR&EC and the BRR&EC. However, in September, 1987, the SCDC converted this unit to a 68-bed Transitional Care Unit for CCI.

3. Renovation of MCI Cell Block . . .

The addition of the cellblock at MCI was completed and became operational on January 29, 1986.

4. Renovation of DCI from minimum security to medium security . . .

This institution has been converted from an A-custody institution to an A-III/B-III institution. Renovations were completed by February, 1988; however, small renovations are still required to be made (i.e., paving the road around new fence.)

5. Construction of WCC Dorm . . .

Construction of this dorm was completed October 31, 1986. Occupancy of the 96-bed dorm was phased in during the month of November, 1986.

6. Renovations of MSC . . .

The Maximum Security Center was renovated and converted into a Special Protective Custody Housing Unit on 12/18/85. All "M" custody inmates who were housed at MSC were transferred to CB-II (26 inmates), PCI (20) and KCI (16).

7. Construction of Lieber Correctional Institution . . .

Construction of this project is complete and this institution is fully operational.

8. Construction of McCormick Correctional Institution . . .

Construction of this project is complete and this institution is fully operational.

9. Construction of new MR&EC . . .

Construction of this project is complete and this facility became fully operational on June 22, 1987.

10. Efforts to close CCI . . .

This project was re-bid, and Budget and Control Board officials have authorized funding for the relocation of CCI to Lee County. The completion date for this project is tentatively November, 1992.

11. Construction of Broad River Correctional Institution . . .

Construction of this project is complete and this facility is fully operational.

CATEGORY XIII: SANITATION AND HYGIENE

Pursuant to the terms of the Decree, Section R, (1), page 56, the Department has achieved and maintained compliance with applicable State Standards and with ACA Standards 2-4255 through 2-4270. Therefore, please see previous editions of the Quarterly Report for a listing of these standards as well as compliance information relative to the same. It should be noted ACA Standards 2-4130 through 2-4132 are addressed under the Physical Plant Section of this Report.

CATEGORY XIV: PHYSICAL PLANT

Under the terms of the Decree, the Department is required to meet the requirements as outlined by ACA Standards 2-4130 through 2-4132 which mandate that certain amounts of lighting, plumbing, ventilation and furnishings be provided to inmates. The Department developed a two (2) year plan to improve any noted compliance deficiencies at existing SCDC facilities. New facilities (i.e., LCI, McCI, etc.) have been constructed in such a manner so as to comply with these standards prior to their opening.

During this reporting period, the Compliance Office Environmental Quality Manager conducted institutional inspections relative to the Physical Plant Standards of the Decree at the following institutions:

Institution	Inspection Date
Allendale	January 26, 1990
Kirkland	February 5, 1990
Central	February 5, 1990
State Park	February 23, 1990
Lower Savannah	February 27, 1990
Goodman	February 28, 1990
Walden	February 28, 1990
Lieber	March 20, 1990
Coastal	March 20, 1990
Women's Center	March 22, 1990
Palmer	March 23, 1990
Aiken	March 27, 1990
Northside	March 29, 1990
Livesay	March 29, 1990
Greenwood	March 30, 1990

No major compliance problems were noted at the above-listed facilities during this reporting period. All the above facilities were in compliance with lighting and plumbing requirements, and temperature levels required by these Standards. Copies of all inspection reports have been forwarded to Plaintiffs' counsel for their review.

FURNISHING REQUIREMENTS

Under the terms of the Decree, the Department is required to meet certain requirements which mandate that specific furnishings be provided inmates. A review of this requirement has been conducted and it has been confirmed that the following institutions are in full compliance with these furnishing requirements:

BRPRC/WC; CaWC; CACI; DCI; GYCC; GCC; LiWC; McCI; NCC; CoWC; LCI; PWC; MYCC; AYCC; CWC; GCI; LSWC; SPCC; SCI; WRCI; WPRC; WCC; WCI; BRCI; KCI; and CCI.

The following institutions received the below-listed furnishings during this reporting period:

Institution	Required Furnishings
CCI	50 Security Beds
	53 Single Beds & Mattresses
	21 Conversion Equipment (Security Beds)

The 50 Security Beds were installed in the cells in Administrative Segregation; the 21 Conversion Equipment (Security Beds) were used to construct storage shelves for installation in the Administrative Segregation cells. In addition, the 53 Single Beds and Mattresses were used as replacement beds in the conversion of Administrative Segregation cells to General Population cells in Building 1.

The following institutions still require certain furnishings that were overlooked in the original compliance assessment:

Institution	Required Furnishings
SCI	22 Security Beds
CCI	150 Mirrors
CCI Holding Unit	72 Lockers 46 Chairs 9 Tables 1 Conference Table
Lieber	Storage Shelf Material (Administrative Segregation)
Women's Center	7 Showers/Commodes (Work in Progress)
Perry	Storage Shelf Material - Adm. Seg. (Work in Progress)

The items listed above are currently on back order. The expected delivery date for these items is June 30, 1990.

The following institutions still require certain replacement items. The 30 Toilets and 162 Fluorescent Light Covers listed for Manning will be installed throughout the Institution. The 8 Security Light Fixtures listed for Kirkland will be installed in Administrative Segregation.

Institution	Required Furnishings
Manning	30 Toilets 162 Fluorescent Light Covers
Kirkland	8 Security Light Fixtures

The items listed above have been approved by the State Engineering Office and should be ordered by April 15, 1990.

All other institutions are in compliance with the terms of the Decree relative to furnishing requirements, plumbing, lighting and air flow.

CATEGORY XV: RECEPTION AND EVALUATION CENTERS

MIDLANDS RECEPTION AND EVALUATION CENTER

The Broad River Reception and Evaluation Center (formerly known as Midlands Reception and Evaluation Center) became fully operational on June 22, 1987, and operation of the old facility ceased. Currently, Departmental officials are still using the Officers' Quarters at CCI to house a small number of intake inmates. As a direct result of increased

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admissions to the Department, double-celling continues to occur at the Broad River Reception and Evaluation Center. The average number of double-cells during February, 1990 was 66. For specific compliance issues relative to BRR&EC, please see past editions of the Quarterly Report.

PERRY RECEPTION AND EVALUATION CENTER

As reported in previous Quarterly Reports, double-celling continues to occur at Perry Reception and Evaluation Center. The average number of double-cells at PR&EC during the month of February, 1990 was 83. This double-celling is also a direct result of increased admissions to the Department. For specific compliance issues relative to PR&EC, please see past editions of the Quarterly Report.

LIEBER RECEPTION AND EVALUATION CENTER

As reported previously, double-celling continues to occur at the Lieber Reception and Evaluation Center. The average number of double-cells at LR&EC during February, 1990 was 44.

CATEGORY XVI: FOOD SERVICES

The Nelson Decree stipulates that the SCDC Food Services Division must meet the food service standards established by the South Carolina Department of Health and Environmental Control as well as certain ACA Standards. It should be noted that all issues addressed under the "Food Service" section of the Decree are continuously monitored by the Food Service Branch and, as of September 8, 1989, the SCDC continues to be in compliance with the same. (Please see "Defendants' Sixth Quarterly Report on Compliance" for a detailed description of compliance information with regard to the food service issues.

CATEGORY XVII: OTHER ISSUES

1. The Nelson Complaint System:

   At the time the Nelson Decree was signed, the Inmate Grievance System became flooded with complaints of noncompliance expressed by inmates trying to become more familiar with the terms of the Decree. In response to these grievances, the Complaint System -- a separate system from the Inmate Grievance System -- was specifically designed to address allegations of noncompliance and to resolve the same, if necessary. This system was developed in December, 1985, and was revised through agreement with Plaintiffs' counsel in October, 1986. SCDC Policy 500.10, "Nelson Complaint System" has recently been revised and is presently in the process of being staffed.

Since the implementation of the Nelson Complaint System, the Compliance Office has kept accurate records of all complaints filed by inmates and of the responses to the same by Wardens, Regional Administrators and the Commissioner. The Compliance staff is presently finalizing a Nelson Staff Coordinator Handbook to provide additional information and familiarization with the process and monitoring of Nelson complaints.

To illustrate the extent to which the Nelson Complaint System is utilized, the following Tables summarize Nelson complaint activity for the period December, 1989 through February, 1990. During this period, the Compliance Office processed 152 Nelson complaints as follows:

NUMBER OF NELSON COMPLAINTS PROCESSED BY
INSTITUTION AND SECTION OF DECREE
(December 1, 1989 through February 28, 1990)

Institution	Section of Decree	# Answered By Warden	# Appealed to Reg. Adm. Level	# Appealed to Comm. Level
Allendale	Physical Restraints	3	2	0
	Env. Sanitation	6	4	3
	Segregation	4	3	1
	Other	1	0	0
	Health Services	2	0	1
	Food Services	1	0	0
Broad River	Food Services	4	0	0
	Staffing	1	0	0
	Discipline	2	1	1
	Env. Sanitation	3	0	1
	Housing	1	0	0
	Segregation	1	0	0
	Health Services	8	2	0
	Non-Nelson	5	0	0
	Library Services	2	0	0
Central	Staffing	1	0	0
	Other	1	1	1
	Classification	2	1	1
	Discipline	1	0	0
	Non-Nelson	1	0	0
	Env. Sanitation	1	0	0
Campbell	Housing	1	0	0
Cross Anchor	Classification	1	2	1
Dutchman	Food Services	1	0	0
	Classification	2	0	0
	Env. Sanitation	1	0	0

NUMBER OF NELSON COMPLAINTS PROCESSED BY
INSTITUTION AND SECTION OF DECREE
(December 1, 1989 through February 28, 1990)
(Continued)

Institution	Section of Decree	# Answered By Warden	# Appealed to Reg. Adm. Level	# Appealed to Comm. Level
Kirkland	Env. Sanitation	8	0	0
	Program Services	6	0	0
	Discipline	1	1	1
	Physical Restraints	4	0	0
	Health Services	1	0	0
	Non-Nelson	1	0	0
	Staffing	2	0	0
	Food Services	2	0	0
Lieber	Health Services	2	0	0
	Classification	3	0	1
	Env. Sanitation	1	0	0
McCormick	Classification	3	0	1
	Env. Sanitation	2	0	0
	Library Services	5	0	0
	Segregation	2	0	0
	Physical Restraints	1	0	0
	Food Services	1	0	0
	Program Services	2	0	0
MacDougall	Temporary Structures	1	0	0
	Physical Restraints	1	1	0
	Housing	1	0	0
	Env. Sanitation	3	0	0
	Non-Nelson	3	0	0
	Health Services	2	0	0
	Food Services	1	0	0
Manning	Program Services	1	0	0
	Health Services	1	0	0
Northside	Classification	1	0	0
Perry	Non-Nelson	4	0	0
	Health Services	0	1	1
	Classification	8	1	0
	Disciplinary	1	0	0
	Segregation	1	0	0
Palmer	Env. Sanitation	1	0	0
Wateree	Classification	1	0	0
	Housing	1	0	0

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NUMBER OF NELSON COMPLAINTS PROCESSED BY
INSTITUTION AND SECTION OF DECREE
(December 1, 1989 through February 28, 1990)
(Continued)

Institution	Section of Decree	# Answered By Warden	# Appealed to Reg. Adm. Level	# Appealed to Comm. Level
Women's Center	Segregation	5	0	0
	Env. Sanitation	8	0	0
	Disciplinary	1	0	0
	Classification	0	1	1
	Health Services	2	0	0
	Library Services	1	0	0
	TOTAL	152	21	15

SUMMARY OF COMPLAINTS PROCESSED BY
SECTION OF THE DECREE
(DECEMBER, 1989 THROUGH FEBRUARY, 1990)

Section of Decree	# Answered By Warden	# Appealed to Reg. Adm. Level	# Appealed to Comm. Level
Classification	21	5	5
Disciplinary	6	2	2
Environmental Sanitation	34	4	4
Food Services	10	0	0
Health Services	18	3	2
Housing	4	0	0
Library Services	7	0	0
Non-Nelson	14	0	0
Other	2	1	1
Physical Restraints	9	3	0
Program Services	9	0	0
Segregation	13	3	1
Staffing	4	0	0
Temporary Structures	1	0	0
TOTAL	152	21	15

NOTE: Complaints processed at the Regional Administrators' and Commissioner's level are not necessarily appeals to the above complaints processed at the Warden's level.

The Department has achieved and has continued to maintain compliance with the issues addressed in this section. Therefore, please see the "Defendants' Ninth Quarterly Report on Compliance" for information relative to these issues.

This report is submitted pursuant to the requirements of the Decree mandating that quarterly reports on compliance be prepared for submission to the Court, Plaintiffs' counsel, Plaintiffs, the State Budget and Control Board, and the Board of Corrections. The next report will be published for submission July 8, 1990.

Respectfully submitted,

Laura Ann Osler
Executive Assistant for Legal
Settlements and Compliance

30th day of March, 1990

SECTION II

APPENDICES

EXHIBIT
APR 23 1990 9
STATE BUDGET & CONTROL BOARD

A P P E N D I X A

R E V I S E D N E L S O N C A P A C I T I E S

(ONCE ALL CAPITAL IMPROVEMENT PROJECTS ARE COMPLETED)

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A P P E N D I X A

REVISED NELSON CAPACITIES

(Once all Capital Improvement Projects are Completed)

Institution	Capacity by Living Area	Total Nelson Capacity
Blue Ridge Pre-Release Center		
Pre-Release Dorm	50	
Work-Release Dorm	138	188
Catawba Work Release Center		
Wards 1-7	85	
Ward 8	15	
New Ward	44	144
Cross Anchor Correctional Inst.		
Dorms 1-5	480	
Admin. Segregation	48	528
Dutchman Correctional Inst.		
Dorms 1-5	480	
Admin. Segregation	48	528
Givens Youth Correctional Center		
Dorm A	15	
Dorm B	15	
Dorm C	12	
Dorm D	12	
Dorm E	14	
Staff Room	2	
* NEW ADDITION (Tentative Completion Date--To be Determined)	192	262
Greenwood Correctional Center		
Ward A	24	
Ward B	24	
Ward C	15	
NEW WORK CAMP (Completed: August, 1989)	96	159
Livesay Work Release Center		
Dorms A & B	96	96

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Northside Correctional Center		
Dorms 1-3	144	
Ward 1	31	
Barrack	96	
NEW WORK CAMP (Tentative Completion Date--October, 1990)	96	367
NEW McCORMICK CORRECTIONAL INST.		
Medium Security	1,008	
Admin. Segregation	96	1,104
Perry Correctional Institution		
Dorms 1-4	576	
Admin. Segregation:		
Dorm C	48	
Dorm D	48	672
Perry Reception and Evaluation Center		
Dorm A	48	
Dorm B	48	96
NEW FEMALE MINIMUM/MEDIUM SECURITY INSTITUTION (Completion Date -- February, 1991)	384	384
SUBTOTAL		4,528
Aiken Youth Correctional Center		
Dorm 1	83	
Dorm 2, 3, and 5	126	
Dorm 4	22	
Dorm 6	22	
Admin. Seg.	2	255
NEW CENTRAL CORRECTIONAL INSTITUTION (Tentative Completion: November, 1992)	1,200	1,200
Campbell Work Release Center		
East and West Wings	100	
* NEW ADDITION (Tentative Completion Date--November, 1990)	96	196
Goodman Correctional Institution		
Building 1	49	
Building 2	39	
Building 3	45	
Building 4	50	
Barrack	96	279

Kirkland Correctional Institution		
Dorm A-1	96	
Dorm A-2	64	
Dorm A-3	96	
Dorm A-4	96	
Dorm A-5	96	
Dorm A-6	96	
Admin. Segregation	68	
* NEW MAXIMUM SECURITY UNIT (Tentative Completion Date--April, 1991)	50	662
Lower Savannah Work Release Center		
Dorm A	12	
Dorm B	10	
Dorm C & D	24	
Dorm E	2	
Dorm F	6	
* NEW ADDITION (Tentative Completion Date--May, 1990)	96	
* NEW WORK CAMP (Tentative Completion Date--March, 1990)	96	246
Manning Correctional Institution		
Wards 1-6	330	
Admin. Segregation	24	
Barrack	96	450
BROAD RIVER RECEPTION/EVALUATION		
Wing 1	96	
Wing 2	96	192
Stevenson Correctional Institution		
Ward 1	13	
Ward 2	55	
Ward 3	15	
Ward 4	32	
Ward 5	22	
Admin. Segregation	12	
* NEW ADDITION (Tentative Completion Date--To Be Determined)	96	245
State Park Correctional Center		
Women's Work Release Dorm	147	
Men's Geriatric/Handicapped Dorm	138	
Women's Geriatric/Handicapped Dorm	12	
NEW ADDITION (Tentative Occupation Date--August, 1990)	120	417
Walden Correctional Institution		
Ward A	11	
Ward B	35	
Ward C	26	
Ward D	36	
Dorm 1	52	
Barrack	96	256

13852

Wateree River Correctional Inst.		
Ward 1-6	297	
Dorms 1 & 2	192	
Admin. Seg.	6	495
Watkins Pre-Release Center		
Dorms 1-3	144	144
Women's Correctional Center		
Cottage 1	37	
Cottage 2	25	
Cottage 3	37	
Cottage 4	36	
Cottage 5	37	
Cottage 6	37	
Cottage 7	25	
Cottage 8 (New Unit)	48	
Cottage 9 (New Unit)	48	
Admin. Segregation	7	337
BROAD RIVER CORRECTIONAL INSTITUTION		
Medium Security	888	
Handicapped Unit	60	
Admin. Segregation	96	1,044
SUBTOTAL		6,418
Coastal Work Release Center		
Dorm 1	62	
Dorm 2 and 3	96	158
LIEBER CORRECTIONAL INSTITUTION		
Medium Security	1,008	
Admin. Segregation	96	1,104
LIEBER RECEPTION/EVALUATION CENTER		
Reception Unit	96	96
MacDougall Youth Correctional Center		
Barrack	96	
NEW REPLACEMENT HOUSING	480	576
Palmer Work Release Center		
Dorm 1	50	
* NEW ADDITION (Tentative Completion Date--March, 1991)	96	
* NEW WORK CAMP (Tentative Completion Date--MArch, 1991)	96	242

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EVANS CORRECTIONAL INSTITUTION		
Medium Security	1,008	
Admin. Segregation	96	1,104
ALLENDALE CORRECTIONAL INSTITUTION		
Medium Security	1,008	
Admin. Segregation	96	1,104
SUBTOTAL		4,384
NEW WORK CENTERS (Locations Undetermined)		
Five 96-bed Work Centers	480	480
NEW MALE CORRECTIONAL INSTITUTIONS		
(2), 808-Bed Facilities	1,616	1,616
SUBTOTAL		2096
TOTAL AUTHORIZED NELSON CAPACITY		17,426

NOTES:

* Tentative completion dates as of March 16, 1990.

** The capacities listed for the new Broad River, McCormick, Lieber, Allendale and Evans Correctional Institution take into account full double-occupation of all general population cells, pursuant to the recent ruling made by the United States Supreme Court. (NOTE: Forty-eight of the 504 general population cells at the Broad River Correctional Institution are designed specifically for handicapped inmates and, therefore, will not be double-occupied.)

A P P E N D I X B

EMPLOYEES IN NONCOMPLIANCE WITH TRAINING REQUIREMENTS

(ACA STANDARD 2-4090, 2-4091 AND 2-4092)

13855

ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR TRAINING REQUIREMENT
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092

Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
Thomas McQueen	10/87	Planning/Budgeting	3.50	10.00
Kenneth Kelly	11/87	Purchasing	-0-	4.00
Mark Deas	10/85	Agriculture	-0-	10.00
Henry Baker	11/87	"	-0-	4.00
Jerome Mackey	2/89	Vehicle Maintenance	56.00	24.00
Charles Teddar	6/89	"	42.00	18.00
Curtis Bethea	10/86	"	7.00	3.00
Tyrone Suber	6/86	D/C for Operations	17.50	2.50
Jerry Helms	9/85	"	6.00	4.00
Julia Tyson	1/88	Inmate Operations	17.50	2.50
Eric McKeown	7/88	Engineering	18.00	2.00
William Harmon	8/87	"	11.00	9.00
Walter Derrick	11/87	"	-0-	4.00
Charles Tollison	3/87	Health Services	24.00	6.00
Gerald Teague	8/85	ARO	-0-	20.00
Carolyn Ballenger	10/87	BRPR/WC	3.50	.50
Sarah Nesbitt	11/88	" (Maternity Leave)	-0-	4.00
Billy Laughter	8/87	CACI	8.50	11.50
Shirley Johnson	8/89	CAWC	58.00	2.00
Jeffrey Countryman	1/89	DCI	66.00	14.00
Patricia Jones	1/88	"	35.00	5.00
Deborah Byrd	2/88	"	39.00	1.00
Harriet Cohen	2/87	"	39.00	1.00
Stephen Gary	6/88	"	2.00	18.00
Angela Seay	6/88	"	19.50	.50
John McClanahan	7/86	"	2.00	18.00
Connie Rice	7/85	"	19.00	1.00
Lynda Baker	8/86	"	2.00	18.00

ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092
-2-

Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
Jefferson McDowell	8/87	DCI	19.00	1.00
Betty Simmons	8/88	"	8.00	12.00
Troy Beaman	10/88	"	-0-	10.00
Conzalee Childers	10/88	"	-0-	10.00
Cheryl Watkins	10/88	"	-0-	10.00
Charles Balzotti	11/86	"	3.00	1.00
Patricia Coleman	11/88	"	-0-	4.00
Barbie Kinard	11/88	"	-0-	4.00
J. T. Rodgers	11/88	"	3.00	1.00
James Ross	11/88	"	3.00	1.00
Evelyn Wardlaw	2/87	GCC (Maternity Leave)	14.00	26.00
James Nolan	9/88	LIWC (Ext. Med. Leave)	-0-	10.00
Paula Cromer	7/88	Livesay Restitution	19.00	1.00
Ray Jones	2/88	McCI	31.50	8.50
William Wates	2/87	"	33.50	6.50
Carl Turner	3/87	" (Medical Leave)	25.00	5.00
Charlie Ware	5/86	"	26.00	4.00
Ella Askew	6/88	"	19.50	.50
James Jurgens	8/88	"	-0-	20.00
Billy Ashmore	9/86	" (Workman's Comp.)	-0-	10.00
Catherine Robinson	9/89	" (Ext. Med. Leave)	41.50	18.50
Amarasingha	10/89	"	-0-	10.00
Gene Waits	10/85	" (Medical Leave)	.50	9.50
Layne Meredith	10/89	"	40.50	9.50
Crystal Bailey	11/89	"	41.50	3.50
Katula Enlow	11/89	"	42.50	1.50
Linda Freeman	11/89	"	41.00	3.00
George Padgett	11/86	"	2.00	2.00
James Steadman	11/86	"	.50	3.50
Ronald Cabiness	2/86	NCC	25.00	15.00
Earnestine Byrd	8/86	"	17.00	3.00
Ulysses Griffin	8/87	"	16.00	4.00
Leslie Mosley	9/88	"	8.00	2.00
Tina Cook	10/87	"	8.50	1.50
Donald Tucker	10/89	"	44.00	6.00
Shawn Turner	10/89	"	44.00	6.00
Ronald McFadden	10/87	"	8.00	2.00
Pamela Moore	10/87	"	6.50	3.50
Nancy Rogers	11/86	"	-0-	4.00

ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092
-3-

Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
Sherri Chandler	1/87	PCI	34.00	6.00
Steven Fritter	1/87	"	14.00	26.00
Lisa Hunter	1/86	"	11.50	28.50
Kevin Jones	1/85	"	29.50	10.50
Cynthia Latimer	1/87	"	23.50	16.50
James Martin	1/86	"	6.50	33.50
Larry Hamby	2/85	" (Ext. Sick Leave)	30.00	10.00
Frank Proctor	2/87	"	31.00	9.00
Vickie Davis	3/89	"	67.00	3.00
Crystal Irby	3/87	"	20.00	10.00
Manlena Martin	3/85	"	8.00	22.00
Christian Okwuazi	3/87	" (Ext. Sick Leave)	-0-	30.00
Harry Flury	4/86	" (Ext. Sick Leave)	18.00	12.00
Kerrin Hill	5/88	"	6.00	24.00
Derrick Thompson	6/87	"	-0-	20.00
Lelar Black	6/89	"	17.00	3.00
Elaine Duvall	7/85	"	15.50	4.50
Kip Gamble	7/88	"	17.00	3.00
John Gemmell	7/86	"	12.50	7.50
Bonny Groves	7/87	"	19.00	1.00
Lary Keller	7/88	"	13.50	6.50
William Morris	7/86	"	13.00	7.00
Stanford Stowers	7/88	"	13.00	7.00
James Baker	8/88	"	18.00	2.00
Michael Brooks	8/85	"	10.50	9.50
Wade Chastain	8/86	"	19.50	.50
Tamara Conwell	8/86	"	12.00	8.00
Richard Ellison	8/88	"	14.00	6.00
Margaret Haddon	8/88	"	17.00	3.00
Mary Hammonds	8/86	"	13.50	6.50
Angela Lake	8/86	"	8.50	11.50
Julia Majors	8/88	"	9.00	11.00
Charles Marshall	8/89	"	56.00	4.00
Randy Shorts	8/88	"	6.00	14.00
Nancy Arnold	9/89	"	42.00	8.00
Sophia Bradford	9/89	"	40.00	10.00
Max Brooks	9/88	"	6.00	4.00
Valerie Cook	9/86	" (Ext. Sick Leave)	-0-	10.00
Jan Fink	9/88	" (Ext. Sick Leave)	-0-	10.00
Violet Holiday	9/86	" (Ext. Sick Leave)	-0-	10.00
Roddy Howard	9/87	"	-0-	10.00
Clyde Johnson	9/87	"	8.00	2.00
Rodney McKenzie	9/89	"	44.00	6.00
Thomas Painter	9/88	"	3.00	7.00
James Rutledge	9/88	"	4.00	6.00

ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092

Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
Kenneth Swafford	9/88	PCI	-0-	10.00
Beth Allen	10/87	"	-0-	10.00
Constance Argo	10/88	"	5.00	5.00
Linda Fashanu	10/89	"	43.00	7.00
David Joiner	10/89	"	40.00	10.00
John Greer	10/88	"	-0-	10.00
Johnny James	10/88	"	-0-	10.00
William Morgan	10/88	"	8.00	2.00
Todd Rivers	10/89	"	49.00	1.00
Roger Smith	10/89	"	40.00	10.00
Judy Tate	10/85	"	5.50	4.50
Bobby Wells	10/89	"	40.00	10.00
Timothy Addis	11/88	"	-0-	4.00
Arthur Ebunam	11/88	"	-0-	4.00
Robert Losey	11/88	"	1.00	3.00
Angelia Phillips	11/88	"	2.00	2.00
Robert Wicker	11/88	"	-0-	4.00
Thomas Turner	8/87	BRCI	14.00	6.00
Barry O'Conner	9/88	AYCC (National Gd. Duty)	-0-	10.00*
Thomas Valenzuela	10/89	BCC	46.00	4.00
Jill Smith	1/87	Cola. Rest. (Mat. Leave)	17.50	22.50
William Neal	1/85	CCI	38.50	1.50
Bruce Siebert	1/87	"	29.00	11.00
Mary Hanzer	2/86	"	39.50	.50
Willie Tucker	2/88	"	32.00	8.00
Ben Pack	3/88	"	2.00	28.00
Carlus Anderson	4/86	"	25.50	4.50
Willa Livingston	4/88	"	28.00	2.00
Rossie Martin	5/88	"	29.00	1.00
Ernest Pusser	6/89	"	6.00	14.00
Andre Walker	6/89	"	49.00	11.00
Shannon Wright	6/89	"	59.00	1.00
William Coleman	8/85	"	19.50	.50
Michael Gladman	8/86	"	17.50	2.50
Daniel Glenn	8/86	" (Military Leave)	-0-	20.00
Judith Hatcher	8/87	"	5.00	15.00
Earnestine Jones	8/87	"	19.00	1.00
Isaac Seabrooks	8/86	"	19.00	1.00
Carol Smith	8/86	"	2.00	18.00
Robert Wilson	8/87	"	19.00	1.00

ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092
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Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
Timothy Council	9/88	CCI	8.50	1.50
Altagarcia Holt	9/88	"	8.50	1.50
Ronnie Collum	10/85	"	2.00	8.00
Ronnie Cribb	10/88	"	5.50	4.50
Rita Gallman	10/86	"	5.00	5.00
Michael McDaniel	10/86	"	-0-	10.00
Joseph Sampson	10/88	"	-0-	10.00
Stacy Thomas	10/88	"	-0-	10.00
Ricky Wade	10/88	"	2.00	8.00
Cedric Wideman	10/87	"	7.50	2.50
Tari Bradley	11/87	"	-0-	4.00
Janice Clark	11/86	"	3.50	.50
Yvonne Connelly	11/88	"	2.00	2.00
Luthea Exum	11/87	"	-0-	4.00
Alexandra Rogers	11/87	"	-0-	4.00
John Young	11/88	"	-0-	4.00
Michael Attie	10/89	GCI	42.00	8.00
Freddie Eastwood	10/89	"	42.00	8.00
Charles Geiger	10/89	"	42.00	8.00
Charles Patrick	10/87	" (Ext. Med. Leave)	-0-	10.00
Lillie Sumpter	10/88	"	7.00	3.00
George Jacobs	5/87	KCI	26.00	4.00
Rosen Lawsin	9/88	"	2.50	7.50
Reginald Blanding	2/88	MCI	13.00	27.00
Charles Owens	2/88	"	25.50	14.50
James Buesgen	3/88	"	4.00	26.00
Sandra Richardson	3/88	"	3.50	26.50
Bernie Ormond	5/88	"	28.00	2.00
David Ryder	5/88	"	11.00	19.00
Wayne Thompson	5/88	"	2.50	27.50
Terry Forkasdi	8/88	"	-0-	20.00
Gabriele Johnson	8/88	"	3.00	17.00
Harry Best	9/88	"	-0-	10.00
Eugene Miller	9/88	"	-0-	10.00
Gerald Simpkins	9/88	"	-0-	10.00
Clark Brown	10/88	"	-0-	10.00
David Jennings	10/88	"	-0-	10.00
Marvin Stevens	10/88	"	-0-	10.00
Gayle Alston	11/88	"	-0-	4.00
Cecil Ray	11/88	"	-0-	4.00
Beverly Jackson	6/89	Industries Adm.	12.50	7.50
Kenneth Collier	3/86	SCI	29.50	.50
Dennis Williams	4/88	"	29.50	.50

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ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092

Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
Michael Bennett	3/88	WCI (Ext. Med. Leave)	5.50	24.50
Pamela Holmes	7/88	"	19.00	1.00
Walter Dawson	10/86	"	8.00	2.00
Rolins Rhodes	1/88	WPRC	39.50	.50
Johnny Bethel	9/85	"	9.50	.50
Dan Gould	10/88	"	8.00	2.00
Claude Manuel	1/88	ACI	25.50	14.50
Theresa Hagan	2/89	"	69.50	10.50
Jesse Carson	3/89	"	51.50	18.50
Virginia Harris	3/89	"	60.50	9.50
Levy Hoats	3/89	"	56.50	13.50
Jim Furtick	6/88	"	12.00	8.00
Andrea Capers	7/88	"	15.50	4.50
Debra Cobb	7/88	"	6.50	13.50
Elaine Edwards	7/88	"	2.00	18.00
Myrtle Hallman	7/88	"	18.00	2.00
William Kirkland	7/88	"	8.00	12.00
Lisa Sowell	7/88	"	13.00	7.00
Earnest Deloach	10/88	"	8.00	2.00
Crystal English	10/88	"	-0-	10.00
Shirley Green	10/88	"	-0-	10.00
Anthony Nimmons	10/88	"	5.00	5.00
Constance Polite	10/88	"	1.00	9.00
Charles Sanders	10/88	"	-0-	10.00
Ronald Grant	11/88	"	-0-	4.00
Varnedo Muhammad	11/88	"	-0-	4.00
Michell Odom	11/88	"	3.00	1.00
Kenneth Owens	11/88	"	3.50	.50
Eric Taylor	11/88	"	-0-	4.00
Jimmy Wright	11/88	"	-0-	4.00
James Carothers	8/86	CoWC	10.00	10.00
S. Ferguson	1/86	LCI	39.50	.50
William Thomas	1/86	"	39.50	.50
Sharon Adcox	2/86	"	25.00	15.00
Robert Jeffcoat	2/86	" (Inmate Assault Lv)	8.50	31.50
Charles Robinson	2/86	"	36.50	3.50
Joseph Pinckney	3/88	"	23.50	6.50
John Holmes	4/86	" (Ext. Sick Leave)	-0-	30.00
Clifford Moore	4/86	" (Inmate Assault Lv)	28.00	2.00

ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092

Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
David Hassan	5/88	LCI	22.50	7.50
James Morton	5/88	"	21.00	9.00
Clyde Fields	6/88	"	19.00	1.00
James Davis	7/88	"	14.50	5.50
Allen Pencile	7/86	"	19.50	.50
Arthur Jordan	8/86	"	12.50	7.50
Charles Adcock	10/88	"	2.00	8.00
Kenneth Mitchell	10/87	"	7.50	2.50
Margie Williams	10/88	"	9.50	.50
Sylverien Britt	8/89	"	10.50	9.50
Herbert Major	10/89	"	6.00	14.00
Alexander Ketree	7/86	MYCC	2.00	18.00
Mildred Green	8/86	"	16.00	4.00
Laura Hunt	8/88	"	13.00	7.00
Bobby Rutherford	8/88	"	14.00	6.00
George Wright	8/86	"	10.00	10.00
William Dodson	10/88	"	-0-	10.00
Cynthia Fuller	10/87	"	2.00	8.00
Alfonso Greene	10/86	"	5.00	5.00
Melvin Lawrence	10/86	"	6.00	4.00
Sue Hood	3/88	ECI	28.00	2.00
James Clarke	3/88	"	14.00	6.00
Ronnie Thomas	5/88	"	15.00	15.00
Luther Brown	7/89	"	55.00	5.00
Melvin Odom	7/88	"	12.50	7.50
Joseph Young	7/86	"	5.50	14.50
Geraldine Davis	8/88	"	4.50	15.50
Gwendolyn Johnson	8/88	"	10.50	9.50
Lonnie Johnson	8/88	"	1.00	19.00
Terry Small	8/88	"	6.00	14.00
Walter Smith	8/88	"	.50	19.50
Diane Williams	8/88	"	9.50	10.50
David Dupree	9/88	"	9.50	.50
Kenneth Fincannon	9/88	"	5.00	5.00
Johnny Johnson	9/88	"	2.50	7.50
Stuart Liner	9/88	"	7.50	2.50
Walter Martin	9/88	"	4.50	5.50
Waldo Pearson	9/88	"	6.50	3.50
Timothy Bethea	10/88	"	.50	9.50
Joseph Bridges	10/88	"	-0-	10.00
Franklin Cain	10/88	"	4.50	5.50
Roddy Covington	10/88	"	4.00	6.00
Troy Ellerbee	10/88	"	.50	9.50

ANNIVERSARY EMPLOYEES IN NONCOMPLIANCE
FOR CONVERSION TO CALENDAR YEAR
(ENDING DATE 12/31/89)
TRAINING STANDARDS 4090, 4091, AND 4092
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Employee	Hire Date	Institution/Division	Number of Training Hours Rec'd	Needed
Larry Hall	10/88	ECI	9.00	1.00
Frederick Capell	11/86	"	-0-	4.00
Calvin Davis	11/88	"	3.00	1.00
Michael Dease	11/88	"	2.00	2.00
David Evans	11/88	"	2.00	2.00
Kenneth Fletcher	11/88	"	-0-	4.00
Donald Murphy	11/88	"	3.50	.50
Audrey Quick	11/88	"	-0-	4.00
Donna Webster	11/88	"	-0-	4.00
Ernest Miller	5/87	PWC	27.50	2.50
David Bull	7/88	"	19.50	.50

CALENDAR YEAR EMPLOYEES IN NONCOMPLIANCE STATUS
TRAINING STANDARDS 2-4090, 4-2091, AND 2-4093
-1-

Employee	Institution/Division	Number of Hours
Blake Taylor	Internal Affairs	25.50*
Terry Taylor	"	36.50
Charlie Johnson	Audit Branch	36.50
Larry Willis	Mail Room	11.50
Steve Davis	Agriculture	39.50
Mark McCown	"	38.50
Jerry Shealy	"	39.00
James Howle	Vehicle	34.50
Carolyn Wolfe	Vehicle Maintenance	22.50
Clyde Wall	CACI (Ext. Medical Leave)	35.00
Willie Green	DCI	33.00
Walter Peeler	Livesay Rest. Ctr.	38.00
Carlos Alsbrooks	NCC	3.00
Howard Adams	PCI	38.00*
William Clemons	"	33.50*
Shirley Davis	"	7.00
Thomas Henderson	" (Ext. Sick Leave)	25.00
Leroy Herring	"	14.50*
Dorothy Heyward	"	39.00
Dorothy Irby	"	36.50
Deloris Jones	" (Ext. Sick Leave)	39.00
Victor McDowell	"	23.50
Katherine McKittrick	" (Sick Leave)	31.00
Robert Miller	" (Workman's Comp.)	10.50
Robert Miller, Jr.	"	21.00
John Mills	"	28.00
Thomas Millwood	"	4.00
Eunice Patterson	"	29.00*
Billy Ramsey	"	39.00
Vincent Robertson	"	38.00*
Wendell Rumph	"	30.50
Dwight Smith	"	27.50*
Kim Turner	"	17.50
David Weeks	" (Ext. Sick Leave)	28.50
Jeffrey Williams	"	32.50
Phoebe Wilson	" (Ext. Sick Leave)	9.00

*Indicates employee was in noncompliance for 1988 and 1989.

CALENDAR YEAR EMPLOYEES IN NONCOMPLIANCE STATUS
TRAINING STANDARDS 2-4090, 4-2091, AND 2-4093

Employee	Institution/Division	Number of Hours
Rudolph Caldwell	BRCI (Ext. Sick Leave)	33.50
Ronald Adams	CCI	39.50
George McKnight	"	34.50
Green B. Neal	"	27.00
Juanita Oliver	"	39.50
Lloyd Roberts	"	17.50
Donnie Roderick	"	38.00
Ronald McKissick	GCI (Ext. Medical Leave)	31.50
Charles Burgess	WRCI (Ext. Sick Leave)	3.00
Roland Addison	WPRC	39.00
Alexander Gaston	"	38.00
Catherine Lindsey	"	39.50
Alvin Nidiffer	"	29.00*
Ellen Rhames	ACI	22.00
Pat Brown	CoWC	36.00
George Clemons	"	27.50
Lewis Mason	"	39.50
Andrew Johnson	MYCC	39.50
Godwin Quattlebaum	"	39.00
Miller Wagers	"	38.50
Mark Price	ECI	23.00
Jerry Freeman	Engineering	38.50*
James Hill	"	31.00
Clyde Meetze	"	24.00
Harry Oberlies	"	37.00*

*Indicates employee was in compliance for 1988 and 1989.

13865

A P P E N D I X C

S E R I O U S I N C I D E N T R E P O R T S (AIMS)

EXHIBIT
APR 23 1990 9
STATE BUDGET & CONTROL BOARD

13866

AIMS QUARTERLY REPORT

November, 1989 - January, 1990

The data analyzed is from disciplinary convictions where the conviction date falls within this quarter in all institutions implementing AIMS. The date the offenses occurred may fall in a previous quarter. All data is generated from the inmate system by RIM.

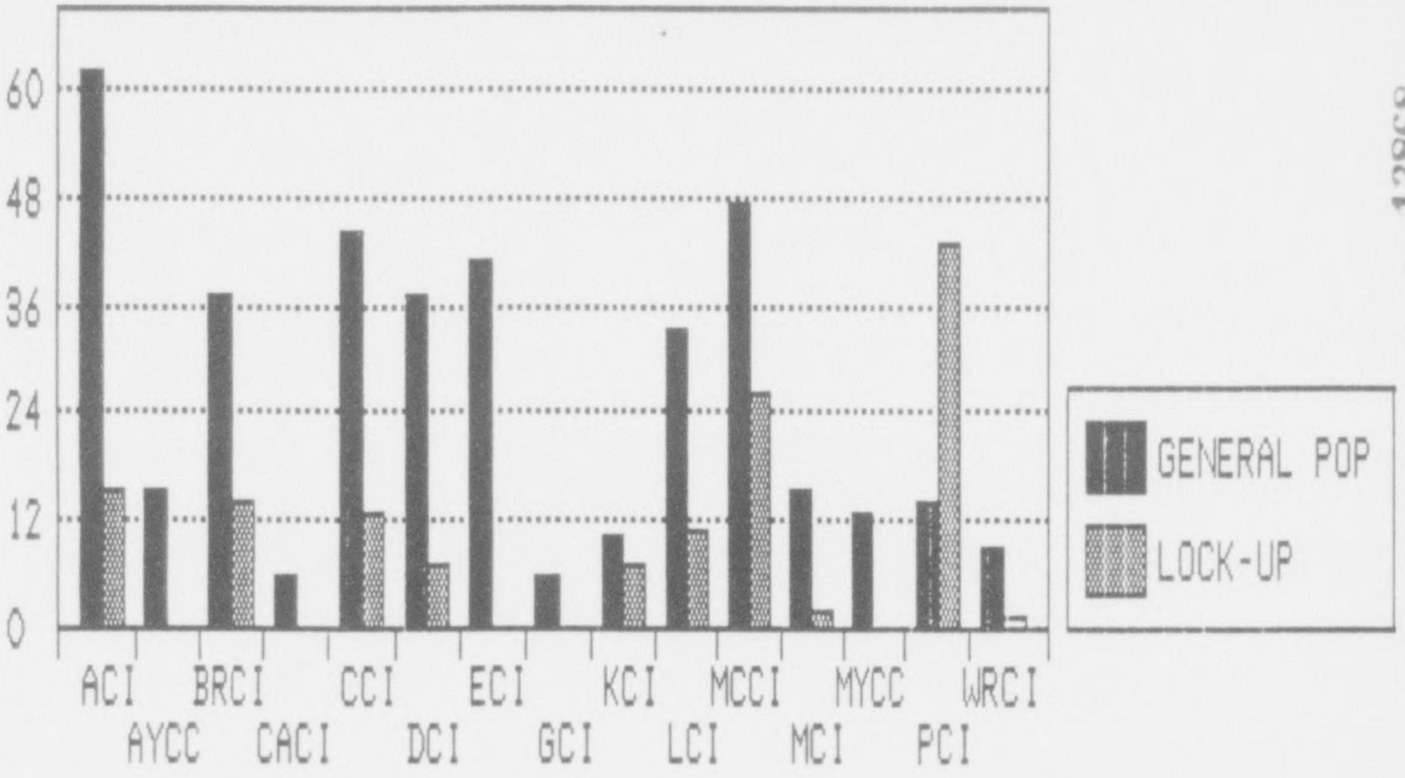
The validity of the system is supported by the significantly high rate of disciplinary convictions committed by inmates classified in the ALPHA group. Behavior in all incidents is reasonably consistent with the AIMS classification.

The following types of offenses are included in the analysis:

- Murder
- Voluntary Manslaughter
- Assault and Battery
- Battery
- Assault with a Weapon
- Robbery by Force
- Robbery without Force
- Sexual Assault
- Threatening Conduct
- Extortion
- Fighting
- Taking a Hostage
- Inciting a Riot
- Engaging in a Riot
- Resisting Arrest

13867

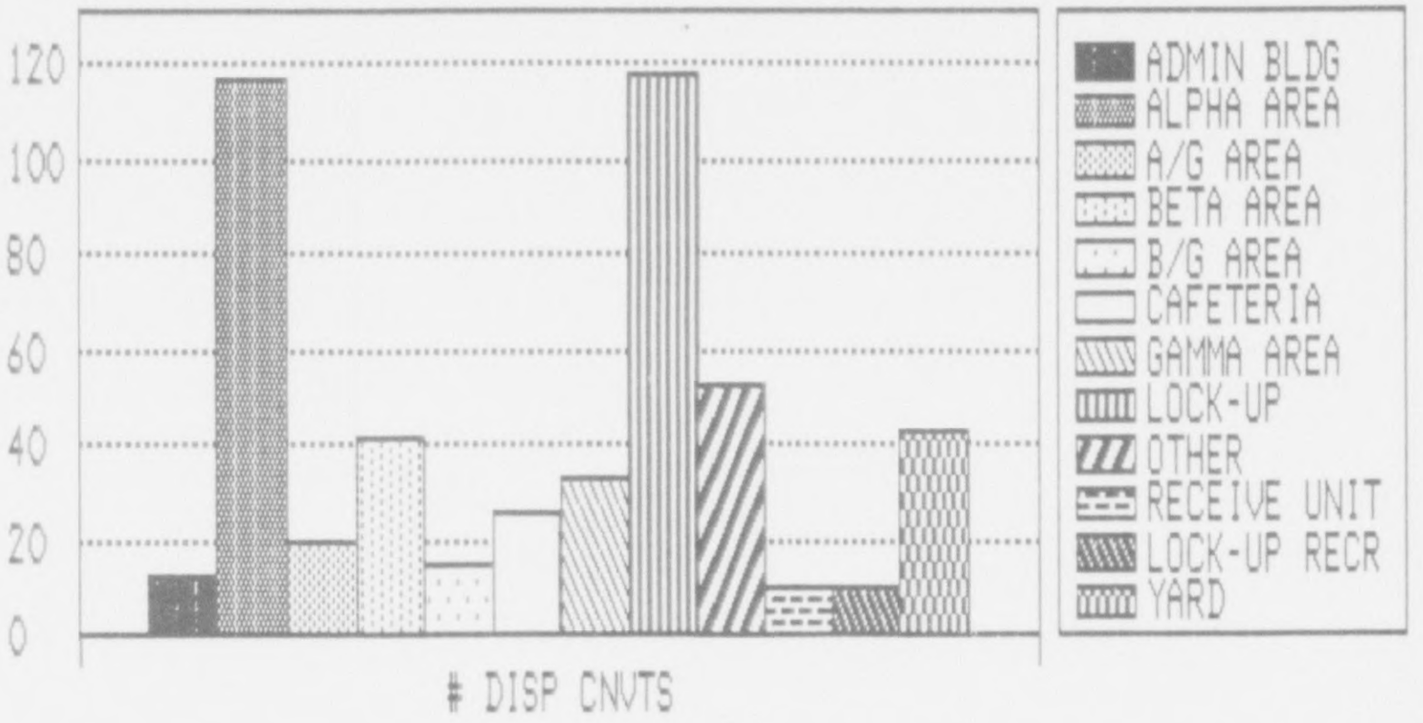
11/89-1/90 DISPL CONVICTIONS



* ECI included this quarter.

13868

11/89-1/90 DISP CNVTS BY AREA

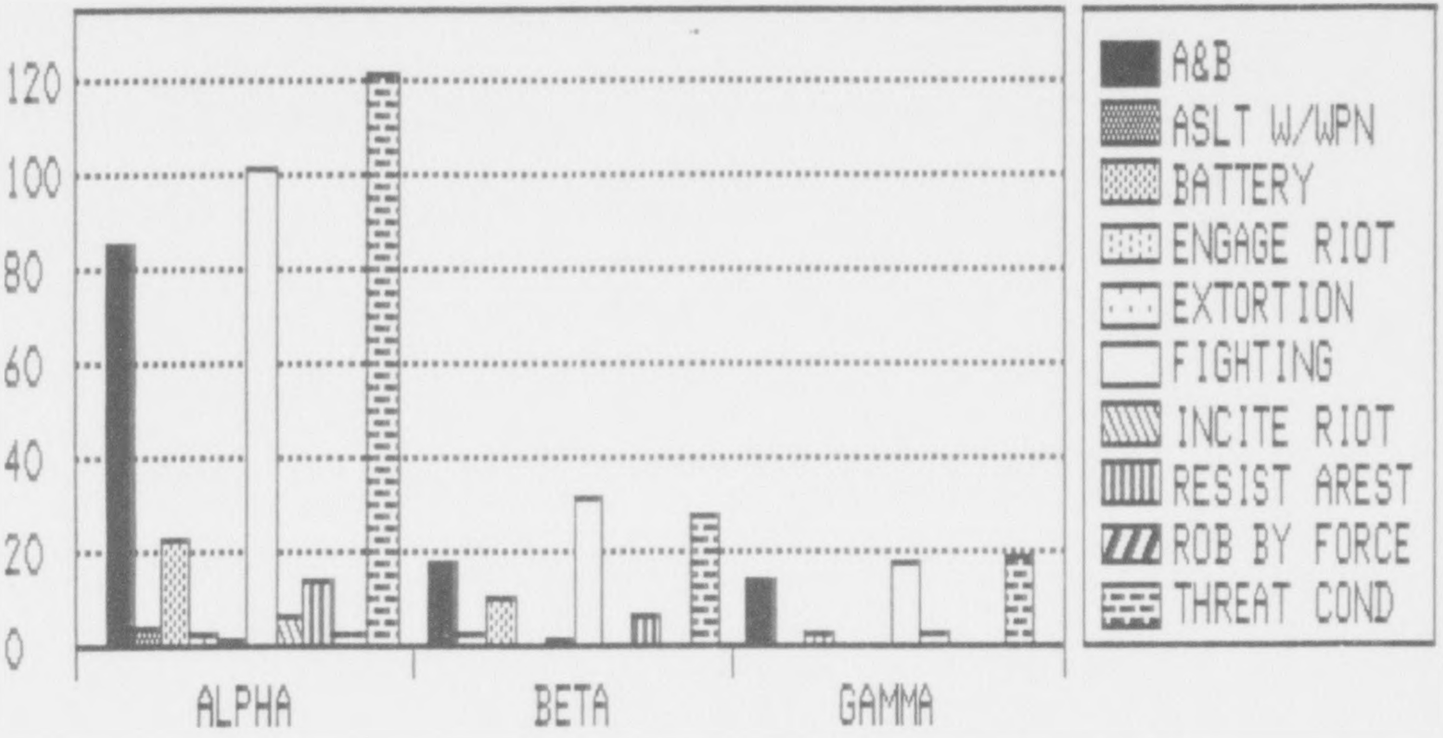


Data includes only those areas where 10 or more disciplinary convictions occurred in all institutions implementing AIMS.

13869

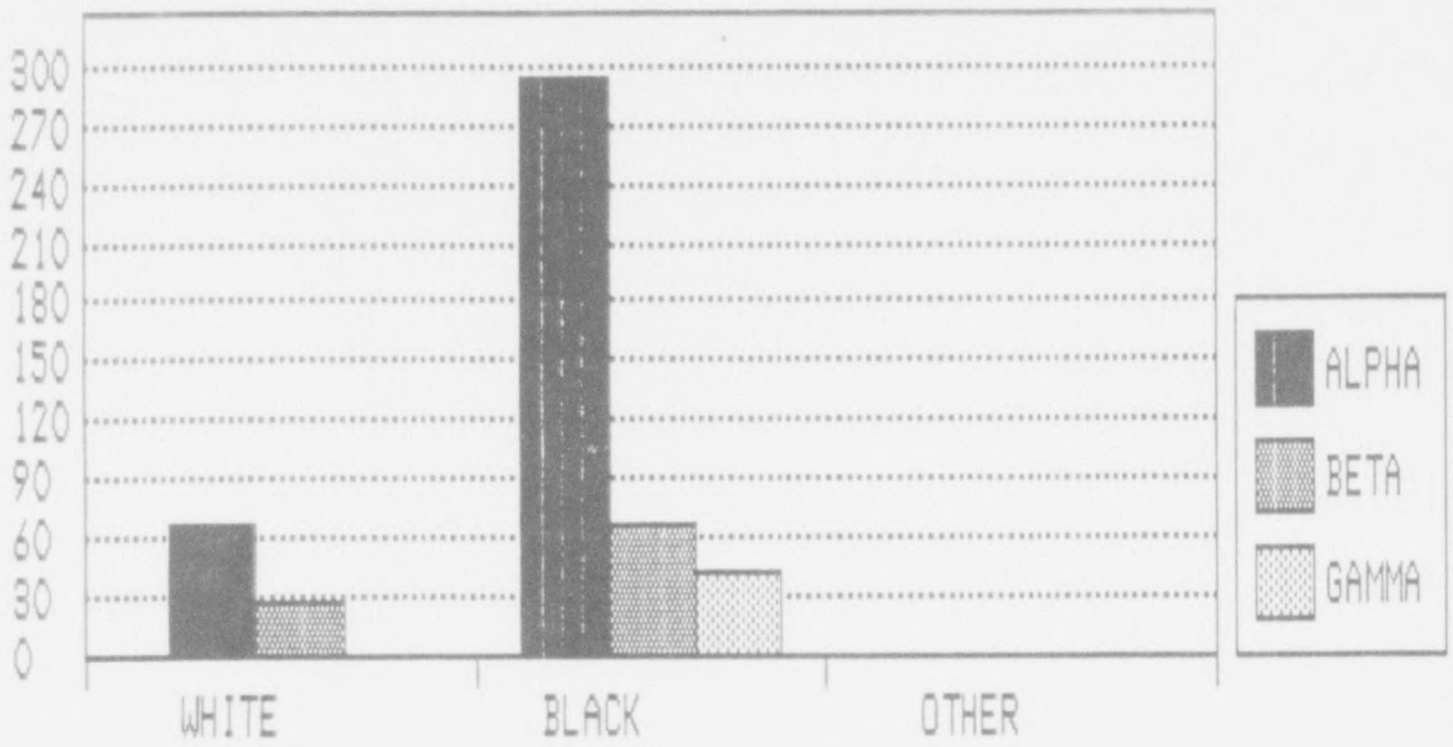
11/89-1/90 DISP CNVTS BY TYPE

13870



Data includes all institutions implementing AIMS.
* ECI included this quarter.

11/89-1/90 DISP CNVTS BY RACE



13871

13872

SAS

TABLE OF OFFENSE BY AIMSDESC

OFFENSE / FREQUENCY / PERCENT	AIMSDESC ALPHA	BETA	GAMMA	TOTAL
ASSAULT & BATTER	85	18	14	117
	16.57	3.51	2.73	22.81
ASSAULT W/WEAPON	4	2	0	6
	0.78	0.39	0.00	1.17
BATTERY	22	10	3	35
	4.29	1.95	0.58	6.82
ENGAGING IN RIOT	3	0	0	3
	0.58	0.00	0.00	0.58
EXTORTION	1	1	0	2
	0.19	0.19	0.00	0.39
FIGHTING	102	32	17	151
	19.88	6.24	3.31	29.43
INCITING RIOT	6	0	2	8
	1.17	0.00	0.39	1.56
RESISTING ARREST	14	6	0	20
	2.73	1.17	0.00	3.90
ROBBERY BY FORCE	2	0	0	2
	0.39	0.00	0.00	0.39
THREATENING COND	122	28	19	169
	23.78	5.46	3.70	32.94
TOTAL	361	97	55	513
	70.37	18.91	10.72	100.00

FREQUENCY MISSING = 15

13873

SAS

TABLE OF AIMSDESC BY RACEDESC

AIMSDESC RACEDESC

FREQUENCY PERCENT	ALL OTHERS	BLACK	WHITE	TOTAL
ALPHA	0 0.00	294 57.31	67 13.06	361 70.37
BETA	1 0.19	68 13.26	28 5.46	97 18.91
GAMMA	1 0.19	41 7.99	13 2.53	55 10.72
TOTAL	2 0.39	403 78.56	108 21.05	513 100.00

FREQUENCY MISSING = 15

13874

SAS

TABLE OF OFFENSE BY LOCDESC

OFFENSE FREQUENCY PERCENT	LOCDESC ADMIN. BLDG.	ALPHA LIVING ARE	ALPHA/GAMMA AREA	BETA LIVING AREA	BETA/GAMMA AREA	CAFETERIA	CANTEEN	GAMMA LIVING ARE	GPC	TOTAL
ASSAULT & BATTER	2 0.38	26 4.92	3 0.57	4 0.76	2 0.38	6 1.14	0 0.00	4 0.76	0 0.00	122 23.11
ASSAULT W/WEAPON	0 0.00	1 0.19	0 0.00	2 0.38	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	6 1.14
BATTERY	0 0.00	8 1.52	1 0.19	4 0.76	2 0.38	1 0.19	0 0.00	5 0.95	0 0.00	37 7.01
ENGAGING IN RIOT	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	4 0.76
EXTORTION	0 0.00	0 0.00	0 0.00	0 0.00	1 0.19	0 0.00	0 0.00	1 0.19	0 0.00	2 0.38
FIGHTING	0 0.00	43 8.14	8 1.52	19 3.60	4 0.76	13 2.46	0 0.00	9 1.70	0 0.00	152 28.79
INCITING RIOT	0 0.00	5 0.95	1 0.19	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	8 1.52
RESISTING ARREST	3 0.57	3 0.57	1 0.19	0 0.00	0 0.00	0 0.00	1 0.19	2 0.38	0 0.00	20 3.79
ROBBERY BY FORCE	0 0.00	2 0.38	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	2 0.38
THREATENING COND	7 1.33	29 5.49	5 0.95	12 2.27	6 1.14	5 0.95	0 0.00	12 2.27	2 0.38	175 33.14
TOTAL	12 2.27	117 22.16	19 3.60	41 7.77	15 2.84	25 4.73	1 0.19	33 6.25	2 0.38	528 100.00

(CONTINUED)

13875

SAS

TABLE OF OFFENSE BY LOCDESC

OFFENSE / FREQUENCY / PERCENT	LOCDESC									
	INFIRMARY	LAUNDRY BLDG.	LOCK-UP AREA	MEDICAL UNIT	MULTI-PURPOSE BL	OTHER	P. C. AREA	PROGRAM SERVICES	RECEIVING UNIT	TOTAL
ASSAULT & BATTER	2 0.38	1 0.19	57 10.80	0 0.00	0 0.00	4 0.76	0 0.00	0 0.00	2 0.38	122 23.11
ASSAULT W/WEAPON	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	6 1.14
BATTERY	0 0.00	0 0.00	6 1.14	0 0.00	1 0.19	3 0.57	0 0.00	0 0.00	1 0.19	37 7.01
ENGAGING IN RIOT	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	4 0.76
EXTORTION	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	2 0.38
FIGHTING	0 0.00	0 0.00	4 0.76	0 0.00	1 0.19	23 4.36	0 0.00	0 0.00	3 0.57	152 28.79
INCITING RIOT	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	2 0.38	0 0.00	0 0.00	0 0.00	8 1.52
RESISTING ARREST	0 0.00	0 0.00	5 0.95	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	20 3.79
ROBBERY BY FORCE	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	2 0.38
THREATENING COND	0 0.00	0 0.00	46 8.71	1 0.19	3 0.57	20 3.79	1 0.19	2 0.38	4 0.76	175 33.14
TOTAL	2 0.38	1 0.19	118 22.35	1 0.19	5 0.95	52 9.85	1 0.19	2 0.38	10 1.89	528 100.00

(CONTINUED)

13876

SAS

TABLE OF OFFENSE BY LOCDESC

OFFENSE	LOCDESC							
FREQUENCY PERCENT	RECREATION-GENER	RECREATION-LOCK-IN	SHAKEDOWN ROOM	TCU	TUNNEL	VISITING AREA	YARD	TOTAL
ASSAULT & BATTER	0 0.00	2 0.38	0 0.00	0 0.00	1 0.19	3 0.57	3 0.57	122 23.11
ASSAULT W/WEAPON	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	3 0.57	6 1.14
BATTERY	2 0.38	0 0.00	0 0.00	0 0.00	1 0.19	0 0.00	2 0.38	37 7.01
ENGAGING IN RIOT	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	4 0.76	4 0.76
EXTORTION	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	2 0.38
FIGHTING	2 0.38	4 0.76	0 0.00	0 0.00	1 0.19	4 0.76	14 2.65	152 28.79
INCITING RIOT	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	8 1.52
RESISTING ARREST	0 0.00	1 0.19	1 0.19	0 0.00	0 0.00	0 0.00	3 0.57	20 3.79
ROBBERY BY FORCE	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	0 0.00	2 0.38
THREATENING COND	0 0.00	3 0.57	0 0.00	1 0.19	2 0.38	0 0.00	14 2.65	175 33.14
TOTAL	4 0.76	10 1.89	1 0.19	1 0.19	5 0.95	7 1.33	43 8.14	528 100.00

A P P E N D I X D

PHASE II

6TH QUARTERLY REPORT

EXHIBIT
APR 23 1990 9
STATE BUDGET & CONTROL BOARD

13877

DIVISION OF CLASSIFICATION
PHASE II SIXTH QUARTERLY REPORT
FEBRUARY 23, 1990

This report is based on information concerning all recorded Initial and Reclassification actions for the period 1 November 1989 through 31 January 1990 in accordance with the schedule provided by the office of Legal Settlements and Compliance.

INITIAL CLASSIFICATION:

A total of 2093 Initial classification assignments were begun during the reporting period. Of those, 1993 have been completed and 100 are still pending. Overrides were used in 608 (29.04%) of all initial assignments. Of the 608 overrides, 378 (62.2%) used the primary override reason of sentence length. As discussed in the second Phase II quarterly report (please reference for additional explanation), inmates assigned using this override appear to be likely candidates for the proposed work camp placements. Detailed study of this override revealed the following:

1. 199 (53%) of inmates assigned under this override had sentences of 1 year or less.
2. 267 (71%) of inmates assigned under this override had sentences of 2 years or less.
3. 296 (78%) of inmates assigned under this override had sentences of 3 years or less.

As evidenced, this override is primarily used to divert inmates from medium to minimum security due to the expected rapid turnaround (short time to max out) time. Contrarily, 105 (17.26%) initial assignments were made using the detainer/hold override which primarily resulted in an assignment to medium or close custody.

SPECIAL NOTES: A study of sentence length overrides in the reclassification sample revealed that 95 of 102 (93%) involved sentence lengths in excess of 3 years. Primarily, when used at reclass, the sentence length override resulted in a disapproval for advancement in custody and security level.

Two of the override reasons included in the above analysis are actually representative of classification policy placements; escape history (n=43) and detainer/hold (n=105). Should these be excluded from the override statistics, the overall percentage of overrides would be 21.97% (460 overrides per 2093 assignments).

Below is a breakdown of the approved initial classification custody and security level placements for this reporting period.

	Frequency	Percent
Approved Custody Level		
AL2	373	18.72
AL3	782	39.24
BL3	374	18.77
BL4	270	13.55
CL4	146	7.28
CL5	38	1.93
Total	1993	100.00

13878

RECLASSIFICATION:

A total of 4906 reclassification reviews were begun during the reporting period. Of those, 3788 have been completed, 598 are in the approval stage, and 520 are still pending. Overrides were used in 1447 (29.45%) of all reclassification reviews. Of the overrides used, three of the most frequently used were BEHAVIOR ADJUSTMENT: POOR (n=385, or 26.6%), PROGRAM NEEDS (n=185, or 12.78%), and PHASE II (n=154, or 10.64%).

As discussed in the second quarterly report (please reference for additional information) concerning the BEHAVIOR ADJUSTMENT: POOR override, the reclassification instrument is commonly used as the method of invoking disciplinary reductions in custody and security levels recommended by adjustment committees, and also of reassigning inmates returned from designated facilities or community services program participation for disciplinary reasons.

Analysis of the PROGRAM NEEDS override indicated that 75% of those reviews resulting in the use of the overrided occured in 5 medium/maximum institutions. Most were used to disapprove custody/security level advancement due to failure of the inmate to follow needed program recommendations identified by the classification committee. The PHASE II override, on the other hand, is primarily utilized to allow inmates to retain previously attained custody and security status' under prior classification guidelines when the current recommendation differs and recommends a reduction in custody and/or security level.

Below is a breakdown of the approved reclassification instrument custody and security level placements for this reporting period.

	Frequency	Percent
Approved Custody Level		
AAL1	2	0.05
AAL2	112	2.89
AL1	1	0.03
AL2	718	18.55
AL3	827	21.36
BL3	1532	39.58
BL4	406	10.49
CL4	154	3.98
CL5	72	1.86
ML5	4	0.10
PL5	30	0.77
RAL3	12	0.31
SL1	1	0.03
Total	3871	100.00

13879

A P P E N D I X E

PROTECTIVE CUSTODY HOUSING PROPOSAL

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

January 9, 1990

Mr. Gaston Fairey
Fairey and Parise, P.A.
Post Office Box 8443
Columbia, South Carolina 29202

Dear Gaston:

Attached for your review and written approval is a Protective Custody Housing Proposal. After survey and discussion, it was recommended that one wing of the Maximum Security (Jasper) Unit at the new Allendale Correctional Institution (ACI) be designated as the Department's Protective Custody Housing Unit. Information relative to this decision is included in the attached proposal. Also, operational, program, staff and physical plant needs and solutions are outlined in the attached proposal.

Additionally, reference is made to an earlier proposal submitted to you relative to the reallocation of bedspace at the Central Correctional Institution. It is intended that the relocation of the Protective Custody population housed in Bldg. 5 to ACI will make beds available for Administrative Segregation inmates housed on the 5th Tier in Bldg 1.

Upon your favorable review and approval of this proposal, finalization of this plan will be conducted. An agency policy will be staffed in order to provide explicit procedures and guidelines to accommodate inmates assigned to this housing unit. Should you require additional information, please feel free to contact me.

Sincerely,

Laurie A. Osler
Executive Assistant for ~~Legal~~
Settlements and Compliance

cc: Mr. Parker Evatt
Mr. William Catoe
Mr. Larry Batson
Mr. L. J. Allen
Mr. Donald Dease
Mr. James Harvey
Warden Robert Currie
Warden William Wallace

13881

BOARD OF CORRECTIONS
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GOV. CARROLL A. CAMPBELL, JR., Member Ex-Officio, Columbia, S.C.

PROTECTIVE CUSTODY HOUSING UNIT PROPOSAL

Introduction

In late-January/early February, 1989, a survey was conducted to evaluate programs afforded inmates housed in Protective Custody status for over ninety (90) days (See Attachment A). The conclusion of this survey indicated inconsistencies relative to programs afforded at institutions which house Protective Custody populations. Most institutions do not have facilities or resources to accommodate these inmates. As a result of this survey, a proposal and recommendations were presented to Departmental officials relative to Protective Custody inmate housing. The insufficient resources at many of SCDC's institutions prompted the recommendation that one or more institutions be designated to handle the Department's Protective Custody population.

Upon review and discussion it was suggested that Allendale Correctional Institution be designated for this purpose. This institution would accommodate those inmates who have been housed on Protective Custody for a specified period of time. The unit at ACI designated as the Administrative Segregation Housing Unit would be utilized for these inmates. One wing of this housing unit would be designated to house a strictly Protective Custody population. Inasmuch as the other 48-bed wing would not be required to accommodate a PC population, only short-term Administrative Segregation inmates would remain in this unit. The stipulation that this unit house only short-term Administrative Segregation inmates stems from the concern that ACI would have insufficient available bedspace for long-term lock-up purposes. In light of this proposal, the use of this unit for Protective Custody housing will require the long-term Administrative Segregation population at Allendale Correctional Institution to be transferred from this unit and institution. Inasmuch as ACI would accept the Department-wide Protective Custody population, consideration must be given by other institutions in all regions to accept ACI's overflow long-term lock-up population.

Requirements as stipulated by Nelson

Prior to an inmate being housed on Protective Custody for over 90 days, the Department is required to afford the inmate with at least five (5) hours per week, five (5) days per week of actual outdoor exercise (weather permitting). Once the inmate has been housed in Protective Custody for over 90 days, the Nelson Decree requires the Department to provide the inmate the opportunity for at least five (5) hours per day, five (5) days per week of full-time, meaningful programs. The Decree defines "full-time, meaningful programs" as organized, supervised programs, including but not limited to exercise, vocational training,

educational courses, work assignments, work release and prison industries which allow the opportunity for five (5) hours per day participation and engagement in intellectual or physical activity.

Also, the Decree requires that inmates confined to cells for more than twelve hours per day shall be single-celled, in a cell containing at least fifty square feet in new institutions. However, inmates assigned to Protective Custody may voluntarily consent to be double-celled.

Specific requirements and needs to provide for a Protective Custody Housing Unit at Allendale Correctional Institution lie in the areas of Housing; Staffing; Programs (i.e.: social service, education, employment, etc.); Physical Plant; and Transfer Criteria (to and from the unit).

Housing

The wing to be designated as the Protective Custody Housing Unit has a total of 48 cells, measuring approximately 80 square feet. Two of these cells are "observation cells" and cannot be double-celled. However, the remaining 46 cells can be double-celled contingent upon the voluntary consent of the Protective Custody inmates. Therefore, the total possible capacity of this unit is 94. Should no inmates volunteer to be double-celled, the total capacity of this unit will be 48.

The utilization of one wing of the Maximum Security Unit for Protective Custody inmates results in the reduction of available beds that may be used for lock-up purposes. Also, it was pointed out that the potential for violence and assaults when combining these populations is great. In order to provide for a sufficient number of lock-up bedspace at Allendale Correctional Institution, only short-term lock-up inmates should be housed in this wing of the Maximum Security Unit. Allendale officials must be assured that all long-term lock-up inmates will be given priority for transfer to other institutions for lock-up. It was suggested that Lieber Correctional Institution, since it is located nearby, accommodate these inmates. However, it may not be feasible for LCI to accept all of this excess population due to overcrowding. Therefore, all other institutions with Administrative Segregation units must be considered for Allendale's long-term lock-up population (i.e.: Evans, McCormick, Broad River Correctional Institutions, etc.). It is important for other institutions to realize this responsibility and to cooperate to allow for effective management of the Protective Custody and Administrative Segregation units at Allendale.

Previous Housing Proposal

With the opening of this unit for the Departmental Protective Custody population, Building 5 at the Central Correctional Institution could be used to house populations other than Protective Custody. See Attachment B, "Reallocation of Bedspace, Bldg., Five and R&E Holding Unit", #2 and #3. In this proposal, it was recommended that once the Holding Unit at

CCI is vacated, the Protective Custody population housed in Bldg. 5 would be relocated to that unit. However, due to the sever overcrowding at all Departmental Reception and Evaluation Centers, the likelihood of this unit being vacated in the near future does not seem promising. This proposal also indicates that renovations would need to be made in order to accommodate such a population. Inasmuch as CCI is to be relocated, no permanent improvements to the institution are to be made. Another negative aspect to the possible utilization of the Holding Unit for Protective Custody inmates relates to the physical layout of this unit. This unit has ward style housing. Cell housing for a Protective Custody population provides for better security and can avoid potential problems between the inmates designated as such.

The attached proposal (Attachment A), #3., indicates that once Bldg. 5 was vacated by the Protective Custody population, is would then be reopened to house Administrative Segregation inmates housed on the 5th Tier in Bldg. 1. Subsequently, the 5th Tier would house either General Population inmates and/or inmates assigned to General Population from the Broad River Reception and Evaluation Center.

Staffing

Staffing requirements to manage the Protective Custody Housing Unit result from program and sight and/or sound requirements as stipulated in the Nelson Decree. In order to provide the opportunity for full-time, meaningful programs, five (5) hours per day, five (5) days per week, and to provide needed security, additional staff positions are needed. After a staffing survey was conducted by Departmental officials, it was determined that the following positions be provided for this unit. The additional positions will be acquired from existing positions within the Department. Once the positions have been identified, they will be classified to provide for the following positions to be located at ACI.

Position	Strength Needed
Social Worker III or IV	1
Correctional Staff	7

The additional correctional staff position needs result from the requirement that officers be stationed so as to provide visual observation and/or voice contact with all inmates . . . at all times, except . . ., or during unforeseeable emergencies which require an officer to temporarily leave his or her post. As indicated previously, Departmental officials conducted a staff analysis survey and concluded that seven (7) additional correctional staff positions be provided to comply with this requirement and to provide supervision necessary for inmates to be housed in the Protective Custody unit. The additional Social Worker position will be utilized strictly for the Protective Custody and Administrative Segregation Units and will provide comprehensive services for these inmates inasmuch as both groups typically require comparable services.

Additional service staff for the inmates in the Protective Custody Housing Unit will be utilized from existing institutional personnel.

Programs/Activities:

As stated previously, prior to an inmate being housed on Protective Custody status for over 90 days, the Department is required to afford the inmate with at least five (5) hours per week, five (5) days per week of actual outdoor exercise (weather permitting). Once the inmate has been housed in Protective Custody for over 90 days, the Nelson Decree requires the Department to provide the inmate the opportunity for at least five (5) hours per day, five (5) days per week of full-time, meaningful programs.

Activities that can automatically be provided, inasmuch as the facilities already exist, include recreation, library and law library access, visitation and work assignments. Presently, library access is provided by means of the book cart that visits the Maximum Security Unit and law library access is provided upon request and scheduling. Visitation is provided in the conference room. Should this proposal receive approval, Earned Work Credit (EWC) slots have been recommended and will be provided for this unit (Attachment C). Other programs, such as Education, Classification, etc., that are to be afforded will require specific staff. As stated above, staff will be utilized from existing institutional staff. Departmental officials have requested one Social Worker position to accommodate this unit exclusively. Programs that are afforded Protective Custody inmates will be comparable to those afforded General Population inmates. Emphasis in this area is made in order for the Department to comply with the above requirement.

Programs afforded would be provided to all inmates whose accumulated time on Protective Custody status is 90 days or more. This would provide for continuity and comparability of programs. The "start date" for programs would be at most the 90 day requirement. Time spent in Protective Custody status will carry over from the sending institution. However, should the population of inmates housed in Protective Custody status for over 90 days be low, it may be feasible to afford other inmates the opportunity to participate.

Physical Plant

It was determined that the construction of Phase III (administrative office space) to the Administrative Segregation unit at ACI would be sufficient to accommodate for the needed program and administrative space for a Protective Custody housing unit. Also, space exists to

accommodate a satellite law library (similar to that available at Building 5 at the Central Correctional Institution). Should this proposal be approved and implemented, materials could be transferred and/or funds may be made available to supplement a satellite law library.

Inasmuch as the housing unit and administrative space is deemed sufficient to accommodate a Protective Custody population, renovations do not seem to be necessary to provide for the conversion of this unit.

Transfer Criteria

1. Inmates housed in Protective Custody status at all institutions for a specified time period will be transferred to the Protective Custody Housing Unit at Allendale Correctional Institution. The specified period of time will be contingent upon the total Protective Custody population at ACI and the available bedspace. Not only will inmates who have been housed on Protective Custody status for the determined length of time consecutively be transferred, but also those who have accumulated the determined length of time on Protective Custody status during the past 12 months will be transferred. This provision is included to prevent habitual and/or repeat Protective Custody inmates from avoiding transfer to ACI. Records must be maintained to ensure proper monitoring of total days on Protective Custody. As of October 9, 1989, 20 inmates were on Protective Custody for over 30 days; 12 inmates were on Protective Custody for over 60 days; 61 inmates were on Protective Custody for over 90 days. As of this same date 121 inmates were assigned to Protective Custody status. See Tables 1, 2, and, 3, attached, for specific details.

2. Upon transfer to ACI for Protective Custody purposes, the inmate will be given the opportunity to be placed in the General Population.

3. Review Boards will be held to determine need of Protective Custody at ACI. All attempts will be made to place the inmate into the General Population at ACI should no threat exist. Also, Board members will review the possibility of transferring the inmate back to an institution within his "home" region. The inmate, when feasible, would be assigned to General Population at ACI and be placed on a waiting list to be transferred.

4. Protective Custody inmates in "A" custody will be given priority to transfer back to the sending institution. Inter-regional cooperation will be required. This stipulation will allow ACI officials to ensure that inmates housed in the Protective Custody Unit are "true" Protective Custody status.

accommodate a satellite law library (similar to that available at Building 5 at the Central Correctional Institution). Should this proposal be approved and implemented, materials could be transferred and/or funds may be made available to supplement a satellite law library.

Inasmuch as the housing unit and administrative space is deemed sufficient to accommodate a Protective Custody population, renovations do not seem to be necessary to provide for the conversion of this unit.

Transfer Criteria

1. Inmates housed in Protective Custody status at all institutions for a specified time period will be transferred to the Protective Custody Housing Unit at Allendale Correctional Institution. The specified period of time will be contingent upon the total Protective Custody population at ACI and the available bedspace. Not only will inmates who have been housed on Protective Custody status for the determined length of time consecutively be transferred, but also those who have accumulated the determined length of time on Protective Custody status during the past 12 months will be transferred. This provision is included to prevent habitual and/or repeat Protective Custody inmates from avoiding transfer to ACI. Records must be maintained to ensure proper monitoring of total days on Protective Custody. As of October 9, 1989, 20 inmates were on Protective Custody for over 30 days; 12 inmates were on Protective Custody for over 60 days; 61 inmates were on Protective Custody for over 90 days. As of this same date 121 inmates were assigned to Protective Custody status. See Tables 1, 2, and, 3, attached, for specific details.

2. Upon transfer to ACI for Protective Custody purposes, the inmate will be given the opportunity to be placed in the General Population.

3. Review Boards will be held to determine need of Protective Custody at ACI. All attempts will be made to place the inmate into the General Population at ACI should no threat exist. Also, Board members will review the possibility of transferring the inmate back to an institution within his "home" region. The inmate, when feasible, would be assigned to General Population at ACI and be placed on a waiting list to be transferred.

4. Protective Custody inmates in "A" custody will be given priority to transfer back to the sending institution. Inter-regional cooperation will be required. This stipulation will allow ACI officials to ensure that inmates housed in the Protective Custody Unit are "true" Protective Custody status.

5. Another possibility may require an inmate to be transferred to a Reception and Evaluation Center for reassignment once he signs off Protective Custody.

6. Other institutions will be responsible for accepting ACI's long-term lock-up inmates. Inasmuch as ACI will accept the Department's Protective Custody population, lock-up space for their population will be reduced. In order to ensure that lock-up bedspace is available for ACI's population, the Administrative Segregation Unit will be able to house only short-term lock-up inmates (those with sentences of 30 days or less).

Attachment A

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

M E M O R A N D U M

TO: Ms. Laurie A. Osler, Executive Assistant for Legal Settlements and Compliance

FROM: Monica A. Park, Correctional Facility Consultant, Office of Legal Settlements and Compliance

SUBJECT: Programs Afforded Protective Custody Inmates

DATE: February 13, 1989

The following report outlining programs afforded Protective Custody inmates is submitted as requested.

My findings indicate that our institutions have the ability to house Protective Custody inmates; however, most do not have the facilities or resources to accommodate these inmates should they be housed in this status for 90 days or longer. All but one institution houses Protective Custody inmates in the Administrative Segregation Units. This situation causes PC Inmates to be "locked down." Another impraticality involves staff coverage. Inasmuch as most institutions have a relatively small Protective Custody population, it is not feasible to require service personnel to provide one-on-one services which could be more useful as group services. This type activity may "take away" effectiveness of certain programs for both General Population and Protective Custody inmates.

A solution to this dilemma may be to concentrate Protective Custody populations in designated centralized institutions. This may enable more effective and consistent program planning to provide activities such as counseling, job assignments, educational courses, etc. Time and programs given to and needed by Protective Custody inmates could be better utilized and prove more productive.

I trust that the following information contained in this report will provide useful information to you. If you require further information or have any questions, please contact me.

S/ M Park
Monica A. Park

MAP:gsc

cc: Nelson File

13888

PROGRAMS AFFORDED PROTECTIVE CUSTODY INMATES

HOUSED 90 DAYS OR LONGER

Cross Anchor Correctional Institution:

At the time of this report, CACI has no inmates on Protective Custody (PC) status. When an inmate is housed on Protective Custody status, he is reviewed every 30 days to evaluate the need of whether or not he is to remain on PC status.

Recreation: Recreation is provided inmates on Protective Custody for one (1) hour per day, five (5) days per week.

Education: Educational courses are provided as requested.

Library: The book-cart visits the lock-up unit on Monday and Thursday from 1:30 to 2:30 and goes from cell to cell to enable inmates to check out up to 4 magazines or books at a time. Law library access is provided on Wednesday and Thursday for at least two (2) hours if the request is received by staff by the previous Monday. Times for access are coordinated with Dutchman officials.

Programs: Programs are provided as requested and as available. The Social Worker and Caseworker are available and visit the unit every Monday and as requested. These individuals go from cell to cell and provide individual counseling and guidance.

Jobs: CACI has no Earned Work Credit jobs available for inmates housed in PC status, however, should it become necessary, provisions could be made to provide the same.

Religion: The Chaplain visits the lock-up unit on Tuesday and as requested to provide individual spiritual counseling. Religious services are provided on Thursday, however, this is for the group as a whole.

Visitation: Visitation is provided by appointment on weekends and holidays from 9:00 to 11:00 or 1:00 to 3:00. Visits are also provided upon special request.

Dutchman Correctional Institution:

At the time of this report, Dutchman Correctional Institution had four (4) inmates on Protective Custody (PC) status, none of whom have been on this status for 90 days or longer. Inmates on PC are housed in the Special Management Unit (SMU), however, they are housed in a separate wing of this unit.

Recreation: Recreation is provided at least one (1) hour per day, five (5) days per week. The Protective Custody wing in the SMU has its own recreation yard to enable the PC inmates to be separated from the lock-up inmates.

Education: Dutchman Correctional Institution does not have the facilities to accommodate classroom type study, however, educational opportunities are provided as requested through the use of self-study and correspondence courses.

Library: The book cart visits the SMU every Tuesday and Thursday to provide inmate access to library materials. Access to the Law Library is provided upon request and the inmates are provided access every Tuesday beginning at 1:00.

Programs: Inmates in the SMU have access to one Social Worker and one Caseworker. Protective Custody inmates are seen before a special Protective Custody Board once per week and are evaluated to determine need for particular program participation.

Jobs: Dutchman officials can utilize seven (7) Earned Work Credit slots for Protective Custody inmates. These jobs perform general maintenance in the SMU.

Religion: The chaplain visits the SMU once per week and as requested to provide one-on-one spiritual counseling.

Visitation: Visitation is provided by appointment on the weekends from 11:00 to 1:00. Special consideration is given when openings in the visiting room exists to allow for visits during the week. Inmates housed in the SMU has access to a special visiting room used exclusively for that unit.

NOTE: DCI officials make every effort possible to resolve disputes or problems between individuals in an attempt to return the inmate back to general population.

Lieber Correctional Institution:

Lieber Correctional Institution had no inmates on Protective Custody (PC) status at the time of this report. LCI officials have indicated that it is rare to have more than one inmate on PC status at one time. In the past year, LCI did have an inmate on PC status for over 90 days and programs and activities requested were provided.

Recreation: Recreation is provided for at least one (1) hour per day, five (5) days per week.

Education: Educational courses are provided as requested.

Library: The book-cart visits the R&E and lock-up unit twice per week on Tuesday and Thursday. Inmates may check out up to two books at one time. Access to the Law Library is provided upon request and scheduled as appropriate.

Programs: The R&E and lock-up unit have access to one Social Worker and one Caseworker to provide guidance and counseling to inmates. Counseling is provided as recommended and as requested.

Jobs: LCI officials do not have specific Earned Work Credit slots available to provide jobs for PC inmates. However, accommodations may be made to provide such when necessary.

Religion: Religious activities are provided as requested.

Visitation: Visitation is provided by appointment on Monday, Wednesday and Friday for at least two (2) hours in duration. Weekend visits are provided once per quarter as specified by policy.

Kirkland Correctional Institution:

At the time of this report, Kirkland Correctional Institution had fifteen (15) inmates assigned Protective Custody (PC) status. Of these fifteen (15) inmates, seven (7) have been housed for 90 days or longer.

Recreation: All Protective Custody inmates are afforded recreation for one and one-half (1 1/2)hours daily, five (5) days per week. Inmates housed in PC status for over 90 days are considered "run-arounds", this distinction allows them to "walk-around" in the open bay area or three to four (3-4) hours per day.

Education: KCI does not have facilities to accommodate classes for PC inmates; however, the KCI teacher visits the PC area daily and conducts courses (math and English) in the bay area from 12:30 to 2:00, as needed and as requested.

Library: Inmates on PC status are afforded the opportunity to utilize the library and Law Library. The book-cart visits the PC unit once a week on Tuesday afternoons from 12:15 to 2:30. PC inmates may visit the Law library on Wednesday mornings from 8:00 to 11:30, as requested. These inmates may also receive a particular book, either from the library or Law library, upon request.

Programs: KCI has one Social Worker, Caseworker and Inmate Relations Coordinator available for PC inmates. The Social Worker makes daily contact with the Inmate Relations Coordinator and visits the PC/lock-up unit at least twice weekly. Services and sessions are provided on an as requested basis. Any counseling that is provided is conducted on a one-on-one basis.

Job: Inmates housed in PC status for over 90 days are provided a job. However, it is not a standard work assignment, therefore, no Earned Work Credits are provided. These inmates provide general maintenance in the cafeteria for three to four (3-4) hours per night on third shift.

Religion: The Chaplain visits the PC/lock-up unit on Monday and Wednesday and is also available on an as requested basis. Religious volunteers visit this unit once weekly for one to two hours and conduct Bible study groups for the population as a whole.

Visitation: Visitation is permitted to inmates housed in PC status for over 90 days on Tuesday from 8:00 to 12:00 by appointment.

EXHIBIT

APR 23 1990 9

STATE BUDGET & CONTROL BOARD

Women's Correctional Center:

Currently, there are no inmates at the Women's Correctional Center who are housed in Protective Custody (PC) status. Recently, the WCC has not had any cases where inmates were housed on PC status for over 90 days. The average time spent on PC status is relatively short.

Recreation: Protective Custody inmates receive at least one (1) hour of recreation per day, five (5) days per week. At one time, prior to the extreme increase in population, recreation was provided for longer than one hour. However, this accommodation can no longer be provided.

Education: WCC has a teacher available on an as requested basis. Courses are also provided on an as requested basis, however, these are individual study courses inasmuch as facilities to accommodate them are not available.

Library: The library book-cart visits the Administrative Segregation Building (Cottage 9) at least twice per week. Each inmate is allowed to check our four books at one time. Law library access is provided upon request. Requests for Law Library visits are honored with at least a 24 hour notice and are handled on a case by case basis.

Programs: The WCC has three Social Workers available and they are assigned to the population alphabetically. Therefore, service by the social workers depends on the inmates last name. Individualized counseling sessions are provided on an as requested/as needed basis. Additionally, each inmate at the WCC is assigned a particular Caseworker, therefore, individualized counseling is also available on a case by case basis.

Jobs: The WCC does not have permanent work assignments designated primarily for PC inmates, however, a pool of jobs is available. Should the need arise, Earned Work Credit jobs could be pulled from this pool for PC inmates. Such jobs would include, but are not limited to the following: Yard maintenance and clean-up crews.

Religion: The chaplain at the WCC visits Cottage 9 to conduct "Lock-up" devotionals on Tuesday from 9:00 to 10:00 and on Thursday from 12:00 to 1:00 to provide religious activities. In addition to the chaplain services, Religious Volunteer Groups are assigned every Saturday and visit from cell to cell. Also, various other religious groups visit the WCC throughout the year.

Visitation: Inmates housed in PC status are afforded five visits per month, each lasting at least two hours. These visits are provided on weekdays by appointment. They also receive one visit per month on the weekend by appointment.

Manning Correctional Institution:

Currently, Manning Correctional Institution has three (3) inmates housed in Protective Custody (PC) status, none of whom have been housed in this status for over 90 days. MCI has not housed inmates in PC status for 90 days or longer; however, should this case arise, MCI officials have developed a plan by which to provide full-time, meaningful programs to the same.

Recreation: Inmates on PC are afforded recreation for at least one (1) hour per day, five (5) days per week.

Education: Education services are provided upon request. Should the need for educational courses be present, accommodations will be made to provide the same.

Library: Library materials are available upon request. An opportunity to utilize the library and Law Library once a week will exist should MCI have inmates housed in PC status for over 90 days. At the present time, access is provided upon request.

Programs: Manning Correctional Institution has three (3) full-time Social Workers who visit PC inmates upon request for individual counseling. Counseling sessions that will be offered, upon request/interest are as follows: Human Sexuality, Effective Parenting, Drug Education, Anger Management, Stress Management, Alcohol Abuse, etc. The above referenced counseling sessions are approximately one to one and one half hours in duration. These sessions are on an individual basis and will increase as necessary. Each PC inmate is also assigned to a case worker, who provides individual counseling relative to classification decisions.

Jobs: At the present, MCI does not have Earned Work Credit slots or work assignments available for inmates on Protective Custody status. However, should they become necessary, steps will be implemented in an attempt to accommodate them.

Religion: Worship services are provided a minimum of once per week for a minimum of one hour.

13896

Visitation: Inmates on Protective Custody are allowed one visit per week by appointment on Saturday or Sunday for no less than two (2) hours in duration.

Perry Correctional Institution:

At the time of this report, Perry Reception and Evaluation Center housed thirty-nine (39) inmates in Protective Custody (PC) status. Of these 39 inmates, 10 had been housed for 90 days or longer.

Recreation: All PC inmates are given recreation for at least one to two (1-2) hours, five (5) days per week.

Education: The Education Division provides a teacher for inmates on PC status. These inmates are offered General Education courses on Monday through Thursday from 12:30 to 3:30.

Library: The book-cart visits the Maximum Security Unit on regular rounds on Monday and Thursday. A maximum of ten books may be checked out by an inmate at one time. Access to the Law Library is provided once a week upon request. Arrangements are made on an individual basis to provide this access.

Programs: Protective Custody inmates are serviced by one Social Worker, Caseworker and Inmate Relations Coordinator. Programs and counseling sessions are provided on an as needed/as requested basis. The Caseworker visits with these inmates at least twice a week to review each individual's needs.

Jobs: All of the ten (10)inmates who have been on PC for over 90 days are on a 1 for 7 Earned Work Credit job. These individuals are employed as general labor workers to help clean the R&E and Maximum Security components. Seven (7) of these inmates work on third shift from approximately 12:15 to 5:15. Three (3) of the 10 inmates work during the day-time hours under direct supervision of security staff.

Religion: The Chaplain is available on an as requested basis.

Visitation: Visitation is permitted every Wednesday from 9:00 to 11:00 by appointment, one visit per month is provided on a weekend day (Saturday or Sunday) by appointment and non-contact visits may be scheduled on alternate weekends as space permits.

Broad River Correctional Institution:

Broad River Reception and Evaluation Center's Lock-up Unit is used to house inmates assigned to Protective Custody (PC) status. To date, BRCI has not housed any Protective Custody inmates for 90 days or longer. At the time of this report, BRCI had no inmates housed in PC status. Broad River has two instances of receiving inmates who have signed on PC. The first case involves inmates from other institutions and the second involves BRCI Yard inmates. When an inmate is brought to BRCI from another institution, that individual typically signs off PC, merely due to the fact that a particular threat has been eliminated. When a BRCI inmate signs on PC, officials evaluate the need for PC status. The trend indicates that these individuals are very seldom held over one month on PC status.

Recreation: Recreation is provided PC inmates on a staggered schedule, for at least one (1) hour, five (5) days per week is provided.

Education: Educational courses are not available.

Library: The Chaplain distributes library materials to inmates in conjunction with the distribution to other lock-up inmates. Access to the Law Library is provided upon request to the Inmate Relations Coordinator. PC inmates are taken to the Law Library separately on Wednesday mornings from 8:00 to 12:00 on a first-come-first-served basis.

Programs: BRCI does not provide structured sessions for PC inmates; however, the Social Worker, Caseworker and Psychologist offer services on an as requested/as needed basis.

Religion: Structured Religious services are not offered for PC inmates; however, the Chaplain is available upon request and outside volunteer group provide religious activities for the unit as a whole on a weekly basis.

Jobs: Earned Work Credit jobs are not available for Protective Custody inmates.

Visitation: Visitation is provided inmates assigned to Protective Custody by appointment on Friday from 1:00 to 3:00.

Central Correctional Institution:

Central Correctional Institution is unique inasmuch as it has a special unit which houses strictly Protective Custody inmates. This unit is located in Building 5. At the time of this report, CCI had 77 inmates on PC status. Of these inmates, 52 had been housed in this status for 90 days or longer.

Recreation: Building 5 has its own recreation yard and recreation is provided from 8:30 to 11:00 and/or 1:00 to 3:00, seven days per week (weather permitting).

Education: Building 5 has its own classroom which is utilized to provide GED and high school courses. The school is open from 9:00 to 11:00, 1:00 to 3:00, and 6:00 to 8:00 daily. A teacher is available for PC inmates for six hours per week and teacher's aides assist students at other times. Computers are available to assist in learning. Non-violent offenders receive Education Credits for attending school courses and Bonus Credits are given to these inmates for attending courses in conjunction with working on a job.

Library: Building 5 has its own library. One cell has been converted to accommodate the library. Inmates may check out books and magazines for two days. Some law books and legal reference material is also available in Building 5. Inasmuch as inmates housed in Building 5 do not have access to the main Law Library, the librarian will bring a particular book to the inmate upon request. These books are checked out for up to 24 hours.

Programs: Building 5 has one Social Worker, one Caseworker and one Inmate Relations Coordinator. The Caseworker provides individual counseling for individual concerns and group counseling which provides orientation to group concerns. The Social Worker provides individual and group therapy sessions. Workshops and sessions are provided as six-week cycles. Four to five group sessions are provided every six-week cycle. Participation in these groups is voluntary, although certain sessions are emphasized individually. A schedule of workshops offered is posted and the inmate has the option of what he will sign up for. Workshops include, but are not limited to the following: Anger Management, Substance Abuse (Phase I, II, III), Stress Management, Communication Skills,

Marital and Family Sessions (includes family participation), etc. Workshops and individual counseling are offered Monday through Friday for approximately three to four hours per day. Assessments are conducted individually and appropriate referrals are made.

Jobs: All inmates in Building 5 have the opportunity to apply for the jobs offered. When a job becomes vacant, the announcement is posted and applications are accepted. Interviews are held and the vacancy is filled. All of the jobs available for Building 5 inmates are Earned Work Credit slots. Jobs available are as follows:

1	Inmate Clerk
2	Professional Personnel
1	Senior Ward Keeper
1	Library Clerk
1	Canteen Supervisor
3	Classroom Leaders
1	Inmate Kitchen Assistant Supervisor
1	Tier Keeper
1	Canteen Helper
2	Laundry room Attendants
1	Administrative Runner
8	Custodian Helpers
20	Food Service Aides
20	General Workers
5	Custodial Workers
1	Recreational Aide
1	Teacher Supervisor
70	Total EWC Positions

Some of the above listed positions are part-time positions.

Religion: Religious services are offered once a week on Saturday or Sunday from 9:00 to 10:00, and the Chaplain provides individual counseling upon request. Bible study groups are offered once per week on Wednesday from 8:00 to 9:30.

Visitation: Visitation is provided by appointment on Monday through Friday from 9:00 to 12:00. Weekend visits are provided under special conditions.

Inasmuch as Building 5 at CCI is exclusively designed for a separate Protective Custody population, the above referenced programs are offered to all inmates housed in the same, regardless of length of time in this status.

McCormick Correctional Institution:

At the time of this report, McCormick correctional Institution had nine (9) inmates housed in Protective Custody (PC) status. Of these nine (9) inmates, three (3) have been housed on this status for 90 days or longer. These inmates are housed upstairs in the A Wing of the Administrative Segregation Unit. All attempts are made to ensure that the PC inmates are housed in this one area.

Recreation: Recreations is provided for one (1) hour, five (5) days per week.

Education: Educational courses are provided on an as requested basis. Structured courses do not exist; however, upon request to the principal, self-study courses are provided.

Library: The book-cart visits the Administrative Segregation Unit every Tuesday and Thursday from 1:00 to 3:00. Inmates may check out one book at a time. Law Library access is provided every Wednesday from either 8:30 to 11:30 or 12:30 to 3:00 upon request.

Programs: No structured programs or counseling sessions are in place, however the Social Worker is available on-call in the event of an emergency. A Protective Custody Board is held every week to review and evaluate each individual PC case. The Caseworker is available upon request.

Jobs: Earned Work Credit slots are available for inmates in Protective Custody status. At the present time, five (5) of the nine (9) inmates on PC hold EWC jobs. These positions are part-time custodial workers and perform clean-up and general maintenance during the 3rd shift. These jobs are provided to PC inmates regardless of length of time spent in PC status.

Religion: Outside volunteers visit the Administrative Segregation Unit every Tuesday and Thursday and visit from cell to cell to provide individual spiritual counseling.

Visitation: Visitation is provided every Tuesday from 1:00 to 3:00 by appointment. Special visits may be requested and are handled on an individual basis.

13901

Attachment B

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

April 28, 1989

Mr. Gaston Fairey
Fairey and Parise, P.A.
P.O. Box 8443
Columbia, South Carolina 29202

Dear Gaston:

Attached for your review and written approval is a proposal concerning the reallocation of bedspace at the Central Correctional Institution (CCI). As you may recall, this proposal has been discussed at several of our meetings and is primarily concerned with the transfer of Protective Custody inmates and Administrative Segregation inmates housed on the 4th and 5th Tiers of Cellblock One to other living areas at CCI. I feel that you will find this final proposal to be comparable to your original requests for bedspace redistribution at this facility.

Please note, that a "pen and ink" change has been made to references made in this proposal suggesting that the 4th Tier of Cellblock One would be used for housing Reception and Evaluation (R&E) inmates. The intent of this statement was to recommend that inmates assigned to medium/maximum security general population housing from the Broad River R&E Center would be housed on the 4th Tier. This statement was not meant to imply that inmates in "actual" Reception and Evaluation status would be housed on this Tier.

I trust you will give this proposal your favorable review and look forward to receiving your written approval of the same. Should you require any additional information, please feel free to contact me.

Sincerely,

Laurie Osler
Executive Assistant for Legal
Settlements and Compliance

Attachment

cc.: Mr. Parker Evatt
Mr. William D. Catoe
Mr. Larry C. Batson
Mr. James L. Harvey
Mr. Kenneth McKellar

BOARD OF CORRECTIONS
CHARLES C. MOORE, Chairman, Spartanburg, S.C.
BETTY M. CONDON, Vice Chairman, Mt. Pleasant, S.C.
EUGENE N. ZEIGLER, Secretary, Florence, S.C.
GOETZ B. EATON, Member, Anderson, S.C.
C. LOCK MCKINNON, Member, Lancaster, S.C.
NORMAN KIRKLAND, Member, Bamberg, S.C.
GOV. CARROLL A. CAMPBELL, JR. Member Ex-Officio, Columbia, S.C.

13902

RECEIVED
APR 2 4 1989
LEGAL ADVISOR

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS

CENTRAL CORRECTIONAL INSTITUTION

RECEIVED
MAR 0 6 1989
MCR
RECEIVED
MAR 29 1989
DEPUTY COMMISSIONER
OPERATIONS

MEMORANDUM

THROUGH: Approving Authorities

TO: Mr. Parker Evatt, Commissioner
South Carolina Department of Corrections

FROM: Kenneth D. McKellar, Warden
Central Correctional Institution

SUBJECT: REALLOCATION OF BED SPACE, BLDG. FIVE & R&E HOLDING UNIT

DATE: March 2, 1989

* * * * *

Based upon our discussions last month with Mr. James L. Harvey concerning utilization of bed space in CB-II once Death Row moves, Building One Segregation Tiers 4 & 5, and Building Five Protective Custody Unit, the following proposal is submitted:

1. When Death Row relocates to Broad River Correctional Institution (BRCI), the fifty-four (54) Administrative Segregation inmates on the 4th tier would be moved into the 54 vacant CB-II Death Row cells.

   Subsequently, the 54 vacant 4th tier cells would be filled with Reception and Evaluation Center inmates and/or current general population Gamma inmates.

2. When the R&E Holding Unit is vacated, we recommend that the Protective Custody (PC) inmates presently housed in Building Five be relocated to the Holding Unit. The current operating capacity at the R&E Holding Unit is 82 inmates. We anticipate housing a maximum capacity of 74 carefully screened inmates (PCs - 47 upstairs and 27 downstairs). Any high-risk, escape-prone, PC inmate would be transferred to another medium/maximum institution to the general population or to PC. In order for CCI to effectively operate this unit, we request that 29 of the 35 security positions assigned to this unit remain with CCI.

RECEIVED
APR 7 1989
CONSTRUCTION
ENGINEERING & MAINTENANCE

   a. Minor renovations would be needed:

      1) Construct two program service rooms - one upstairs and one downstairs - which will eliminate approximately eight bed spaces (82 spaces minus 8 beds = 74 beds). Day rooms/program rooms are required to ensure that established activities at Building Five remain in effect (see Attachment A). A minimal construction cost is necessary, with the labor provided by CCI Maintenance.

RECEIVED
APR 2 5 1989
LEGAL SETTLEMENT

2) Construct a ramp between the Officer's Quarters and Langford Hall for the delivery of the food cart (see Attachment B).

Reinforce exterior doors on both ends with bar gates.

The above recommendations have been fully staffed at CCI, and we feel that CCI could best utilize the former R&E Holding Unit as a self-contained Protective Custody Unit, separated from the general population of CCI.

Any other use of this building would require the daily burden of transporting inmates back and forth to work areas, recreation areas, and dining areas. Also, any other use would require separation by AIMS.

3. The vacated Building Five would then be re-opened to house all of the 55 Administrative Segregation inmates housed on the 5th tier of Building One, plus an additional 5 others for a maximum capacity of 60. (As you are aware, the 4th and 5th tiers are less than suitable for housing Segregation inmates). The vacated 5th tier would then house 55 general population and/or R&E inmates. assigned from Brad River R&E center to general population, medium security housing.

Mr. Gaston Fairey, Attorney for the inmates associated with the Class Action Consent Decree, Plyler vs. Evatt, has verbally agreed to this proposal.

Overall, the above reallocation of bed space would increase CCI's Nelson capacity by approximately 80 beds. Your approval is requested.

S/ Kenneth D. McKellar

KDMcK/eo
cc: Mr. Batson

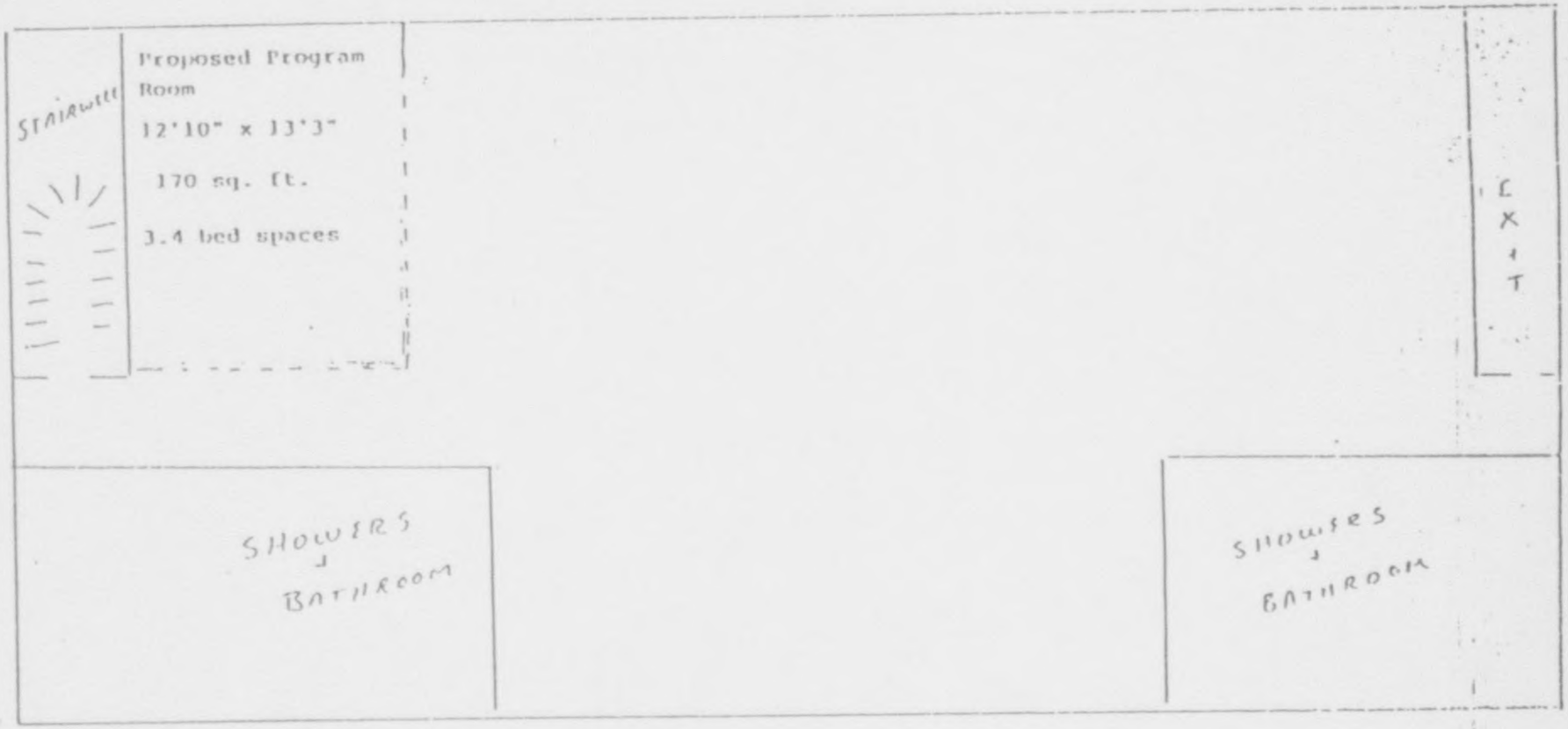
RECOMMEND APPROVAL/DISAPPROVAL S/ James L. Harvey

RECOMMEND APPROVAL/DISAPPROVAL S/ William D. Catoe

APPROVED/DISAPPROVED S/ Parker Evatt

DIST: "A"

UPSTAIRS OFFICERS' QUARTERS



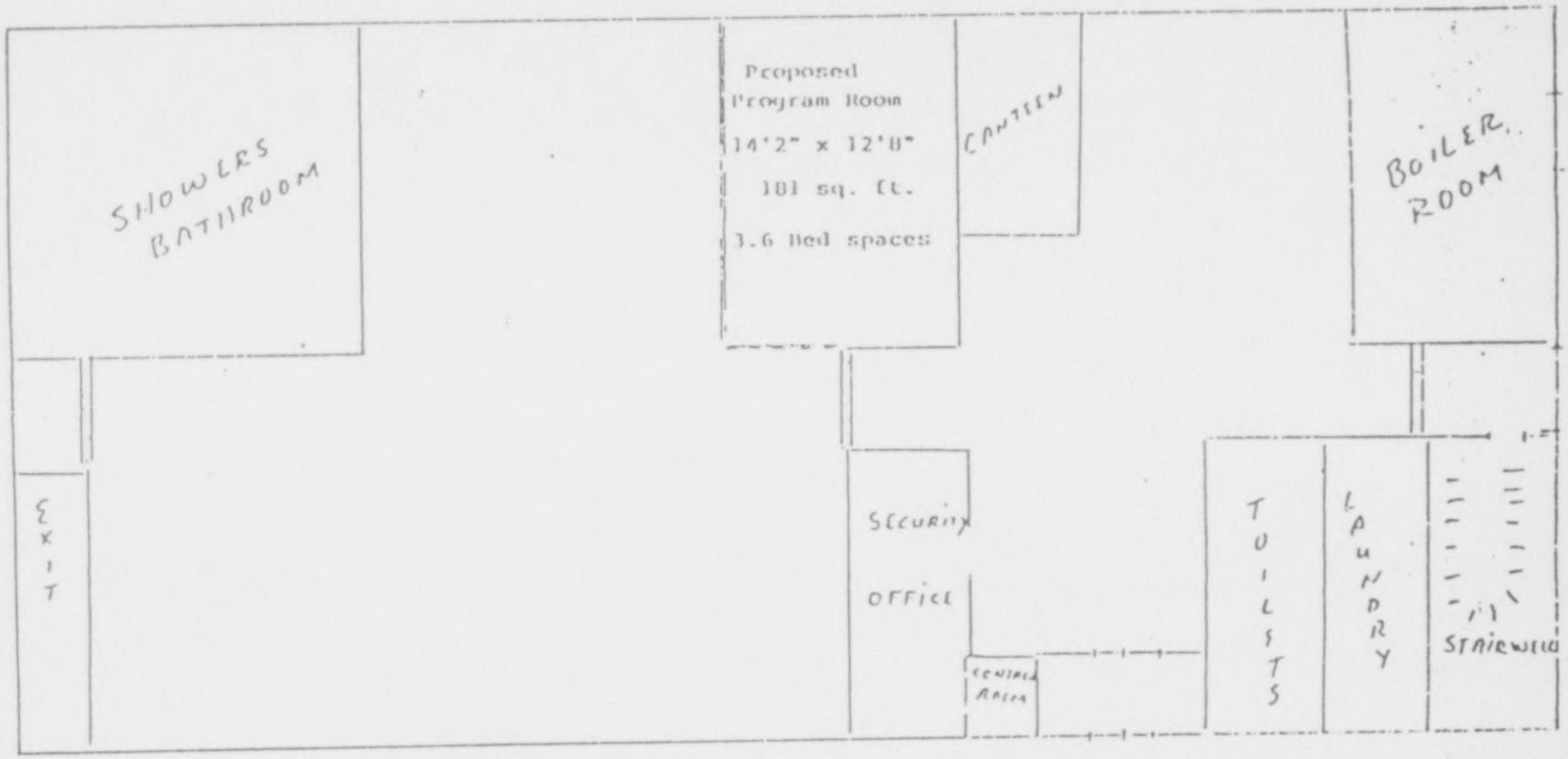
2540 sq. ft. living space minus 170 sq. ft (proposed Program Room)
leaves balance of 2359 sq. ft. living space which will house
47 PC inmates single bunked

13905

97

ATTACHMENT A

DOWNSTAIRS OFFICERS' QUARTERS

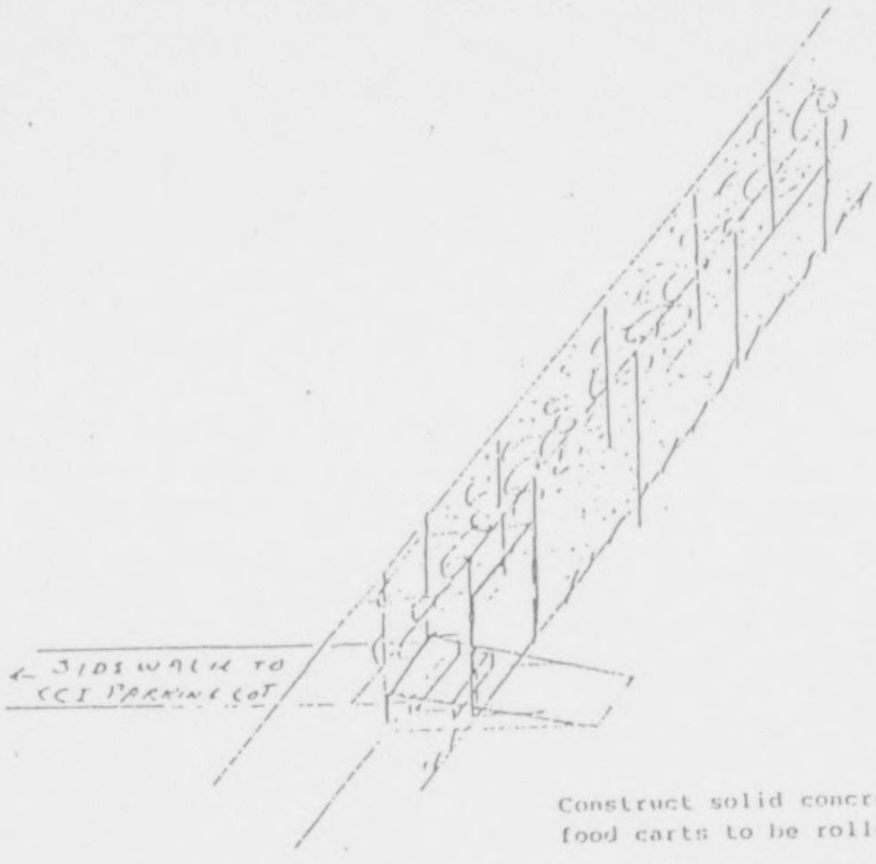


1532 sq. ft. of living space minus 181 sq. ft. (proposed Program Room) leaves balance of 1362 sq. ft. of living space which will house 27 PC inmates single bunked

13906

98

ATTACHMENT A



Construct solid concrete 12 ft. x 4 ft. ramp to allow food carts to be rolled into Officers' Quarters area.

Materials required = 3 yds. concrete
Labor provided by CCI Maintenance

ATTACHMENT B

13907

99

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS
ALLENDALE CORRECTIONAL INSTITUTION

-M E M O R A N D U M -

TO: Robert E. Currie, Warden
Allendale Correctional Institution

FROM: Ronny A. Grate, Classification Supervisor
Allendale Correctional Institution

SUBJECT: POSSIBLE EWC SLOTS FOR PROTECTIVE CUSTODY INMATES

DATE: SEPTEMBER 5, 1989

MAX	CODE	SLOTS
Tier Keeper	03325	04
Custodial Helper	05365	04
GENERAL GROUNDS		
Landscape Laborer	07135	04 - Horticulture to coordinate
INSTITUTIONAL SLOTS		
Custodial Helper	05365	06
Custodial Worker	07015	15 - Crews to do general maintenance

33 total

S/ Ronny A. Grate
Ronny A. Grate
Classification Supervisor

RAG/gol

13908

TOTAL NUMBER OF INMATES HOUSED IN PROTECTIVE CUSTODY STATUS
AS OF (DATES INDICATED)

Institution	2/13/89	7/3/89	8/14/89	9/5/89	9/18/89	10/9/89
ACI	N/A	0	1	5	7	4
BRCI	0	1	5	3	4	2
CCI	77	71	66	76	70	68
CACI	0	0	0	1	0	0
DCI	4	2	2	4	2	3
KCI	15	13	11	10	12	6
LCI	0	0	0	0	0	0
MCI	3	0	1	0	0	1
MCCI	9	16	16	15	13	12
PCI	39	19	44	31	30	25
TOTAL	147	122	146	145	138	121

EXHIBIT
APR 23 1990 9
STATE BUDGET & CONTROL BOARD

13909

EXHIBIT

APR 23 1990 10

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
BLUE AGENDA

MEETING OF April 23, 1990
ITEM NUMBER 10

AGENCY: Executive Director

SUBJECT: Interviewee Travel Expense Reimbursement

Please refer to the attached report for details on payments of interviewee travel expenses by the following agencies:

Agency	Number	Estimated Cost
(a) Mental Health	1	$ 610.00
(b) Clemson University	10	3,871.47

BOARD ACTION REQUESTED:

Receive as information reports on the reimbursement of interviewee travel expenses by Mental Health (1) and Clemson University (10).

ATTACHMENTS:

Referenced report

13910

INTERVIEWEE TRAVEL EXPENSE REIMBURSEMENT PAYMENTS

Agency	Period	Total Number	Total Cost	Number of Payments			
				$100 or less	$101 to $300	$301 to $500	$501 and Over
Mental Health	May	1	610	0	0	0	1
Clemson University	January-March	10	3,781	3	3	0	4
Total		11	4,391	3	3	0	5

APR 17 1990

EXHIBIT
APR 23 1990 10
STATE BUDGET & CONTROL BOARD

MEMORANDUM

TO: Joseph J. Bevilacqua, Ph.D.
State Commissioner of Mental Health

THROUGH: William R. Noyes
Director, Human Resource Services

FROM: Alexander G. Donald, M.D.
Director

DATE: April 3, 1990

SUBJECT: Reimbursement for Interview Travel

I would like to request approval for travel reimbursement in the amount of approximately $610.00 for Richard L. Burns, M.D., who is scheduled to visit the Institute on May 3-4 , 1990, for the purpose of interviewing for a Child Psychiatrist position at the William S. Hall Psychiatric Institute. Travel expenses include: $252.00 mileage (1200 miles x $.21 per mile), $280.35 lodging ($89.00 + $4.45 tax x 3 nights), and $68.50 meals.

This is a significant position to be filled in light of the teaching mission of the Institute and the shortage of child psychiatrists (Dr. Burns is a board-certified child psychiatrist) in the Child and Adolescent Psychiatry Division, and the cost is warranted. The cost of this interview will be significantly less than to pay the costs of five staff members to travel to Prestonburg, Kentucky, to conduct the interview. In addition, it is imperative that the applicant see the Institute in order to make an informed decision. This interview is necessary in that no qualified applicants within South Carolina have applied for the position.

Alexander G. Donald, M.D.
Director

jsh4

c Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board

RECEIVED
APR 05 1990
RECEIVED
APR 05 1990

APR - 9 1990

CLEMSON
UNIVERSITY

BUSINESS AND FINANCE
Accounting Services

EXHIBIT

APR 23 1990 10

STATE BUDGET & CONTROL BOARD

April 5, 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/gw

Enclosures

13913

ACCOUNTING CONTROL - 803/656-2446 • ACCOUNTS PAYABLE - 803/656-2470
G-06 SIKES HALL • CLEMSON, SOUTH CAROLINA 29634-5308

MAR 1 8 1990

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 2-20-90

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : John C. Alexander, Jr.

CANDIDATE'S ADDRESS : 501 Blairstone Rd. Apt.#1921, Tallahassee, FL 32301

POSITION TO BE FILLED: Assistant Professor of Finance

AMOUNT REIMBURSED : 42/8.00
(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 : R B Mabry
Department Head

Peter C. Armacost /bm
Dean or Director

APPROVED BY : W David Maxwell
Vice President

RECEIVED
90 FEB 26 AM 11:38
FINANCIAL MANAGEMENT

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Original : Originating Department

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State Budget and Control Board

302 SIKES HALL • CLEMSON, SOUTH CAROLINA 29634-5130 • TELEPHONE 803/656-4354

13914

MAR 13 1990

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE January 15, 1990

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Pat Barber

CANDIDATE'S ADDRESS : 1802 SE 64th Way, Gainesville, FL 32601-7702

POSITION TO BE FILLED: Extension Family Resource Management Specialist

AMOUNT REIMBURSED : 209.48
(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 : Sara Lynn Bayley
Department Head

Dean or Director

APPROVED BY : John M. Burson
Vice President

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State Budget and Control Board

13915

MAR 13 1990

EXHIBIT

APR 23 1990

10

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

STATE BUDGET & CONTROL BOARD

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 1/29/90

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Ginger Bowen

CANDIDATE'S ADDRESS : 113 Maxto Street, Spartanburg, SC

POSITION TO BE FILLED: County Extension Agent - Dillon

AMOUNT REIMBURSED : 99.65
(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 : W. C. Hinkle
Department Head

Dan D. Hill
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

13916

MAR 1990

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE January 15, 1990

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Janet Bowman

CANDIDATE'S ADDRESS : 3700 West 19th Street, Apartment I-3, Stillwater, OK 74074

POSITION TO BE FILLED: Extension Family Resource Management Specialist

AMOUNT REIMBURSED : 536.07
(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 : Susan Lynn Bagby
Department Head

Dean or Director

APPROVED BY : [signature]
Vice President

DISTRIBUTION :

Original : Originating Department

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State Budget and Control Board

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CLEMSON UNIVERSITY CENTENNIAL 1889·1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 1/31/90

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Richard S. Bucy

CANDIDATE'S ADDRESS : Redondo Beach, California

POSITION TO BE FILLED: Holcombe Endowed Chair Professorship

AMOUNT REIMBURSED : 736.00
(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 : John N. Gowdy
Department Head

Jerry S. Whitmire
Dean or Director

APPROVED BY : W. David Norwell
Vice President

DISTRIBUTION :

Original : Originating Department

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

State Budget and Control Board

13918

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE March 6, 1990

RECRUITING EXPENSE REIMBURSEMENT

650.48

NAME OF CANDIDATE : John C. Calhoun

CANDIDATE'S ADDRESS : 1126 N.W. 29th Street, Corvallis, Oregon 97330

POSITION TO BE FILLED: Head of Acquisitions

AMOUNT REIMBURSED : _____
(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. Donald Bagwell
Vice President

DISTRIBUTION :

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State Budget and Control Board

13919

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CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE Feb. 26, 1990

RECRUITING EXPENSE REIMBURSEMENT

50.40

NAME OF CANDIDATE : Mike Culp

CANDIDATE'S ADDRESS : Bennettsville, SC

POSITION TO BE FILLED: County Extension Director - Union County

AMOUNT REIMBURSED : _____
(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

13920

Rec'd 3/30/90

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 3/27/90

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : Darren Dawson 97.74

CANDIDATE'S ADDRESS : Atlanta, Georgia

POSITION TO BE FILLED: Assistant professor - ECE

AMOUNT REIMBURSED : _____
(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 : John N Gross
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

13921

CLEMSON
UNIVERSITY

PRESIDENT

DATE March 13, 1990

EMPLOYEE RECRUITMENT - TRAVEL REIMBURSEMENT

396.50

NAME OF RECRUIT: Dr. Jose Cro Granito

CITY OF ADDRESS: Cambridge, Massachusetts

POSITION TO BE FILLED: Faculty/ Mechanical & Manufacturing Systems Design (Controls and Robotics)

I certify that in recruitment for the above position the following determinatio were made:

1. The significance of the position warrants incurring such costs.

2. Payment of the expenses involved in bringing the above individual to Clemson is more cost efficient than sending representatives to the recruit's home town.

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

Recommended by: _____
Department Head

_____
Dean or Director

_____
Vice President

Approved by: _____
Max Lennon, President

Distribution:
Original: President's Office
Approved Copy: Executive Director, Budget and Control Board
Attached to all related Direct Purchase Vouchers

13922

CLEMSON UNIVERSITY CENTENNIAL 1889-1989

EXHIBIT

APR 23 1990 10

STATE BUDGET & CONTROL BOARD

BUSINESS AND FINANCE
Business and Financial Affairs

DATE 2/19/90

RECRUITING EXPENSE REIMBURSEMENT

NAME OF CANDIDATE : John Lydon

CANDIDATE'S ADDRESS : Dept. of Psychology- University of California
405 Hilgard Ave. Los Angeles, Cal. 90024-1563

POSITION TO BE FILLED: ~~APPLIED - 1511-U012~~

AMOUNT REIMBURSED : 547.15 079-56-5791
(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

Robert A. Wallerstein
Dean or Director

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APPROVED BY : W. Dent Maxwell
Vice President

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Original : Originating Department

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State Budget and Control Board

13923

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EXHIBIT

APR 23 1990 11

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF April 23, 1990
ITEM NUMBER 1

AGENCY: State Fire Commission

SUBJECT: Fire Commission Role

Mr. Lewis Lee, Chairman of the State Fire Commission, will discuss the role of the Commission and its relationship with the Board.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Agenda item worksheet

13924

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: April 23, 1990 Regular Agenda

1. Submitted By:
   (a) Agency: Executive Director
   (b) Authorized Official Signature: Sam Grisold

2. Subject:
   Discussion with Chairman, State Fire Commission, Mr. Lewis Lee

3. Summary Background Information:
   Mr. Lee wishes to discuss the role of the Fire Commission and its relationship with the Board.

EXHIBIT

APR 23 1990 11

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?
   Hear Mr. Lee and respond as may be appropriate.

5. What is recommendation of Board Division involved?
   Receive as information and take whatever action may be necessary.

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

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

7. Supporting Documents:
   (a) List Those Attached:

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

13925

EXHIBIT

APR 23 1990 12

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF APRIL 23, 1990
ITEM NUMBER 2

AGENCY: (a) Medical University; and (b) Winthrop College

SUBJECT: Issuance of State Institution Bonds/Notes

(a) Medical University, $2,000,000
Notes in the principal amount of $2,500,000 mature on May 18, 1990. The MUSC Board of Trustees has made a determination to pay $500,000 of the principal amount outstanding and the interest due on these 1989 Notes from excess debt service funds.

The Medical University seeks Board approval of the issuance of $2,000,000 of State Institution Bonds and the use of excess debt service funds to pay the $500,000 principal and interest due on the 1989 Notes.

The Notes were issued initially in 1984 in the principal amount of $5,000,000. These funds defrayed a portion of the cost of the East Addition, Children's Hospital.

(b) Winthrop College, $1,075,000
Notes in the principal amount of $1,200,000 mature on June 13, 1990. The College Board of Trustees has determined to pay $125,000 of the principal amount outstanding and the interest due on these Notes from excess debt service funds. The College seeks Board approval of the issuance of $1,075,000 of State Institution Bonds and the use of excess debt service funds to pay the $125,000 principal and the interest due on the 1989 notes.

The Notes were issued initially in 1987 in the principal amount of $1,700,000. The funds were applied to the renovation of several academic buildings, including Rutledge Hall in particular.

BOARD ACTION REQUESTED:

(a) Adopt a resolution approving the application of the Medical University of South Carolina requesting the issuance of $2,000,000 principal amount of State Institution Bonds and requesting the Governor and the State Treasurer to issue such bonds or notes in anticipation thereof; and approve the use of excess debt service funds to pay $500,000 principal and the interest due on the 1989 Notes; and

(b) Adopt a resolution approving the application of Winthrop College requesting the issuance of $1,075,000 principal amount of State Institution Bonds and requesting the Governor and the State Treasurer to issue such bond or notes in anticipation thereof; and approve the use of excess debt service funds to pay $125,000 principal and the interest due on the 1989 Notes.

ATTACHMENTS:

Referenced resolutions.

APR 16 1990

McNAIR LAW FIRM, P. A.
ATTORNEYS AND COUNSELORS AT LAW
NCNB TOWER
1301 GERVAIS STREET
POST OFFICE BOX 11390
COLUMBIA, SOUTH CAROLINA 29211
TELEPHONE (803) 799-9800
FAX (803) 799-9804

CHARLESTON OFFICE
140 EAST BAY STREET
POST OFFICE BOX 143
CHARLESTON, S.C. 29402
TEL (803) 723-7831
FAX (803) 722-3227

GEORGETOWN OFFICE
1112 HIGHMARKET STREET
POST OFFICE DRAWER 459
GEORGETOWN, S.C. 29442
TEL (803) 546-6131
FAX (803) 546-7232

GEORGETOWN OFFICE
121 SCREVEN STREET
POST OFFICE DRAWER 418
GEORGETOWN, S.C. 29442
TEL (803) 546-6102
FAX (803) 546-0096

RALEIGH OFFICE
ONE EXCHANGE PLAZA
SUITE 810
POST OFFICE BOX 2447
RALEIGH, N.C. 27602
TEL (919) 890-4190
FAX (919) 890-4180

GREENVILLE OFFICE
SUITE 1201
NCNB PLAZA
7 NORTH LAURENS STREET
GREENVILLE, S.C. 29601
TEL (803) 271-4940
FAX (803) 271-4015

HILTON HEAD ISLAND OFFICE
McNAIR LAW BUILDING
10 POPE AVENUE EXECUTIVE PARK
POST OFFICE DRAWER 7787
HILTON HEAD ISLAND, S.C. 29938
TEL (803) 785-5169
FAX (803) 785-3029

WASHINGTON OFFICE
SUITE 400
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
TEL (202) 659-3900
FAX (202) 659-5763

April 16, 1990

Mr. William A. McInnis
State Budget and Control
Board of South Carolina
Wade Hampton Office Building
Columbia, South Carolina 29201

Re: $2,000,000 State Institution Bonds of the State of South Carolina, Series 1990 (The Medical University of South Carolina)

Dear Bill:

Enclosed is a copy of a resolution adopted by the Board of Trustees of The Medical University of South Carolina on April 13, 1990, requesting $2,000,000 principal amount of state institution bond anticipation notes for The Medical University of South Carolina. Also enclosed is a resolution to be considered by the State Budget and Control Board of South Carolina approving the application of The Medical University of South Carolina requesting the issuance of the above-captioned bond anticipation notes.

I shall appreciate your presenting this to the Budget and Control Board for their consideration at its meeting on April 23, 1990.

As always, I appreciate your most capable assistance and should you have any questions, please call.

With kind regards, I am

Sincerely,

McNAIR LAW FIRM, P.A.

O. Wayne Corley

OWC/jpw
Enclosure

13927

EXHIBIT

APR 23 1990 12

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

MUSC Notes

STATE BUDGET & CONTROL BOARD

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Senator Waddell, who moved its adoption; the motion was seconded by Mr. Patterson, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

April 23, 1990

William A. McInnis

13928

RESOLUTION

APPROVING THE APPLICATION OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA REQUESTING THE ISSUANCE OF $2,000,000 PRINCIPAL AMOUNT OF STATE INSTITUTION BONDS OF THE STATE OF SOUTH CAROLINA AND REQUESTING THE GOVERNOR AND THE STATE TREASURER TO ISSUE SUCH BONDS OR NOTES IN ANTICIPATION THEREOF.

Adopted By

THE STATE BUDGET AND CONTROL BOARD

OF

SOUTH CAROLINA

April 23, 1990

EXHIBIT

APR 23 1990 12

STATE BUDGET & CONTROL BOARD

13929

RESOLUTION

APPROVING THE APPLICATION OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA REQUESTING THE ISSUANCE OF $2,000,000 PRINCIPAL AMOUNT OF STATE INSTITUTION BONDS OF THE STATE OF SOUTH CAROLINA AND REQUESTING THE GOVERNOR AND THE STATE TREASURER TO ISSUE SUCH BONDS OR NOTES IN ANTICIPATION THEREOF.

WHEREAS, The Medical University of South Carolina (the "University") pursuant to a resolution adopted by the Board of Trustees (the "Board of Trustees") of the University on April 10, 1990, has requested that the State Budget and Control Board of South Carolina (the "State Board") issue $2,000,000 principal amount of state institution bonds of the State of South Carolina (the "State") for the purpose of refunding $2,000,000 principal amount of State Institution Bond Anticipation Notes dated May 19, 1989, and maturing May 18, 1990; and

WHEREAS, the State Board has determined on the basis of the Findings of Fact set forth below to request the Governor and the State Treasurer to issue state institution bonds pursuant to Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended, and pending the issuance thereof to issue notes in anticipation thereof.

NOW THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA IN MEETING DULY ASSEMBLED:

Section 1. Findings of Fact.

As an incident to the adoption of this Resolution, the State Board finds:

(a) The State Board is authorized by the provisions of Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended (the "State Institution Bond Act"), to make provision for the issuance of state institution bonds in order to raise funds for construction and furnishing of buildings and other permanent improvements to the various institutions of higher learning in the State, including the University.

(b) The statutory limit now controlling the issuance of state institution bonds set forth in Section 11-27-30 of the Code of Laws of South Carolina 1976, as amended, will permit the issuance of state institution bonds in the amount herein authorized.

(c) Heretofore the Board of Trustees of the University has requested the State Board to utilize the provisions of the State Institution Bond Act in connection with certain bond anticipation notes resulting in the issuance of such notes as follows:

13930

(i) On May 22, 1984, the State issued $5,000,000 state institution bond anticipation notes (the "1984 Notes"), the proceeds of which were fully expended to defray a portion of the costs of the acquisition, construction and equipping of The Medical University Hospital's East Addition, Children's Hospital.

(ii) On May 22, 1985, the State issued $4,500,000 of state institution bond anticipation notes maturing May 22, 1986 (the "1985 Notes"), to refund $4,500,000 principal of the 1984 Notes. The remaining principal was paid from tuition fees.

(iii) On May 22, 1986, the State issued $4,000,000 of state institution bond anticipation notes maturing May 22, 1987 (the "1986 Notes"), to refund $4,000,000 principal of the 1985 Notes. The remaining principal was paid from tuition fees.

(iv) On May 22, 1987, the State issued $3,500,000 of state institution bond anticipation notes maturing May 20, 1988 (the "1987 Notes"), to refund $3,500,000 principal of the 1986 Notes. The remaining principal was paid from tuition fees.

(v) On May 22, 1988, the State issued $3,000,000 of state institution bond anticipation notes maturing May 19, 1989 (the "1988 Notes"), to refund $3,000,000 principal of the 1987 Notes. The remaining principal was paid from tuition fees.

(vi) On May 19, 1989, the State issued $2,500,000 of state institution bond anticipation notes maturing May 18, 1990 (the "1989 Notes"), to refund $2,500,000 principal of the 1988 Notes. The remaining principal was paid from tuition fees.

(d) The State Board has been advised that the Board of Trustees, on April 10, 1990, adopted a resolution (the "University Resolution") determining to pay interest on, and $500,000 principal amount of, the 1989 Notes from University tuition fees on deposit with the State Treasurer and requesting the issuance of $2,000,000 principal amount of state institution bonds for the purpose of refunding the aggregate balance of $2,000,000 principal amount of the 1989 Notes. The State Board hereby approves use of University tuition fees on deposit with the State Treasurer to pay interest on, and $500,000 principal of, the 1989 Notes.

(e) The State is authorized by the provisions of Chapter 17 of Title 11 of the Code of Laws of South Carolina 1976, as amended (the "BAN Act"), to issue bond anticipation notes whenever it is authorized to issue bonds pending the sale and issuance thereof.

(f) Conditions in the bond market are such that the State and the University would be benefitted by the utilization of the authorization conferred upon the State by the BAN Act.

SECTION 2. Findings Required by Act.

The State Board makes the following findings pursuant to Section 59-107-50 of the State Institution Bond Act in connection with the application of the University for funding in the amount of $2,000,000 from state institution bonds for the purpose of refunding $2,000,000 principal amount of the 1989 Notes:

(a) There is a definite and immediate need for the issuance of $2,000,000 principal amount of state institution bonds for the purpose of providing the moneys necessary to refund $2,000,000 principal amount of the 1989 Notes.

(b) A satisfactory and proper schedule of tuition fees is in effect at the University. The schedule of tuition fees in effect at the University is set forth in Exhibit A to this Resolution. The schedule of tuition fees does not include fees collected from students for summer school terms.

(c) The Board of Trustees has agreed that the scheduled tuition fees for the University shall be revised from time to time and whenever necessary to provide not less than the sum needed to pay the annual principal and interest requirements on the proposed bonds and on all outstanding state institution bonds issued for the University.

(d) Upon the issuance of $2,000,000 principal amount of state institution bonds herein authorized under the terms herein set forth, the maximum annual debt service on all state institution bonds and/or state institution bond anticipation notes secured by the tuition fees of the University will not be greater than 90% of the tuition fees received by the University for the fiscal year ended June 30, 1989. The computation of maximum annual debt service allowable is set forth in Exhibit E to this Resolution.

SECTION 3. Approval of Application; Authorization of Bonds.

The application of the University is hereby approved and the Governor and the State Treasurer are hereby requested to issue state institution bonds in the principal amount of $2,000,000 (the "Bonds") in accordance with the State Institution Bond Act, and particularly Section 59-107-60 thereof, as follows:

(a) The University has requested the issuance of $2,000,000 principal amount of state institution bonds. There is currently outstanding $450,000 principal of state institution bonds dated September 7, 1977, the annual principal and interest requirements of which are set forth in Exhibit C to this Resolution.

(b) The State Board has made the findings required of it by the State Institution Bond Act.

(c) The State Board proposes that the Bonds be issued with the maturity schedule set forth in Exhibit B to this Resolution.

(d) The anticipated interest cost on the Bonds is as set forth in Exhibit B to this Resolution, assuming an interest rate of 7.25%.

(e) The anticipated aggregate annual principal and interest cost for the proposed Bonds is set forth in Exhibit B to this Resolution.

(f) Upon the issuance of the Bonds, Bonds maturing after the fifth anniversary date thereof shall be subject to redemption prior to maturity.

(g) The premium schedule for Bonds subject to redemption shall be not more than 3% in the first year, 2% in the second year, 1% in the third year and thereafter at par.

(h) The sum received by the University from tuition fees for the fiscal year ended June 30, 1989, is $1,871,078.

(i) The sum received by the University from tuition fees for the twelve calendar months March 1989 through February 1990, inclusive (the most recent twelve months for which information is available), is $583,568.48.

(j) The tuition fee schedule in effect at the University is set forth in Exhibit A to this Resolution.

SECTION 4. Request to Governor and State Treasurer to Effect issuance of Bonds or Notes.

Upon examination of this Resolution as provided by Section 59-107-70 of the State Institution Bond Act, the Governor and State Treasurer are requested and authorized to provide for the issuance by the State of the Bonds. If the State Treasurer should determine that issuance of bond anticipation notes ("BANs") pursuant to the BAN Act rather than state institution bonds would result in a substantial savings in interest under prevailing market conditions, the Governor and State Treasurer are hereby further requested and authorized to effect the issuance of BANs pursuant to the BAN Act. If BANs are issued and if, upon the maturity thereof the State Treasurer should determine that further issuance of BANs rather than state institution bonds would result in a substantial savings in interest under then prevailing market conditions, the Governor and State Treasurer are requested to continue the issuance of BANs, in a principal amount not to exceed the principal amount of the Bonds that would be outstanding on the date thereof in accordance

with the schedule set forth in Exhibit B to this Resolution until the State Treasurer and the Governor determine to issue the Bonds on the basis as aforesaid, and the Bonds are issued.

SECTION 5. Details of BANs.

Subject to changes in terms required for any particular issue of BANs, the BANs shall be subject to the following particulars:

(a) The BANs shall be dated and bear interest from the date of delivery thereof, payable upon the stated maturity thereof at the rate determined by the State Treasurer and shall mature on such date, not to exceed one year from the issue date thereof, as shall be determined by the State Treasurer.

(b) The BANs shall be numbered from 1 upwards and shall be in the denomination of $25,000 or any integral multiple thereof requested by the purchaser thereof. The BANs shall be payable, both as to principal and interest, in legal tender at maturity, at the principal office of a bank in the City of Columbia, South Carolina, designated by the Treasurer, or, at the option of the State Treasurer, at the office of the State Treasurer.

(c) The State Treasurer is authorized to negotiate the sale of the BANs and to fix the rate of interest to be borne thereby.

(d) The BANs shall be in substantially the form attached hereto as Exhibit F with such changes as are necessary for any particular issue, shall be executed in the name of the State by the Governor and the State Treasurer, and the Great Seal of the State shall be reproduced or affixed thereon, and the same shall be attested by the Secretary of State of South Carolina. Any or all of such officials executing the BANs may use facsimiles of their signatures to the extent permitted by law.

(e) The BANs shall be issued in fully registered or bearer form as specified by the purchaser thereof; provided that once issued, the BANs of any particular issue shall not be reissued in any other form and no exchange shall be made from one form to the other.

(f) In the event any BAN is mutilated, lost, stolen or destroyed, the State may execute a new BAN of like date and denomination as the BAN mutilated, lost, stolen or destroyed; provided that, in the case of any mutilated BAN, such mutilated BAN shall first be surrendered to the State Treasurer, and in the case of any lost, stolen or destroyed BAN, there shall be first furnished to the State Treasurer evidence of such loss, theft or destruction satisfactory to the State Treasurer, together with indemnity satisfactory to him; provided further that, in the case of a holder which is a bank or insurance company, the agreement of such bank or insurance company to indemnify shall be sufficient.

In the event any such BAN shall have matured, instead of issuing a duplicate BAN, the State may pay the same without surrender thereof. The State may charge the holder of such BAN with its reasonable fees and expenses in this connection.

(g) Any BAN issued in fully registered form shall be transferable only upon the books of registry of the State Board, which shall be kept for that purpose at the office of the State Treasurer (or his duly authorized designee) as note registrar, by the registered owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the State Treasurer (or his duly authorized designee) as note registrar, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any BAN, the State Board shall issue, subject to the provisions of paragraph (h) below, in the name of the transferee, a new BAN or BANs of the same aggregate principal amount as the unpaid principal amount of the surrendered BAN. Any holder of a BAN in fully registered form requesting any transfer shall pay any tax or other governmental charge required to be paid with respect thereto. As to any BAN in fully registered form, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of or on account of the principal and interest of any BAN in fully registered form shall be made only to or upon the order of the registered holder thereof, or his duly authorized attorney, and the State Board shall not be affected by any notice to the contrary, but such registration may be changed as herein provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such BAN to the extent of the sum or sums so paid.

(h) BANs issued in fully registered form, upon surrender thereof at the office of the State Treasurer (or at such office as may be designated by his designee) as note registrar, with a written instrument of transfer satisfactory to the State Treasurer, duly executed by the holder of the BAN or his duly authorized attorney, may, at the option of the holder of the BAN, and upon payment by such holder of any charges which the State Treasurer may make as provided in paragraph (i), be exchanged for a principal amount of BANs in fully registered form of any other authorized denomination equal to the unpaid principal amount of surrendered BANs.

(i) In all cases in which the privilege of exchanging or transferring BANs in fully registered form is exercised, the State Board shall execute and deliver BANs in accordance with the provisions of this Resolution. All BANs in fully registered form surrendered in any such exchanges or transfers shall forthwith be cancelled by the State Treasurer. There shall be no charge to the holder of such BAN for such exchange or transfer of BANs in fully registered form except that the State Treasurer may make a charge sufficient to reimburse the State for any tax or other governmental

charge required to be paid with respect to such exchange or transfer.

(j) The BANs shall not be subject to prepayment prior to their maturity.

SECTION 6. Details of Bonds.

In the event state institution bonds are issued, the Bonds shall be in such form as is customary for state institution bonds at the date of their issue; shall be executed as provided in the State Institution Bond Act and shall be sold in accordance with the provisions of the State Institution Bond Act. The Bonds shall bear interest at the rate or rates determined on the sale thereof payable semiannually on the dates determined by the State Treasurer at the date of sale. The Bonds may contain such additional terms and provisions as are permitted by the State Institution Bond Act and as are not inconsistent with the provisions hereof as the State Treasurer determines are appropriate.

SECTION 7. Security for Bonds and BANs.

For the payment of the principal of and interest on the Bonds and the BANs as the same shall fall due, the full faith, credit and taxing power of the State of South Carolina shall be pledged. In addition thereto, with respect to the Bonds, there shall also be pledged to the payment of the Bonds the tuition fees of the University. In addition thereto, with respect to the BANs, so much of the principal proceeds of the Bonds when issued shall and is hereby directed to be applied, to the extent necessary, to the payment of the BANs; and, further, the State Board covenants and agrees to effect the issuance of BANs or Bonds in order that the proceeds thereof will be sufficient to provide for the retirement of any BANs issued pursuant hereto.

SECTION 8. Use of Proceeds.

The proceeds from the sale of the BANs or Bonds shall be applied as follows:

(a) If there are outstanding any BANs, the proceeds of the Bonds or any subsequent BANs shall, to the extent required, be applied to discharge the indebtedness represented by the outstanding BANs.

(b) Upon the initial issuance pursuant hereto, the proceeds shall be applied to the payment of $2,000,000 principal amount of the 1989 Notes.

SECTION 9. Amending and Supplementing Resolution Without Consent of Holders of BANs or Bonds.

(a) The State Board, from time to time and at any time and without the concurrence of any holder of any BAN or Bond, may adopt a resolution amendatory hereof or supplemental hereto, if the provision of such supplemental resolution shall not materially adversely affect the rights of the holders of the BANs or Bonds then outstanding, for any one or more of the following purposes:

1. To make any changes or corrections in this Resolution as to which the State Board shall have been advised by counsel that the same are verbal corrections or changes or are required for the purpose of curing or correcting any ambiguity or defective or inconsistent provision in this Resolution, or to insert in this Resolution such provision or omission or mistake or manifest error contained in this Resolution, or to insert in this Resolution such provisions clarifying matters or questions arising under this Resolution as are necessary or desirable;

2. To add additional covenants and agreements of the State Board for the purpose of further securing the payment of the BANs or Bonds;

3. To surrender any right, power or privilege reserved to or conferred upon the State Board by the terms of this Resolution;

4. To confirm as further assurance any lien, pledge or charge or the subjection to any lien, pledge or charge, created or to be created by the provisions of this Resolution;

5. To grant or confer upon the holders of the BANs or Bonds any additional right, remedies, powers, authority or security that lawfully may be granted to or conferred upon them;

6. To modify any of the provisions of this Resolution in any other respects provided that such modification shall not be effective until after the BANs or Bonds outstanding at the time such supplemental resolution is adopted shall cease to be outstanding, or until the holders thereof consent thereto pursuant to Section 10 hereof, and any Notes or Bonds issued subsequent to any such modification shall contain a specific reference to the modifications contained in such supplemental resolution; and

7. To make such additions, deletions or modifications as may be necessary to assure compliance with Section 148(f) of the Internal Revenue Code of 1986, as amended (the "IRC") relating to required rebate of excess investment earnings to

the United States or otherwise as may be necessary to assure exemption from federal income taxation of interest on the BANs or Bonds.

(b) The State Board shall not adopt any supplemental resolution authorized by the foregoing provisions of this Section unless in the opinion of counsel the adoption of such supplemental resolution is permitted by the foregoing provisions of this Section and the provisions of such supplemental resolution do not adversely affect the rights of the holders of the BANs or Bonds then outstanding.

SECTION 10. Amending and Supplementing Resolution with Consent of Holders of BANs or Bonds.

(a) With the consent of the holders of not less than a majority in principal amount of the BANs or Bonds then outstanding, the State Board from time to time and at any time may adopt a resolution amendatory hereof or supplemental hereto for the purpose of adding any provisions to, or changing in any manner or eliminating any of the provisions of, this Resolution, or modifying or amending the rights and obligations of the State Board under this Resolution, or modifying or amending in any manner the rights of the holders of the BANs or Bonds then outstanding; provided, however, that, without the specific consent of the holder of each such BAN or Bond which would be affected thereby, no supplemental resolution amending or supplementing the provisions hereof or thereof shall: (i) change the fixed maturity date of any BANs or Bonds or the dates for the payment of interest thereon or the terms of the redemption thereof, or reduce the principal amount of any BANs or Bonds or the rate of interest thereon; (ii) reduce the aforesaid percentage of BANs or Bonds, the holders of which are required to consent to any supplemental resolution amending or supplementing the provisions of this Resolution; (iii) give to any BANs or Bonds any preference over any other BANs or Bonds secured hereby; (iv) authorize the creation of any pledge, prior, superior or equal to the pledge created herein for the payment of the BANs or Bonds, or (v) deprive any holder of the BANs or Bonds of the pledge afforded by this Resolution.

(b) It shall not be necessary that the consents of the holders of the BANs or Bonds approve the particular form of wording of the proposed amendment or supplement or of the supplemental resolution effecting such amending or supplementing hereof pursuant to this Section. The State Board shall (i) mail a notice at least once, not more than thirty (30) days after the effective date of such amendment or supplement of such amendment or supplement postage prepaid, to each holder of BANs or Bonds in fully registered form then outstanding at his address, if any, appearing upon the books of registry, and (ii) publish notice thereof one (1) time in a financial journal published in the City of New York, New York, but failure to mail copies of such notice to any of the

holders shall not affect the validity of the supplemental resolution effecting such amendments or supplements or the consents thereto. No action or proceeding to set aside or invalidate such supplemental resolution or any of the proceedings for its adoption shall be instituted or maintained unless such action or proceeding is commenced within sixty (60) days after the publication of the notice required by this paragraph.

SECTION 11. Effect of Supplemental Resolutions.

(a) BANs or Bonds delivered after the effective date of any supplemental or amendatory resolution may bear a notation as to such action by endorsement or otherwise and in a form approved by the State Board. In that case, upon demand by the holder of any BAN or Bond outstanding after such effective date and upon the presentation of the BAN or Bond for such purpose at the office of the State Treasurer, and at such additional offices, if any, as of the State Board may select and designate for the purpose, a suitable notation shall be made on such BANs or Bonds. If the State Board shall so determine, new BANs or Bonds then outstanding shall be exchanged without cost to such holder of BANs or Bonds then outstanding, upon surrender of such outstanding BANs or Bonds.

(b) Upon the adoption by the State Board of any supplemental resolution amending or supplementing the provisions of this Resolution and the delivery to the State Treasurer of an opinion of bond counsel that such supplemental resolution is in due form and has been duly adopted in accordance with the provisions hereof and applicable law and that the provision thereof are valid and binding upon the State Board, or upon such later date as may be specified in such supplemental resolution, (i) this Resolution and the BANs or Bonds shall be modified and amended in accordance with such supplemental resolution, (ii) the respective rights, limitations of rights, obligations, duties and immunities under this Resolution of the State Board and the holders of the Notes or Bonds shall thereafter be determined, exercised and enforced under this Resolution subject in all respects to such modifications and amendments, and (iii) all of the terms and conditions of any such supplemental resolution shall be a part of the terms and conditions of the BANs or Bonds and of this Resolution for any and all purposes.

(c) No supplemental resolution changing, amending or modifying any of the rights, duties and obligations of any paying agent appointed by or pursuant to the provisions of this Resolution may be adopted by the State Board or be consented to by the holders of the BANs or Bonds without written consent of such paying agent affected thereby.

SECTION 12. No Arbitrage.

(a) The State Board shall not take, or permit or suffer to be taken, any action which would result in the proceeds of the BANs or Bonds being invested at a yield which is higher than the yield on the BANs or Bonds for other than a "temporary period" as defined in the IRC or any other action which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date the BANs or Bonds are issued would have caused the BANs or Bonds to be "arbitrage bonds" within the meaning of the Section 148(a) of the IRC and Regulations promulgated thereunder.

(b) The State Board hereby covenants to comply with the requirements of the IRC as the same apply to the BANs or the Bonds. The State Board hereby directs the State Treasurer to maintain such records regarding the investment of the proceeds of the BANs and Bonds as are necessary to determine the payments, if any, due the United States Treasurer as a rebate of arbitrage and to make such calculations, deposits and payments as are necessary to comply with Section 148(f) of the IRC.

SECTION 13. Performance of Covenants and Agreements; Authority of the State Board.

The State Board covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in the State Institution Bond Act, in this Resolution, in the BANs and Bonds executed and delivered hereunder and in all proceedings pertaining thereto. The State Board covenants that it is duly authorized under the Constitution and laws of this State to authorize the issuance of the BANs and Bonds authorized hereby, to adopt this Resolution, and to pledge the security pledged hereunder in the manner and to the extent herein set forth; that all action on its part for the issuance of the BANs and the Bonds and the adoption of this Resolution has been duly and effectively taken, and that the BANs and Bonds in the hands of the holders thereof are and will be valid and enforceable obligations of the State according to the import thereof.

SECTION 14. Release of Resolution.

If all of the BANs and Bonds issued pursuant to this Resolution shall have been paid and discharged, then the obligations of the State under this Resolution, the pledge securing the BANs and Bonds made hereby, and all other rights granted hereby, shall cease and determine. BANs and Bonds shall be deemed to have been paid and discharged within the meaning of this Section under each of the following circumstances:

(a) If the State Treasurer shall hold, at the stated maturity of such BANs or Bonds, in trust and irrevocably appropriated thereto, moneys for the full payment thereof; or

(b) If default in the payment of the principal of such BANs or Bonds or the interest thereon shall have occurred, and thereafter tender of such payments shall have been made, and the State Treasurer shall hold, in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payments; or

(c) If there shall have been deposited with the State Treasurer, in irrevocable trust, either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America, which are not subject to redemption by the issuer prior to the date of redemption of the BANs or Bonds to be defeased, the principal of and interest on which, when due, will provide moneys which, together with the moneys, if any, deposited with the State Treasurer, as aforesaid, at the same time, shall be sufficient to pay, when due, the principal and interest due and to become due on such BANs or Bonds on the maturity thereof.

SECTION 15. Deposit of Moneys.

Any moneys which at the time shall be deposited with the State Treasurer by or on behalf of the State Board for the purpose of paying and discharging any BANs or Bonds shall be and are hereby assigned, transferred and set over to the State Treasurer in trust for the respective holders of such BANs or Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. If, through lapse of time or otherwise, the holders of such BANs or Bonds shall no longer be entitled to enforce payment of their obligations, then, in such event, it shall be the duty of the State Treasurer to apply such funds for the benefit of the State Board.

SECTION 16. Notice of Release of Resolution.

The State Board covenants and agrees that any moneys which it shall deposit with the State Treasurer shall be deemed to be deposited in accordance with, and subject to, the applicable provisions of this Resolution, and whenever it shall have elected to defease any BANs or Bonds, it will irrevocably bind and obligate itself to give notice of the defeasance thereof, and will further authorize and empower the State Treasurer to cause such notice of the defeasance to be given in its name and on its behalf by mailing such notice to the registered owner of such BANs or Bonds, if any, at the address shown on the books of registry and by publishing one (1) time notice of such defeasance in a financial journal published in the City of New York, New York.

EXHIBIT 13941
APR 23 1990 12
STATE BUDGET & CONTROL BOARD

SECTION 17. Copy of Resolution to be Transmitted to Governor and State Treasurer.

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

SECTION 18. Execution of Closing Documents and Certificates.

The Governor and the State Treasurer are fully authorized and empowered to take such further action and to execute and deliver such closing documents as may be necessary and proper in order to complete the borrowing herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as they shall approve, is hereby fully authorized.

SECTION 19. No Personal Liability.

No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the State Board contained in this Resolution, the BANs or the Bonds against any member of the State Board, any officer or employee, as such, in his or her individual capacity, past, present or future, of the State, either directly or through the State Board, whether by virtue of any assessment or penalty or otherwise, it being expressly agreed and understood that this Resolution and the BANs or Bonds are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such, past, present or future, of the State, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the State and the holders of the BANs or Bonds or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by adoption of this Resolution and the execution of the BANs or Bonds, and as a condition of, and as a part of the consideration for, the adoption of this Resolution and the execution of the BANs and Bonds, expressly waived and released. The immunity of members, officers and employees of the State under the provisions contained in this Section shall survive the termination of this Resolution.

SECTION 20. Effect of Saturdays, Sundays and Legal Holidays.

Whenever this Resolution requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in this State, such action shall be taken on the first business day occurring thereafter. Whenever in this Resolution the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or

bank holiday in this State, such time shall continue to run until midnight on the next succeeding business day.

SECTION 21. Partial Invalidity.

(a) If any one or more of the covenants or agreements or portions provided in this Resolution on the part of the State to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreements or portions thereof provided in this Resolution and the invalidity thereof shall in no way affect the validity of the other provisions of this Resolution or of the BANs and Bonds, but the holders of the BANs and Bonds shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

(b) If any provisions of this Resolution shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

SECTION 22. Law and Place of Enforcement of This Resolution.

This Resolution shall be construed and interpreted in accordance with the laws of this State and all suits and actions arising out of this Resolution shall be instituted in a court of competent jurisdiction in this State.

SECTION 23. Exemption from State Taxes.

Both the principal of and interest on the BANs or the Bonds shall be exempt from all State, county, municipal, school district and all other taxes or assessments of this State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes.

SECTION 24. Effect of Section Headings.

The heading or titles of the several Sections hereof are solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Resolution.

SECTION 25. Repeal of Inconsistent Resolutions.

All resolutions of the State Board, and any part of any resolution, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 26. Effectiveness of this Resolution.

This Resolution shall become effective upon its adoption.

SECTION 27. Benefits of Resolution Limited to the State and Holders of the BANs and Bonds.

With the exception of rights of benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the BANs or the Bonds is intended or should be construed to confer upon or give to any person other than the State and the holders of such BANs or Bonds, any legal or equitable right, remedy or claim under or by reason of or in respect to this Resolution or any covenant, condition, stipulation, promise, agreement or provision herein contained. This Resolution and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the State and the holders from time to time of the BANs and Bonds as herein and therein provided.

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EXHIBIT A

THE MEDICAL UNIVERSITY OF SOUTH CAROLINA
SCHEDULE OF TUITION FEES IN EFFECT FOR PURPOSES OF
SECTION 59-107-10 ET. SEQ. CODE OF LAWS OF
SOUTH CAROLINA 1976, AS AMENDED

COLLEGE	IN STATE	OUT-OF-STATE
Medicine		
Semester	$ 818.00	$ 1,703.00
Maymester	165.00	281.00
Dental Medicine		
Semester	503.00	1,073.00
Maymester	100.00	221.00
Pharmacy		
Semester	343.00	753.00
Maymester	68.00	151.00
Nursing		
Semester	373.00	813.00
Maymester	73.00	162.00
Health Related Professions		
Semester	173.00	413.00
Maymester	58.00	132.00
Certificate - HRP		
Semester	87.00	87.00
Maymester	29.00	29.00
Graduate Studies		
Semester	173.00	173.00
Maymester/Summer	179.00	179.00
Unclassified	24.50	24.50

EXHIBIT B

PRO FORMA DEBT SERVICE TABLE ON THE PROPOSED ISSUE OF $2,000,000 STATE INSTITUTION BONDS, SERIES 1990. PRINCIPAL AND INTEREST, PAYABLE AS INDICATED, COMPUTED AT AN ASSUMED RATE OF 7.25%

FISCAL YEAR ENDING JUNE 30	PRINCIPAL MAY 1	INTEREST MAY 1	INTEREST NOVEMBER 1	TOTAL PRINCIPAL AND INTEREST
1991	145,000	72,500.00	72,500.00	290,000.00
1992	155,000	67,243.75	67,243.75	289,487.50
1993	165,000	61,625.00	61,625.00	288,250.00
1994	175,000	55,643.75	55,643.75	286,287.50
1995	190,000	49,300.00	49,300.00	288,600.00
1996	200,000	42,412.50	42,412.50	284,825.00
1997	215,000	35,162.50	35,162.50	285,325.00
1998	235,000	27,368.75	27,368.75	289,737.50
1999	250,000	18,850.00	18,850.00	287,700.00
2000	270,000	9,787.50	9,787.50	289,575.00
	$2,000,000	$439,893.75	$439,893.75	$2,879,787.50

13946

EXHIBIT C

DEBT SERVICE REQUIREMENTS, AS OF MAY 18, 1990,
ON ALL STATE INSTITUTION BONDS ISSUED BY THE
STATE OF SOUTH CAROLINA FOR
THE MEDICAL UNIVERSITY OF SOUTH CAROLINA

ISSUE OF SEPTEMBER 7, 1977

Fiscal Year Ending June 30	Principal December 1	Interest December 1	Total Interest June 1	Principal and Interest
1990	$ --	$ --	$ 10,125	$ 10,125
1991	250,000	10,125	4,500	264,625
1992	200,000	4,500	--	204,500
	$ 450,000	$ 14,625	$ 14,625	$479,250

13947

EXHIBIT D

COMPOSITE PRO FORMA DEBT SERVICE TABLE ON ALL STATE INSTITUTION BONDS FOR THE MEDICAL UNIVERSITY OF SOUTH CAROLINA INCLUDING THE ISSUANCE OF $2,000,000 OF STATE INSTITUTION BONDS, SERIES 1990.

FISCAL YEAR ENDING JUNE 30	PRINCIPAL	INTEREST	TOTAL PRINCIPAL AND INTEREST
1990	$ --	$ 10,125.00	$ 10,125.00
1991	395,000	159,625.00	554,625.00
1992	355,000	138,987.50	493,987.50
1993	165,000	123,250.00	288,250.00
1994	175,000	111,287.50	286,287.50
1995	190,000	98,600.00	288,600.00
1996	200,000	84,825.00	284,825.00
1997	215,000	70,325.00	285,325.00
1998	235,000	54,737.50	289,737.50
1999	250,000	37,700.00	287,700.00
2000	270,000	19,575.00	289,575.00
	$2,450,000	$ 909,037.50	$3,359,037.50

EXHIBIT
APR 23 1990 12
STATE BUDGET & CONTROL BOARD

EXHIBIT E

PROOF SHOWING COMPLIANCE WITH CHAPTER 107,
TITLE 59, SOUTH CAROLINA CODE OF LAWS 1976,
AS AMENDED

Aggregate of tuition fees received by The Medical University of South Carolina during preceding fiscal year ended June 30, 1989	$1,871,078.00
Multiplied by	90%
Produces	$1,683,970.20
Maximum Annual Debt Service on All State Institution Bonds of the University (including the proposed issue of $2,000,000)	$ 554,625.00
Margin	$1,129,345.20

EXHIBIT F

FORM OF BAN

No. _____ $_____

UNITED STATES OF AMERICA
STATE OF
SOUTH CAROLINA
STATE INSTITUTION BOND ANTICIPATION NOTE
SERIES 1990
(THE MEDICAL UNIVERSITY OF SOUTH CAROLINA)

Know all men by these presents that the State of South Carolina hereby acknowledges itself indebted and, for value received, promises to pay to the BEARER hereof, the principal sum of

_____

at the office of the State Treasurer of South Carolina, in the City of Columbia, State of South Carolina, on the 17th day of May, 1991, and to pay interest (calculated on the basis of a 360-day year consisting of twelve 30-day months) on said principal sum from the date hereof, at the rate of _____ per centum (__%) per annum, payable upon the maturity of this Note. This Note is not subject to prepayment prior to its maturity.

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, of like date, tenor and effect, except as to number and denomination, aggregating $2,000,000 (the "Notes"), issued by the State of South Carolina, pursuant to the authorization of Chapter 17, Title 11, Code of Laws of South Carolina 1976, as amended, in anticipation of the receipt of the proceeds to be derived from the sale of state institution bonds of the State of South Carolina to be issued pursuant to Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended. The full faith, credit and taxing power of the State of South Carolina, the tuition fees received by The Medical University of South Carolina, and the proceeds to be derived from the sale of the state institution bonds, in anticipation of which the Notes are issued, are pledged for the payment of the principal of and interest on this Note.

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,

general or special, 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,and the amount of this Note, and the issue of which this Note is one, does not exceed any constitutional or statutory limitation.

In witness whereof, the State of South Carolina has caused this Note to be signed by the facsimile signature of the Governor of South Carolina and by the manual signature of the State Treasurer of South Carolina, the Great Seal of the State to be reproduced hereon, and attested by the manual signature of the Secretary of State of South Carolina, and this Note to be dated the 18th day of May, 1990.

STATE OF SOUTH CAROLINA

_____

Governor

(SEAL)

_____

State Treasurer

Attest:

_____

Secretary of State

EXHIBIT

APR 23 1990 12

STATE BUDGET & CONTROL BOARD

RESOLUTION

REQUESTING THE ISSUANCE OF $2,000,000 OF STATE INSTITUTION BONDS FOR THE MEDICAL UNIVERSITY OF SOUTH CAROLINA PURSUANT TO CHAPTER 107, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND THE ISSUANCE OF BOND ANTICIPATION NOTES PRIOR TO THE ISSUANCE OF SUCH BONDS

Adopted By

BOARD OF TRUSTEES
OF
THE MEDICAL UNIVERSITY OF SOUTH CAROLINA

April 13, 1990

13952

RESOLUTION

REQUESTING THE ISSUANCE OF $2,000,000 OF STATE INSTITUTION BONDS FOR THE MEDICAL UNIVERSITY OF SOUTH CAROLINA PURSUANT TO CHAPTER 107, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND THE ISSUANCE OF BOND ANTICIPATION NOTES PRIOR TO THE ISSUANCE OF SUCH BONDS

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA IN MEETING DULY ASSEMBLED:

Section 1. Findings of Fact.

As an incident to the adoption of this Resolution the Board of Trustees (the "Board of Trustees") of The Medical University of South Carolina (the "University") hereby finds:

(a) That by resolution dated April 12, 1984 (the "1984 Resolution"), adopted by the Board of Trustees, application was made to the State Budget and Control Board of South Carolina (the "State Board") pursuant to the provisions of Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended (the "Enabling Act"), for the issuance of $5,000,000 state institution bonds the proceeds of which were to be applied to finance certain permanent improvements as described in the 1984 Resolution. By the terms of the 1984 Resolution, the Board of Trustees requested that bond anticipation notes be issued if the State Board determined that long term obligations should not be issued.

(b) The State Board reviewed the 1984 Resolution and determined that it was prudent to issue bond anticipation notes. Accordingly, $5,000,000 aggregate principal amount of state institution bond anticipation notes dated May 22, 1984, and maturing May 22, 1985 (the "1984 Notes"), were issued.

(c) Subsequently, the State of South Carolina (the "State") issued $4,500,000 aggregate principal amount of state institution bond anticipation notes dated May 22, 1985, and maturing May 22, 1986 (the "1985 Notes"), to refund $4,500,000 principal of the 1984 Notes. The remaining principal was paid from tuition fees.

(d) Subsequently, the State issued $4,000,000 aggregate principal amount of state institution bond anticipation notes dated May 22, 1986, and maturing May 22, 1987 (the "1986 Notes"), to refund $4,000,000 principal of the 1985 Notes. The remaining principal was paid from tuition fees.

(e) Subsequently, the State issued $3,500,000 aggregate principal amount of state institution bond anticipation notes dated May 22, 1987, and maturing May 20, 1988 (the "1987 Notes"), to refund $3,500,000 principal of the 1986 Notes. The remaining principal was paid from tuition fees.

(f) Subsequently, the State issued $3,000,000 aggregate principal amount of state institution bond anticipation notes dated May 20, 1988,

and maturing May 19, 1989 (the "1988 Notes"), to refund $3,000,000 principal of the 1987 Notes. The remaining principal was paid from tuition fees.

(g) Subsequently, the State issued $2,500,000 aggregate principal amount of state institution bond anticipation notes dated May 19, 1989, and maturing May 18, 1990 (the "1989 Notes"), to refund $2,500,000 principal of the 1988 Notes. The remaining principal was paid from tuition fees.

(h) It is now necessary and in the interest of the University to make provisions for the payment of the $2,500,000 principal of 1989 Notes. The Board of Trustees has determined to use tuition fees to pay interest on, and $500,000 principal of, the 1989 Notes. The Board of Trustees also finds that it is to the advantage of the University to refund the remaining $2,000,000 principal amount of the 1989 Notes.

(i) The Board of Trustees, having exhausted all other sources, desires to make application to the State Board to issue $2,000,000 aggregate principal amount of state institution bonds as provided for under the Enabling Act, on the basis that a definite and immediate need exists for issuing new state institution bonds to refund $2,000,000 principal of the 1989 Notes.

(j) Accordingly, this Resolution is adopted pursuant to Section 59-107-40 of the Code of Laws of South Carolina 1976, as amended, in order to make formal application to the State Board for the issuance of state institution bonds for the University in the principal amount of $2,000,000, the proceeds of which will be used to refund $2,000,000 principal of the 1989 Notes.

Section 2. Application for Issuance of State Institution Bonds.

The Board of Trustees hereby makes formal application to the State Board for funds through the issuance of $2,000,000 state institution bonds (the "Bonds") pursuant to the provisions of the Enabling Act, or the issuance of $2,000,000 state institution bond anticipation notes, in order that the proceeds thereof may be used to refund $2,000,000 principal of the 1989 Notes.

Section 3. Use of Proceeds.

All of the proceeds of the proposed issue of $2,000,000 state institution bonds or bond anticipation notes will be applied to refund $2,000,000 principal of the 1989 Notes.

Section 4. Tuition Fees Received in Previous Fiscal Year.

The aggregate sum received from tuition fees available to pay debt service on state institution bonds from all University campuses for the preceding fiscal year, viz., July 1, 1988, through June 30, 1989, is $1,871,078. The aggregate sum received from tuition fees from all University campuses for the twelve calendar months March 1989 through February 1990, inclusive (the most recent twelve months for which information is available), is $583,568.48. The tuition fees do not include fees collected from students for summer school terms.

Section 5. Current Schedule of Tuition Fees.

The schedule of tuition fees, available to pay debt service on state institution bonds, now in effect at the University is as set forth in Exhibit A to this Resolution.

Section 6. Maturity Schedule for Bonds.

The suggested maturity schedule for Bonds issued pursuant to this application is set forth as Exhibit B to this Resolution.

Section 7. Debt Service on Outstanding State Institution Bonds.

A statement showing the unmatured state institution bonds heretofore issued on behalf of the University now outstanding and not defeased together with the annual interest and principal payments to become due thereon is set forth as Exhibit C to this Resolution.

Section 8. Debt Service on Outstanding Bonds Including Bonds Authorized Hereby.

A table showing debt service on all state institution bonds to be outstanding for the University following the issuance of the Bonds herein sought to be issued is set forth as Exhibit D to this Resolution. Upon the issuance of the Bonds in the amount of $2,000,000, the maximum annual debt service on all state institution bonds secured by tuition fees of the University will not be greater than 90% of the tuition fees received by the University for the fiscal year ended June 30, 1989.

A calculation establishing the right of the University to seek the issuance of Bonds to the extent set forth in this Resolution is set forth as Exhibit E to this Resolution.

Section 9. Request for Issuance of Bond Anticipation Notes.

The State Board is requested to make the findings required by the Enabling Act and to request the Governor and State Treasurer to provide for the issuance by the State of South Carolina of state institution bonds in the amount of $2,000,000. If the State Treasurer should determine that issuance of bond anticipation notes (the "Notes")

pursuant to Chapter 17 of Title 11 of the Code of Laws of South Carolina 1976, as amended (the "BAN Act"), rather than state institution bonds would result in a substantial savings in interest under prevailing market conditions, the Governor and State Treasurer are further requested to effect the issuance of Notes pursuant to the BAN Act. If Notes are issued and if, upon the maturity thereof, the State Treasurer should determine that further issuance of Notes rather than state institution bonds would result in a substantial savings in interest under then prevailing market conditions, the Governor and State Treasurer are requested to continue the issuance of Notes, in a principal amount not to exceed the principal amount of the Bonds in accordance with the schedule set forth in Exhibit B to this Resolution until the State Treasurer and the Governor determine to issue the Bonds on the basis as aforesaid, and the Bonds are issued.

Section 10. Covenant to Impose Tuition Fees Sufficient to Pay Bonds.

The Board of Trustees hereby covenants and agrees that the schedule of tuition fees now in effect at the University will be revised from time to time and whenever necessary in order to provide the annual principal and interest requirements of all state institution bonds now or hereafter to be outstanding, which have been or will be issued on behalf of the University.

Section 11. Federal Guarantee Prohibition.

The Board of Trustees shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause either the Bonds or the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986 (the "Code") and regulations promulgated thereunder (the "Regulations").

Section 12. Private Business Use Limitation.

The Board of Trustees shall assure that (i) not in excess of ten percent (10%) of the face amount of the Bonds or the Notes (as the case may be) plus accrued interest and premium, if any ("Net Proceeds"), is used directly or indirectly in a trade or business carried on by a natural person or in any activity carried on by a person other than a natural person, excluding, however, use by a state or local governmental unit and use as a member of the general public ("Private Business Use"), if, in addition, the payment of more than ten percent (10%) of the principal or ten percent (10%) of the interest due on the Bonds or the Notes (as the case may be) during the term thereof is, under the terms thereof or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the State, in respect of property or borrowed money used or to be used for a Private Business Use; and (ii) in the event that both (a) in excess of five percent (5%) of the Net proceeds are used for a Private

Business Use, and (b) an amount in excess of five percent (5%) of the principal or five percent (5%) of the interest due on the Bonds or the Notes (as the case may be) during the term thereof is, under the terms thereof or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for said Private Business Use or in payments in respect of property used or to be used for said Private Business Use or is to be derived from payments, whether or not to the State, in respect of property or borrowed money used or to be used for said Private Business Use, then said excess over said five percent (5%) of Net proceeds used for a Private Business Use shall be used for a Private Business Use related to the governmental use of a portion of the facilities financed with the proceeds of the Bonds or the Notes (as the case may be) and shall not exceed the proceeds used for the governmental use of the portion of the undertaking to which such Private Business Use is related.

Section 13. Private Loan Limitation.

The Board of Trustees shall assure that not in excess of five percent (5%) of the Net proceeds of the Bonds or the Notes (as the case may be) are used, directly or indirectly, to make or finance a loan to persons other than state or local government units.

Section 14. No Arbitrage.

(a) The Board of Trustees represents that it does not expect any portion of the proceeds of the Bonds or Notes to be used directly or indirectly to acquire higher yielding investments, or to replace funds which were used directly or indirectly to acquire higher yielding investments for other than a "temporary period" as defined in the Code. The Board of Trustees further covenants that it will not intentionally use any portion of the proceeds of the Bonds or Notes to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments. In making the foregoing representation and covenant, the Board of Trustees understands that certain of the words or phrases contained therein have specified meanings provided therefor under Section 148 of the Code and Treasury Regulations proposed or promulgated thereunder or applicable thereto.

(b) The Board of Trustees hereby represents that all of the proceeds (including investment proceeds) of the 1989 Notes have been spent for the purposes for which the 1989 Notes were issued and that the entire proceeds of the Bonds or Notes requested hereunder will be applied immediately upon the receipt thereof to the payment of $2,000,000 principal of the 1989 Notes.

Section 15. Secretary to Present Resolution to State Board.

The Secretary of the Board of Trustees is hereby directed to present a certified copy of this Resolution, together with the Exhibits heretofore referred to, to the State Board, as evidence of the formal request of the Board of Trustees for the issuance of the Bonds on behalf

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of the University and as evidence that all conditions precedent to the issuance of such Bonds have been met prior to the issuance of either Bonds or Notes.

Section 16. Execution of Closing Documents and Certificates.

The Chairman and Secretary of the Board of Trustees, and all other officers of the University, are fully authorized and empowered to take such further action and to execute and deliver such closing documents as may be necessary and proper in order to complete the borrowing herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as he or they shall approve, is hereby fully authorized.

Section 17. Law and Place of Enforcement of the Resolution.

This Resolution shall be construed and interpreted in accordance with the laws of the State of South Carolina and all suits and actions arising out of this Resolution shall be instituted in a court of competent jurisdiction in this State.

Section 18. Effect of Section Headings.

The heading or titles of the several Sections hereof are solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Resolution.

Section 19. Repeal of Inconsistent Resolutions.

All resolutions of the Board of Trustees, and any part of any resolution, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 20. Effectiveness of this Resolution.

This Resolution shall become effective upon its adoption.

Done in meeting duly assembled this 13th day of April, 1990.

(SEAL)

BOARD OF TRUSTEES OF THE MEDICAL UNIVERSITY OF SOUTH CAROLINA

Stanley A. Baker
Chairman

ATTEST:

Secretary

EXHIBIT A

THE MEDICAL UNIVERSITY OF SOUTH CAROLINA
SCHEDULE OF TUITION FEES IN EFFECT FOR PURPOSES OF
SECTION 59-107-10 ET. SEQ. CODE OF LAWS OF
SOUTH CAROLINA 1976, AS AMENDED

COLLEGE	IN STATE	OUT-OF-STATE
Medicine		
Semester	$ 818.00	$ 1,703.00
Maymester	165.00	281.00
Dental Medicine		
Semester	503.00	1,073.00
Maymester	100.00	221.00
Pharmacy		
Semester	343.00	753.00
Maymester	68.00	151.00
Nursing		
Semester	373.00	813.00
Maymester	73.00	162.00
Health Related Professions		
Semester	173.00	413.00
Maymester	58.00	132.00
Certificate - HRP		
Semester	87.00	87.00
Maymester	29.00	29.00
Graduate Studies		
Semester	173.00	173.00
Maymester/Summer	179.00	179.00
Unclassified	24.50	24.50

EXHIBIT
APR 23 1990 12
STATE BUDGET & CONTROL BOARD

EXHIBIT B

PRO FORMA DEBT SERVICE TABLE ON THE PROPOSED ISSUE OF $2,000,000 STATE INSTITUTION BONDS, SERIES 1990. PRINCIPAL AND INTEREST, PAYABLE AS INDICATED, COMPUTED AT AN ASSUMED RATE OF 7.25%

FISCAL YEAR ENDING JUNE 30	PRINCIPAL MAY 1	INTEREST MAY 1	INTEREST NOVEMBER 1	TOTAL PRINCIPAL AND INTEREST
1991	$ 145,000	$ 72,500.00	$ 72,500.00	$ 290,000.00
1992	155,000	67,243.75	67,243.75	289,487.50
1993	165,000	61,625.00	61,625.00	288,250.00
1994	175,000	55,643.75	55,643.75	286,287.50
1995	190,000	49,300.00	49,300.00	288,600.00
1996	200,000	42,412.50	42,412.50	284,825.00
1997	215,000	35,162.50	35,162.50	285,325.00
1998	235,000	27,368.75	27,368.75	289,737.50
1999	250,000	18,850.00	18,850.00	287,700.00
2000	270,000	9,787.50	9,787.50	289,575.00
	$2,000,000	$439,893.75	$439,893.75	$2,879,787.50

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EXHIBIT C

DEBT SERVICE REQUIREMENTS, AS OF MAY 18, 1990,
ON ALL STATE INSTITUTION BONDS ISSUED BY THE
STATE OF SOUTH CAROLINA FOR
THE MEDICAL UNIVERSITY OF SOUTH CAROLINA

ISSUE OF SEPTEMBER 7, 1977

Fiscal Year Ending June 30	Principal December 1	Interest December 1	Total Interest June 1	Principal and Interest
1990	$ --	$ --	$ 10,125	$ 10,125
1991	250,000	10,125	4,500	264,625
1992	200,000	4,500	--	204,500
	$ 450,000	$ 14,625	$ 14,625	$ 479,250

13961

EXHIBIT D

COMPOSITE PRO FORMA DEBT SERVICE TABLE ON ALL STATE INSTITUTION BONDS FOR THE MEDICAL UNIVERSITY OF SOUTH CAROLINA INCLUDING THE ISSUANCE OF $2,000,000 OF STATE INSTITUTION BONDS, SERIES 1990.

FISCAL YEAR ENDING JUNE 30	PRINCIPAL	INTEREST	TOTAL PRINCIPAL AND INTEREST
1990	$ --	$ 10,125.00	$ 10,125.00
1991	395,000	159,625.00	554,625.00
1992	355,000	138,987.50	493,987.50
1993	165,000	123,250.00	288,250.00
1994	175,000	111,287.50	286,287.50
1995	190,000	98,600.00	288,600.00
1996	200,000	84,825.00	284,825.00
1997	215,000	70,325.00	285,325.00
1998	235,000	54,737.50	289,737.50
1999	250,000	37,700.00	287,700.00
2000	270,000	19,575.00	289,575.00
	$2,450,000	$ 909,037.50	$3,359,037.50

EXHIBIT E

PROOF SHOWING COMPLIANCE WITH CHAPTER 107,
TITLE 59, SOUTH CAROLINA CODE OF LAWS 1976,
AS AMENDED

Aggregate of tuition fees received by The Medical University of South Carolina during preceding fiscal year ended June 30, 1989.....	$1,871,078.00
Multiplied by.....	90%
Produces.....	$1,683,970.20
Maximum Annual Debt Service on All State Institution Bonds of the University (including the proposed issue of $2,000,000).....	$ 554,625.00
Margin.....	$1,129,345.20

APR 16 1990

McNAIR LAW FIRM, P. A.
ATTORNEYS AND COUNSELORS AT LAW
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RALEIGH OFFICE
ONE EXCHANGE PLAZA
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FAX (919) 890-4180

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WASHINGTON, D.C. 20005
TEL (202) 659-3900
FAX (202) 659-5763

April 16, 1990

Mr. William A. McInnis
State Budget and Control
Board of South Carolina
Wade Hampton Office Building
Columbia, South Carolina 29201

Re: $1,075,000 State Institution Bond Anticipation Notes of the State of South Carolina, Series 1990 (Winthrop College)

Dear Bill:

Enclosed is a copy of a resolution adopted by the Board of Trustees of Winthrop College on April 4, 1990, requesting the issuance of $1,075,000 principal amount of state institution bond anticipation notes for Winthrop College. Also enclosed is a resolution to be considered by the State Budget and Control Board of South Carolina approving the application of Winthrop College requesting the issuance of the above-captioned bond anticipation notes.

I shall appreciate your presenting this to the Budget and Control Board for their consideration at its meeting on April 23, 1990.

As always, I appreciate your most capable assistance and should you have any questions, please call.

With kindest regards, I am

Sincerely,

McNAIR LAW FIRM, P.A.

O. Wayne Corley

OWC/jpw

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RESOLUTION

OF THE BOARD OF TRUSTEES OF WINTHROP COLLEGE REQUESTING THE ISSUANCE OF $1,075,000 PRINCIPAL AMOUNT OF STATE INSTITUTION BONDS FOR WINTHROP COLLEGE PURSUANT TO CHAPTER 107, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND THE ISSUANCE OF BOND ANTICIPATION NOTES PRIOR TO THE ISSUANCE OF SUCH BONDS.

Adopted By

BOARD OF TRUSTEES
OF
WINTHROP COLLEGE

April 4, 1990

EXHIBIT

APR 23 1990 12

STATE BUDGET & CONTROL BOARD

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RESOLUTION

OF THE BOARD OF TRUSTEES OF WINTHROP COLLEGE REQUESTING THE ISSUANCE OF $1,075,000 PRINCIPAL AMOUNT OF STATE INSTITUTION BONDS FOR WINTHROP COLLEGE PURSUANT TO CHAPTER 107, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, AND THE ISSUANCE OF BOND ANTICIPATION NOTES PRIOR TO THE ISSUANCE OF SUCH BONDS.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WINTHROP COLLEGE IN MEETING DULY ASSEMBLED:

Section 1. Findings of Fact.

As an incident to the adoption of this Resolution the Board of Trustees (the "Board of Trustees") of Winthrop College (the "College") hereby finds:

(a) That by resolution adopted April 22, 1987 (the "1987 Resolution"), of the Board of Trustees, application was made to the State Budget and Control Board of South Carolina (the "State Board") pursuant to the provisions of Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended (the "Enabling Act"), for the issuance of $1,700,000 principal amount state institution bonds, the proceeds of which were to be applied to certain permanent improvements as described in the 1987 Resolution. By the terms of the 1987 Resolution, the Board of Trustees requested that bond anticipation notes be issued if the State Board determined that long-term obligations should not be issued.

(b) The State Board reviewed the 1987 Resolution and determined that it was prudent to issue bond anticipation notes. Accordingly, $1,700,000 principal amount state institution bond anticipation notes dated June 15, 1987 and maturing June 15, 1988 (the "1987 Notes"), were issued.

(c) Thereafter, the State of South Carolina (the "State") issued $1,400,000 principal amount of state institution bond anticipation notes dated June 15, 1988 and maturing June 14, 1989 (the "1988 Notes"), to refund $1,400,000 principal amount of the 1987 Notes. The remaining $300,000 principal amount of, and interest on, the 1987 Notes was paid from tuition fees.

(d) Thereafter, the State issued $1,200,000 principal amount of state institution bond anticipation notes dated June 14, 1989 and maturing June 13, 1990 ("the "1989 Notes"), to refund $1,200,000 principal amount of the 1988 Notes. The remaining $200,000 principal amount of, and interest on, the 1988 Notes was paid from tuition fees.

(e) The Board of Trustees has determined to pay $125,000 principal amount of, and interest on, the 1989 Notes from tuition fees received by the College. The Board of Trustees has

determined that it is in the interest of the College to refund the remaining $1,075,000 principal amount of the 1989 Notes.

(f) The Board of Trustees, having exhausted all other sources for paying the $1,075,000 aggregate principal balance of the 1989 Notes, desires to make application to the State Board for the issuance of state institution bonds as provided for under the Enabling Act, on the basis that a definite and immediate need exists for issuing new state institution bonds or bond anticipation notes to refund $1,075,000 principal amount of the 1989 Notes.

(g) Accordingly, this Resolution is adopted pursuant to Section 59-107-40 of the Code of Laws of South Carolina 1976, as amended, in order to make formal application for the issuance of state institution bonds for the College in the aggregate principal amount of $1,075,000, the proceeds of which will be used to pay $1,075,000 principal amount due on the 1989 Notes at maturity.

Section 2. Application for Issuance of State Institution Bonds.

The Board of Trustees hereby makes formal application to the State Board for the issuance of $1,075,000 principal amount of state institution bonds (the "Bonds") pursuant to the provisions of the Enabling Act.

Section 3. Use of Proceeds.

All of the proceeds of the Bonds will be applied to the payment of $1,075,000 principal amount of the 1989 Notes.

Section 4. Tuition Fees Received.

The aggregate sum received by the College from tuition fees available to pay debt service on state institution bonds issued on behalf of the College for the preceding fiscal year, viz., July 1, 1988 through June 30, 1989, is $286,607.35. The aggregate sum received by the College from tuition fees available to pay debt service on state institution bonds issued on behalf of the College for the twelve consecutive calendar months February 1989 to and including January 1990 (the most recent twelve consecutive calendar months for which information is available) is $412,849.22.

Section 5. Current Schedule of Tuition Fees.

The schedule of tuition fees available to pay debt service on state institution bonds now in effect at the College is as set forth in Exhibit A to this Resolution. The schedule of tuition fees does not include fees collected from students for summer school terms.

Section 6. Maturity Schedule for Bonds.

The suggested maturity schedule for the Bonds is set forth as Exhibit B to this Resolution.

There are no other state institution bonds heretofore issued on behalf of the College now outstanding.

Section 7. Calculation of Debt Limitation.

Upon the issuance of the Bonds, the maximum annual debt service on all state institution bonds secured by the tuition fees of the College will not be greater than 90% of the tuition fees received by the College for the fiscal year ended June 30, 1989.

A calculation establishing the right of the College to seek the issuance of the Bonds to the extent set forth in this Resolution is set forth as Exhibit C to this Resolution.

Section 8. Request for Issuance of Bond Anticipation Notes.

The State Board is requested to make the findings required by the Enabling Act and to request the Governor and State Treasurer to provide for the issuance by the State of state institution bonds in the principal amount of $1,075,000. If the State Treasurer should determine that issuance of $1,075,000 principal amount of bond anticipation notes (the "Notes") pursuant to the Chapter 17 of Title 11 of the Code of Laws of South Carolina 1976, as amended (the "BAN Act"), rather than state institution bonds would result in a substantial savings in interest under prevailing market conditions, the Governor and State Treasurer are further requested to effect the issuance of the Notes pursuant to the BAN Act. If the Notes are issued and if, upon the maturity thereof the State Treasurer should determine that further issuance of bond anticipation notes rather than the Bonds would result in a substantial savings in interest under then prevailing market conditions, the Governor and State Treasurer are requested to continue the issuance of bond anticipation notes, in a principal amount not to exceed the principal amount of the Bonds in accordance with the schedule set forth in Exhibit B to this Resolution until the State Treasurer and the Governor determine to issue the Bonds on the basis as aforesaid, and the Bonds are issued.

Section 9. Covenant to Impose Tuition Fees Sufficient to Pay Bonds.

The Board of Trustees hereby covenants and agrees that the schedule of tuition fees now in effect at the College will be revised from time to time and whenever necessary in order to provide the annual principal and interest requirements of all

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state institution bonds which have been or will be issued on behalf of the College.

Section 10. Federal Guarantee Prohibition.

The Board of Trustees shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause either the Bonds or the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Internal Revenue Code of 1986 (the "IRC") and regulations promulgated thereunder (the "Regulations").

Section 11. Private Business Use Limitation.

The Board of Trustees shall assure that (i) not in excess of ten percent (10%) of the face amount of the Bonds or the Notes (as the case may be) plus accrued interest and premium, if any ("Net Proceeds") is used directly or indirectly in a trade or business carried on by a natural person or in any activity carried on by a person other than a natural person, excluding, however, use by a state or local governmental unit and use as a member of the general public ("Private Business Use"), if, in addition, the payment of more than ten percent (10%) of the principal or ten percent (10%) of the interest due on the Bonds or the Notes (as the case may be) during the term thereof is, under the terms thereof or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the State, in respect of property or borrowed money used or to be used for a Private Business Use; and (ii) in the event that both (a) in excess of five percent (5%) of the Net Proceeds are used for a Private Business Use, and (b) an amount in excess of five percent (5%) of the principal or five percent (5%) of the interest due on the Bonds or the Notes (as the case may be) during the term thereof is, under the terms thereof or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for said Private Business Use or in payments in respect of property used or to be used for said Private Business Use or is to be derived from payments whether or not to the State, in respect of property or borrowed money used or to be used for said Private Business Use, then said excess over said five percent (5%) of Net Proceeds used for a Private Business Use shall be used for a Private Business Use related to the governmental use of a portion of the facilities financed with the proceeds of the Bonds or the Notes (as the case may be) and shall not exceed the proceeds used for the governmental use of the portion of the undertaking to which such Private Business Use is related.

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Section 12. Private Loan Limitation.

The Board of Trustees shall assure that not in excess of five percent (5%) of the Net Proceeds of the Bonds or the Notes (as the case may be) are used, directly or indirectly, to make or finance a loan to persons other than state or local government units.

Section 13. No Arbitrage.

(a) The Board of Trustees represents that it does not expect any portion of the proceeds of the Bonds or Notes (as the case may be) to be used directly or indirectly to acquire higher yielding investments, or to replace funds which were used directly or indirectly to acquire higher yielding investments for other than a "temporary period" as defined in the IRC. The Board of Trustees further covenants that it will not intentionally use any portion of the proceeds of the Bonds or Notes (as the case may be) to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments. In making the foregoing representation and covenant, the Board of Trustees understands that certain of the words or phrases contained therein have specified meanings provided therefor under Section 148 of the IRC and Regulations proposed or promulgated thereunder or applicable thereto.

(b) The Board of Trustees hereby represents that all of the proceeds (including investment proceeds) of the 1989 Notes have been spent for the purpose for which the 1989 Notes were issued and that the entire proceeds of the Bonds or Notes (as the case may be) requested hereunder will be applied immediately upon the receipt thereof to the payment of $1,075,000 principal amount of the 1989 Notes.

Section 14. Secretary to Present Resolution to State Board.

The Secretary of the Board of Trustees is hereby directed to present a certified copy of this Resolution, together with the Exhibits heretofore referred to, to the State Board as evidence of the formal request of the Board of Trustees for the issuance of the Bonds or Notes on behalf of the College and as evidence that all conditions precedent to the issuance of such Bonds have been met prior to the issuance of either the Bonds or the Notes.

Section 15. Execution of Closing Documents and Certificates.

The Chairman and Secretary of the Board of Trustees, and all other officers of the College, are fully authorized and empowered to take such further action and to execute and deliver such closing documents as may be necessary and proper in order to complete the borrowing herein authorized and the action of such officers or any one or more of them in executing and delivering

any of such documents, in such form as they shall approve, is hereby fully authorized.

Section 16. Law and Place of Enforcement of the Resolution.

This Resolution shall be construed and interpreted in accordance with the laws of this State and all suits and actions arising out of this Resolution shall be instituted in a court of competent jurisdiction in this State.

Section 17. Effect of Section Headings.

The headings or titles of the several Sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Resolution.

Section 18. Repeal of Inconsistent Resolutions.

All resolutions of the Board of Trustees, and any part of any resolution, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 19. Effectiveness of this Resolution.

This Resolution shall become effective upon its adoption.

WINTHROP COLLEGE

Angela B. Burkhalter
Chairman, Board of Trustees

ATTEST:

J Merritt Wilson
Secretary, Board of Trustees

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EXHIBIT A

WINTHROP COLLEGE
SCHEDULE OF TUITION FEES IN EFFECT FOR PURPOSES OF
SECTION 59-107-10 ET. SEQ. CODE OF LAWS OF
SOUTH CAROLINA 1976, AS AMENDED

Type of Student	Tuition Fees
Full Time:	
Resident	$25.00/Semester
Non-Resident	50.00/Semester
Part Time - Per Hour:	
Resident	$ 2.25/credit hour
Non-Resident	4.50/credit hour

EXHIBIT
APR 23 1990 12
STATE BUDGET & CONTROL BOARD

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EXHIBIT B
WINTHROP COLLEGE

PRO FORMA DEBT SERVICE TABLE ON THE PROPOSED ISSUE OF $1,075,000 PRINCIPAL AMOUNT OF STATE INSTITUION BONDS. PRINCIPAL AND INTEREST, PAYABLE AS INDICATED, IS COMPUTED AT AN ASSUMED RATE OF INTEREST OF 7.25%.

FISCAL YEAR ENDING JUNE 30	PRINCIPAL JUNE 1	INTEREST DECEMBER 1	INTEREST JUNE 1	TOTAL PRINCIPAL AND INTEREST
1991	$ 75,000	$ 38,969	$ 38,969	$ 152,938
1992	80,000	36,250	36,250	152,500
1993	85,000	33,350	33,350	151,700
1994	95,000	30,269	30,269	155,538
1995	100,000	26,825	26,825	153,650
1996	110,000	23,200	23,200	156,400
1997	115,000	19,213	19,213	153,426
1998	125,000	15,044	15,044	155,088
1999	135,000	10,513	10,513	156,026
2000	155,000	5,619	5,619	166,238
	$1,075,000	$239,252	$239,252	$1,553,504

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EXHIBIT C
WINTHROP COLLEGE

PROOF SHOWING COMPLIANCE WITH SECTION 11-27-30,
CODE OF LAWS OF SOUTH CAROLINA
1976, AS AMENDED

Aggregate of tuition fees received by the College during preceding fiscal year ending June 30, 1989	$286,607.35
Multiplied by	90%
Produces	$257,946.61
Maximum Annual Debt Service on all State Institution Bonds of the College (including the proposed issue of $1,075,000 at an assumed rate of interest of 7-1/4%)	$166,238.00
Margin	$ 91,708.61

EXHIBIT

APR 23 1990 12

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

Winthrop College

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Senator Waddell, who moved its adoption; the motion was seconded by Mr. Patterson, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

April 23, 1990

William A. McInnis 13975

RESOLUTION

APPROVING THE APPLICATION OF WINTHROP COLLEGE REQUESTING THE ISSUANCE OF $1,075,000 PRINCIPAL AMOUNT OF STATE INSTITUTION BONDS OF THE STATE OF SOUTH CAROLINA AND REQUESTING THE GOVERNOR AND THE STATE TREASURER TO ISSUE SUCH BONDS OR NOTES IN ANTICIPATION THEREOF.

Adopted By

THE STATE BUDGET AND CONTROL BOARD

OF

SOUTH CAROLINA

April 23, 1990

EXHIBIT

APR 23 1990 12

STATE BUDGET & CONTROL BOARD

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RESOLUTION

APPROVING THE APPLICATION OF WINTHROP COLLEGE REQUESTING THE ISSUANCE OF $1,075,000 PRINCIPAL AMOUNT OF STATE INSTITUTION BONDS OF THE STATE OF SOUTH CAROLINA AND REQUESTING THE GOVERNOR AND THE STATE TREASURER TO ISSUE SUCH BONDS OR NOTES IN ANTICIPATION THEREOF.

WHEREAS, Winthrop College (the "College") pursuant to a resolution adopted by the Board of Trustees (the "Board of Trustees") of the College on April 4, 1990, has requested that the State Budget and Control Board of South Carolina (the "State Board") issue $1,075,000 principal amount of state institution bonds of the State of South Carolina (the "State") for the purpose of refunding $1,075,000 principal amount of State Institution Bond Anticipation Notes dated June 14, 1989, and maturing June 13, 1990; and

WHEREAS, the State Board has determined on the basis of the Findings of Fact set forth below to request the Governor and the State Treasurer to issue state institution bonds pursuant to Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended, and pending the issuance thereof to issue notes in anticipation thereof.

NOW THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA IN MEETING DULY ASSEMBLED:

Section 1. Findings of Fact.

As an incident to the adoption of this Resolution, the State Board finds:

(a) The State Board is authorized by the provisions of Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended (the "State Institution Bond Act"), to make provision for the issuance of state institution bonds in order to raise funds for construction and furnishing of buildings and other permanent improvements to the various institutions of higher learning in the State, including the College.

(b) The statutory limit now controlling the issuance of state institution bonds set forth in Section 11-27-30 of the Code of Laws of South Carolina 1976, as amended, will permit the issuance of state institution bonds in the amount herein authorized.

(c) Heretofore the Board of Trustees of the College has requested the State Board to utilize the provisions of the State Institution Bond Act in connection with certain bond anticipation notes resulting in the issuance of such notes as follows:

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(i) On June 15, 1987, the State issued $1,700,000 principal amount of state institution bond anticipation notes which matured June 15, 1988 (the "1987 Notes") the proceeds of which were fully expended to defray a portion of the costs of renovation of existing academic buildings and in particular to permit completion of Rutledge Hall renovation which houses the Department of Art and Design and other projects approved by the Board of Trustees, as described in a resolution adopted by the Board of Trustees on April 22, 1987.

(ii) On June 15, 1988, the State issued $1,400,000 principal amount of state institution bond anticipation notes which matured June 14, 1989 ("the 1988 Notes"), to refund $1,400,000 principal amount of the 1987 Notes. The remaining $300,000 principal amount of, and interest on, the 1987 Notes was paid from tuition fees.

(iii) On June 14, 1989, the State issued $1,200,000 principal amount of state institution bond anticipation notes which will mature June 13, 1990 (the "1989 Notes"), to refund $1,200,000 principal amount of 1988 Notes. The remaining $200,000 principal amount of, and interest on, the 1988 Notes was paid from tuition fees.

(d) The State Board has been advised that the Board of Trustees, on April 4, 1990, adopted a resolution (the "Winthrop Resolution") determining to pay interest on, and $125,000 principal amount of, the 1989 Notes from College tuition fees on deposit with the State Treasurer and requesting the issuance of $1,075,000 principal amount of state institution bonds for the purpose of refunding the aggregate balance of $1,075,000 principal amount of the 1989 Notes. The State Board hereby approves use of College tuition fees on deposit with the State Treasurer to pay interest on, and $125,000 principal of, the 1989 Notes.

(e) The State is authorized by the provisions of Chapter 17 of Title 11 of the Code of Laws of South Carolina 1976, as amended (the "BAN Act"), to issue bond anticipation notes whenever it is authorized to issue bonds pending the sale and issuance thereof.

(f) Conditions in the bond market are such that the State and the College would be benefitted by the utilization of the authorization conferred upon the State by the BAN Act.

SECTION 2. Findings Required by Act.

The State Board makes the following findings pursuant to Section 59-107-50 of the State Institution Bond Act in connection with the application of the College for funding in the amount of $1,075,000 from state institution bonds for the purpose of providing $1,075,000 to be used to refund $1,075,000 principal amount of the 1989 Notes:

(a) There is a definite and immediate need for the issuance of $1,075,000 principal amount of state institution bonds for the purpose of providing the moneys necessary to refund $1,075,000 principal amount of the 1989 Notes.

(b) A satisfactory and proper schedule of tuition fees is in effect at the College. The schedule of tuition fees in effect at the College is set forth in Exhibit A to this Resolution. The schedule of tuition fees does not include fees collected from students for summer school terms.

(c) The Board of Trustees has agreed that the scheduled tuition fees for the College shall be revised from time to time and whenever necessary to provide not less than the sum needed to pay the annual principal and interest requirements on the proposed bonds and on all outstanding state institution bonds issued for the College.

(d) Upon the issuance of $1,075,000 principal amount of state institution bonds herein authorized under the terms herein set forth, the maximum annual debt service on all state institution bonds and/or state institution bond anticipation notes secured by the tuition fees of the College will not be greater than 90% of the tuition fees received by the College for the fiscal year ended June 30, 1989. The computation of maximum annual debt service allowable is set forth in Exhibit C to this Resolution.

SECTION 3. Approval of Application; Authorization of Bonds.

The application of the College is hereby approved and the Governor and the State Treasurer are hereby requested to issue state institution bonds in the principal amount of $1,075,000 (the "Bonds") in accordance with the State Institution Bond Act, and particularly Section 59-107-60 thereof, as follows:

(a) The College has requested the issuance of $1,075,000 principal amount of state institution bonds. There are no other state institution bonds heretofore issued on behalf of the College now outstanding.

(b) The State Board has made the findings required of it by the State Institution Bond Act.

(c) The State Board proposes that the Bonds be issued with the maturity schedule set forth in Exhibit B to this Resolution.

(d) The anticipated interest cost on the Bonds is as set forth in Exhibit B to this Resolution, assuming an interest rate of 7.25%.

(e) The anticipated aggregate annual principal and interest cost for the proposed Bonds is set forth on Exhibit B to this Resolution.

(f) Upon the issuance of the Bonds, Bonds maturing after the fifth anniversary date thereof shall be subject to redemption prior to maturity.

(g) The premium schedule for Bonds subject to redemption shall be not more than 3% in the first year, 2% in the second year, 1% in the third year and thereafter at par.

(h) The sum received by the College from tuition fees for the fiscal year ended June 30, 1989, is $286,607.35.

(i) The tuition fee schedule in effect at the College is set forth in Exhibit A to this Resolution.

SECTION 4. Request to Governor and State Treasurer to Effect issuance of Bonds or Notes.

Upon examination of this Resolution as provided by Section 59-107-70 of the State Institution Bond Act, the Governor and State Treasurer are requested and authorized to provide for the issuance by the State of the Bonds. If the State Treasurer should determine that issuance of bond anticipation notes ("BANs") pursuant to the BAN Act rather than state institution bonds would result in a substantial savings in interest under prevailing market conditions, the Governor and State Treasurer are hereby further requested and authorized to effect the issuance of BANs pursuant to the BAN Act. If BANs are issued and if, upon the maturity thereof the State Treasurer should determine that further issuance of BANs rather than state institution bonds would result in a substantial savings in interest under then prevailing market conditions, the Governor and State Treasurer are requested to continue the issuance of BANs, in a principal amount not to exceed the principal amount of the Bonds that would be outstanding on the date thereof in accordance with the schedule set forth in Exhibit B to this Resolution until the State Treasurer and the Governor determine to issue the Bonds on the basis as aforesaid, and the Bonds are issued.

SECTION 5. Details of BANs.

Subject to changes in terms required for any particular issue of BANs, the BANs shall be subject to the following particulars:

(a) The BANs shall be dated and bear interest from the date of delivery thereof, payable upon the stated maturity thereof at the rate determined by the State Treasurer and shall mature on such date, not to exceed one year from the issue date thereof, as shall be determined by the State Treasurer.

(b) The BANs shall be numbered from 1 upwards and shall be in the denomination of $25,000 or any integral multiple thereof requested by the purchaser thereof. The BANs shall be payable, both as to principal and interest, in legal tender at maturity, at the principal office of a bank in the City of Columbia, South Carolina, designated by the Treasurer, or, at the option of the State Treasurer, at the office of the State Treasurer.

(c) The State Treasurer is authorized to negotiate the sale of the BANs and to fix the rate of interest to be borne thereby.

(d) The BANs shall be in substantially the form attached hereto as Exhibit D with such changes as are necessary for any particular issue, shall be executed in the name of the State by the Governor and the State Treasurer, and the Great Seal of the State shall be reproduced or affixed thereon, and the same shall be attested by the Secretary of State of South Carolina. Any or all of such officials executing the BANs may use facsimiles of their signatures to the extent permitted by law.

(e) The BANs shall be issued in fully registered or bearer form as specified by the purchaser thereof; provided that once issued, the BANs of any particular issue shall not be reissued in any other form and no exchange shall be made from one form to the other.

(f) In the event any BAN is mutilated, lost, stolen or destroyed, the State may execute a new BAN of like date and denomination as the BAN mutilated, lost, stolen or destroyed; provided that, in the case of any mutilated BAN, such mutilated BAN shall first be surrendered to the State Treasurer, and in the case of any lost, stolen or destroyed BAN, there shall be first furnished to the State Treasurer evidence of such loss, theft or destruction satisfactory to the State Treasurer, together with indemnity satisfactory to him; provided further that, in the case of a holder which is a bank or insurance company, the agreement of such bank or insurance company to indemnify shall be sufficient. In the event any such BAN shall have matured, instead of issuing a duplicate BAN, the State may pay the same without surrender thereof. The State may charge the holder of such BAN with its reasonable fees and expenses in this connection.

(g) Any BAN issued in fully registered form shall be transferable only upon the books of registry of the State Board, which shall be kept for that purpose at the office of the State Treasurer (or his duly authorized designee) as note registrar, by the registered owner thereof or by his attorney, duly authorized in writing, upon surrender thereof, together with a written instrument of transfer satisfactory to the State Treasurer (or his duly authorized designee) as note registrar, duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any BAN, the State Board shall issue, subject to the

provisions of paragraph (h) below, in the name of the transferee, a new BAN or BANs of the same aggregate principal amount as the unpaid principal amount of the surrendered BAN. Any holder of a BAN in fully registered form requesting any transfer shall pay any tax or other governmental charge required to be paid with respect thereto. As to any BAN in fully registered form, the person in whose name the same shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of or on account of the principal and interest of any BAN in fully registered form shall be made only to or upon the order of the registered holder thereof, or his duly authorized attorney, and the State Board shall not be affected by any notice to the contrary, but such registration may be changed as herein provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such BAN to the extent of the sum or sums so paid.

(h) BANs issued in fully registered form, upon surrender thereof at the office of the State Treasurer (or at such office as may be designated by his designee) as note registrar, with a written instrument of transfer satisfactory to the State Treasurer, duly executed by the holder of the BAN or his duly authorized attorney, may, at the option of the holder of the BAN, and upon payment by such holder of any charges which the State Treasurer may make as provided in paragraph (i), be exchanged for a principal amount of BANs in fully registered form of any other authorized denomination equal to the unpaid principal amount of surrendered BANs.

(i) In all cases in which the privilege of exchanging or transferring BANs in fully registered form is exercised, the State Board shall execute and deliver BANs in accordance with the provisions of this Resolution. All BANs in fully registered form surrendered in any such exchanges or transfers shall forthwith be cancelled by the State Treasurer. There shall be no charge to the holder of such BAN for such exchange or transfer of BANs in fully registered form except that the State Treasurer may make a charge sufficient to reimburse the State for any tax or other governmental charge required to be paid with respect to such exchange or transfer.

(j) The BANs shall not be subject to prepayment prior to their maturity.

SECTION 6. Details of Bonds.

In the event state institution bonds are issued, the Bonds shall be in such form as is customary for state institution bonds at the date of their issue; shall be executed as provided in the State Institution Bond Act and shall be sold in accordance with the provisions of the State Institution Bond Act. The Bonds shall bear interest at the rate or rates determined on the sale thereof payable semiannually on the dates determined by the State Treasurer

at the date of sale. The Bonds may contain such additional terms and provisions as are permitted by the State Institution Bond Act and as are not inconsistent with the provisions hereof as the State Treasurer determines are appropriate.

SECTION 7. Security for Bonds and BANs.

For the payment of the principal of and interest on the Bonds and the BANs as the same shall fall due, the full faith, credit and taxing power of the State of South Carolina shall be pledged. In addition thereto, with respect to the Bonds, there shall also be pledged to the payment of the Bonds the tuition fees of the College. In addition thereto, with respect to the BANs, so much of the principal proceeds of the Bonds when issued shall and is hereby directed to be applied, to the extent necessary, to the payment of the BANs; and, further, the State Board covenants and agrees to effect the issuance of BANs or Bonds in order that the proceeds thereof will be sufficient to provide for the retirement of any BANs issued pursuant hereto.

SECTION 8. Use of Proceeds.

The proceeds from the sale of the BANs or Bonds shall be applied as follows:

(a) If there are outstanding any BANs, the proceeds of the Bonds or any subsequent BANs shall, to the extent required, be applied to discharge the indebtedness represented by the outstanding BANs.

(b) Upon the initial issuance pursuant hereto, the proceeds shall be applied to the payment of $1,075,000 principal amount of the 1989 Notes.

SECTION 9. Amending and Supplementing Resolution Without Consent of Holders of BANs or Bonds.

(a) The State Board, from time to time and at any time and without the concurrence of any holder of any BAN or Bond, may adopt a resolution amendatory hereof or supplemental hereto, if the provision of such supplemental resolution shall not materially adversely affect the rights of the holders of the BANs or Bonds then outstanding, for any one or more of the following purposes:

1. To make any changes or corrections in this Resolution as to which the State Board shall have been advised by counsel that the same are verbal corrections or changes or are required for the purpose of curing or correcting any ambiguity or defective or inconsistent provision in this Resolution, or to insert in this Resolution such provision or omission or mistake or manifest error contained in this

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Resolution, or to insert in this Resolution such provisions clarifying matters or questions arising under this Resolution as are necessary or desirable;

2. To add additional covenants and agreements of the State Board for the purpose of further securing the payment of the BANs or Bonds;

3. To surrender any right, power or privilege reserved to or conferred upon the State Board by the terms of this Resolution;

4. To confirm as further assurance any lien, pledge or charge or the subjection to any lien, pledge or charge, created or to be created by the provisions of this Resolution;

5. To grant or confer upon the holders of the BANs or Bonds any additional right, remedies, powers, authority or security that lawfully may be granted to or conferred upon them;

6. To modify any of the provisions of this Resolution in any other respects provided that such modification shall not be effective until after the BANs or Bonds outstanding at the time such supplemental resolution is adopted shall cease to be outstanding, or until the holders thereof consent thereto pursuant to Section 10 hereof, and any Notes or Bonds issued subsequent to any such modification shall contain a specific reference to the modifications contains in such supplemental resolution; and

7. To make such additions, deletions or modifications as may be necessary to assure compliance with Section 148(f) of the Internal Revenue Code of 1986, as amended (the "IRC") relating to required rebate of excess investment earnings to the United States or otherwise as may be necessary to assure exemption from federal income taxation of interest on the BANs or Bonds.

(b) The State Board shall not adopt any supplemental resolution authorized by the foregoing provisions of this Section unless in the opinion of counsel the adoption of such supplemental resolution is permitted by the foregoing provisions of this Section and the provisions of such supplemental resolution do not adversely affect the rights of the holders of the BANs or Bonds then outstanding.

SECTION 10. Amending and Supplementing Resolution with Consent of Holders of BANs or Bonds.

(a) With the consent of the holders of not less than a majority in principal amount of the BANs or Bonds then outstanding, the State Board from time to time and at any time may adopt a resolution amendatory hereof or supplemental hereto for the purpose of adding any provisions to, or changing in any manner or eliminating any of the provisions of, this Resolution, or modifying or amending the rights and obligations of the State Board under this Resolution, or modifying or amending in any manner the rights of the holders of the BANs or Bonds then outstanding; provided, however, that, without the specific consent of the holder of each such BAN or Bond which would be affected thereby, no supplemental resolution amending or supplementing the provisions hereof or thereof shall: (i) change the fixed maturity date of any BANs or Bonds or the dates for the payment of interest thereon or the terms of the redemption thereof, or reduce the principal amount of any BANs or Bonds or the rate of interest thereon; (ii) reduce the aforesaid percentage of BANs or Bonds, the holders of which are required to consent to any supplemental resolution amending or supplementing the provisions of this Resolution; (iii) give to any BANs or Bonds any preference over any other BANs or Bonds secured hereby; (iv) authorize the creation of any pledge, prior, superior or equal to the pledge created herein for the payment of the BANs or Bonds, or (v) deprive any holder of the BANs or Bonds of the pledge afforded by this Resolution.

(b) It shall not be necessary that the consents of the holders of the BANs or Bonds approve the particular form of wording of the proposed amendment or supplement or of the supplemental resolution effecting such amending or supplementing hereof pursuant to this Section. The State Board shall (i) mail a notice at least once, not more than thirty (30) days after the effective date of such amendment or supplement of such amendment or supplement postage prepaid, to each holder of BANs or Bonds in fully registered form then outstanding at his address, if any, appearing upon the books of registry, and (ii) publish notice thereof one (1) time in a financial journal published in the City of New York, New York, but failure to mail copies of such notice to any of the holders shall not affect the validity of the supplemental resolution effecting such amendments or supplements or the consents thereto. No action or proceeding to set aside or invalidate such supplemental resolution or any of the proceedings for its adoption shall be instituted or maintained unless such action or proceeding is commenced within sixty (60) days after the publication of the notice required by this paragraph.

SECTION 11. Effect of Supplemental Resolutions.

(a) BANs or Bonds delivered after the effective date of any supplemental or amendatory resolution may bear a notation as to

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STATE BUDGET & CONTROL BOARD

such action by endorsement or otherwise and in a form approved by the State Board. In that case, upon demand by the holder of any BAN or Bond outstanding after such effective date and upon the presentation of the BAN or Bond for such purpose at the office of the State Treasurer, and at such additional offices, if any, as of the State Board may select and designate for the purpose, a suitable notation shall be made on such BANs or Bonds. If the State Board shall so determine, new BANs or Bonds then outstanding shall be exchanged without cost to such holder of BANs or Bonds then outstanding, upon surrender of such outstanding BANs or Bonds.

(b) Upon the adoption by the State Board of any supplemental resolution amending or supplementing the provisions of this Resolution and the delivery to the State Treasurer of an opinion of bond counsel that such supplemental resolution is in due form and has been duly adopted in accordance with the provisions hereof and applicable law and that the provision thereof are valid and binding upon the State Board, or upon such later date as may be specified in such supplemental resolution, (i) this Resolution and the BANs or Bonds shall be modified and amended in accordance with such supplemental resolution, (ii) the respective rights, limitations of rights, obligations, duties and immunities under this Resolution of the State Board and the holders of the Notes or Bonds shall thereafter be determined, exercised and enforced under this Resolution subject in all respects to such modifications and amendments, and (iii) all of the terms and conditions of any such supplemental resolution shall be a part of the terms and conditions of the BANs or Bonds and of this Resolution for any and all purposes.

(c) No supplemental resolution changing, amending or modifying any of the rights, duties and obligations of any paying agent appointed by or pursuant to the provisions of this Resolution may be adopted by the State Board or be consented to by the holders of the BANs or Bonds without written consent of such paying agent affected thereby.

SECTION 12. No Arbitrage.

(a) The State Board shall not take, or permit or suffer to be taken, any action which would result in the proceeds of the BANs or Bonds being invested at a yield which is higher than the yield on the BANs or Bonds for other than a "temporary period" as defined in the IRC or any other action which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date the BANs or Bonds are issued would have caused the BANs or Bonds to be "arbitrage bonds" within the meaning of the Section 148(a) of the IRC and Regulations promulgated thereunder.

(b) The State Board hereby covenants to comply with the requirements of the IRC as the same apply to the BANs or the Bonds.

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The State Board hereby directs the State Treasurer to maintain such records regarding the investment of the proceeds of the BANs and Bonds as are necessary to determine the payments, if any, due the United States Treasurer as a rebate of arbitrage and to make such calculations, deposits and payments as are necessary to comply with Section 148(f) of the IRC.

SECTION 13. Performance of Covenants and Agreements; Authority of the State Board.

The State Board covenants that it will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in the State Institution Bond Act, in this Resolution, in the BANs and Bonds executed and delivered hereunder and in all proceedings pertaining thereto. The State Board covenants that it is duly authorized under the Constitution and laws of this State to authorize the issuance of the BANs and Bonds authorized hereby, to adopt this Resolution, and to pledge the security pledged hereunder in the manner and to the extent herein set forth; that all action on its part for the issuance of the BANs and the Bonds and the adoption of this Resolution has been duly and effectively taken, and that the BANs and Bonds in the hands of the holders thereof are and will be valid and enforceable obligations of the State according to the import thereof.

SECTION 14. Release of Resolution.

If all of the BANs and Bonds issued pursuant to this Resolution shall have been paid and discharged, then the obligations of the State under this Resolution, the pledge securing the BANs and Bonds made hereby, and all other rights granted hereby, shall cease and determine. BANs and Bonds shall be deemed to have been paid and discharged within the meaning of this Section under each of the following circumstances:

(a) If the State Treasurer shall hold, at the stated maturity of such BANs or Bonds, in trust and irrevocably appropriated thereto, moneys for the full payment thereof; or

(b) If default in the payment of the principal of such BANs or Bonds or the interest thereon shall have occurred, and thereafter tender of such payments shall have been made, and the State Treasurer shall hold, in trust and irrevocably appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payments; or

(c) If there shall have been deposited with the State Treasurer, in irrevocable trust, either moneys in an amount which shall be sufficient, or direct general obligations of the United States of America, which are not subject to redemption by the issuer prior to the date of redemption of the BANs or Bonds to be defeased, the principal of and interest on which, when due, will

provide moneys which, together with the moneys, if any, deposited with the State Treasurer, as aforesaid, at the same time, shall be sufficient to pay, when due, the principal and interest due and to become due on such BANs or Bonds on the maturity thereof.

SECTION 15. Deposit of Moneys.

Any moneys which at the time shall be deposited with the State Treasurer by or on behalf of the State Board for the purpose of paying and discharging any BANs or Bonds shall be and are hereby assigned, transferred and set over to the State Treasurer in trust for the respective holders of such BANs or Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. If, through lapse of time or otherwise, the holders of such BANs or Bonds shall no longer be entitled to enforce payment of their obligations, then, in such event, it shall be the duty of the State Treasurer to apply such funds for the benefit of the State Board.

SECTION 16. Notice of Release of Resolution.

The State Board covenants and agrees that any moneys which it shall deposit with the State Treasurer shall be deemed to be deposited in accordance with, and subject to, the applicable provisions of this Resolution, and whenever it shall have elected to defease any BANs or Bonds, it will irrevocably bind and obligate itself to give notice of the defeasance thereof, and will further authorize and empower the State Treasurer to cause such notice of the defeasance to be given in its name and on its behalf by mailing such notice to the registered owner of such BANs or Bonds, if any, at the address shown on the books of registry and by publishing one (1) time notice of such defeasance in a financial journal published in the City of New York, New York.

SECTION 17. Copy of Resolution to be Transmitted to Governor and State Treasurer.

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

SECTION 18. Execution of Closing Documents and Certificates.

The Governor and the State Treasurer are fully authorized and empowered to take such further action and to execute and deliver such closing documents as may be necessary and proper in order to complete the borrowing herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as they shall approve, is hereby fully authorized.

SECTION 19. No Personal Liability.

No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the State Board contained in this Resolution, the BANs or the Bonds against any member of the State Board, any officer or employee, as such, in his or her individual capacity, past, present or future, of the State, either directly or through the State Board, whether by virtue of any assessment or penalty or otherwise, it being expressly agreed and understood that this Resolution and the BANs or Bonds are solely corporate obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such, past, present or future, of the State, either directly or by reason of any of the obligations, covenants, promises, or agreements entered into between the State and the holders of the BANs or Bonds or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by adoption of this Resolution and the execution of the BANs or Bonds, and as a condition of, and as a part of the consideration for, the adoption of this Resolution and the execution of the BANs and Bonds, expressly waived and released. The immunity of members, officers and employees of the State under the provisions contained in this Section shall survive the termination of this Resolution.

SECTION 20. Effect of Saturdays, Sundays and Legal Holidays.

Whenever this Resolution requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in this State, such action shall be taken on the first business day occurring thereafter. Whenever in this Resolution the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday in this State, such time shall continue to run until midnight on the next succeeding business day.

SECTION 21. Partial Invalidity.

(a) If any one or more of the covenants or agreements or portions provided in this Resolution on the part of the State to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreements or portions thereof provided in this Resolution and the invalidity thereof shall in no way affect the validity of the other provisions of this Resolution or of the BANs and Bonds, but the holders of the BANs and Bonds shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

(b) If any provisions of this Resolution shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or

invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

SECTION 22. Law and Place of Enforcement of This Resolution.

This Resolution shall be construed and interpreted in accordance with the laws of this State and all suits and actions arising out of this Resolution shall be instituted in a court of competent jurisdiction in this State.

SECTION 23. Exemption from State Taxes.

Both the principal of and interest on the BANs or the Bonds shall be exempt from all State, county, municipal, school district and all other taxes or assessments of this State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes.

SECTION 24. Effect of Section Headings.

The heading or titles of the several Sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Resolution.

SECTION 25. Repeal of Inconsistent Resolutions.

All resolutions of the State Board, and any part of any resolution, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

SECTION 26. Effectiveness of this Resolution.

This Resolution shall become effective upon its adoption.

SECTION 27. Benefits of Resolution Limited to the State and Holders of the BANs and Bonds.

With the exception of rights of benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Resolution or the BANs or the Bonds is intended or should be construed to confer upon or give to any person other than the State and the holders of such BANs or Bonds, any legal or equitable right, remedy or claim under or by reason of or in respect to this Resolution or any covenant, condition, stipulation, promise, agreement or provision herein contained. This Resolution and all

of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the State and the holders from time to time of the BANs and Bonds as herein and therein provided.

13991

EXHIBIT A

WINTHROP COLLEGE
SCHEDULE OF TUITION FEES IN EFFECT FOR PURPOSES OF
SECTION 59-107-10 ET. SEQ. CODE OF LAWS OF
SOUTH CAROLINA 1976, AS AMENDED

Type of Student	Tuition Fees
Full Time:	
Resident	$25.00/Semester
Non-Resident	50.00/Semester
Part Time - Per Hour:	
Resident	$ 2.25/credit hour
Non-Resident	4.50/credit hour

13992

EXHIBIT B
WINTHROP COLLEGE

PRO FORMA DEBT SERVICE TABLE ON THE PROPOSED ISSUE OF $1,075,000 PRINCIPAL AMOUNT OF STATE INSTITUION BONDS. PRINCIPAL AND INTEREST, PAYABLE AS INDICATED, IS COMPUTED AT AN ASSUMED RATE OF INTEREST OF 7.25%.

FISCAL YEAR ENDING JUNE 30	PRINCIPAL JUNE 1	INTEREST DECEMBER 1	INTEREST JUNE 1	TOTAL PRINCIPAL AND INTEREST
1991	$ 75,000	$ 38,969	$ 38,969	$ 152,938
1992	80,000	36,250	36,250	152,500
1993	85,000	33,350	33,350	151,700
1994	95,000	30,269	30,269	156,538
1995	100,000	26,825	26,825	153,650
1996	110,000	23,200	23,200	156,400
1997	115,000	19,213	19,213	153,426
1998	125,000	15,044	15,044	155,088
1999	135,000	10,513	10,513	156,026
2000	155,000	5,619	5,619	166,238
	$1,075,000	$239,252	$239,252	$1,553,504

13993

EXHIBIT C
WINTHROP COLLEGE

PROOF SHOWING COMPLIANCE WITH SECTION 11-27-30,
CODE OF LAWS OF SOUTH CAROLINA
1976, AS AMENDED

Aggregate of tuition fees received by the College during preceding fiscal year ending June 30, 1989	$286,607.35
Multiplied by	90%
Produces	$257,946.61
Maximum Annual Debt Service on all State Institution Bonds of the College (including the proposed issue of $1,075,000 at an assumed rate of interest of 7-1/4%)	$166,238.00
Margin	$ 91,708.61

EXHIBIT

EXHIBIT D

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FORM OF BAN

STATE BUDGET & CONTROL BOARD

No. _____ $_____

UNITED STATES OF AMERICA
STATE OF
SOUTH CAROLINA
STATE INSTITUTION BOND ANTICIPATION NOTE
SERIES 1990
(WINTHROP COLLEGE)

Know all men by these presents that the State of South Carolina hereby acknowledges itself indebted and, for value received, promises to pay to the BEARER hereof, the principal sum of

_____

at the office of the State Treasurer of South Carolina, in the City of Columbia, State of South Carolina, on the 12th day of June, 1991, and to pay interest (calculated on the basis of a 360-day year consisting of twelve 30-day months) on said principal sum from the date hereof, at the rate of _____ per centum (__%) per annum, payable upon the maturity of this Note. This Note is not subject to prepayment prior to its maturity.

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, of like date, tenor and effect, except as to number and denomination, aggregating $1,075,000 (the "Notes"), issued by the State of South Carolina, pursuant to the authorization of Chapter 17, Title 11, Code of Laws of South Carolina 1976, as amended, in anticipation of the receipt of the proceeds to be derived from the sale of state institution bonds of the State of South Carolina to be issued pursuant to Chapter 107, Title 59, Code of Laws of South Carolina 1976, as amended. The full faith, credit and taxing power of the State of South Carolina, the tuition fees received by Winthrop College, and the proceeds to be derived from the sale of the state institution bonds, in anticipation of which the Notes are issued, are pledged for the payment of and interest on this Note.

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,

general or special, 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,and the amount of this Note, and the issue of which this Note is one, does not exceed any constitutional or statutory limitation.

In witness whereof, the State of South Carolina has caused this Note to be signed by the facsimile signature of the Governor of South Carolina and by the manual signature of the State Treasurer of South Carolina, the Great Seal of the State to be reproduced hereon and the same to be attested by the manual signature of the Secretary of State of South Carolina, and this Note to be dated the 13th day of June, 1990.

STATE OF SOUTH CAROLINA

_____
Governor

(SEAL)

_____
State Treasurer

Attest:

_____
Secretary of State

13996

EXHIBIT

APR 23 1990 13

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF April 23, 1990 ITEM NUMBER 3

AGENCY: Housing Finance and Development Authority

SUBJECT: $2,850,000 Multifamily Housing Revenue Bonds

The Board is asked to adopt a resolution approving the issuance of $2,850,000 Multifamily Housing Revenue Bonds of the Housing Finance and Development Authority on behalf of the Westbridge Apartments project located in West Columbia.

No 1990 State ceiling allocation will be required. The Authority will use $2,850,000 of the $75,000,000 carried forward from calendar year 1987.

Details are provided in the attached summary.

BOARD ACTION REQUESTED:

Adopt a resolution approving the issuance of $2,850,000 Multifamily Housing Revenue Bonds of the Housing Finance and Development Authority on behalf of the Westbridge Apartments project located in West Columbia.

ATTACHMENTS:

Summary description of proposed new issue; resolution; petition

13997

SOUTH CAROLINA STATE HOUSING FINANCE
AND DEVELOPMENT AUTHORITY

SUMMARY DESCRIPTION OF PROPOSED NEW ISSUE April 18, 1990

I. Issue Type, Amount and Date

Multifamily Housing Revenue Bonds Conduit Issue
Amount: $2,850,000
Method of Sale: Private Direct Placement to a Colonial Tax Exempt Trust, a single institutional investor; further transfers restricted to similarly qualified investors.
Date of Issue: Proposed for week of May 1, 1990

II. Project Financed

Westbridge Apartments. This issue is proposed to finance the acquisition and rehabilitation of an existing 112 unit apartment project in West Columbia, South Carolina. The Project has qualified for an allocation of subsidy from the Department of Housing and Urban Development for use with low income tenants, subject to completion of the renovations and the qualification of individual tenants. The Authority has reviewed and participated in the renovation plans.

III. Public Purpose

The project will provide newly renovated housing for occupancy by low income tenants in the Columbia area. Ninety-seven of the 112 units will be subsidized housing. The housing will meet standards for occupancy established by the Authority. There are substantial waiting lists for such housing in the Columbia metropolitan area.

IV. Authority Risk

The Authority will be protected by exculpatory language in the documents used for the financing. In addition, there is no public distribution of this issue; the purchaser will be an institutional investor.

V. Action Requested

The **Budget and Control Board** will be requested to approve this issue. The Authority has an allocation of volume cap carried forward from a prior year which it will utilize for this issue; therefore, no allocation of private activity bond volume cap will be requested. The **Treasurer** has previously approved the designation of Citizens and Southern Trust Company (South Carolina), National Association as corporate fiduciary or trustee for the issue.

EXHIBIT

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STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

SHFDA

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Mr. Morris, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

April 23, 1990

William A. McInnis

13999

EXHIBIT

APR 23 1990 13

STATE BUDGET & CONTROL BOARD

A RESOLUTION

GRANTING APPROVAL TO THE ISSUANCE BY THE SOUTH CAROLINA STATE HOUSING FINANCE AND DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS (WESTBRIDGE APARTMENTS PROJECT) SERIES 1990 A

WHEREAS, it is provided by the South Carolina State Housing Authority Act of 1977, as amended (the "Act"), that, upon the approval of the State Budget and Control Board (the "Board"), the South Carolina State Housing Finance and Development Authority (the "Authority") may issue from time to time bonds or notes for the purpose of obtaining funds with which to make (1) construction and/or rehabilitation loans secured by mortgages of housing sponsors; and (2) permanent mortgage loans to housing sponsors who agree to and shall be required to provide construction and/or rehabilitation or residential housing for rental by persons or families of either Beneficiary class as defined in the Act;however, with respect to any particular issue of notes or bonds one of the following conditions must be met: (a) if there is a public distribution of the notes or bonds, the issue must be rated by one or more of the national rating agencies, and one or more of the following conditions must be met: (i) there must be in effect a Federal program providing assistance in repayment of such loans; (ii) the proceeds must be used to acquire either Federally insured mortgages or mortgages insured by a private mortgage insurer authorized to do business in the State of South Carolina; (iii) the payment of the notes or bonds to the purchasers and holders of them must be assured by the maintenance of adequate reserves or insurance or a guaranty from a responsible entity which has been determined to be sufficient by the Budget and Control Board or (b) if the notes or bonds are sold or placed either as "mortgage bonds sold as a unit," or in "transactions with banks, institutional buyers, etc." as provided in Section 35-1-320(5) and (8) of the Code of Laws of South Carolina, 1976, as amended, the documents pursuant to which the notes or bonds are issued must permit the Authority to avoid any default by it by completing an assignment of, or foregoing its rights with respect to, any collateral or security pledged to secure the notes or bonds. provided, there is in effect a Federal program providing assistance in the repayment of such loans made by the Authority; and, provided, further, in addition to or in lieu of such Federal assistance programs the loans may be secured by Federally insured mortgages or by a mortgage insured by a private mortgage insurer authorized to do business within the State of South Carolina; and

WHEREAS, Pen-Hill-Co, a South Carolina general partnership (the "Developer") has requested the Authority to assist it by providing permanent mortgage financing for the acquisition and rehabilitation of a 112 unit multifamily housing apartment project known as Westbridge Apartments located in West Columbia, South Carolina (the "Project"); and

WHEREAS, the Authority now proposes to make provision for raising sufficient moneys to fund not exceeding $2,850,000 of a qualifying permanent mortgage loan to be made under the Insured Direct Loan Program for one project, to establish any necessary reserves and to pay the costs and expenses of the Authority in further implementing the Insured Direct Loan Program and issuing its bonds for such purposes by issuing the Bonds, which Bonds shall be issued pursuant to a Trust Indenture establishing the general terms and details of the Bonds (the "Indenture") and

WHEREAS, the Bonds are proposed to be issued in an aggregate principal amount sufficient to provide the Authority with moneys required to fund not exceeding $2,850,000 of a qualifying permanent mortgage loan; and

WHEREAS, the Bonds shall be dated, shall mature, shall bear interest at such rates, shall be payable at such times and shall otherwise contain such terms and conditions as shall be authorized by the proceedings of the Authority authorizing the issuance of Bonds; and

WHEREAS, the Authority has presented to the Board its Petition dated April 18, 1990 (the "Petition"), which sets forth certain information with respect to the Insured Direct Loan Program and the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD IN MEETING DULY ASSEMBLED:

Section 1. It is found and determined that the facts set forth in the preambles to this Resolution are in all respects true and correct.

Section 2. Approval is granted to the undertaking of the Authority to develop the Insured Direct Loan Program, as outlined in the Petition, including the exhibits attached thereto, and to make a not exceeding $2,850,000 permanent mortgage loan pursuant to the Insured Direct Loan Program to be funded with proceeds of the Bonds and which permanent mortgage loan is to be made under the terms and conditions described in the Petition.

Section 3. Subject to the conditions set forth in Section 4, approval is hereby granted by the Board to the issuance and sale by the Authority of its South Carolina State Housing Finance and Development Authority Multifamily Housing Revenue Bonds (Westbridge Apartments Project) Series 1990 A in an aggregate principal amount sufficient to provide the Authority with the moneys required to fund not exceeding $2,850,000 of permanent mortgage loans under the Insured Direct Loan Program.

The Bonds shall be issued under and secured by the Loan Agreement and shall be subject to the terms and conditions set forth in the Loan Agreement.

Section 4. The Board has been informed by the Authority that the Bonds will probably be issued prior to the next regularly scheduled meeting of the Board. The Board hereby finds it necessary and in the best interests of the Authority and the Board to delegate the following matters to the State Treasurer on behalf of the Board. Therefore, the approval herewith granted is subject to:

(a) The approval of the State Treasurer of the form and substance of and such documents as he deems necessary therefor;

(b) The State Treasurer shall find and determine that the funds estimated to be available for the repayment of the Authority's bonds and notes, including the Bonds, will be sufficient to provide for the payment of the principal and interest thereon; and

(c) The final approval as the elected official of the State of South Carolina for purposes of Section 142(f) of the Internal Revenue Code of 1986, as amended.

Section 5. This Resolution shall take effect immediately upon its adoption.

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EXHIBIT

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PETITION APR 23 1990 13

STATE BUDGET & CONTROL BOARD

TO: THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA

WESTBRIDGE APARTMENTS

This Petition of the South Carolina State Housing Finance and Development Authority (the "Authority") is submitted to the State Budget and Control Board of South Carolina (the "Board") pursuant to the South Carolina State Housing Authority Act of 1977, as amended (the "Act") and respectfully shows:

(a) The Act, among other things, provides that whenever the Authority shall have determined by resolution that sufficient persons or families of either beneficiary class (as defined in the Act) are unable to pay the amounts at which private enterprise is providing decent, safe and sanitary housing and that through the exercise of one or more of the programs authorized by the Act, decent, safe and sanitary housing will become available to members of the class in need therefor then, upon obtaining the approval of the Board pursuant to the Act and in order to provide funds for its corporate purposes, the Authority is authorized to issue from time to time its notes and bonds for the purpose of obtaining funds with which to make (a) construction loans secured by mortgages of housing sponsors (as defined in the Act), or of persons or families of either beneficiary class; and (b) permanent mortgage loans to housing sponsors who agree to and are required to provide for construction or rehabilitation of residential housing (as defined in the Act) for rental by persons or families of either beneficiary class; however, with respect to any particular issue of notes or bonds one of the following conditions must be met: (a) if there is a public distribution of the notes or bonds, the issue must be rated by one or more of the national rating agencies, and one or more of the following conditions must be met: (i) there must be in effect a Federal program providing assistance in repayment of such loans; (ii) the proceeds must be used to acquire either Federally insured mortgages or mortgages insured by a private mortgage insurer authorized to do business in the State of South Carolina; (iii) the payment of the notes or bonds to the purchasers and holders of them must be assured by the maintenance of adequate reserves or insurance or a guaranty from a responsible entity which has been determined to be sufficient by the Budget and Control Board or (b) if the notes or bonds are sold or placed either as "mortgage bonds sold as a unit," or in "transactions with banks, institutional buyers, etc." as provided in Section 35-1-320(5) and (8) of the Code of Laws of South Carolina, 1976, as amended, the documents pursuant to which the notes or bonds are issued must permit the Authority

to avoid any default by it by completing an assignment of, or foregoing its rights with respect to, any collateral or security pledged to secure the notes or bonds. The program established by this provision of the Act is known as the "Insured Direct Loan Program." The Act further provides that the Authority may refund any of its outstanding notes or bonds through the issuance of refunding notes or bonds.

(b) The housing developments to be financed by the construction or permanent loans funded under the Insured Direct Mortgage Loan Program will be privately owned by profit-motivated housing sponsors. All housing developments will be built or acquired and rehabilitated by private contractors and will be subject to full ad valorem taxes. The housing developments will be located throughout the State and must be approved by the appropriate units of local government before receiving construction and permanent financing by the Authority.

(c) Pen-Hill-Co, a South Carolina general partnership (the "Developer") has requested the Authority to assist it by providing mortgage financing for the acquisition and rehabilitation of a 112 unit multifamily housing apartment project known as Westbridge Apartments located in West Columbia, South Carolina (the "Project").

(d) The Authority proposes to issue its bonds to be known as: South Carolina State Housing Finance and Development Authority Multifamily Housing Revenue Bonds (Westbridge Apartments Project) Series 1990 A in the aggregate principal amount of not exceeding $2,850,000 (the "Bonds") pursuant to a Trust Indenture the form of which has been drafted for review (the "Indenture").

(e) The Authority has found and determined that:

(i) Sufficient persons or families within the Beneficiary Class, as defined in the Act, are unable to pay rent in the amounts at which private enterprise is providing decent, safe and sanitary housing and that through the exercise of powers conferred upon the Authority under the Insured Direct Mortgage Loan Program, decent, safe and sanitary housing will become available to members of the Beneficiary Classes in need therefor.

(ii) In order to provide the moneys necessary to continue to implement the Insured Direct Mortgage Loan Program, the Bonds must be issued as provided in the Resolution.

(iii) The Bonds are being acquired by Colonial Tax Exempt Trust which is a single institutional investor that qualifies in accordance with the provisions of S. C. Code Section 35-1-320(5).

(f) The Authority adopted a final resolution on January 10, 1990, authorizing the issuance and sale of the Bonds and directing the staff to establish the definitive terms thereof, including those revenues and assets to be pledged to the payment of the Bonds. The Authority will take all steps necessary to comply with the requirements of Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended.

(g) The interest rate to be borne by the Bonds is as set forth in the Indenture and is a stated fixed rate of nine and one-half per cent (9.5%) per annum.

(h) The size of the issue, the date of the issuance, the date of maturity, the payment dates and repayment provisions with respect to the Bonds shall be finally determined prior to the date the Bonds are issued. As soon as these matters are finally determined, a precise schedule thereof shall be presented to the Board or its designee for its approval as provided by the Act.

(i) The Bonds shall be special obligations of the Authority secured by and payable solely from moneys, income and receipts of the Authority received from the Developer under the Loan Agreement (the "Loan Agreement") to be entered into between the Authority and the Developer and pledged under the Indenture with respect thereto.

(j) There has previously filed with the Board and by reference incorporated herein in its entirety herein is a schedule showing the annual debt service requirements on all outstanding bonds and notes of the Authority and the amount and source of revenues available for the payment of such debt service requirements.

(k) The Indenture and the Bonds are coordinated so that as long as the Bonds are outstanding, the Authority is assured that its revenues and receipts under the Loan Agreement will be sufficient to pay the debt service on the Bonds. The Loan Agreement will permit the Authority to avoid any default by it by completing an assignment of, or foregoing its rights with respect to, any collateral or security pledged to secure the Bonds.

The Authority will produce any further information with respect to the Bonds required by the Board.

WHEREFORE, on the basis of the foregoing, the Authority prays approval by the Board of the further development of the Insured Direct Loan Program as outlined herein, the issuance and sale of the Bonds in the aggregate principal amount of not exceeding $2,850,000, for the acquisition and rehabilitation of a multifamily residential development that will be made available to persons and families of the Beneficiary Classes and to pay the

14006

cost and expenses of the Authority in further implementing the Insured Direct Loan Program.

Respectfully submitted,

THE SOUTH CAROLINA STATE HOUSING
FINANCE AND DEVELOPMENT AUTHORITY

E. Anthony Buzzetti
Executive Director

April 18, 1990

EXHIBIT

APR 23 1990 13

STATE BUDGET & CONTROL BOARD

14007

APR 18 1990

TRANSMITTAL FORM, REVENUE BONDS

Date: April 18, 1990
Submitted for BCB Meeting on:
April 24, 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

1201 Main Street/Suite 2400 PO Drawer 7157
Street Address/Box Number

Columbia, SC 29201
City, State, Zip Code

(803) 765-1818
Telephone Area Code and Number

RE: $1,550,000
Amount of Issue

Economic Development Revenue Refunding Bonds
Type of Bonds or Notes

South Carolina Jobs-Economic Development Authority
Issuing Authority Name

May 31, 1990
Projected Issue Date

Project Name: Old Claussen's Bakery Partners Project
Project Description:
Acquisition and substantial rehabilitation of an inn and retail shops in the City of Columbia

Employment as result of project: 15 employees currently

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
___Yes ($_____) X No	X Yes ($1,550,000) ___No	X Yes (12-2-86) ___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. X Resolution or ordinance (executed copy)
C. N/A Inducement Resolution or comparable preliminary approval (executed copy)
D. N/A Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)
OR N/A Audited financial statements for three most recent years
E. N/A Department of Health and Environmental Control certificate IF REQUIRED
F. X Budget and Control Board Resolution and Public Notice (original)
[Plus 1 copies for certification and return to counsel]
G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

EXHIBIT

Bond Counsel: Samuel W. Howell, IV
Typed Name

APR 23 1990

14

By: _____
Signature

STATE BUDGET & CONTROL BOARD

14008

OED 1/86

EXHIBIT

APR 23 1990 14

STATE BUDGET & CONTROL BOARD
Old Claussen's Bakery Partners

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Senator Waddell, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

May 7, 1990

William A. McInnis

14069

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $1,550,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (OLD CLAUSSEN'S BAKERY PARTNERS PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Old Claussen's Bakery Partners Project) in the aggregate principal amount of not exceeding $1,550,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Old Claussen's Bakery Partners to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

MAY - 4 1990

The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

EXHIBIT

APR 23 1990 14

STATE BUDGET & CONTROL BOARD

May 3, 1990

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: $1,550,000 Economic Development Revenue Refunding Bonds
(Old Claussen's Bakery Partners Project)

Dear Mr. McInnis:

This Office has received the documents you have forwarded to us regarding a proposed issuance of $1,550,000 Economic Development Revenue Refunding Bonds.

The State Budget and Control Board (Board) has been petitioned to authorize the issuance of these bonds through a negotiated private sale for a public offering. The Board under the authority of South Carolina Code of Laws, 1976, Section 41-43-110 has the authority to allow bonds issued under the Economic Development Fund Act to be "...sold at public or private sale as may be determined to be most advantageous."

There is no known litigation of any nature, now pending, or to this Office's knowledge, threatened, restraining or enjoining the issuance and delivery of the Bonds, nor in any manner questioning the proceedings and authority under which the same is made or affecting the validity of the Bonds thereunder; that neither the corporate existence of the State Board nor the title of the present officers to their respective offices is known to be contested.

No opinion is expressed as to any matters other than as set forth herein. Specifically no opinion is expressed as to any business judgment decisions in relation to this transaction.

Office of the Attorney General

BY: Steve Ashworth

TGA:bvc

APR 1 [illegible]

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

EXHIBIT

APR 23 1990 14

STATE BUDGET & CONTROL BOARD

April 18, 1990

HAND DELIVERED

The Honorable William A. McInnis
Secretary
State Budget and Control Board
Wade Hampton Office Building
6th Floor
Post Office Box 12444
Columbia, South Carolina 29211

Re: Not Exceeding $6,200,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990
and
Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990
(Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Bill:

Enclosed please find six packages on behalf of the South Carolina Jobs-Economic Development Authority requesting approval by the Budget and Control Board of its proposal to sell, pursuant to a negotiated sale, a composite issue of economic development revenue bonds for the purpose of refunding outstanding bonds of JEDA issued on December 30, 1986. The sale of those original bonds was approved by the Board in 1986. They were issued under a program managed by Salomon Brothers in which the interest rate is adjusted daily and provides for daily remarketing of bonds. Since the closing, Salomon Brothers has gotten out of the municipal finance business and Shearson Lehman Hutton was appointed by JEDA to replace Salomon Brothers as the remarketing agent for these bonds. Because of the cost of administering a daily interest rate program, Shearson's fees to these companies have increased substantially over the past several years. It has now reached the point where not only has Shearson increased the fees, but Shearson has now put JEDA on notice that it will resign as remarketing agent for this program.

JEDA's composite bond issues since that first issue have been underwritten and remarketed by Donaldson, Lufkin & Jenrette Securities Corporation under a weekly interest rate structure. Not only has the weekly program proven to be much less expensive to administer on an on-going basis but, in fact, often results in lower interest rates than the daily rate program. As a consequence of the developments since the December 1986 closing, JEDA proposes to amend the outstanding bond documents to convert from a daily to a weekly rate program; DLJ would replace Shearson as remarketing agent; with the approval of the State Treasurer, C&S Trust Company will replace the Bank of New York as trustee at a lower annual cost; the bonds will have an initial fixed-rate from closing for a period of time not later than December 1994 at a price to be determined at their sale; and certain additional amendments will be made to the bond program to improve the overall administration of it and bring it more into line with the other bond issues that JEDA administers.

In order to accomplish all of this, JEDA proposes to issue the refunding bonds and use the proceeds to repay the outstanding bonds. The credit structure for the transaction will remain in place. That is, the Bank of Tokyo will keep its letter of credit in place to secure all of the bonds; and each borrower will keep in place its presently outstanding standby letter of credit to secure its obligations to the Bank of Tokyo under the bond program. Because the credit structure will remain unchanged from that as approved by the Board in 1986, Standard Form Credit Enhancement Letters and copies of the Inducement Resolutions have not been included in the enclosed packages since I assume that you still have copies of those documents with the original approval given by the Board to these issues in 1986. If, however, you need additional copies of those documents, please give me a call.

The enclosed Richland County Hospital Revenue bond issue for Sunset Medical Partnership was "piggy-backed" onto the 1986 JEDA composite issue. For similar reasons it is being refunded by Richland County. You will find enclosed with that package documentation as required by the Board for its approval under the Hospital Revenue Bond Act. Again, the credit structure for the Richland County bonds will remain unchanged from the credit structure approved by the Board in 1986.

Because all of these bonds are current refundings, there is no requirement to obtain an allocation of the 1990 Volume Cap for private activity bonds for these issues. I look forward to seeing you at the meeting on April 23. 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. With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

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

EXHIBIT

APR 23 1990 14

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)	
)	
RICHLAND COUNTY)	
TO THE STATE BUDGET)	PETITION OF SOUTH
AND CONTROL BOARD)	CAROLINA JOBS-ECONOMIC
OF SOUTH CAROLINA)	DEVELOPMENT AUTHORITY
)	

This Petition of the South Carolina Jobs-Economic Development Authority (the "Authority"), pursuant to Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), and specifically Section 41-43-110 thereof, respectfully shows:

1. The Act, among other things, empowers the Authority: (i) to refund any bonds of the Authority that are outstanding at any time by the issuance of its refunding bonds in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and (ii) subject to the approval of the State Budget and Control Board pursuant to Section 41-43-110 of the Act, to issue and sell revenue bonds at public or private sale as may be determined to be most advantageous, and to secure the payment of such bonds all as in the Act provided.

2. On December 30, 1986, the Authority issued its Economic Development Revenue Bonds, Series 1986 (Old Claussen's Bakery Partners Project) (the "Prior Bonds") and loaned the proceeds to Old Claussen's Bakery Partners (the "Borrower") for the purpose of defraying the cost of acquiring and rehabilitating certain existing facilities to be used as an inn and retail shopping space constituting a commercial facility to be located in the City of Columbia within the State of South Carolina (the "Project").

3. By resolution adopted December 2, 1986, the State Budget and Control Board approved the issuance of the Prior Bonds through a negotiated private sale pursuant to the Act for the purposes of financing the Project.

4. The Authority has been advised by the Borrower that it is advantageous to adjust certain terms of the financing provided by the Prior Bonds (which provide for a daily adjustment of interest rates prior to the Prior Bonds bearing a fixed rate) by providing for a fixed interest rate for a period of time not later than December, 1994, and thereafter adjustments to the interest rates to occur weekly prior to the permanent fixed rate, and to make certain other amendments with respect to the financing in order to lower the costs thereof.

5. In order to accomplish these adjustments and amendments, the Borrower has requested the Authority execute and deliver its Economic Development Revenue Refunding Bonds (Old Claussen's Bakery Partners Project) (the "Bonds") in the aggregate principal amount

of not exceeding $1,550,000 to refund the Prior Bonds.

6. The Bonds will be sold to Donaldson, Lufkin & Jenrette Securities Corporation, as underwriter, pursuant to a negotiated private sale, for subsequent public offering by the underwriter, which arrangement the Authority has determined to be most advantageous.

7. The Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and the obligation of Old Calussen's Bakery Partners to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and the Authority finds such security for payment of the Bonds to be acceptable.

8. The Authority hereby reaffirms and ratifies each of the findings of fact made by the Authority in the Petition previously filed with the State Budget and Control Board with respect to the Project.

Upon the basis of the foregoing, the Authority respectfully prays that the State Budget and Control Board (i) accept the filing of this Petition and the documents submitted herewith, (ii) make such investigation as it deems advisable, and (iii) approve the issuance of the Bonds by the Authority through a negotiated private sale pursuant to the Act in order to refund the Prior Bonds (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the Authority).

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

By _____
Robert L. Mobley, Chairman
Board of Directors

Dated: April 12, 1990

(SEAL)

ATTEST:

_____
Elliott E. Franks, III
Director

14017

EXHIBIT

APR 23 1990 14

STATE BUDGET & CONTROL BOARD

A RESOLUTION AUTHORIZING THE APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE SALE OF APPROXIMATELY $7,550,000 OF ITS ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED.

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 refunding bonds, payable by the Authority in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and

WHEREAS, the Authority has previously issued certain outstanding Economic Development Revenue Bonds on December 30, 1986 (the "Prior Bonds") as identified on Exhibit A attached hereto; and

WHEREAS, the borrowers identified in Exhibit A (the "Borrowers") have requested that the Authority refund the Prior Bonds in order to adjust certain terms of the financing provided by the Prior Bonds; and

WHEREAS, the Authority is required 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 $7,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds described in Exhibit A (the "Refunding Bonds")at public or private sale.

14018

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

Section 1. There shall be and it 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 sale of the Refunding Bonds through private sale to Donaldson, Lufkin & Jenrette Securities Corporation, for subsequent resale to the public, said Petition, to be in form acceptable to the State Budget and Control Board of South Carolina.

Section 2. 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 be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter to submit an executed copy of this Resolution to the State Budget and Control Board of South Carolina.

Passed and approved March 28, 1990.

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

Robert L. Mobley

Robert L. Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III

Elliott E. Franks, III
Director

14019

EXHIBIT A

The Prior Bonds

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Old Claussen's Bakery Partners Project) Composite Issue No. 1

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Midland Properties, Ltd. Project) Composite Issue No. 2

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (NMFO Associates Project) Composite Issue No. 3

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Rice Street Associates Project) Composite Issue No. 4

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project) Composite Issue No. 5

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Elmwood Historic Office Center, A Partnership Project) Composite Issue No. 6

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Tobul Accumulators, Division of Mill and Mine Service Project) Composite Issue No. 7

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (The W. W. Williams Company/Energy Power Products Project) Composite Issue No. 8

The Borrowers

Old Claussen's Bakery Partners
Midland Properties, Ltd.
NFMO Associates
Rice Street Associates
Henry D. Goldberg, Esther Greenburg and Karl Goldberg
Mill and Mine Services, Inc.
The W. W. Williams Company

The Refunding Bonds

$1,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Old Claussen's Bakery Partners Project)

$2,400,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Midland Properties, Ltd. Project)

$750,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (NMFO Associates Project)

$950,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Rice Street Associates Project)

$650,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project)

$550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Tobul Accumulators Division of Mill and Mine Service Project)

$700,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (The W. W. Williams Company/Energy Power Products Project)

APR 1 8 1990

TRANSMITTAL FORM, REVENUE BONDS

Date: April 18, 1990
Submitted for BCB Meeting on:
April 24, 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

1201 Main Street/Suite 2400 PO Drawer 7157
Street Address/Box Number

Columbia, SC 29201
City, State, Zip Code

(803) 765-1818
Telephone Area Code and Number

RE: $2,400,000
Amount of Issue

Economic Development Revenue Refunding Bonds
Type of Bonds or Notes

South Carolina Jobs-Economic Development Authority
Issuing Authority Name

May 31, 1990
Projected Issue Date

Project Name: Midland Properties, Ltd. Project
Project Description:
Renovation of a shopping center in the City of Columbia

Employment as result of project: 65 employees currently

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
___ Yes ($_____ Amount) X No	X Yes ($2,400,000 Amount) ___ No	X Yes (12-2-86 Date) ___ 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. X Resolution or ordinance (executed copy)

C. N/A Inducement Resolution or comparable preliminary approval (executed copy)

D. N/A Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)

OR N/A Audited financial statements for three most recent years

E. N/A Department of Health and Environmental Control certificate IF REQUIRED

F. X Budget and Control Board Resolution and Public Notice (original)
[Plus 1 copies for certification and return to counsel]

G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

EXHIBIT

Bond Counsel: Samuel W. Howell, IV
Typed Name

APR 23 1990

15

By: _____
Signature

STATE BUDGET & CONTROL BOARD

14022

OED 1/86

EXHIBIT

APR 23 1990 15

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

STATE BUDGET & CONTROL BOARD
Midland Properties, Ltd.

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Senator Waddell, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

May 7, 1990

William A. McInnis

14023

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $2,400,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (MIDLAND PROPERTIES, LTD. PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Midland Properties, Ltd. Project) in the aggregate principal amount of not exceeding $2,400,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Midland Properties, Ltd. to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by National Community Bank of New Jersey in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

MAY - 4 1990

The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

EXHIBIT

APR 23 1990 15

STATE BUDGET & CONTROL BOARD

May 3, 1990

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: $2,400,000 Economic Development Revenue Refunding Bonds
(Midland Properties, Ltd, Project)

Dear Mr. McInnis:

This Office has received the documents you have forwarded to us regarding a proposed issuance of $2,400,000 Economic Development Revenue Refunding Bonds.

The State Budget and Control Board (Board) has been petitioned to authorize the issuance of these bonds through a negotiated private sale for a public offering. The Board under the authority of South Carolina Code of Laws, 1976, Section 41-43-110 has the authority to allow bonds issued under the Economic Development Fund Act to be "...sold at public or private sale as may be determined to be most advantageous."

There is no known litigation of any nature, now pending, or to this Office's knowledge, threatened, restraining or enjoining the issuance and delivery of the Bonds, nor in any manner questioning the proceedings and authority under which the same is made or affecting the validity of the Bonds thereunder; that neither the corporate existence of the State Board nor the title of the present officers to their respective offices is known to be contested.

No opinion is expressed as to any matters other than as set forth herein. Specifically no opinion is expressed as to any business judgment decisions in relation to this transaction.

Office of the Attorney General

BY:

TGA:bvc

APR 1 8 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

EXHIBIT
APR 23 1990
15
STATE BUDGET & CONTROL BOARD

April 18, 1990

HAND DELIVERED

The Honorable William A. McInnis
Secretary
State Budget and Control Board
Wade Hampton Office Building
6th Floor
Post Office Box 12444
Columbia, South Carolina 29211

Re: Not Exceeding $6,200,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990
and
Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990
(Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Bill:

Enclosed please find six packages on behalf of the South Carolina Jobs-Economic Development Authority requesting approval by the Budget and Control Board of its proposal to sell, pursuant to a negotiated sale, a composite issue of economic development revenue bonds for the purpose of refunding outstanding bonds of JEDA issued on December 30, 1986. The sale of those original bonds was approved by the Board in 1986. They were issued under a program managed by Salomon Brothers in which the interest rate is adjusted daily and provides for daily remarketing of bonds. Since the closing, Salomon Brothers has gotten out of the municipal finance business and Shearson Lehman Hutton was appointed by JEDA to replace Salomon Brothers as the remarketing agent for these bonds. Because of the cost of administering a daily interest rate program, Shearson's fees to these companies have increased substantially over the past several years. It has now reached the point where not only has Shearson increased the fees, but Shearson has now put JEDA on notice that it will resign as remarketing agent for this program.

JEDA's composite bond issues since that first issue have been underwritten and remarketed by Donaldson, Lufkin & Jenrette Securities Corporation under a weekly interest rate structure. Not only has the weekly program proven to be much less expensive to administer on an on-going basis but, in fact, often results in lower interest rates than the daily rate program. As a consequence of the developments since the December 1986 closing, JEDA proposes to amend the outstanding bond documents to convert from a daily to a weekly rate program; DLJ would replace Shearson as remarketing agent; with the approval of the State Treasurer, C&S Trust Company will replace the Bank of New York as trustee at a lower annual cost; the bonds will have an initial fixed-rate from closing for a period of time not later than December 1994 at a price to be determined at their sale; and certain additional amendments will be made to the bond program to improve the overall administration of it and bring it more into line with the other bond issues that JEDA administers.

In order to accomplish all of this, JEDA proposes to issue the refunding bonds and use the proceeds to repay the outstanding bonds. The credit structure for the transaction will remain in place. That is, the Bank of Tokyo will keep its letter of credit in place to secure all of the bonds; and each borrower will keep in place its presently outstanding standby letter of credit to secure its obligations to the Bank of Tokyo under the bond program. Because the credit structure will remain unchanged from that as approved by the Board in 1986, Standard Form Credit Enhancement Letters and copies of the Inducement Resolutions have not been included in the enclosed packages since I assume that you still have copies of those documents with the original approval given by the Board to these issues in 1986. If, however, you need additional copies of those documents, please give me a call.

The enclosed Richland County Hospital Revenue bond issue for Sunset Medical Partnership was "piggy-backed" onto the 1986 JEDA composite issue. For similar reasons it is being refunded by Richland County. You will find enclosed with that package documentation as required by the Board for its approval under the Hospital Revenue Bond Act. Again, the credit structure for the Richland County bonds will remain unchanged from the credit structure approved by the Board in 1986.

14028

Because all of these bonds are current refundings, there is no requirement to obtain an allocation of the 1990 Volume Cap for private activity bonds for these issues. I look forward to seeing you at the meeting on April 23. 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. With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

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

14029

EXHIBIT

APR 23 1990 15

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)	
)	
RICHLAND COUNTY)	
TO THE STATE BUDGET)	PETITION OF SOUTH
AND CONTROL BOARD)	CAROLINA JOBS-ECONOMIC
OF SOUTH CAROLINA)	DEVELOPMENT AUTHORITY
)	

This Petition of the South Carolina Jobs-Economic Development Authority (the "Authority"), pursuant to Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), and specifically Section 41-43-110 thereof, respectfully shows:

1. The Act, among other things, empowers the Authority: (i) to refund any bonds of the Authority that are outstanding at any time by the issuance of its refunding bonds in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and (ii) subject to the approval of the State Budget and Control Board pursuant to Section 41-43-110 of the Act, to issue and sell revenue bonds at public or private sale as may be determined to be most advantageous, and to secure the payment of such bonds all as in the Act provided.

2. On December 30, 1986, the Authority issued its Economic Development Revenue Bonds, Series 1986 (Midland Properties, Ltd. Project) (the "Prior Bonds") and loaned the proceeds to Midland Properties, Ltd. (the "Borrower") for the purpose of defraying the cost of acquiring certain facilities to be used for the purpose of renovating an existing shopping center to be located in the City of Columbia within the State of South Carolina (the "Project").

3. By resolution adopted December 2, 1986, the State Budget and Control Board approved the issuance of the Prior Bonds through a negotiated private sale pursuant to the Act for the purposes of financing the Project.

4. The Authority has been advised by the Borrower that it is advantageous to adjust certain terms of the financing provided by the Prior Bonds (which provide for a daily adjustment of interest rates prior to the Prior Bonds bearing a fixed rate) by providing for a fixed interest rate for a period of time not later than December, 1994, and thereafter adjustments to the interest rates to occur weekly prior to the permanent fixed rate, and to make certain other amendments with respect to the financing in order to lower the costs thereof.

5. In order to accomplish these adjustments and amendments, the Borrower has requested the Authority execute and deliver its Economic Development Revenue Refunding Bonds (Midland Properties, Ltd. Project) (the "Bonds") in the aggregate principal amount of not exceeding $2,400,000 to refund the Prior Bonds.

6. The Bonds will be sold to Donaldson, Lufkin & Jenrette Securities Corporation, as underwriter, pursuant to a negotiated private sale, for subsequent public offering by the underwriter, which arrangement the Authority has determined to be most advantageous.

7. The Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and the obligation of Mill and Mine Service, Inc. to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by National Community Bank of New Jersey in favor of The Bank of Tokyo, Ltd., and the Authority finds such security for payment of the Bonds to be acceptable.

8. The Authority hereby reaffirms and ratifies each of the findings of fact made by the Authority in the Petition previously filed with the State Budget and Control Board with respect to the Project.

Upon the basis of the foregoing, the Authority respectfully prays that the State Budget and Control Board (i) accept the filing of this Petition and the documents submitted herewith, (ii) make such investigation as it deems advisable, and (iii) approve the issuance of the Bonds by the Authority through a negotiated private sale pursuant to the Act in order to refund the Prior Bonds (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the Authority).

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

By _____
Robert L. Mobley, Chairman
Board of Directors

Dated: April 12, 1990

(SEAL)

ATTEST:

_____
Elliott E. Franks, III
Director

EXHIBIT

APR 23 1990 15

STATE BUDGET & CONTROL BOARD

A RESOLUTION AUTHORIZING THE APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE SALE OF APPROXIMATELY $7,550,000 OF ITS ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED.

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 refunding bonds, payable by the Authority in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and

WHEREAS, the Authority has previously issued certain outstanding Economic Development Revenue Bonds on December 30, 1986 (the "Prior Bonds") as identified on Exhibit A attached hereto; and

WHEREAS, the borrowers identified in Exhibit A (the "Borrowers") have requested that the Authority refund the Prior Bonds in order to adjust certain terms of the financing provided by the Prior Bonds; and

WHEREAS, the Authority is required 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 $7,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds described in Exhibit A (the "Refunding Bonds")at public or private sale.

14032

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

Section 1. There shall be and it 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 sale of the Refunding Bonds through private sale to Donaldson, Lufkin & Jenrette Securities Corporation, for subsequent resale to the public, said Petition, to be in form acceptable to the State Budget and Control Board of South Carolina.

Section 2. 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 be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter to submit an executed copy of this Resolution to the State Budget and Control Board of South Carolina.

Passed and approved March 28, 1990.

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

Robert L. Mobley
Robert L. Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III
Director

EXHIBIT A

The Prior Bonds

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Old Claussen's Bakery Partners Project) Composite Issue No. 1

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Midland Properties, Ltd. Project) Composite Issue No. 2

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (NMFO Associates Project) Composite Issue No. 3

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Rice Street Associates Project) Composite Issue No. 4

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project) Composite Issue No. 5

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Elmwood Historic Office Center, A Partnership Project) Composite Issue No. 6

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Tobul Accumulators, Division of Mill and Mine Service Project) Composite Issue No. 7

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (The W. W. Williams Company/Energy Power Products Project) Composite Issue No. 8

The Borrowers

Old Claussen's Bakery Partners
Midland Properties, Ltd.
NFMO Associates
Rice Street Associates
Henry D. Goldberg, Esther Greenburg and Karl Goldberg
Mill and Mine Services, Inc.
The W. W. Williams Company

The Refunding Bonds

$1,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Old Claussen's Bakery Partners Project)

$2,400,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Midland Properties, Ltd. Project)

$750,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (NMFO Associates Project)

$950,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Rice Street Associates Project)

$650,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project)

$550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Tobul Accumulators Division of Mill and Mine Service Project)

$700,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (The W. W. Williams Company/Energy Power Products Project)

APR 18 1990

TRANSMITTAL FORM, REVENUE BONDS

Date: April 18, 1990
Submitted for BCB Meeting on:
April 24, 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

1201 Main Street/Suite 2400 PO Drawer 7157
Street Address/Box Number

Columbia, SC 29201
City, State, Zip Code

(803) 765-1818
Telephone Area Code and Number

RE: $750,000
Amount of Issue

Economic Development Revenue Refunding Bonds
Type of Bonds or Notes

South Carolina Jobs-Economic Development Authority
Issuing Authority Name

May 31, 1990
Projected Issue Date

Project Name: NMFO Associates Project

Project Description:
Acquisition of an office building and research facility in Richland County

Employment as result of project: 63 employees currently

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
___ Yes ($ _____ Amount) X No	X Yes ($ 750,000 Amount) ___ No	X Yes (12-2-86 Date) ___ 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. X Resolution or ordinance (executed copy)

C. N/A Inducement Resolution or comparable preliminary approval (executed copy)

D. N/A Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)

OR N/A Audited financial statements for three most recent years

E. N/A Department of Health and Environmental Control certificate IF REQUIRED

F. X Budget and Control Board Resolution and Public Notice (original)
[Plus 1 copies for certification and return to counsel]

G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

EXHIBIT

Bond Counsel: Samuel W. Howell, IV
Typed Name

APR 23 1990

16

By: _____
Signature

STATE BUDGET & CONTROL BOARD

14036

OED 1/86

EXHIBIT

APR 23 1990 16

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
) NMFO Associates
COUNTY OF RICHLAND)

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Senator Waddell, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

May 7, 1990

William A. McInnis

14037

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $750,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (NMFO ASSOCIATES PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (NMFO Associates Project) in the aggregate principal amount of not exceeding $750,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of NMFO Associates to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

MAY - 4 1990

The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

EXHIBIT

May 3, 1990

APR 23 1990 16

STATE BUDGET & CONTROL BOARD

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: $750,000 Economic Development Revenue Refunding Bonds
(NMFO Associates Project)

Dear Mr. McInnis:

This Office has received the documents you have forwarded to us regarding a proposed issuance of $750,000 Economic Development Revenue Refunding Bonds.

The State Budget and Control Board (Board) has been petitioned to authorize the issuance of these bonds through a negotiated private sale for a public offering. The Board under the authority of South Carolina Code of Laws, 1976, Section 41-43-110 has the authority to allow bonds issued under the Economic Development Fund Act to be "...sold at public or private sale as may be determined to be most advantageous."

There is no known litigation of any nature, now pending, or to this Office's knowledge, threatened, restraining or enjoining the issuance and delivery of the Bonds, nor in any manner questioning the proceedings and authority under which the same is made or affecting the validity of the Bonds thereunder; that neither the corporate existence of the State Board nor the title of the present officers to their respective offices is known to be contested.

14639

No opinion is expressed as to any matters other than as set forth herein. Specifically no opinion is expressed as to any business judgment decisions in relation to this transaction.

Office of the Attorney General

BY: _____

TGA:bvc

APR 2 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
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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

EXHIBIT
APR 23 1990 16
STATE BUDGET & CONTROL BOARD

April 18, 1990

HAND DELIVERED

The Honorable William A. McInnis
Secretary
State Budget and Control Board
Wade Hampton Office Building
6th Floor
Post Office Box 12444
Columbia, South Carolina 29211

Re: Not Exceeding $6,200,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990
and
Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990
(Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Bill:

Enclosed please find six packages on behalf of the South Carolina Jobs-Economic Development Authority requesting approval by the Budget and Control Board of its proposal to sell, pursuant to a negotiated sale, a composite issue of economic development revenue bonds for the purpose of refunding outstanding bonds of JEDA issued on December 30, 1986. The sale of those original bonds was approved by the Board in 1986. They were issued under a program managed by Salomon Brothers in which the interest rate is adjusted daily and provides for daily remarketing of bonds. Since the closing, Salomon Brothers has gotten out of the municipal finance business and Shearson Lehman Hutton was appointed by JEDA to replace Salomon Brothers as the remarketing agent for these bonds. Because of the cost of administering a daily interest rate program, Shearson's fees to these companies have increased substantially over the past several years. It has now reached the point where not only has Shearson increased the fees, but Shearson has now put JEDA on notice that it will resign as remarketing agent for this program.

JEDA's composite bond issues since that first issue have been underwritten and remarketed by Donaldson, Lufkin & Jenrette Securities Corporation under a weekly interest rate structure. Not only has the weekly program proven to be much less expensive to administer on an on-going basis but, in fact, often results in lower interest rates than the daily rate program. As a consequence of the developments since the December 1986 closing, JEDA proposes to amend the outstanding bond documents to convert from a daily to a weekly rate program; DLJ would replace Shearson as remarketing agent; with the approval of the State Treasurer, C&S Trust Company will replace the Bank of New York as trustee at a lower annual cost; the bonds will have an initial fixed-rate from closing for a period of time not later than December 1994 at a price to be determined at their sale; and certain additional amendments will be made to the bond program to improve the overall administration of it and bring it more into line with the other bond issues that JEDA administers.

In order to accomplish all of this, JEDA proposes to issue the refunding bonds and use the proceeds to repay the outstanding bonds. The credit structure for the transaction will remain in place. That is, the Bank of Tokyo will keep its letter of credit in place to secure all of the bonds; and each borrower will keep in place its presently outstanding standby letter of credit to secure its obligations to the Bank of Tokyo under the bond program. Because the credit structure will remain unchanged from that as approved by the Board in 1986, Standard Form Credit Enhancement Letters and copies of the Inducement Resolutions have not been included in the enclosed packages since I assume that you still have copies of those documents with the original approval given by the Board to these issues in 1986. If, however, you need additional copies of those documents, please give me a call.

The enclosed Richland County Hospital Revenue bond issue for Sunset Medical Partnership was "piggy-backed" onto the 1986 JEDA composite issue. For similar reasons it is being refunded by Richland County. You will find enclosed with that package documentation as required by the Board for its approval under the Hospital Revenue Bond Act. Again, the credit structure for the Richland County bonds will remain unchanged from the credit structure approved by the Board in 1986.

14042

Because all of these bonds are current refundings, there is no requirement to obtain an allocation of the 1990 Volume Cap for private activity bonds for these issues. I look forward to seeing you at the meeting on April 23. 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. With kindest personal regards, I remain,

Very truly yours,

Sam

Samuel W. Howell, IV

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

EXHIBIT

APR 23 1990 16

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA	)	
	)	
RICHLAND COUNTY	)	
TO THE STATE BUDGET	)	PETITION OF SOUTH
AND CONTROL BOARD	)	CAROLINA JOBS-ECONOMIC
OF SOUTH CAROLINA	)	DEVELOPMENT AUTHORITY
	)	

This Petition of the South Carolina Jobs-Economic Development Authority (the "Authority"), pursuant to Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), and specifically Section 41-43-110 thereof, respectfully shows:

1. The Act, among other things, empowers the Authority: (i) to refund any bonds of the Authority that are outstanding at any time by the issuance of its refunding bonds in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and (ii) subject to the approval of the State Budget and Control Board pursuant to Section 41-43-110 of the Act, to issue and sell revenue bonds at public or private sale as may be determined to be most advantageous, and to secure the payment of such bonds all as in the Act provided.

2. On December 30, 1986, the Authority issued its Economic Development Revenue Bonds, Series 1986 (NMFO Associates Project) (the "Prior Bonds") and loaned the proceeds to NMFO Associates (the "Borrower") for the purpose of defraying the cost of acquiring certain facilities to be leased to Soil & Material Engineers, Inc., a corporation which provides research and consulting services in waste management and other geotechnical and environmental fields to be located in Richland County within the State of South Carolina (the "Project").

3. By resolution adopted December 2, 1986, the State Budget and Control Board approved the issuance of the Prior Bonds through a negotiated private sale pursuant to the Act for the purposes of financing the Project.

4. The Authority has been advised by the Borrower that it is advantageous to adjust certain terms of the financing provided by the Prior Bonds (which provide for a daily adjustment of interest rates prior to the Prior Bonds bearing a fixed rate) by providing for a fixed interest rate for a period of time not later than December, 1994, and thereafter adjustments to the interest rates to occur weekly prior to the permanent fixed rate, and to make certain other amendments with respect to the financing in order to lower the costs thereof.

5. In order to accomplish these adjustments and amendments, the Borrower has requested the Authority execute and deliver its Economic Development Revenue Refunding Bonds (NMFO Associates

Project) (the "Bonds") in the aggregate principal amount of not exceeding $750,000 to refund the Prior Bonds.

6. The Bonds will be sold to Donaldson, Lufkin & Jenrette Securities Corporation, as underwriter, pursuant to a negotiated private sale, for subsequent public offering by the underwriter, which arrangement the Authority has determined to be most advantageous.

7. The Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and the obligation of NMFO Associates to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and the Authority finds such security for payment of the Bonds to be acceptable.

8. The Authority hereby reaffirms and ratifies each of the findings of fact made by the Authority in the Petition previously filed with the State Budget and Control Board with respect to the Project.

Upon the basis of the foregoing, the Authority respectfully prays that the State Budget and Control Board (i) accept the filing of this Petition and the documents submitted herewith, (ii) make such investigation as it deems advisable, and (iii) approve the issuance of the Bonds by the Authority through a negotiated private sale pursuant to the Act in order to refund the Prior Bonds (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the Authority).

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

By Robert L. Mobley
Robert L. Mobley, Chairman
Board of Directors

Dated: April 12, 1990

(SEAL)

ATTEST:

Elliott E. Franks, III
Director

EXHIBIT

APR 23 1990 16

STATE BUDGET & CONTROL BOARD

A RESOLUTION AUTHORIZING THE APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE SALE OF APPROXIMATELY $7,550,000 OF ITS ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED.

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 refunding bonds, payable by the Authority in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and

WHEREAS, the Authority has previously issued certain outstanding Economic Development Revenue Bonds on December 30, 1986 (the "Prior Bonds") as identified on Exhibit A attached hereto; and

WHEREAS, the borrowers identified in Exhibit A (the "Borrowers") have requested that the Authority refund the Prior Bonds in order to adjust certain terms of the financing provided by the Prior Bonds; and

WHEREAS, the Authority is required 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 $7,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds described in Exhibit A (the "Refunding Bonds")at public or private sale.

14046

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

Section 1. There shall be and it 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 sale of the Refunding Bonds through private sale to Donaldson, Lufkin & Jenrette Securities Corporation, for subsequent resale to the public, said Petition, to be in form acceptable to the State Budget and Control Board of South Carolina.

Section 2. 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 be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter to submit an executed copy of this Resolution to the State Budget and Control Board of South Carolina.

Passed and approved March 28, 1990.

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

Robert L. Mobley

Robert L. Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III

Elliott E. Franks, III
Director

14047

EXHIBIT A

The Prior Bonds

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Old Claussen's Bakery Partners Project) Composite Issue No. 1

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Midland Properties, Ltd. Project) Composite Issue No. 2

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (NMFO Associates Project) Composite Issue No. 3

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Rice Street Associates Project) Composite Issue No. 4

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project) Composite Issue No. 5

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Elmwood Historic Office Center, A Partnership Project) Composite Issue No. 6

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Tobul Accumulators, Division of Mill and Mine Service Project) Composite Issue No. 7

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (The W. W. Williams Company/Energy Power Products Project) Composite Issue No. 8

The Borrowers

Old Claussen's Bakery Partners
Midland Properties, Ltd.
NFMO Associates
Rice Street Associates
Henry D. Goldberg, Esther Greenburg and Karl Goldberg
Mill and Mine Services, Inc.
The W. W. Williams Company

The Refunding Bonds

$1,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Old Claussen's Bakery Partners Project)

$2,400,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Midland Properties, Ltd. Project)

$750,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (NMFO Associates Project)

$950,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Rice Street Associates Project)

$650,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project)

$550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Tobul Accumulators Division of Mill and Mine Service Project)

$700,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (The W. W. Williams Company/Energy Power Products Project)

APR 18 1990

TRANSMITTAL FORM, REVENUE BONDS

Date: April 18, 1990
Submitted for BCB Meeting on:
April 24, 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	1201 Main Street/Suite 2400 PO Drawer 7157
Name of Law Firm	**Street Address/Box Number**
Columbia, SC 29201	(803) 765-1818
City, State, Zip Code	**Telephone Area Code and Number**

RE: $950,000	Economic Development Revenue Refunding Bonds
Amount of Issue	**Type of Bonds or Notes**
South Carolina Jobs-Economic Development Authority	May 31, 1990
Issuing Authority Name	**Projected Issue Date**

Project Name: Rice Street Associates Project
Project Description:
Acquisition of retail, wholesale and warehouse space in the City of Columbia

Employment as result of project: 14 employees currently

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
___ Yes ($ ___ Amount) X No	X Yes ($ 950,000 Amount) ___ No	X Yes (12-2-86 Date) ___ 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. X Resolution or ordinance (executed copy)
C. N/A Inducement Resolution or comparable preliminary approval (executed copy)
D. N/A Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)
OR N/A Audited financial statements for three most recent years
E. N/A Department of Health and Environmental Control certificate IF REQUIRED
F. X Budget and Control Board Resolution and Public Notice (original)
[Plus 1 copies for certification and return to counsel]
G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

EXHIBIT

Bond Counsel: Samuel W. Howell, IV
Typed Name

By: _____
Signature

17

APR 23 1990
STATE BUDGET & CONTROL BOARD

14C50

OED 1/86

EXHIBIT

APR 23 1990 17

STATE BUDGET & CONTROL BOARD
Rice Street Associates

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Senator Waddell, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

May 7, 1990

William A. McInnis

14051

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $950,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (RICE STREET ASSOCIATES PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Rice Street Associates Project) in the aggregate principal amount of not exceeding $950,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Rice Street Associates to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

MAY - 4 1990

The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

EXHIBIT

APR 23 1990 17

STATE BUDGET & CONTROL BOARD

May 3, 1990

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: $950,000 Economic Development Revenue Refunding Bonds
(Rice Street Associates Project)

Dear Mr. McInnis:

This Office has received the documents you have forwarded to us regarding a proposed issuance of $950,000 Economic Development Revenue Refunding Bonds.

The State Budget and Control Board (Board) has been petitioned to authorize the issuance of these bonds through a negotiated private sale for a public offering. The Board under the authority of South Carolina Code of Laws, 1976, Section 41-43-110 has the authority to allow bonds issued under the Economic Development Fund Act to be "...sold at public or private sale as may be determined to be most advantageous."

There is no known litigation of any nature, now pending, or to this Office's knowledge, threatened, restraining or enjoining the issuance and delivery of the Bonds, nor in any manner questioning the proceedings and authority under which the same is made or affecting the validity of the Bonds thereunder; that neither the corporate existence of the State Board nor the title of the present officers to their respective offices is known to be contested.

No opinion is expressed as to any matters other than as set forth herein. Specifically no opinion is expressed as to any business judgment decisions in relation to this transaction.

Office of the Attorney General

BY:

TGA:bvc

APR 1 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

EXHIBIT
APR 23 1990
17
STATE BUDGET & CONTROL BOARD

April 18, 1990

HAND DELIVERED

The Honorable William A. McInnis
Secretary
State Budget and Control Board
Wade Hampton Office Building
6th Floor
Post Office Box 12444
Columbia, South Carolina 29211

Re: Not Exceeding $6,200,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990
and
Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990
(Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Bill:

Enclosed please find six packages on behalf of the South Carolina Jobs-Economic Development Authority requesting approval by the Budget and Control Board of its proposal to sell, pursuant to a negotiated sale, a composite issue of economic development revenue bonds for the purpose of refunding outstanding bonds of JEDA issued on December 30, 1986. The sale of those original bonds was approved by the Board in 1986. They were issued under a program managed by Salomon Brothers in which the interest rate is adjusted daily and provides for daily remarketing of bonds. Since the closing, Salomon Brothers has gotten out of the municipal finance business and Shearson Lehman Hutton was appointed by JEDA to replace Salomon Brothers as the remarketing agent for these bonds. Because of the cost of administering a daily interest rate program, Shearson's fees to these companies have increased substantially over the past several years. It has now reached the point where not only has Shearson increased the fees, but Shearson has now put JEDA on notice that it will resign as remarketing agent for this program.

14C55

JEDA's composite bond issues since that first issue have been underwritten and remarketed by Donaldson, Lufkin & Jenrette Securities Corporation under a weekly interest rate structure. Not only has the weekly program proven to be much less expensive to administer on an on-going basis but, in fact, often results in lower interest rates than the daily rate program. As a consequence of the developments since the December 1986 closing, JEDA proposes to amend the outstanding bond documents to convert from a daily to a weekly rate program; DLJ would replace Shearson as remarketing agent; with the approval of the State Treasurer, C&S Trust Company will replace the Bank of New York as trustee at a lower annual cost; the bonds will have an initial fixed-rate from closing for a period of time not later than December 1994 at a price to be determined at their sale; and certain additional amendments will be made to the bond program to improve the overall administration of it and bring it more into line with the other bond issues that JEDA administers.

In order to accomplish all of this, JEDA proposes to issue the refunding bonds and use the proceeds to repay the outstanding bonds. The credit structure for the transaction will remain in place. That is, the Bank of Tokyo will keep its letter of credit in place to secure all of the bonds; and each borrower will keep in place its presently outstanding standby letter of credit to secure its obligations to the Bank of Tokyo under the bond program. Because the credit structure will remain unchanged from that as approved by the Board in 1986, Standard Form Credit Enhancement Letters and copies of the Inducement Resolutions have not been included in the enclosed packages since I assume that you still have copies of those documents with the original approval given by the Board to these issues in 1986. If, however, you need additional copies of those documents, please give me a call.

The enclosed Richland County Hospital Revenue bond issue for Sunset Medical Partnership was "piggy-backed" onto the 1986 JEDA composite issue. For similar reasons it is being refunded by Richland County. You will find enclosed with that package documentation as required by the Board for its approval under the Hospital Revenue Bond Act. Again, the credit structure for the Richland County bonds will remain unchanged from the credit structure approved by the Board in 1986.

14C56

Because all of these bonds are current refundings, there is no requirement to obtain an allocation of the 1990 Volume Cap for private activity bonds for these issues. I look forward to seeing you at the meeting on April 23. 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. With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

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

EXHIBIT

APR 23 1990 17

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA	)	
	)	
RICHLAND COUNTY	)	
TO THE STATE BUDGET	)	PETITION OF SOUTH
AND CONTROL BOARD	)	CAROLINA JOBS-ECONOMIC
OF SOUTH CAROLINA	)	DEVELOPMENT AUTHORITY
	)	

This Petition of the South Carolina Jobs-Economic Development Authority (the "Authority"), pursuant to Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), and specifically Section 41-43-110 thereof, respectfully shows:

1. The Act, among other things, empowers the Authority: (i) to refund any bonds of the Authority that are outstanding at any time by the issuance of its refunding bonds in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and (ii) subject to the approval of the State Budget and Control Board pursuant to Section 41-43-110 of the Act, to issue and sell revenue bonds at public or private sale as may be determined to be most advantageous, and to secure the payment of such bonds all as in the Act provided.

2. On December 30, 1986, the Authority issued its Economic Development Revenue Bonds, Series 1986 (Rice Street Associates Project) (the "Prior Bonds") and loaned the proceeds to Rice Street Associates (the "Borrower") for the purpose of defraying the cost of acquiring certain facilities to be used for the purpose of leasing retail, wholesale and warehouse space to Duron Paints, for distribution and sales of paints, floor coverings and related materials, and to Vista Door & Window, Inc., for distrubution and sales of business products, specifically windows, doors and related products to be located in the City of Columbia within the State of South Carolina (the "Project").

3. By resolution adopted December 2, 1986, the State Budget and Control Board approved the issuance of the Prior Bonds through a negotiated private sale pursuant to the Act for the purposes of financing the Project.

4. The Authority has been advised by the Borrower that it is advantageous to adjust certain terms of the financing provided by the Prior Bonds (which provide for a daily adjustment of interest rates prior to the Prior Bonds bearing a fixed rate) by providing for a fixed interest rate for a period of time not later than December, 1994, and thereafter adjustments to the interest rates to occur weekly prior to the permanent fixed rate, and to make certain other amendments with respect to the financing in order to lower the costs thereof.

5. In order to accomplish these adjustments and amendments,

the Borrower has requested the Authority execute and deliver its Economic Development Revenue Refunding Bonds (Rice Street Associates Project) (the "Bonds") in the aggregate principal amount of not exceeding $950,000 to refund the Prior Bonds.

6. The Bonds will be sold to Donaldson, Lufkin & Jenrette Securities Corporation, as underwriter, pursuant to a negotiated private sale, for subsequent public offering by the underwriter, which arrangement the Authority has determined to be most advantageous.

7. The Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and the obligation of Rice Street Associates to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The Citizens and Southern National Bank of South Carolina in favor of The Bank of Tokyo, Ltd., and the Authority finds such security for payment of the Bonds to be acceptable.

8. The Authority hereby reaffirms and ratifies each of the findings of fact made by the Authority in the Petition previously filed with the State Budget and Control Board with respect to the Project.

Upon the basis of the foregoing, the Authority respectfully prays that the State Budget and Control Board (i) accept the filing of this Petition and the documents submitted herewith, (ii) make such investigation as it deems advisable, and (iii) approve the issuance of the Bonds by the Authority through a negotiated private sale pursuant to the Act in order to refund the Prior Bonds (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the Authority).

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

By Robert L. Mobley
Robert L. Mobley, Chairman
Board of Directors

Dated: April 12, 1990

(SEAL)

ATTEST:

Elliott E. Franks, III
Director

A RESOLUTION AUTHORIZING THE APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE SALE OF APPROXIMATELY $7,550,000 OF ITS ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED.

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 refunding bonds, payable by the Authority in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and

WHEREAS, the Authority has previously issued certain outstanding Economic Development Revenue Bonds on December 30, 1986 (the "Prior Bonds") as identified on Exhibit A attached hereto; and

WHEREAS, the borrowers identified in Exhibit A (the "Borrowers") have requested that the Authority refund the Prior Bonds in order to adjust certain terms of the financing provided by the Prior Bonds; and

WHEREAS, the Authority is required 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 $7,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds described in Exhibit A (the "Refunding Bonds")at public or private sale.

14060

EXHIBIT

APR 23 1990 17

STATE BUDGET & CONTROL BOARD

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

Section 1. There shall be and it 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 sale of the Refunding Bonds through private sale to Donaldson, Lufkin & Jenrette Securities Corporation, for subsequent resale to the public, said Petition, to be in form acceptable to the State Budget and Control Board of South Carolina.

Section 2. 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 be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter to submit an executed copy of this Resolution to the State Budget and Control Board of South Carolina.

Passed and approved March 28, 1990.

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

Robert L. Mobley

Robert L. Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III

Elliott E. Franks, III
Director

EXHIBIT A

The Prior Bonds

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Old Claussen's Bakery Partners Project) Composite Issue No. 1

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Midland Properties, Ltd. Project) Composite Issue No. 2

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (NMFO Associates Project) Composite Issue No. 3

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Rice Street Associates Project) Composite Issue No. 4

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project) Composite Issue No. 5

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Elmwood Historic Office Center, A Partnership Project) Composite Issue No. 6

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Tobul Accumulators, Division of Mill and Mine Service Project) Composite Issue No. 7

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (The W. W. Williams Company/Energy Power Products Project) Composite Issue No. 8

The Borrowers

Old Claussen's Bakery Partners
Midland Properties, Ltd.
NFMO Associates
Rice Street Associates
Henry D. Goldberg, Esther Greenburg and Karl Goldberg
Mill and Mine Services, Inc.
The W. W. Williams Company

The Refunding Bonds

$1,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Old Claussen's Bakery Partners Project)

$2,400,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Midland Properties, Ltd. Project)

$750,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (NMFO Associates Project)

$950,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Rice Street Associates Project)

$650,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project)

$550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Tobul Accumulators Division of Mill and Mine Service Project)

$700,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (The W. W. Williams Company/Energy Power Products Project)

APR 25 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

EXHIBIT
APR 23 1990 17
STATE BUDGET & CONTROL BOARD

April 25, 1990

HAND DELIVERED

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

Re: $950,000 Aggregate Principal Amount Economic Development Revenue Refunding Bonds, Series 1990 (Rice Street Associates Project)
Our File No. 5060-54

Dear Ms. Williams:

Pursuant to our telephone conversation this morning, I am enclosing one (1) original and two (2) copies of the State Budget and Control Board Resolution for the above-referenced JEDA bond issue. Please substitute this Resolution in the appropriate place in your packet of materials for this issue.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

Kyle D. Pruitt

KDP:ss
Enclosures

APR 18 1990

TRANSMITTAL FORM, REVENUE BONDS

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

Date: April 18, 1990
Submitted for BCB Meeting on:
April 24, 1990

FROM:

Haynsworth, Marion, McKay & Guerard
Name of Law Firm

1201 Main Street/Suite 2400 PO Drawer 7157
Street Address/Box Number

Columbia, SC 29201
City, State, Zip Code

(803) 765-1818
Telephone Area Code and Number

RE: $550,000
Amount of Issue

Economic Development Revenue Refunding Bonds
Type of Bonds or Notes

South Carolina Jobs-Economic Development Authority
Issuing Authority Name

May 31, 1990
Projected Issue Date

Project Name: Tobul Accumulators Division of Mill and Mine Services Project
Project Description:
Acquisition and equipping of a facility used to manufacture hydraulic accumulators in the City of Bamberg

Employment as result of project: 25 employees currently

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
___Yes ($_____) X No	X Yes ($550,000) __No	X Yes (12-2-86) __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. X Resolution or ordinance (executed copy)
C. N/A Inducement Resolution or comparable preliminary approval (executed copy)
D. N/A Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)
OR N/A Audited financial statements for three most recent years
E. N/A Department of Health and Environmental Control certificate IF REQUIRED
F. X Budget and Control Board Resolution and Public Notice (original)
[Plus 1 copies for certification and return to counsel]
G. N/A Processing fee
Amount $_____ Check No. _____
Payor _____

EXHIBIT

Bond Counsel: Samuel W. Howell, IV
Typed Name

APR 23 1990

18

By: _____
Signature

STATE BUDGET & CONTROL BOARD

14065

OED 1/86

EXHIBIT

APR 23 1990 18

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

Tobul Accumulators

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Senator Waddell, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

May 7, 1990

William A McInnis

14066

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $550,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (TOBUL ACCUMULATORS DIVISION OF MILL AND MINE SERVICES, INC. PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Tobul Accumulators Division of Mill and Mine Services, Inc. Project) in the aggregate principal amount of not exceeding $550,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Mill and Mine Services, Inc. to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

MAY - 4 1990

The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803 734 3680
FACSIMILE: 803-253-6283

EXHIBIT

APR 23 1990 18

STATE BUDGET & CONTROL BOARD

May 3, 1990

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: $550,000 Economic Development Revenue Refunding Bonds
(Tobul Accumulators Division of Mill
and Mine Services Project)

Dear Mr. McInnis:

This Office has received the documents you have forwarded to us regarding a proposed issuance of $550,000 Economic Development Revenue Refunding Bonds.

The State Budget and Control Board (Board) has been petitioned to authorize the issuance of these bonds through a negotiated private sale for a public offering. The Board under the authority of South Carolina Code of Laws, 1976, Section 41-43-110 has the authority to allow bonds issued under the Economic Development Fund Act to be "...sold at public or private sale as may be determined to be most advantageous."

There is no known litigation of any nature, now pending, or to this Office's knowledge, threatened, restraining or enjoining the issuance and delivery of the Bonds, nor in any manner questioning the proceedings and authority under which the same is made or affecting the validity of the Bonds thereunder; that neither the corporate existence of the State Board nor the title of the present officers to their respective offices is known to be contested.

No opinion is expressed as to any matters other than as set forth herein. Specifically no opinion is expressed as to any business judgment decisions in relation to this transaction.

Office of the Attorney General

BY: Drew Ashman

TGA:bvc

APR 2 0 1990

HAYNSWORTH, MARION, McKAY & GUÉRARD
ATTORNEYS AT LAW

75 Beattie Place
Two Shelter Centre – Eleventh Floor
Post Office Box 2048
Greenville, South Carolina 29602
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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

April 18, 1990

HAND DELIVERED

EXHIBIT
APR 23 1990 18
STATE BUDGET & CONTROL BOARD

The Honorable William A. McInnis
Secretary
State Budget and Control Board
Wade Hampton Office Building
6th Floor
Post Office Box 12444
Columbia, South Carolina 29211

Re: Not Exceeding $6,200,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990
and
Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990
(Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Bill:

Enclosed please find six packages on behalf of the South Carolina Jobs-Economic Development Authority requesting approval by the Budget and Control Board of its proposal to sell, pursuant to a negotiated sale, a composite issue of economic development revenue bonds for the purpose of refunding outstanding bonds of JEDA issued on December 30, 1986. The sale of those original bonds was approved by the Board in 1986. They were issued under a program managed by Salomon Brothers in which the interest rate is adjusted daily and provides for daily remarketing of bonds. Since the closing, Salomon Brothers has gotten out of the municipal finance business and Shearson Lehman Hutton was appointed by JEDA to replace Salomon Brothers as the remarketing agent for these bonds. Because of the cost of administering a daily interest rate program, Shearson's fees to these companies have increased substantially over the past several years. It has now reached the point where not only has Shearson increased the fees, but Shearson has now put JEDA on notice that it will resign as remarketing agent for this program.

14070

JEDA's composite bond issues since that first issue have been underwritten and remarketed by Donaldson, Lufkin & Jenrette Securities Corporation under a weekly interest rate structure. Not only has the weekly program proven to be much less expensive to administer on an on-going basis but, in fact, often results in lower interest rates than the daily rate program. As a consequence of the developments since the December 1986 closing, JEDA proposes to amend the outstanding bond documents to convert from a daily to a weekly rate program; DLJ would replace Shearson as remarketing agent; with the approval of the State Treasurer, C&S Trust Company will replace the Bank of New York as trustee at a lower annual cost; the bonds will have an initial fixed-rate from closing for a period of time not later than December 1994 at a price to be determined at their sale; and certain additional amendments will be made to the bond program to improve the overall administration of it and bring it more into line with the other bond issues that JEDA administers.

In order to accomplish all of this, JEDA proposes to issue the refunding bonds and use the proceeds to repay the outstanding bonds. The credit structure for the transaction will remain in place. That is, the Bank of Tokyo will keep its letter of credit in place to secure all of the bonds; and each borrower will keep in place its presently outstanding standby letter of credit to secure its obligations to the Bank of Tokyo under the bond program. Because the credit structure will remain unchanged from that as approved by the Board in 1986, Standard Form Credit Enhancement Letters and copies of the Inducement Resolutions have not been included in the enclosed packages since I assume that you still have copies of those documents with the original approval given by the Board to these issues in 1986. If, however, you need additional copies of those documents, please give me a call.

The enclosed Richland County Hospital Revenue bond issue for Sunset Medical Partnership was "piggy-backed" onto the 1986 JEDA composite issue. For similar reasons it is being refunded by Richland County. You will find enclosed with that package documentation as required by the Board for its approval under the Hospital Revenue Bond Act. Again, the credit structure for the Richland County bonds will remain unchanged from the credit structure approved by the Board in 1986.

14C71

Because all of these bonds are current refundings, there is no requirement to obtain an allocation of the 1990 Volume Cap for private activity bonds for these issues. I look forward to seeing you at the meeting on April 23. 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. With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

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

EXHIBIT

APR 23 1990 18

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA	)	
	)	
RICHLAND COUNTY	)	
TO THE STATE BUDGET	)	PETITION OF SOUTH
AND CONTROL BOARD	)	CAROLINA JOBS-ECONOMIC
OF SOUTH CAROLINA	)	DEVELOPMENT AUTHORITY
	)	

This Petition of the South Carolina Jobs-Economic Development Authority (the "Authority"), pursuant to Title 41, Chapter 43 of the Code of Laws of South Carolina 1976, as amended (the "Act"), and specifically Section 41-43-110 thereof, respectfully shows:

1. The Act, among other things, empowers the Authority: (i) to refund any bonds of the Authority that are outstanding at any time by the issuance of its refunding bonds in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and (ii) subject to the approval of the State Budget and Control Board pursuant to Section 41-43-110 of the Act, to issue and sell revenue bonds at public or private sale as may be determined to be most advantageous, and to secure the payment of such bonds all as in the Act provided.

2. On December 30, 1986, the Authority issued its Economic Development Revenue Bonds, Series 1986 (Tobul Accumulators Division of Mill and Mine Services, Inc. Project) (the "Prior Bonds") and loaned the proceeds to Mill and Mine Services, Inc. (the "Borrower") for the purpose of defraying the cost of acquiring certain facilities to be used for the purpose of manufacturing hydraulic accumulators to be located in the City of Bamberg within the State of South Carolina (the "Project").

3. By resolution adopted December 2, 1986, the State Budget and Control Board approved the issuance of the Prior Bonds through a negotiated private sale pursuant to the Act for the purposes of financing the Project.

4. The Authority has been advised by the Borrower that it is advantageous to adjust certain terms of the financing provided by the Prior Bonds (which provide for a daily adjustment of interest rates prior to the Prior Bonds bearing a fixed rate) by providing for a fixed interest rate for a period of time not later than December, 1994, and thereafter adjustments to the interest rates to occur weekly prior to the permanent fixed rate, and to make certain other amendments with respect to the financing in order to lower the costs thereof.

5. In order to accomplish these adjustments and amendments, the Borrower has requested the Authority execute and deliver its Economic Development Revenue Refunding Bonds (Tobul Accumulators Division of Mill and Mine Services, Inc. Project) (the "Bonds") in the aggregate principal amount of not exceeding $550,000 to refund the Prior Bonds.

6. The Bonds will be sold to Donaldson, Lufkin & Jenrette Securities Corporation, as underwriter, pursuant to a negotiated private sale, for subsequent public offering by the underwriter, which arrangement the Authority has determined to be most advantageous.

7. The Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and the obligation of Mill and Mine Service, Inc. to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and the Authority finds such security for payment of the Bonds to be acceptable.

8. The Authority hereby reaffirms and ratifies each of the findings of fact made by the Authority in the Petition previously filed with the State Budget and Control Board with respect to the Project.

Upon the basis of the foregoing, the Authority respectfully prays that the State Budget and Control Board (i) accept the filing of this Petition and the documents submitted herewith, (ii) make such investigation as it deems advisable, and (iii) approve the issuance of the Bonds by the Authority through a negotiated private sale pursuant to the Act in order to refund the Prior Bonds (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the Authority).

Respectfully submitted,

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

By Robert L. Mobley
Robert L. Mobley, Chairman
Board of Directors

Dated: April 12, 1990

(SEAL)

ATTEST:

Elliott E. Franks, III
Director

14074

EXHIBIT

APR 23 1990 18

STATE BUDGET & CONTROL BOARD

A RESOLUTION AUTHORIZING THE APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE SALE OF APPROXIMATELY $7,550,000 OF ITS ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43 OF THE CODE OF LAWS OF SOUTH CAROLINA (1976), AS AMENDED.

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 refunding bonds, payable by the Authority in an amount as the Authority considers necessary but not to exceed an amount sufficient to refund the principal of the bonds to be refunded, together with any unpaid interest thereon and any premiums, expenses, and commissions necessary to be paid; and

WHEREAS, the Authority has previously issued certain outstanding Economic Development Revenue Bonds on December 30, 1986 (the "Prior Bonds") as identified on Exhibit A attached hereto; and

WHEREAS, the borrowers identified in Exhibit A (the "Borrowers") have requested that the Authority refund the Prior Bonds in order to adjust certain terms of the financing provided by the Prior Bonds; and

WHEREAS, the Authority is required 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 $7,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds described in Exhibit A (the "Refunding Bonds")at public or private sale.

14075

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

Section 1. There shall be and it 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 sale of the Refunding Bonds through private sale to Donaldson, Lufkin & Jenrette Securities Corporation, for subsequent resale to the public, said Petition, to be in form acceptable to the State Budget and Control Board of South Carolina.

Section 2. 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 be and is hereby authorized and directed to affix the seal of the Authority to said Petition and to attest the same and thereafter to submit an executed copy of this Resolution to the State Budget and Control Board of South Carolina.

Passed and approved March 28, 1990.

SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY

Robert L. Mobley

Robert L. Mobley, Chairman
Board of Directors

(SEAL)

ATTEST:

Elliott E. Franks, III

Elliott E. Franks, III
Director

14076

EXHIBIT A

The Prior Bonds

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Old Claussen's Bakery Partners Project) Composite Issue No. 1

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Midland Properties, Ltd. Project) Composite Issue No. 2

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (NMFO Associates Project) Composite Issue No. 3

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Rice Street Associates Project) Composite Issue No. 4

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project) Composite Issue No. 5

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Elmwood Historic Office Center, A Partnership Project) Composite Issue No. 6

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (Tobul Accumulators, Division of Mill and Mine Service Project) Composite Issue No. 7

South Carolina Jobs-Economic Development Authority, Economic Development Revenue Bonds, Series 1986 (The W. W. Williams Company/Energy Power Products Project) Composite Issue No. 8

The Borrowers

Old Claussen's Bakery Partners
Midland Properties, Ltd.
NFMO Associates
Rice Street Associates
Henry D. Goldberg, Esther Greenburg and Karl Goldberg
Mill and Mine Services, Inc.
The W. W. Williams Company

The Refunding Bonds

$1,550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Old Claussen's Bakery Partners Project)

$2,400,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Midland Properties, Ltd. Project)

$750,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (NMFO Associates Project)

$950,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Rice Street Associates Project)

$650,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Henry D. Goldberg, Esther Greenburg and Karl Goldberg Project)

$550,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (Tobul Accumulators Division of Mill and Mine Service Project)

$700,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990 (The W. W. Williams Company/Energy Power Products Project)

APR 1 8 1990

TRANSMITTAL FORM, REVENUE BONDS

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

Date: April 18, 1990
Submitted for BCB Meeting on:
April 24, 1990

FROM:

Haynsworth, Marion, McKay & Guerard
Name of Law Firm

1201 Main Street/Suite 2400 PO Drawer 7157
Street Address/Box Number

Columbia, SC 29201
City, State, Zip Code

(803) 765-1818
Telephone Area Code and Number

RE: $ 1,200,000
Amount of Issue

Hospital Revenue Refunding Bonds
Type of Bonds or Notes

Richland County South Carolina
Issuing Authority Name

May 31, 1990
Projected Issue Date

Project Name: Sunset Medical Partnership Project

Project Description:
Acquisition and construction of a medical office building containing a mental health treatment facility in Richland County

Employment as result of project: 102 employees currently

CEILING ALLOCATION REQUIRED	REFUNDING INVOLVED	PROJECT APPROVED PREVIOUSLY
___ Yes ($_____ Amount) X No	X Yes ($1,200,000 Amount) __ No	X Yes (12/3/85 & 12/21/86 Date) 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. X Resolution or ordinance (executed copy)

C. N/A Inducement Resolution or comparable preliminary approval (executed copy)

D. N/A Standard Form Investment Letter from bonds purchaser (executed original)
(Purchaser: _____)

OR N/A Audited financial statements for three most recent years

E. N/A Department of Health and Environmental Control certificate IF REQUIRED

F. X Budget and Control Board Resolution and Public Notice (original)
[Plus 1 copies for certification and return to counsel]

G. X Processing fee
Amount $ 3,000 Check No. 16828
Payor Haynsworth, Marion, McKay & Guerard

EXHIBIT

Bond Counsel: Samuel W. Howell, IV
Typed Name

APR 23 1990 19

By: _____
Signature

STATE BUDGET & CONTROL BOARD

14079

OED 1/86

EXHIBIT

APR 23 1990 19

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

STATE BUDGET & CONTROL BOARD
Sunset Medical Partnership

I, WILLIAM A. McINNIS, SECRETARY to the South Carolina State Budget and Control Board, DO HEREBY CERTIFY:

That the State Budget and Control Board (the Board) is composed of the following:

His Excellency, Carroll A. Campbell, Jr., Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable James M. Waddell, Jr., Chairman of the Senate Finance Committee; and

The Honorable Robert N. McLellan, Chairman of the House Ways and Means Committee.

That due notice of a meeting of the Board, called to be held in Columbia, South Carolina, at 10:30 a.m. on Monday, April 23, 1990, was given to all members in writing at least four days prior to the meeting and that, in compliance with the Freedom of Information Act, public notice of and the agenda index 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, in the lobby of the Wade Hampton Office Building, and near the Board Secretary's Office on the Sixth Floor of the Wade Hampton Office Building at 10:15 a.m. on Friday, April 20, 1990.

That all members of the Board were present at the meeting with the exception of Mr. McLellan.

That, at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Mr. Patterson, who moved its adoption; the motion was seconded by Senator Waddell, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION	AGAINST MOTION
4	0

That the Chairman thereupon declared the Resolution adopted and the original thereof has been duly entered in the permanent records of minutes of meetings of the Board in my custody as its Secretary.

May 14, 1990

William A McInnis

14080

A RESOLUTION APPROVING THE ISSUANCE BY RICHLAND COUNTY, SOUTH CAROLINA, OF NOT EXCEEDING $1,200,000 AGGREGATE PRINCIPAL AMOUNT HOSPITAL REVENUE REFUNDING BONDS, SERIES 1990 (SUNSET MEDICAL PARTNERSHIP PROJECT), PURSUANT TO TITLE 44, CHAPTER 7 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the County Council of Richland County, South Carolina (the "Governing Board") has heretofore, by submitting a petition (the "Petition"), under and pursuant to Title 44, Chapter 7 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested the approval by the State Budget and Control Board of the issuance by Richland County (the "County") pursuant to the Act of its Hospital Revenue Refunding Bond (Sunset Medical Partnership Project) in the aggregate principal amount of not exceeding $1,200,000 (the "Bonds"); and

WHEREAS, the County proposed to issue the Bonds for the purpose of refunding its Hospital Revenue Refunding Bonds, Series 1986 (Sunset Medical Partnership/Columbia Area Mental Health Center Medical Office Building Project) (the "Prior Bonds"), which were previously issued to refund its Hospital Revenue Bond (Columbia Area Mental Health Center Medical Office Building Project) 1985, which was previously issued to defray the cost of acquiring, by construction, purchase or lease, certain land and a building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishing (the "Project") to be used for the purpose of operating a medical office building containing a mental health treatment facility located at 1801 Sunset Drive, Columbia, South Carolina; and

WHEREAS, the Project is being made available to Sunset Medical Partnership (the "Company") upon terms which require the Company to make payments to or for the account of the County in amounts sufficient to pay the principal, premium, if any, and interest on the Bonds; and

WHEREAS, the Bonds will be payable by the County from and secured by a Letter of Credit to be issued by The Bank of Tokyo, Ltd., New York Agency, to Citizens and Southern Trust Company (South Carolina), National Association, as trustee (the "Trustee"), and the obligations of the Company to make payments sufficient to pay the principal of, premium, if any, and interest on the Bonds is to be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., New York Agency;

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. The Board has made an independent investigation

of the matters set forth in the Petition, and on the basis of such investigation it is hereby found, determined and declared:

(a) The facts set forth in the Petition, and in the preamble hereto, are in all respects true and correct;

(b) The Petition filed by the Governing Board contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 44-7-1560 of the Act; and

(c) The Project which is the subject of the Petition of the Governing Board is intended to promote the purposes of the Act and is reasonably anticipated to effect such result.

Section 2. In consequence of the foregoing, the proposal of the County to issue the Bonds to refund the Prior Bonds be and the same is hereby in all respects approved. This approval shall not be affected by any changes in the details of the proposal of the County so long as such changes do not impose a pecuniary liability upon the County or its general credit or taxing power, are approved by the Governing Board and the Company.

Section 3. Notice of the action taken by this Board in approving the above described undertaking of the County shall be published in The State, which is a newspaper having general circulation in Richland County.

Section 4. The Notice, required in Section 3 above to be published, shall be in substantially the form set forth in Exhibit "A" of this Resolution.

Section 5. This Resolution shall take effect immediately.

EXHIBIT A

NOTICE PURSUANT TO THE PROVISIONS OF TITLE 44, CHAPTER 7 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED

Notice is hereby given pursuant to the provisions and requirements of Title 44, Chapter 7 of the Code of Laws of South Carolina 1976, as amended (the "Act"), that the State Budget and Control Board of South Carolina, pursuant to a Petition filed by the County Council of Richland County, South Carolina, has given its approval to the following undertaking by Richland County, South Carolina:

The issuance by Richland County of its Hospital Revenue Refunding Bonds (Sunset Medical Partnership Project) in the aggregate principal amount of not exceeding $1,200,000 (the "Bonds"), for the purpose of refunding its Hospital Revenue Refunding Bonds (Sunset Medical Partnership/Columbia Area Mental Health Center Medical Office Building Project) issued to refund its Hospital Revenue Bond (Columbia Area Mental Health Center Medical Office Building Project) 1985, which was previously issued to defray the cost of acquiring, by construction, purchase and lease, certain land and a building or buildings and improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishing by Sunset Medical Partnership, a South Carolina partnership to be used as a medical office building containing a mental health treatment facility, which constitutes a "hospital facility" as defined in the Act (the "Project"), to be located at 1801 Sunset Drive, Columbia, South Carolina. The Project is being made available to Sunset Medical Partnership which will unconditionally covenant to make payment sufficient to pay the principal, premium, if any, and interest on the Bonds. The Bonds will be payable by the County solely and exclusively out of payments to be made by Sunset Medical Partnership for the use of the Project, and is to be additionally secured by a Letter of Credit to be issued by The Bank of Tokyo, Ltd., New York Agency.

Notice is further given that any interested party may, within twenty (20) days after the date of the publication of this notice, but not afterwards, challenge the validity of the State Budget and Control Board's approval of the Project and the issuance of the Bonds by Richland County to refinance the same, by action de novo instituted in the Circuit Court for Richland County, South Carolina.

STATE BUDGET AND CONTROL BOARD

BY: WILLIAM McINNIS, Secretary

Dated: April __, 1990

14083

MAY 14 1990

The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

May 14, 1990

EXHIBIT

APR 23 1990 19

STATE BUDGET & CONTROL BOARD

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: $1,200,000 Hospital Revenue Refunding Bonds
Richland County, South Carolina
(Sunset Medical Partnership Project)

Dear Mr. McInnis:

Regarding the above-referenced obligation, we have reviewed the Petition and other documents forwarded to us by the State Budget and Control Board and additional documentation forwarded by bond counsel. These represent a portion of the documents that have been submitted to the Board for its approval pursuant to Section 44-7-1410, et seq., Code of Laws of South Carolina, 1976, as amended. The documents appear to comply with the requirements of the referenced Code sections that certain specific information be addressed in these documents.

It should be noted that although Section 44-7-1590 requires the Budget and Control Board to find that the proposed financing is economically feasible, bond counsel has advised me that this finding is not required as these bonds will simply redeem existing bonds.

This opinion addresses only the fact that the documents appear to meet the conditions imposed by State law that certain specific matters be addressed in the documentation. No opinion is expressed as to any other matters, including whether the Petition should be approved as a matter of policy.

Office of the Attorney General

BY: Drew T. Shumate

TGA:bvc

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

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

ROBERT N. McLELLAN
CHAIRMAN, WAYS AND MEANS COMMITTEE

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

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

April 25, 1990

Mr. Samuel W. Howell, IV
Haynsworth, Marion, McKay & Guerard
1201 Main Street, Suite 2400
P.O. Drawer 7157
Columbia, SC 29202

Dear Sam:

This confirms that the State Budget and Control Board, at its meeting on April 23, 1990, denied your request on behalf of the Richland County Sunset Medical Partnership Project that the bond processing fee on this second refunding be waived.

The Board took this action after carefully considering the unusual circumstances relating to this project outlined in your April 6, 1990, letter to me.

Sincerely,

William A. McInnis

William A. McInnis
Secretary

M

EXHIBIT

APR 23 1990 19

STATE BUDGET & CONTROL BOARD

14086

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

EXHIBIT

19

APR 23 1990

STATE BUDGET & CONTROL BOARD

May 15, 1990

HAND DELIVERED

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

Re: $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990 (Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Donna:

Enclosed please find two copies and one original of an Affidavit of Publication for the above-referenced project. Please stamp the original and one copy "filed" and return them to our office. Thank you for your attention to this matter. With kindest personal regards, I remain,

Very truly yours,

Sam

Samuel W. Howell, IV

SWH:ss
Enclosures

14087

THE STATE-RECORD CO., INC.
Columbia, South Carolina
publisher of
The State

EXHIBIT

APR 23 1990 19

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

Personally appeared before me Rene' Ford, Classified Advertising Manager

of THE STATE, and makes oath that the advertisement,

Notice - Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990 (Sunset Medical Partnership Project)

was inserted in THE STATE, a daily newspaper of general circulation published in the City of Columbia, State and County aforesaid, in the issues of

April 24, 1990

R. Ford

Subscribed and sworn to before me

this 24th day of April 19 90 .

Cheryl D. Drew Notary Public

My Commission Expires December 14, 1999

"Errors - the liability of the publisher on account of errors in or omissions from any advertisement will in no way exceed the amount of the charge for the space occupied by the item in error, and then only for the first incorrect insertion."

14088

NOTICE PURSUANT TO THE PROVISIONS

OF TITLE 44, CHAPTER 7 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED

Notice is hereby given pursuant to the provisions and requirements of Title 44, Chapter 7 of the Code of Laws of South Carolina 1976, as amended (the "Act"), that the State Budget and Control Board of South Carolina, pursuant to a Petition filed by the County Council of Richland County, South Carolina, has given its approval to the following undertaking by Richland County, South Carolina:

The inssuance by Richland County of its Hospital Revenue Refunding Bonds (Sunset Medical Partnership Project) in the aggregate principal amount of not exceeding $1,200,000 (the "Bonds"), for the purpose of refunding its Hospital Revenue Refunding Bonds (Sunset Medical Partnership/Columbia Area Mental Health Center Medical Office Building Project) issued to refund its Hospital Revenue Bond (Columbia Area Mental Health Center Medical Office Building Project) 1985, which was previously issued to defray the cost of acquiring, by construction, purchase and lease, certain land and a building or buildings and improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishing by Sunset Medical Partnership, a South Carolina partnership to be used as a medical office building containing a mental health treatment facility, which constitutes a "hospital facility" as defined in the Act (the "Project"), to be located at 1801 Sunset Drive, Columbia, South Carolina. The Project is being made available to Sunset Medical Partnership which will unconditionally covenant to make payment sufficient to pay the principal, premium, if any, and interest on the Bonds. The Bonds will be payable by the County solely and exclusively out of payments to be made by Sunset Medical Partnership for the use of the Project, and is to be additionally secured by a Letter of Credit to be issued by The Bank of Tokyo, Ltd., New York Agency.

Notice is further given that any interested party may, within twenty (20) days after the date of the publication of this notice, but not afterwards, challenge the validity of the State Budget and Control Board's approval of the Project and the issuance of the Bonds by Richland County to refinance the same, by action de novo instituted in the Circuit Court for Richland County, South Carolina.

STATE BUDGET AND CONTROL BOARD
BY: William McInnis, Secretary

91488

EXHIBIT

APR 23 1990 19

STATE BUDGET & CONTROL BOARD

PETITION

TO

THE STATE BUDGET AND CONTROL BOARD

OF

SOUTH CAROLINA

PURSUANT TO SECTIONS 44-7-1560 AND 44-7-1590 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED

RE: NOT EXCEEDING $1,200,000 RICHLAND COUNTY, SOUTH CAROLINA, HOSPITAL REVENUE REFUNDING BONDS (SUNSET MEDICAL PARTNERSHIP PROJECT)

EX PARTE:

COUNTY COUNCIL OF RICHLAND COUNTY
SOUTH CAROLINA

14090

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 County Council of Richland County, South Carolina (the "County Council") respectfully prays:

1. Richland County (the "County") on December 30, 1986 issued its Hospital Revenue Refunding Bonds, Series 1986 (Sunset Medical Partnership Project) (the "Series 1986 Bonds") in the original principal amount of $1,250,000 for the purpose of refunding the Richland County, South Carolina, Hospital Revenue Bonds (Columbia Area Mental Health Center Medical Office Building Project) Series 1985, which were issued for the purpose of financing the acquisition of land, buildings, machinery, equipment, office facilities, furnishings and other improvements to be used in the operation of a 25,000 square foot medical office building and mental health treatment facility located at 1801 Sunset Drive, Columbia, South Carolina, all pursuant to Article 11, Chapter 7, Title 44 of the Code of Laws of South Carolina 1976, as amended (the "Enabling Statute").

2. Pursuant to the Enabling Statute, the County is authorized to refund any bonds issued under the Enabling Statute but only with the approval of the State Budget and Control Board being first obtained by the issuance of its refunding bonds in such amounts as the County Council may deem necessary but not exceeding an amount sufficient to refund the principal of the bonds to be refunded,

together with any interest then or thereafter to become due (prior to the date when all outstanding bonds shall be paid) and any premium, expenses and commissions necessary to be paid in connection therewith.

3. Sunset Medical Partnership, a South Carolina general partnership (the "Hospital Agency"), the owner of the Hospital Facilities, has now requested the County to refund the Series 1986 Bonds by issuing Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990 (Sunset Medical Partnership Project) in the aggregate principal amount of not exceeding $1,200,000, in one or more series (the "Refunding Bonds"), the proceeds of which will be used to retire the outstanding Series 1986 Bonds, pursuant to the Enabling Statute.

4. The Refunding Bonds will be secured by an assignment of payments due under the Loan Agreement between the County and the Company, dated as of December 1, 1986, as amended by the First Amendatory Loan Agreement (collectively, the "Loan Agreement") to the Trustee, under an Indenture of Trust, dated as of December 1, 1986, as supplemented by the First Supplemental Trust Indenture, for the benefit of the holder or holders of the Refunding Bonds.

5. The Hospital Agency, under the terms of the Loan Agreement is required, at its expense, to maintain the Hospital Facilities in good repair and to keep the Hospital Facilities properly insured; and to make loan repayments sufficient to pay the principal of, premium, if any, and interest on the Refunding Bonds as they become due. Neither the Hospital Facilities nor any

charges in connection with the Hospital Facilities or the construction, expansion, acquisition, installation, operation, and maintenance of the Project or in connection with the Refunding Bonds, including the payment of principal and interest, shall constitute or give rise to a pecuniary liability of the County or a charge against the general credit or taxing power of the County.

6. The proceeds of the Refunding Bonds shall be applied to pay the redemption price of the Series 1986 Bonds within ninety (90) days after the issuance of the Refunding Bonds and pending such use shall be deposited in a trust account and invested in direct obligations of, or obligations guaranteed by, the United States of America, the corpus of which shall be applied to the payment of the principal, interest and redemption premium, if any, of the Series 1986 Bonds being refunded.

7. No Certificate of Need or other approvals by the Department of Health and Environmental Control is needed in connection with the refinancing of the Hospital Facilities by the issuance of the Refunding Bonds.

Upon the basis of the foregoing, the County Council respectfully prays:

That the State Budget and Control Board accept the filing of the Petition presented herewith and that it thereafter approve the refunding of the Series 1986 Bonds by the issuance of the Refunding Bonds in the amount of not exceeding $1,200,000 in one or more

series, including changes in details of the said financing as finally consummated which do not materially affect the said undertaking, and that it give published notice of its approval in the manner set forth in Code Section 44-7-1590.

Respectfully submitted,

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

By: John L. Scott
Vice Chairman, County Council of
Richland County, South Carolina

ATTEST:

Brenda Fuller
Clerk, County Council of
Richland County, South Carolina

REVIEWED AND APPROVED BY:

C. Dan Ott
Richland County Attorney

EXHIBIT

APR 23 1990 19

STATE BUDGET & CONTROL BOARD

A RESOLUTION

MAKING CERTAIN DETERMINATIONS AND FINDINGS PRIOR TO THE ISSUANCE OF RICHLAND COUNTY HOSPITAL REVENUE REFUNDING BONDS; AND AUTHORIZING THE FILING OF A PETITION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA, SEEKING ITS APPROVAL OF THE ISSUANCE OF THE HOSPITAL REVENUE REFUNDING BONDS.

BE IT RESOLVED BY THE COUNTY COUNCIL OF RICHLAND COUNTY (the "County Council"), in meeting duly assembled, that the County Council hereby determines and finds as follows:

1. Richland County (the "County") on December 30, 1986 issued its Hospital Revenue Refunding Bonds, Series 1986 (Sunset Medical Partnership Project) (the "Series 1986 Bonds") in the original principal amount of $1,250,000 for the purpose of refunding the Richland County, South Carolina, Hospital Revenue Bonds (Columbia Area Mental Health Center Medical Office Building Project) Series 1985, which were issued for the purpose of financing the acquisition of land, buildings, machinery, equipment, office facilities, furnishings and other improvements to be used in the operation of a 25,000 square foot medical office building and mental health treatment facility located at 1801 Sunset Drive, Columbia, South Carolina, all pursuant to Article 11, Chapter 7, Title 44 of the Code of Laws of South Carolina 1976, as amended (the "Enabling Statute").

2. Pursuant to the Enabling Statute, the County is authorized to refund any bonds issued under the Enabling Statute but only with the approval of the State Budget and Control Board being first obtained by the issuance of its refunding bonds in such amounts as the County Council may deem necessary but not exceeding an amount sufficient to refund the principal of the bonds to be refunded, together with any interest then or thereafter to become due (prior to the date when all outstanding bonds shall be paid) and any premium, expenses and commissions necessary to be paid in connection therewith.

3. Sunset Medical Partnership, a South Carolina general partnership (the "Hospital Agency"), the owner of the Hospital Facilities, has now requested the County to refund the Series 1986 Bonds by issuing Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990 (Sunset Medical Partnership Project) in the aggregate principal amount of not exceeding $1,200,000, in one or more series (the "Refunding Bonds"), the proceeds of which will be used to retire the outstanding Series 1986 Bonds, pursuant to the Enabling Statute.

4. The Refunding Bonds will be secured by an assignment of payments due under the Loan Agreement between the County and the Company, dated as of December 1, 1986, as amended by the First Amendatory Loan Agreement (collectively, the "Loan Agreement") to the Trustee, under an Indenture of Trust, dated as of December 1, 1986, as supplemented by the First Supplemental Trust Indenture, for the benefit of the holder or holders of the Refunding Bonds.

5. The Hospital Agency, under the terms of the Loan Agreement is required, at its expense, to maintain the Hospital Facilities in good repair and to keep the Hospital Facilities properly insured; and to make loan repayments sufficient to pay the principal of, premium, if any, and interest on the Refunding Bonds as they become due. Neither the Hospital Facilities nor any charges in connection with the Hospital Facilities or the construction, expansion, acquisition, installation, operation, and maintenance of the Project or in connection with the Refunding Bonds, including the payment of principal and interest, shall constitute or give rise to a pecuniary liability of the County or a charge against the general credit or taxing power of the County.

6. The proceeds of the Refunding Bonds shall be applied to pay the redemption price of the Series 1986 Bonds within ninety (90) days after the issuance of the Refunding Bonds and pending such use shall be deposited in a trust account and invested in direct obligations of, or obligations guaranteed by, the United States of America, the corpus of which shall be applied to the payment of the principal, interest and redemption premium, if any, of the Series 1986 Bonds being refunded.

7. No Certificate of Need or other approvals by the Department of Health and Environmental Control is needed in connection with the refinancing of the Hospital Facilities by the issuance of the Refunding Bonds.

AND, BE IT FURTHER RESOLVED that the County Council of Richland County hereby approves the issuance and exchange of its Refunding Bonds as aforesaid, the filing of its petition, in accordance with Code Sections 44-7-1560 and 44-7-1590, to the State Budget and Control Board of South Carolina, in substantially the form of the Petition attached hereto (or with such changes as shall be approved by the Attorney for Richland County), and the execution by the Chairman of County Council, or in his absence, the Vice Chairman, and the attestation by the Clerk of the County Council to the same and the affixation of the County Seal thereto, and, further, authorizes and empowers the Chairman of County Council, or, in his absence, the Vice Chairman, to take all other action necessary or incidental to the execution and filing of such Petition.

14096

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

THIS IS TO CERTIFY that the foregoing is an exact, verbatim copy of a Resolution unanimously adopted at a duly called and held regular meeting of the County Council of Richland County, South Carolina (the "Issuer"), held at the Richland County Judicial Center, 1701 Main Street, Council Chambers, 4th Floor, Columbia, South Carolina, on March 6, 1990, at which meeting a quorum was present and remained throughout and which meeting was open to the public.

Written public notice of all regular meetings for the current calendar year was given at the beginning of this year by posting a copy of the notice, obtaining the dates, times and places of such meetings, at the principal office of the Issuer. The agendas for the said regular meetings were posted on a bulletin board of the office of the Issuer at least twenty-four (24) hours prior to said meetings. An effort was made on behalf of the Issuer to notify local news media and such other news media as may request official notification of the time, date, place and agenda of said meeting. The efforts were noted in the minutes of such meeting.

That the said Resolution has been recorded in the Issuer's records of proceedings and remains in my custody as Clerk, and that the said Resolution remains in full force and effect and has not been amended, modified, or repealed.

WITNESS my Hand and the Seal of Richland County, South Carolina, this 18th day of April, A.D., 1990.

(SEAL)

Brenda Fuller
Clerk
County Council of Richland County, South Carolina

APR

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

April 18, 1990

HAND DELIVERED

EXHIBIT
APR 23 1990 19
STATE BUDGET & CONTROL BOARD

The Honorable William A. McInnis
Secretary
State Budget and Control Board
Wade Hampton Office Building
6th Floor
Post Office Box 12444
Columbia, South Carolina 29211

Re: Not Exceeding $6,200,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990
and
Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990
(Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Bill:

Enclosed please find six packages on behalf of the South Carolina Jobs-Economic Development Authority requesting approval by the Budget and Control Board of its proposal to sell, pursuant to a negotiated sale, a composite issue of economic development revenue bonds for the purpose of refunding outstanding bonds of JEDA issued on December 30, 1986. The sale of those original bonds was approved by the Board in 1986. They were issued under a program managed by Salomon Brothers in which the interest rate is adjusted daily and provides for daily remarketing of bonds. Since the closing, Salomon Brothers has gotten out of the municipal finance business and Shearson Lehman Hutton was appointed by JEDA to replace Salomon Brothers as the remarketing agent for these bonds. Because of the cost of administering a daily interest rate program, Shearson's fees to these companies have increased substantially over the past several years. It has now reached the point where not only has Shearson increased the fees, but Shearson has now put JEDA on notice that it will resign as remarketing agent for this program.

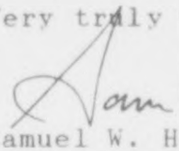
JEDA's composite bond issues since that first issue have been underwritten and remarketed by Donaldson, Lufkin & Jenrette Securities Corporation under a weekly interest rate structure. Not only has the weekly program proven to be much less expensive to administer on an on-going basis but, in fact, often results in lower interest rates than the daily rate program. As a consequence of the developments since the December 1986 closing, JEDA proposes to amend the outstanding bond documents to convert from a daily to a weekly rate program; DLJ would replace Shearson as remarketing agent; with the approval of the State Treasurer, C&S Trust Company will replace the Bank of New York as trustee at a lower annual cost; the bonds will have an initial fixed-rate from closing for a period of time not later than December 1994 at a price to be determined at their sale; and certain additional amendments will be made to the bond program to improve the overall administration of it and bring it more into line with the other bond issues that JEDA administers.

In order to accomplish all of this, JEDA proposes to issue the refunding bonds and use the proceeds to repay the outstanding bonds. The credit structure for the transaction will remain in place. That is, the Bank of Tokyo will keep its letter of credit in place to secure all of the bonds; and each borrower will keep in place its presently outstanding standby letter of credit to secure its obligations to the Bank of Tokyo under the bond program. Because the credit structure will remain unchanged from that as approved by the Board in 1986, Standard Form Credit Enhancement Letters and copies of the Inducement Resolutions have not been included in the enclosed packages since I assume that you still have copies of those documents with the original approval given by the Board to these issues in 1986. If, however, you need additional copies of those documents, please give me a call.

The enclosed Richland County Hospital Revenue bond issue for Sunset Medical Partnership was "piggy-backed" onto the 1986 JEDA composite issue. For similar reasons it is being refunded by Richland County. You will find enclosed with that package documentation as required by the Board for its approval under the Hospital Revenue Bond Act. Again, the credit structure for the Richland County bonds will remain unchanged from the credit structure approved by the Board in 1986.

Because all of these bonds are current refundings, there is no requirement to obtain an allocation of the 1990 Volume Cap for private activity bonds for these issues. I look forward to seeing you at the meeting on April 23. 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. With kindest personal regards, I remain,

Very truly yours,



Samuel W. Howell, IV

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

MAY 11 1990

HAYNSWORTH, MARION, McKAY & GUÉRARD
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Post Office Box 1119
Charleston, South Carolina 29402
(803) 722-7606

May 11, 1990

HAND DELIVERED

EXHIBIT
APR 23 1990 19
STATE BUDGET & CONTROL BOARD

Treva Ashworth, Esquire
Office of the Attorney General
Rembert Dennis Building
1000 Assembly Street
Post Office Box 11549
Columbia, South Carolina 29211

Re: $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990 (Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Treva:

As we discussed yesterday, enclosed please find sections of the bond documents demonstrating compliance with the provisions of S.C. Code Section 44-7-1560. The outstanding bonds will be called pursuant to optional redemption features contained in the original bond Indenture; and they will be redeemed on June 1, 1990 (well within the 8-year limitation). It is this firm's opinion that the proceedings taken in connection with the issuance of these bonds are in full compliance with all requirements of the Hospital Revenue Bond Act. The documents demonstrate this compliance; however, under current Budget and Control Board procedures, we do not customarily provide copies of all bond documents to the Board (and consequently to your office) when a request is made for approval by the Issuer of the bonds. I will be glad, however, to provide you with copies of any additional documents that you may require in connection with your review.

14101

This issue is scheduled to closed next Tuesday, May 15. I would appreciate anything you can do in your review to accommodate that schedule. Thank you for your attention to this matter. With kindest regards, I am,

Very truly yours,

Samuel W. Howell, IV

SWH:ss
Enclosures
cc: The Honorable William A. McInnis

in this Section 2.03. All redemptions of Series 1986 Bonds shall be at the redemption price indicated below, plus in each case interest accrued to the redemption date, except that interest accruing at a Daily Rate shall be paid on the Interest Payment Date following the redemption date. Series 1986 Bonds delivered for purchase pursuant to the Demand Purchase Option on a date after notice of redemption of such Series 1986 Bonds has been given but before the redemption date shall be purchased pursuant to the Demand Purchase Option. No optional redemption pursuant to Sections 2.03(a), 2.03(b) or 2.03(c) hereof shall be made unless moneys or Investment Securities in Available Funds or funds drawn under the Letter of Credit sufficient to accomplish such redemption shall be irrevocably held in trust for the benefit of such Series 1986 Bonds prior to the giving of notice pursuant to Article VIII hereof. All redemptions pursuant to Sections 2.03(d), 2.03(e), 2.03(f) and 2.03(g) shall be made, first pursuant to draws under the Letter of Credit, and second, from other funds available for such payments hereunder from Available Funds and then from other funds available to the Trustee hereunder.

(a) Optional Redemption During Daily Rate Period. During the Daily Rate Period, the Series 1986 Bonds may be redeemed in whole or in part, at the option of the Borrower, in increments of $50,000 or multiples thereof, at the principal amount of Series 1986 Bonds to be redeemed, on the first Business Day of a month.

(b) Optional Redemption at a Premium During Fixed Rate Period. During the Fixed Rate Period, the Borrower shall have the option to redeem the Series 1986 Bonds in increments of $5,000 or multiples thereof on any Interest Payment Date in whole or in part as follows: if the Fixed Rate Period falls within one of the entries in the "Fixed Rate Period" column set forth below, the Series 1986 Bonds shall not be redeemable for the number of years after the effective date in such Fixed Rate Period shown in the "No-Call Period" column; and on and after the Interest Payment Date which ends the No-Call Period (or the next Interest Payment Date if the No-Call Period does not end on an Interest Payment Date), the Series 1986 Bonds may be redeemed at the percentage of their principal amount shown in the "Initial Premium" column. The premium shall decline on each anniversary of such Interest Payment Date by one percentage point until the Series 1986 Bonds shall be redeemable without premium in the year indicated in the "No Premium" column and for any later years in the Fixed Rate Period.

14103

EXHIBIT A

NOTICE OF REDEMPTION AND DEFEASANCE
$1,250,000
Richland County, South Carolina
Hospital Revenue Bonds, Series 1986
(Sunset Medical Partnership/Columbia Area Mental Health
Medical Office Building Project)
Composite No. 9

To: Holders of the Richland County, South Carolina (the "Issuer"), Hospital Revenue Refunding Bonds, Series 1986 (Sunset Medical Partnership/Columbia Area Mental Health Medical Office Building Project) Composite No. 9, (the "Bonds") under the Indenture of Trust, dated as of December 1, 1986, (the "Indenture") between the Issuer and Irving Trust Company, as assigned to The Bank of New York, as Trustee (the "Trustee").

Notice is hereby given in the name of the Trustee that the Issuer has elected to redeem and pay off all of the outstanding Bonds in accordance with the terms of the Bonds and the Indenture, and that all the Bonds are hereby called for redemption as follows:

Redemption Date: June 1, 1990
Redemption Price: 100% of the Face Amount of Each Outstanding Bond.

The Bonds will be due and payable on June 1, 1990 upon surrender thereof at the Corporate Trust Office of the Trustee, _____, _____, New York, New York, at the Redemption Price stated above and all interest on the Bonds will cease to accrue on and after June 1, 1990. Accrued interest on the Bonds through June 1, 1990 will be paid on June __, 1990.

Notice is further given that there has been deposited with the Trustee moneys in an amount which shall be sufficient to pay the principal of and interest on the Bonds through the Redemption Date and that the Bonds are deemed to have been paid in accordance with Section 14.02 of the Indenture and the lien of the Indenture is thereby released.

end that immediately available collected funds will be provided by the Bank to the Tender Agent by 2:00 p.m., New York, New York time on such date to pay the Purchase Price. No later than 10:30 a.m., New York, New York time on the Purchase Date, the Trustee will wire transfer to the Tender Agent the amount of Available Funds specified in the notice from the Trustee specified in Section 2.5(c) hereof. To the extent that the Tender Agent has collected funds on deposit by 10:30 a.m., New York, New York time on such date, which are Available Funds, the Tender Agent shall reimburse the Bank for any draws under the Letter of Credit by close of business on the date such draw is honored by the Bank. If the Bank fails to honor a draw under the Letter of Credit to pay the Purchase Price for any Series 1990 Bond, the Tender Agent shall use any such Available Funds to pay such Purchase Price.

(f) Cooperation. The Tender Agent, Remarketing Agent, Bank and Trustee shall each cooperate to cause the necessary arrangements to be made and to be hereafter continued whereby funds from the sources specified in paragraph (f) of Section 2.4 hereof will be made available to pay, or to reimburse the Bank for a draw or draws to pay, any portion of the Purchase Price of Series 1990 Bonds tendered by the Bond Owners for purchase pursuant to Section 2.4 hereof, and to the extent necessary to permit the preparation, execution, issuance, authentication and delivery by the Tender Agent of replacement Series 1990 Bonds.

SECTION 2.6. Notice to Bank and Standby Letter of Credit Bank of Reduction in Outstanding Bonds; Notice to Rating Agency that All Bonds Have Been Paid. Upon the happening of any of the events specified in Section 2.3 hereof, in paragraph (1) of Section 2.5(a) hereof and in Section 14.01 of the Indenture, the Tender Agent shall promptly deliver to the Bank, the Standby Letter of Credit Bank and the Trustee notice of reduction in the aggregate principal amount of Outstanding Bonds resulting therefrom. The Trustee shall promptly notify the Rating Agency upon payment in full of all Outstanding Bonds.

SECTION 2.7. Letter of Credit Secures Only Series 1990 Bonds. Notwithstanding the provisions of Section 3.01 of the Indenture, the Letter of Credit shall secure only the Series 1990 Bonds.

SECTION 2.8. Disposition of Bond Proceeds. All proceeds derived from the sale of the Series 1990 Bonds (net of $_____ to be withheld by the purchaser thereof to pay costs of issuance of the Series 1990 Bonds) shall be deposited into the Bond Fund, invested as set forth in the attached Exhibit B and used to reimburse the Bank for honoring a draw on the Letter of Credit to pay principal of and interest on the Series 1986 Bonds on the earliest optional redemption date pursuant to Section 2.03(a) of the Indenture or to pay the Purchase Price thereof prior to such optional redemption date.

14105

MAY - 8 1990

The State of South Carolina

Office of the Attorney General

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE: 803-734-3680
FACSIMILE: 803-253-6283

May 7, 1990

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

RE: $1,200,000 Hospital Revenue Refunding Bonds
Richland County, South Carolina
(Sunset Medical Partnership Project)

Dear Mr. McInnis:

Regarding the above-referenced obligation, we have reviewed the Petition and other documents forwarded to us by the State Budget and Control Board and additional documentation forwarded by bond counsel. These represent a portion of the documents that have been submitted to the Board for its approval pursuant to Section 44-7-1410, et seq., Code of Laws of South Carolina, 1976, as amended. The documents appear to comply with the requirements of the referenced Code sections that certain specific information be addressed in these documents.

It is noted that these bonds are refunding bonds. The information provided to this Office is not sufficient to allow us to review whether or not the provisions of these bonds meet the statutory requirements as are set out in South Carolina Code of Laws, 1976, Section 44-7-1560 (2)-(5), nor is such a review required of this Office. Therefore, no statement is made whatsoever as to whether or not these bonds meet the requirements of these sub-sections. It should further be noted that although Section 44-7-1590 requires the Budget and Control Board to find that the proposed financing is economically feasible, bond counsel has advised me that this finding is not required as these bonds will simply refund existing bonds.

14106

This opinion addresses only the fact that the documents appear to meet the conditions imposed by State law that certain specific matters be addressed in the documentation. No opinion is expressed as to any other matters, including whether the Petition should be approved as a matter of policy.

Office of the Attorney General

BY: Drew Ashmore

TGA:bvc

14107

Research and Practice References—
15 Am Jur Legal Forms 2d, Public Securities and Obligations, §§ 214:51 et seq. (sale).

§ 44-7-1560. Refunding of bonds.

(1) Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by the county, but only with the approval of the State Board being first obtained, by the issuance of its refunding bonds in such amounts as the county board may deem necessary but not exceeding an amount sufficient to refund the principal of the bonds to be refunded, together with any interest then or thereafter to become due (prior to the date when all outstanding bonds shall be paid) and any premium, expenses and commissions necessary to be paid in connection therewith.

(2) Any such refunding may be effected whether the bonds to be refunded have matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds for the payment of the bonds to be refunded, or by exchange of the refunding bonds for the bonds to be refunded thereby; *provided,* that the holders of any bonds to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or, if they are called for redemption, prior to the date on which they are by their terms subject to redemption.

(3) Except as provided in paragraph (4) of this section, all refunding bonds issued under the authority of this article shall be payable in the same manner and under the same terms and conditions as are herein provided for the issuance of bonds. The power to issue refunding bonds herein granted includes the power to effect a refunding in advance of the maturity or earliest redemption date of the bonds being refunded; *provided,* that no refunding shall be effected more than eight years prior to the maturity or earliest redemption date of the bonds being refunded.

(4) Any loan agreement made for the purpose of securing refunding bonds may provide:

(a) That any leasehold estate granted thereby shall become effective as of the occasion of the termination of any existing leasehold estate;

(b) That prior to the time when lease rental payments become due, the then holder of any leasehold estate created by the loan agreement securing the outstanding bonds shall be unconditionally obligated to pay, as and when they become due and payable, amounts sufficient

14108

to pay the principal, interest and redemption premiums, if any, on the refunding bonds;

(c) For an irrevocable agreement on the part of the county to call for redemption on the earliest available redemption date all of the bonds to be refunded which do not mature prior to such date; and

(d) That the proceeds derived from the sale of the refunding bonds and any other funds that may be required shall be deposited forthwith in a trust account and invested in direct obligations of, or obligations guaranteed by, the United States of America, the corpus of which shall be applied to the payment of the principal, interest and redemption premium, if any, of the bonds being refunded. Any agreement between the county and the trustee of the trust account established pursuant to this paragraph may prescribe that income earned from investments of the corpus thereof be used or applied for any of the following purposes: (i) to the payment of the interest on the outstanding bonds; (ii) to the payment of interest on the refunding bonds until the redemption of the outstanding bonds; (iii) partially in accordance with (i) hereof and partially in accordance with (ii) hereof; and (iv) added in whole or in part to the corpus (and used in accordance with the provisions hereof relating to the use of corpus), with the balance of income, if any, being applied in accordance with any of (i), (ii) or (iii) hereof.

(5) In the exercise of the powers herein granted to effect advance refundings, any county board may, but shall not be required to, avail itself of any of the provisions of the Advanced Refunding Act [§§ 11-21-10 to 11-21-80].

HISTORY: 1962 Code § 32-798.15; 1973 (58) 654.

Cross references—

As to county bonds, see Chapter 15 of Title 4.

As to general obligation bonds, see §§ 5-21-210 to et seq.

As to general provisions relating to bonds of political subdivisions, see §§ 11-15-10 et seq.

Research and Practice References—

64 Am Jur 2d, Public Securities and Obligations §§ 262, 263.

20 CJS, Counties §§ 259, 273, 275.

§ 44-7-1570. Bonds as legal investments.

It shall be lawful for all executors, administrators, guardians, committees and other fiduciaries to invest any moneys in their hands in bonds issued under the provisions of this article.

14109

EXHIBIT

APR 23 1990 20

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
MEETING OF April 23, 1990

REGULAR SESSION
ITEM NUMBER 4

AGENCY: Executive Director

SUBJECT: Revenue Bond Issues

(e) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $550,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Tobul Accumulators Division of Mill and Mine Services
Location: City of Bamberg
Employment Impact: 25
Project Description: manufacture hydraulic accumulators

(f) Issuing Authority: Richland County
Amount of Issue: $1,200,000 Hospital Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Sunset Medical Partnership
Employment Impact: 102
Project Description: medical office building/mental health treatment facility

The status report on the State ceiling as of April 19 (year elapsed 30%) shows:

	Ceiling 1990	Allocated	%	Available	%
State Pool	70,240,000	0		70,240,000	100.0%
Local Pool	105,360,000	30,200,000	28.7%	75,160,000	71.3%
Total	175,600,000	30,200,000	17.2%	145,400,000	82.8%

For comparison, the status about a year ago (at April 21, 1989 was:

	Ceiling 1989	Allocated	%	Available	%
State Pool	69,860,000	3,100,000	4.4%	66,760,000	95.6%
Local Pool	104,790,000	27,375,000	26.1%	77,415,000	73.9%
Total	174,650,000	30,475,000	17.4%	144,175,000	82.6%

BOARD ACTION REQUESTED:

Adopt resolutions approving referenced proposals (a) through (f) to issue revenue refunding bonds, on the condition that the required reviews are completed with satisfactory results, with the bonds in proposals (a) through (e) to be issued through a negotiated private sale to an underwriter for public offering thereafter; and receive as information the status report on the State Ceiling.

ATTACHMENTS:

Resolutions; status report on State Ceiling.

STATE BUDGET AND CONTROL BOARD
MEETING OF April 23, 1990

REGULAR SESSION
ITEM NUMBER 4

AGENCY: Executive Director

SUBJECT: Revenue Bond Issues

The required reviews on the following proposals to issue refunding revenue bonds have not yet been completed. Each project requires approval under State law; none requires a ceiling allocation.

(a) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $1,550,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Old Claussen's Bakery Partners
Location: City of Columbia
Employment Impact: 15
Project Description: inn and retail shops

(b) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $2,400,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Midland Properties, Ltd.
Location: City of Columbia
Employment Impact: 65
Project Description: shopping center renovation

(c) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $750,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: NMFO Associates
Location: Richland County
Employment Impact: 63
Project Description: office building and research facility

(d) Issuing Authority: Jobs-Economic Development Authority
Amount of Issue: $950,000 Economic Development Revenue Refunding Bonds
Allocation Amount: -0-
Name of Project: Rice Street Associates
Location: City of Columbia
Employment Impact: 14
Project Description: retail, wholesale, warehouse space

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	Attorney
01/03/90	**STATE GOVERNMENT POOL**		70,240,000					
	Total, State Government Pool		70,240,000	0	70,240,000	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	Page
01/29/90	Laurens County	Teknor Apex		-8,000,000				Sievert
02/13/90	York County	Bowater, Inc.		-6,900,000		6,900,000	03/01/90	Johnson
02/13/90	Anderson County	Culp Woven Velvets		-4,000,000		4,000,000	03/05/90	Johnson
02/13/90	Darlington County	Figgie International		-5,000,000				Galloway
03/27/90	Spartanburg County	Cherokee Textiles		-2,100,000				McKinney
	Total, Local Pool		105,360,000	-30,200,000	75,160,000	15,100,000		
	GRAND TOTAL		175,600,000	-30,200,000	145,400,000	15,100,000		

EXHIBIT

APR 23 1990 20

STATE BUDGET & CONTROL BOARD

14112

pab90/alloc
04/19/90

APR 1 8 1990

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April 18, 1990

HAND DELIVERED

EXHIBIT
20
APR 23 1990
STATE BUDGET & CONTROL BOARD

The Honorable William A. McInnis
Secretary
State Budget and Control Board
Wade Hampton Office Building
6th Floor
Post Office Box 12444
Columbia, South Carolina 29211

Re: Not Exceeding $6,200,000 South Carolina Jobs-Economic Development Authority, Economic Development Revenue Refunding Bonds, Series 1990
and
Not Exceeding $1,200,000 Richland County, South Carolina, Hospital Revenue Refunding Bonds, Series 1990
(Sunset Medical Partnership Project)
Our File No. 5060-54

Dear Bill:

Enclosed please find six packages on behalf of the South Carolina Jobs-Economic Development Authority requesting approval by the Budget and Control Board of its proposal to sell, pursuant to a negotiated sale, a composite issue of economic development revenue bonds for the purpose of refunding outstanding bonds of JEDA issued on December 30, 1986. The sale of those original bonds was approved by the Board in 1986. They were issued under a program managed by Salomon Brothers in which the interest rate is adjusted daily and provides for daily remarketing of bonds. Since the closing, Salomon Brothers has gotten out of the municipal finance business and Shearson Lehman Hutton was appointed by JEDA to replace Salomon Brothers as the remarketing agent for these bonds. Because of the cost of administering a daily interest rate program, Shearson's fees to these companies have increased substantially over the past several years. It has now reached the point where not only has Shearson increased the fees, but Shearson has now put JEDA on notice that it will resign as remarketing agent for this program.

JEDA's composite bond issues since that first issue have been underwritten and remarketed by Donaldson, Lufkin & Jenrette Securities Corporation under a weekly interest rate structure. Not only has the weekly program proven to be much less expensive to administer on an on-going basis but, in fact, often results in lower interest rates than the daily rate program. As a consequence of the developments since the December 1986 closing, JEDA proposes to amend the outstanding bond documents to convert from a daily to a weekly rate program; DLJ would replace Shearson as remarketing agent; with the approval of the State Treasurer, C&S Trust Company will replace the Bank of New York as trustee at a lower annual cost; the bonds will have an initial fixed-rate from closing for a period of time not later than December 1994 at a price to be determined at their sale; and certain additional amendments will be made to the bond program to improve the overall administration of it and bring it more into line with the other bond issues that JEDA administers.

In order to accomplish all of this, JEDA proposes to issue the refunding bonds and use the proceeds to repay the outstanding bonds. The credit structure for the transaction will remain in place. That is, the Bank of Tokyo will keep its letter of credit in place to secure all of the bonds; and each borrower will keep in place its presently outstanding standby letter of credit to secure its obligations to the Bank of Tokyo under the bond program. Because the credit structure will remain unchanged from that as approved by the Board in 1986, Standard Form Credit Enhancement Letters and copies of the Inducement Resolutions have not been included in the enclosed packages since I assume that you still have copies of those documents with the original approval given by the Board to these issues in 1986. If, however, you need additional copies of those documents, please give me a call.

The enclosed Richland County Hospital Revenue bond issue for Sunset Medical Partnership was "piggy-backed" onto the 1986 JEDA composite issue. For similar reasons it is being refunded by Richland County. You will find enclosed with that package documentation as required by the Board for its approval under the Hospital Revenue Bond Act. Again, the credit structure for the Richland County bonds will remain unchanged from the credit structure approved by the Board in 1986.

Because all of these bonds are current refundings, there is no requirement to obtain an allocation of the 1990 Volume Cap for private activity bonds for these issues. I look forward to seeing you at the meeting on April 23. 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. With kindest personal regards, I remain,

Very truly yours,

Samuel W. Howell, IV

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

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $1,550,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (OLD CLAUSSEN'S BAKERY PARTNERS PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Old Claussen's Bakery Partners Project) in the aggregate principal amount of not exceeding $1,550,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Old Claussen's Bakery Partners to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $2,400,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (MIDLAND PROPERTIES, LTD. PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Midland Properties, Ltd. Project) in the aggregate principal amount of not exceeding $2,400,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Midland Properties, Ltd. to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by National Community Bank of New Jersey in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

EXHIBIT 14117

APR 23 1990 20

STATE BUDGET & CONTROL BOARD

(b)

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $750,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (NMFO ASSOCIATES PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (NMFO Associates Project) in the aggregate principal amount of not exceeding $750,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of NMFO Associates to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

14118 (c)

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $950,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (RICE STREET ASSOCIATES PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Rice Street Associates Project) in the aggregate principal amount of not exceeding $950,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Rice Street Associates to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The Citizens and Southern National Bank of South Carolina in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

A RESOLUTION APPROVING THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY THROUGH PRIVATE SALE TO AN UNDERWRITER FOR PUBLIC OFFERING THEREAFTER OF NOT EXCEEDING $550,000 AGGREGATE PRINCIPAL AMOUNT ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS (TOBUL ACCUMULATORS DIVISION OF MILL AND MINE SERVICES, INC. PROJECT), PURSUANT TO THE PROVISIONS OF SECTION 41-43-110 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the South Carolina Jobs-Economic Development Authority (the "Authority") has heretofore under and pursuant to the provisions of Section 41-43-110 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested approval by the State Budget and Control Board of the issuance by the Authority pursuant to the Act of its Economic Development Revenue Refunding Bonds (Tobul Accumulators Division of Mill and Mine Services, Inc. Project) in the aggregate principal amount of not exceeding $550,000 (the "Bonds") through private sale to an underwriter for public offering thereafter, which the Authority has determined to be most advantageous; and

WHEREAS, the Authority represents to the State Budget and Control Board that the Bonds will be secured by a Letter of Credit issued by The Bank of Tokyo, Ltd., New York Agency, and that the obligation of Mill and Mine Services, Inc. to make payments sufficient to pay principal and interest on the Bonds will be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., and that the Authority finds such security for payment of the Bonds to be acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. It is hereby found, determined and declared by the Board that the Petition filed by the Authority contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 41-43-110 of the Act.

Section 2. In consequence of the foregoing, the proposal of the Authority to issue the Bonds through a negotiated private sale to an underwriter for public offering thereafter be and the same is hereby in all respects approved.

Section 3. This Resolution shall take effect immediately.

(e)

EXHIBIT

APR 23 1990 20

STATE BUDGET & CONTROL BOARD

A RESOLUTION APPROVING THE ISSUANCE BY RICHLAND COUNTY, SOUTH CAROLINA, OF NOT EXCEEDING $1,200,000 AGGREGATE PRINCIPAL AMOUNT HOSPITAL REVENUE REFUNDING BONDS, SERIES 1990 (SUNSET MEDICAL PARTNERSHIP PROJECT), PURSUANT TO TITLE 44, CHAPTER 7 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, the County Council of Richland County, South Carolina (the "Governing Board") has heretofore, by submitting a petition (the "Petition"), under and pursuant to Title 44, Chapter 7 of the Code of Laws of South Carolina 1976, as amended (the "Act"), requested the approval by the State Budget and Control Board of the issuance by Richland County (the "County") pursuant to the Act of its Hospital Revenue Refunding Bond (Sunset Medical Partnership Project) in the aggregate principal amount of not exceeding $1,200,000 (the "Bonds"); and

WHEREAS, the County proposed to issue the Bonds for the purpose of refunding its Hospital Revenue Refunding Bonds, Series 1986 (Sunset Medical Partnership/Columbia Area Mental Health Center Medical Office Building Project) (the "Prior Bonds"), which were previously issued to refund its Hospital Revenue Bond (Columbia Area Mental Health Center Medical Office Building Project) 1985, which was previously issued to defray the cost of acquiring, by construction, purchase or lease, certain land and a building or buildings and other improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishing (the "Project") to be used for the purpose of operating a medical office building containing a mental health treatment facility located at 1801 Sunset Drive, Columbia, South Carolina; and

WHEREAS, the Project is being made available to Sunset Medical Partnership (the "Company") upon terms which require the Company to make payments to or for the account of the County in amounts sufficient to pay the principal, premium, if any, and interest on the Bonds; and

WHEREAS, the Bonds will be payable by the County from and secured by a Letter of Credit to be issued by The Bank of Tokyo, Ltd., New York Agency, to Citizens and Southern Trust Company (South Carolina), National Association, as trustee (the "Trustee"), and the obligations of the Company to make payments sufficient to pay the principal of, premium, if any, and interest on the Bonds is to be secured by a Letter of Credit to be issued by The South Carolina National Bank in favor of The Bank of Tokyo, Ltd., New York Agency;

NOW, THEREFORE, BE IT RESOLVED, by the State Budget and Control Board of the State of South Carolina, as follows:

Section 1. The Board has made an independent investigation

of the matters set forth in the Petition, and on the basis of such investigation it is hereby found, determined and declared:

(a) The facts set forth in the Petition, and in the preamble hereto, are in all respects true and correct;

(b) The Petition filed by the Governing Board contains all matters required by law and the rules of this Board to be set forth therein, and that in consequence thereof the jurisdiction of this Board has been properly invoked under and pursuant to Section 44-7-1560 of the Act; and

(c) The Project which is the subject of the Petition of the Governing Board is intended to promote the purposes of the Act and is reasonably anticipated to effect such result.

Section 2. In consequence of the foregoing, the proposal of the County to issue the Bonds to refund the Prior Bonds be and the same is hereby in all respects approved. This approval shall not be affected by any changes in the details of the proposal of the County so long as such changes do not impose a pecuniary liability upon the County or its general credit or taxing power, are approved by the Governing Board and the Company.

Section 3. Notice of the action taken by this Board in approving the above described undertaking of the County shall be published in The State, which is a newspaper having general circulation in Richland County.

Section 4. The Notice, required in Section 3 above to be published, shall be in substantially the form set forth in Exhibit "A" of this Resolution.

Section 5. This Resolution shall take effect immediately.

EXHIBIT A

NOTICE PURSUANT TO THE PROVISIONS OF TITLE 44, CHAPTER 7 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED

Notice is hereby given pursuant to the provisions and requirements of Title 44, Chapter 7 of the Code of Laws of South Carolina 1976, as amended (the "Act"), that the State Budget and Control Board of South Carolina, pursuant to a Petition filed by the County Council of Richland County, South Carolina, has given its approval to the following undertaking by Richland County, South Carolina:

The issuance by Richland County of its Hospital Revenue Refunding Bonds (Sunset Medical Partnership Project) in the aggregate principal amount of not exceeding $1,200,000 (the "Bonds"), for the purpose of refunding its Hospital Revenue Refunding Bonds (Sunset Medical Partnership/Columbia Area Mental Health Center Medical Office Building Project) issued to refund its Hospital Revenue Bond (Columbia Area Mental Health Center Medical Office Building Project) 1985, which was previously issued to defray the cost of acquiring, by construction, purchase and lease, certain land and a building or buildings and improvements thereon, and certain machinery, apparatus, equipment, office facilities and furnishing by Sunset Medical Partnership, a South Carolina partnership to be used as a medical office building containing a mental health treatment facility, which constitutes a "hospital facility" as defined in the Act (the "Project"), to be located at 1801 Sunset Drive, Columbia, South Carolina. The Project is being made available to Sunset Medical Partnership which will unconditionally covenant to make payment sufficient to pay the principal, premium, if any, and interest on the Bonds. The Bonds will be payable by the County solely and exclusively out of payments to be made by Sunset Medical Partnership for the use of the Project, and is to be additionally secured by a Letter of Credit to be issued by The Bank of Tokyo, Ltd., New York Agency.

Notice is further given that any interested party may, within twenty (20) days after the date of the publication of this notice, but not afterwards, challenge the validity of the State Budget and Control Board's approval of the Project and the issuance of the Bonds by Richland County to refinance the same, by action de novo instituted in the Circuit Court for Richland County, South Carolina.

STATE BUDGET AND CONTROL BOARD

BY: WILLIAM McINNIS, Secretary

Dated: April __, 1990

14123

EXHIBIT

APR 23 1990 20

STATE BUDGET & CONTROL BOARD

EXHIBIT

APR 23 1990 21

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF April 23, 1990 ITEM NUMBER 5

AGENCY: Laurens County

SUBJECT: Ceiling Allocation Extension

The $8,000,000 ceiling allocation for the Laurens County Teknor Apex Carolina Company project expires April 29; the closing date has been delayed until May.

The County requests a 31-day extension to the allocation in accord with Code Section 1-11-560(c), a copy of which is attached.

BOARD ACTION REQUESTED:

Extend for 31 days the $8,000,000 ceiling allocation for the Laurens County Teknor Apex Carolina Company project.

ATTACHMENTS:

Sievert April 17 letter to McInnis; Code Section 1-11-560(c)

14124

SKADDEN, ARPS, SLATE, MEAGHER & FLOM
333 WEST WACKER DRIVE
CHICAGO, ILLINOIS 60606-1285
(312) 407-0700

TELEX: 206500
SKADDEN CHGO
TELECOPIER
(312) 407-0411
DIRECT DIAL
(312) 407-

BOSTON
LONDON
LOS ANGELES
NEW YORK
SAN FRANCISCO
TOKYO
WASHINGTON, D.C.
WILMINGTON

April 17, 1990

VIA TELECOPY

Mr. William McInnis
State Budget and Control Board
600 Wade Hampton Office Building
Columbia, SC 29201

Re: $8,000,000 Laurens County, South Carolina Industrial Development Revenue Bonds (Teknor Apex Carolina Company Project) Series 1990

Dear Mr. McInnis:

At the request of Teknor Apex Company, the closing of the above-referenced transaction has been delayed until May. Our tentative allocation of the State Ceiling expires on April 29, 1990. Accordingly, we request a 31 day extension of the allocation. Please arrange for this request to be presented to the Board at the April 23, 1990 meeting and advise me of the outcome.

If you have any questions or require additional information, please call me at (312) 407-0624.

Very truly yours,

Cheryl L. Sievert

Cheryl L. Sievert
Legal Assistant

cc: Marguerite M. Elias

14125

§ 1–11–560. Time limits on allocations.

(A) Any state ceiling allocation approved by the board is valid only for the calendar year in which it is approved, unless eligible and approved for carry-forward election or unless specified differently in the board certificates required by § 1-11-550.

(B) Unless eligible and approved for carry- forward election or unless specified differently in board certificates required by § 1-11-550, each state ceiling allocation expires automatically if the bonds for which the allocation is made are not issued within ninety consecutive calendar days from the date the allocation is approved by the board.

(C) In response to a written request by the chairman or other duly authorized official or agent of an issuing authority, the board, acting during the period an approved allocation is valid, may extend the period in which an allocation is valid in a single calendar year by thirty-one consecutive calendar days to a total of not more than one hundred twenty-one consecutive calendar days.

(D) In response to a written request by the chairman or other authorized official or agent of an issuing authority, the board may reinstate for a period of not more than thirty-one consecutive calendar days in any one calendar year part or all of an allocation approved but not extended previously in accordance with subsection (C) of this section in that same calendar year which has expired. The reinstatement request must certify that the authorized request submitted previously is still true and correct or a new authorized request must be submitted.

(E) A tentative ceiling allocation is canceled automatically if the chairman or other authorized official or agent of the issuing authority involved fails to deliver the issue amount certificate required by § 1-11-550 to the board secretary before the bonds for which the allocation is made are issued.

(F) The chairman or other authorized official or agent of an issuing authority shall advise the board secretary in writing as soon as is practicable after a decision is made not to issue bonds for which a portion of the state ceiling has been allocated. All notices of relinquishment of ceiling allocations must be entered promptly in the board's records by the board secretary.

(G) Ceiling allocations which are eligible and approved for carry-forward election are not subject to the validity limits of this section. The board shall join with the issuing authorities involved in carry-forward election statements to meet the requirements of the Internal Revenue Service.

HISTORY: 1987 Act No. 117 § 7, eff May 26, 1987.

Editor's Note—

As used in §§ 1-11-500 through 1-11-570, the words "the act" refers to the Tax Reform Act of 1986, Public Law 99-514, and the words "the Code" refers to the Internal Revenue Code of 1986, 26 USCS §§ 1 et seq.

EXHIBIT 14126

APR 23 1990 21

STATE BUDGET & CONTROL BOARD

EXHIBIT

APR 23 1990 22

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF April 23, 1990 ITEM NUMBER 6

AGENCY: Budget Division

SUBJECT: Land Resources Transfer Request

The Division recommends approval of the Land Resources Conservation Commission request to transfer $21,316 federal funds from personal service to supplies and materials, fixed charges and contributions, and equipment.

This transfer will enable the agency to comply with the Petroleum Overcharge grant from the Governor's Office. It requires the purchase of 19 units of drip trickle irrigation equipment, 5 no-till planters, 33 no-till drills, supplies associated with the equipment, promotion of the project, and insurance for the operation of the equipment.

Funds are available in personal service because of a delay in starting the program and in hiring a full-time employee.

If this request is approved, the agency's total personal transfer will be $35,316, and will exceed the amount by $10,316 staff is authorized to approve.

BOARD ACTION REQUESTED:

Authorize the Land Resources Conservation Commission to transfer $21,316 federal funds from personal service to supplies and materials, fixed charges and contributions, and equipment.

ATTACHMENTS:

Agenda item worksheet; attachments

14127

EXHIBIT

APR 23 1990 22

STATE BUDGET & CONTROL BOARD

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

90-59

Meeting Scheduled for: April 23, 1990 Regular Agenda

1. Submitted By:
(a) Agency: State Budget Division

(b) Authorized Official Signature:

2. Subject:
The Land Resources Conservation Commission Request to Transfer Appropriated Personal Service Funds to Supplies and Materials, Fixed Charges and Contributions, and Equipment

3. Summary Background Information:
The Land Resources Conservation Commission requests the transfer of $21,316 in federal funds from Classified Employees to Supplies and Materials, Fixed Charges and Contributions, and Equipment. This transfer is needed to meet the obligations and compliance of the Petroleum Overcharge grant from the Governor's Office requiring the purchase of nineteen (19) units of drip trickle irrigation equipment, five (5) no-till planters, and thirty-three (33) no-till drills, supplies associated with this equipment, promotion of this project, and insurance for the operation of the equipment. Funds are available in Personal Service due to a delay in starting the program and hiring a full-time employee. This request brings the agency's total Personal Service transfer to $35,316, exceeding the amount the staff is authorized to approve by $10,316.

Previous Transfers:		
3/20/90	$14,000	Staff Approval
Current Request	21,316	
Total	$35,316	

4. What is Board asked to do?
Approve the transfer of $21,316 in federal funds from Personal Service to Supplies and Materials, Fixed Charges and Contributions, and Equipment for the Land Resources Commission.

5. What is recommendation of Board Division involved?
Recommend Approval.

Kenneth Brown

14128

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

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

7. Supporting Documents:
(a) List Those Attached:
1. Agency Letter
2. Letter From Governor's Office
3. Transfer Form 30

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

COMMISSION MEMBERS

WILLIAM S. SIMPSON III
Chairman
513 Robert E. Lee Blvd.
James Island, S. C. 29412

WALTER B. COUSINS
P. O. Box 622
Newberry, S. C. 29108

R. E. WELLS, JR.
Route 4, Box 1060
Manning, S. C. 29102

State of South Carolina

DAVID L. ALLEN
P. O. Box 414
Hartsville, S. C. 29550

O. RICHARD COTHRAN, JR.
141 Griffin Drive
Piedmont, S. C. 29673

JOHN W. PARRIS
Executive Director

LAND RESOURCES CONSERVATION COMMISSION

April 12, 1990

Mr. Ken Brown
State Budget Analyst
Office of Budget Development
Post Office Box 11333
Columbia, South Carolina 29211

Dear Ken:

Please find attached an appropriation transfer which will provide adequate funds for operation of our Petroleum Overcharge grant we received from the Governor's Office.

The purpose of transferring this federal money from classified positions to other operating expenses is to meet the obligations and compliance of the grant award outlined in our contract with the Governor's Office.

Under the contract we are to buy nineteen (19) units of drip trickle irrigation equipment, five (5) no-till planters and thirty-three no-till (33) drills. To operate this program effectively we have to buy supplies associated with this equipment and carry out the promotion of this project and we have to purchase insurance necessary for the operation of the equipment.

The cost of buying this equipment, supplies and insurance has risen significantly since our initial application two years ago. This program was delayed for several months which resulted in the delay of hiring a full time employee and the surplus of personal service funds.

RECEIVED
APR 12 1990
Budget & Control Board
STATE BUDGET DIVISION

14130

The Governor's Office monitors this grant closely and we have obtained their required approval for this transfer.

If you have any questions, please call me or Suzette Hall-Ryals.

Your assistance in the approval of this request is most appreciated.

Sincerely yours,

Gary D. Chamblee
Deputy Director

CDC:shr

attachment

EXHIBIT
APR 23 1990 22
STATE BUDGET & CONTROL BOARD

RECEIVED
APR 12 1990
Budget & Control Board
STATE BUDGET DIVISION

14131

DIVISION OF ENERGY, AGRICULTURE AND NATURAL RESOURCES
REQUEST FOR GRANT EXTENSION AND/OR REVISION

GRANT NO.: 93030 DATE: 9-18-89

GRANTEE NAME: SC Land Resources Commission

☐ REQUEST FOR EXTENSION: Latest Approved Grant Period: _____
Proposed Grant Period: _____

JUSTIFICATION FOR PROPOSED EXTENSION:

☒ REQUEST FOR BUDGET REVISION:
(From Line Item(s) in Approved Budget.)

Specific Areas To Be Revised	Latest Approved Amount	Requested Amount	Difference (+) (-)
1. Personnel	$ 55,398	$ 34,082	- $21,316
2. Equipment	403,200	421,516	+ 18,316
3. Supplies	1,400	2,400	+ 1,000
4. Other	7,000	9,000	+ 2,000
5.			
6.			

JUSTIFICATION FOR THE REQUESTED REVISION: The personnel section of the budget has an excess of $21,316 (because of personnel not being hired at beginning of grant). I would like to place the excess personnel money in the following areas of the budget: Other - $2,000 for Insurance for all equipment until grant is terminated; Supplies - $1,000 for extra materials needed to administe grant; Equipment -$18,316 for additional conservation equipment.

LIST AND ATTACH REVISED BUDGET PAGES AS APPROPRIATE: _____

John W Parris Executive Director Sept 27, 1989
Authorized Signature Title Date

FOR DEANR USE ONLY:

	Approved By	Disapproved By	Date
Grant Monitor			
Deputy Director			

COMMENTS:

RECEIVED
SEP 29 1989
Budget and Control Board
BUDGET DIVISION

14132

APPROVED: John MC

John N. McMillan, Director 9/29/89
Date

PAGE _____ OF _____

AGENCY NUMBER	AGENCY BATCH NUMBER	OBJECT CODE HASH TOTAL	TOTAL BATCH AMOUNT	BATCH DATE	BATCH NUMBER	DOCUMENT
P08	39	1458	42,632.00			

AGENCY VOUCHER NUMBER: AT-39

STATE OF SOUTH CAROLINA

BUDGET AND CONTROL BOARD - FINANCE DIVISION

APPROPRIATION TRANSFER

C.G. WARRANT NUMBER:

AGENCY TRANSFERRED TO (CR)

NAME: Land Resources Comm.

ADDRESS: 2221 Devine St Ste 222

Columbia, SC 29205

AGENCY TRANSFERRED FROM (D)

NAME: (Same)

ADDRESS:

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

REASON FOR TRANSFER: To provide adequate funds.

FROM

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	EXT	AGENCY REFERENCE NUMBER	OBJECT CODE	EXT	TRANSACTION AMOUNT	MULTI PURPOSE CODE
10	350	P08	0745	5055				0299	90		0158		21,316.00	5425-3027
										TOTAL	0158		21,316.00	

RECEIVED
APR 12 1990
Budget & Control Board
STATE BUDGET DIVISION

TO

FM	TRANS CODE	AGCY NO	MINI CODE	SUB FUND CODE	SUB SIDIARY ACCOUNT NO	ENCUM BRANCE NO	MOD	PROJECT CODE	EXT	AGENCY REFERENCE NUMBER	OBJECT CODE	EXT	TRANSACTION AMOUNT	MULTI PURPOSE CODE
10	300	P08	0745	5055				0299	90		0300		1,000.00	3027-5427
10	300	P08	0745	5055				0299	90		0400		2,000.00	3027-5428
10	300	P08	0745	5055				0299	90		0600		18,316.00	3027-5430
										TOTAL	1300		21,316.00	

EXHIBIT
APR 23 1990
22
STATE BUDGET & CONTROL BOARD

REQUESTED BY _____ DATE 4/12/90 STATE BUDGET ANALYST 14133 DATE _____

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

STATE AUDITOR _____ DATE _____

EXHIBIT

APR 23 1990 23

STATE BUDGET & CONTROL BOARD
REGULAR SESSION

STATE BUDGET AND CONTROL BOARD

MEETING OF April 23, 1990

ITEM NUMBER 7

AGENCY: Budget Division

SUBJECT: Civil Contingent Funds, Occupational Therapy

The Budget Division recommends approval of a $525 allocation from the Civil Contingent Fund to the Board of Occupational Therapy Examiners for additional per diem and travel.

The Division advises that Board members were appointed in November after the fiscal year budget had been prepared. The additional funding will pay for a meeting required to address legal issues.

In 1988-89, the agency lapsed $77.12; $843.19 in 1987-88, and $460.34 in 1986-87. This year, the agency has deposited $5,275 in the general fund. The total amount expected to be deposited this fiscal year is $10,000 and more than adequately covers the 115% proviso requirement.

The request also has been submitted to the General Assembly for the 1990-91 budget.

A status report on the Civil Contingent Fund is attached.

BOARD ACTION REQUESTED:

Allocate $525 from the Civil Contingent Fund to the Board of Occupational Therapy Examiners for additional per diem and travel.

ATTACHMENTS:

Agenda item worksheet; attachment; Civil Contingent Fund status report.

Budget and Control Board, Office of Executive Director

CIVIL CONTINGENT FUND - FY 89-90

Fund Status Report at April 23, 1990

Appropriation:			
General	$		$367,503.00
Transfers:			
Board of Social Work Examiners	15,400.00		
Catawba Indian Suit/Attorney General	15,000.00		
OED/HUGO/Governors Forest Disaster Salvage Council	10,000.00		
State Cemetery Board	1,576.00		
Coastal Council/Legal Fee/Beachfront Mgt.	56,260.98		
S.C. School for the Deaf and Blind	58,150.00		
*OED/Hurricane HUGO/Lodging Vol.Engineers/Gen. Serv.	18,000.00		
*OED/Hurricane HUGO/Travel Advance/Comp. General	17,000.00		
		$191,386.98	
Direct Expenditures			
OED/Hurricane HUGO/Command Center Expenses	3,312.72		
Budget and Control Board Meetings	3,569.20		
		$6,881.92	
Encumbrances:			
Coastal Council/Legal Fees/Beachfront Mgt.	18,739.02		
Office of the Executive Director/Hurricane HUGO	1,687.28		
Wildlife & Marine Resources/Into Case	25,000.00		
Budget and Control Board Meetings	2,430.80		
Att. Gen./Catawba Indian Suit	110,000.00		
		$157,857.10	
YTD Encumbered (Tran+Expen+Encum):			$356,126.00

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

Year-to-date Disbursement:	$198,268.90
Balance: Cash available	$169,234.10
Balance Unencumbered: Total Available	$11,377.00

*Transferred $8,000 from Comp. General's Office back to CCF.
Transferred $8,000 from CCF to General Services to cover additional money needed to fund Volunteer Engineers Lodging due to Hurricane HUGO.

EXHIBIT 23

APR 23 1990

14135 STATE BUDGET & CONTROL BOARD

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

90-60

Meeting Scheduled for: April 23, 1990 Regular Agenda

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

2. Subject:
   South Carolina Board of Occupational Therapy Examiners Request for Funding from the Civil Contingent Fund for Additional Per Diem and Travel

3. Summary Background Information:
   The South Carolina Board of Occupational Therapy requests $525.00 to cover an increase in Per Diem and Travel. The Governor appointed Board members in November, 1989, after the Budget had already been prepared for the fiscal year. Additional funding is necessary for a Board meeting to address legal issues. The agency lapsed $77.12 in 1988-89, $843.19 in 1987-88, and $460.34 in 1986-87. Revenues for 1989-90 deposited to the General Fund to date are $5,275.00. The total revenue expected by the end of this fiscal year is $10,000. This amount more than adequately covers the 115% proviso requirement. This request has also been submitted to the General Assembly for the 1990-91 budget.

4. What is Board asked to do?
   Approve funding of $525.00 from the Civil Contingent Fund to cover increased Per Diem and Travel due to additional board meeting.

5. What is recommendation of Board Division involved?
   Recommend approval.

Francis H. Boss

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

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

7. Supporting Documents:
   (a) List Those Attached:
      1. State Budget Division Memorandum
      2. Agency Letter

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

14136

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

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.
DIVISION DIRECTOR

April 11, 1990

MEMORANDUM

To: George N. Dorn, Jr.

From: Frances Barr

Subject: Board of Occupational Therapy
Civil Contingent Fund Request

The Board of Occupational Therapy has requested $525.00 from the Civil Contingent Fund for per diem and travel for fiscal year 1989-90. The agency's Board members were not appointed until November, 1989, after the budget had been prepared for the fiscal year. The additional funding is needed for a Board meeting to address legal issues.

The agency has a balance of $7,591.39 to date, to fund operating expenses for the remainder of this year. There are no funds available to transfer within the agency's operating appropriations to handle this unanticipated increase. In fiscal year 1988-89, the agency lapsed $77.12; 1987-88 - $843.19; and 1986-87 - $460.34.

The revenue is projected to be $10,000 at the end of this fiscal year. This amount will more than adequately cover the 115% Proviso requirement.

After thoroughly reviewing this request, I recommend approval for $525.00 in per diem and travel.

A request for fiscal year 1990-91 has been submitted to the House Ways and Means and Senate Finance Committees for consideration to cover the increase that will be recurring next year.

FB/jm

4-16-90

14137

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APR 0 6 1990
Budget and Control Board
STATE BUDGET DIVISION

The South Carolina Board of Occupational Therapy
P. O. Box 399
Lexington, South Carolina 29072

April 4, 1990

Dr. Jesse A. Coles, Jr.
Executive Director
Civil Contingency Fund
P. O. Box 12444
Columbia, South Carolina 29211

EXHIBIT
APR 23 1990 # 3
STATE BUDGET & CONTROL BOARD

Dear Dr. Coles:

Due to the fact that the Governor made Board appointments in late November, the Chairperson called a meeting in December of the then current and the new appointees. The new members need to travel from Augusta, Myrtle Beach and Newberry. Plus one of the old members lives in Cheraw, which makes for alot of expenditures for travel. Due to the fact that we were not informed at the beginning of the fiscal year, the proper funds were not requested for Substance, Travel and Per Diem. Thus, we are now out of funds.

At the Board meeting in December a motion was made and carried to increase the dues and application fees. The new fees are as follows:

Application Fee $50.00
O.T.R. 35.00
C.O.T.A. 25.00

Since this was enacted by the Board, our Projected Revenue for 1989-90 has increased from $7,337 to around $10,000. We are requesting $525 additional funding from the Civil Contingency Fund. We need this funding for an additional meeting to address legal issues. Funding for the 1990-91 Budget has already been requested from the General Assembly.

If I may be of further assistance, please contact me.

Sincerely,

Phyllis Chastain
Secretary

pc

cc: Ms. Frances Barr

14138

OBJECT TITLE SFDT MAMI	ORIGINAL ESTIMATED REVENUE	ADJUSTED ESTIMATED REVENUE	ACTUAL MONTHLY REVENUE	ACTUAL YTD REVENUE	ACTUAL OVER (UNDER) ESTIMATED	PCT ATT 75
01 GENERAL FUND						
2837 GENERAL REVENUE						
1801 PROFESS & OCCUPATION LIC	7,200.00	7,200.00		5,275.00	1,925.00-	73
2837 GENERAL REVENUE	7,200.00	7,200.00		5,275.00	1,925.00-	73
01 GENERAL FUND	7,200.00	7,200.00		5,275.00	1,925.00-	73
514 OCCUPATIONAL THERAPY BD	7,200.00	7,200.00		5,275.00	1,925.00-	73

EXHIBIT

APR 23 1990 29

STATE BUDGET & CONTROL BOARD

14139

EXHIBIT

APR 23 1990 24

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF April 23, 1990
ITEM NUMBER 8

AGENCY: Motor Vehicle Management

SUBJECT: Development Board Exemption from SC License Plate Requirement

The Division of Motor Vehicle Management recommends approval of the Development Board request for an exemption from the requirement to use State government license plates on a 1990 Ford Aerostar vehicle operated by the agency.

On April 25, 1989, the Budget and Control Board approved an exemption for two Development Board vehicles and on December 8, 1987, approved an exemption for nine vehicles.

If the request is approved, a total of 12 Development Board vehicles will be exempted from the requirement to display State government license plates.

BOARD ACTION REQUESTED:

Approve a Development Board request for an exemption from the requirement to use State government license plates on a 1990 Ford Aerostar.

ATTACHMENTS:

Agenda item worksheet; attachment

14140

APR 16 1990

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

For meeting scheduled for: April 23, 1990

___ *Blue Agenda*
X *Regular Session Agenda*
___ *Executive Session Agenda*

1. *Submitted By:*
   (a) *Agency:* Budget and Control Board
   Division of Motor Vehicle Management
   (b) *Authorized Official Signature:* Max J. Greene

2. *Subject:* Request for State Development Board for exemption from requirement to display State government license plates.

3. *Summary Background Information:*

The State Development Board is requesting exemption from state government license plates for one (1) 1990 Ford Aerostar vehicle operated by the agency. On April 25, 1989 the Budget and Control Board approved exemption for two (2) vehicles, and on December 8, 1987 the Budget and Control Board approved exemption for nine (9) vehicles. This request brings the total exemption from state government license plates to 12 vehicles for State Development Board.

4. *What is Board asked to do?*

Review and approve.

5. *What is recommendation of the Board Division involved?*

Approval.

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*
Letter of request from Mr. John C. Hankinson, Jr. Deputy Director, S. C. State Development Board, dated April 10, 1990.	

14141

SOUTH CAROLINA
STATE DEVELOPMENT BOARD

April 10, 1990

Mr. Allen J. Spence
Director
Division of Motor Vehicle Mgmt.
State Budget and Control Board
1022 Senate Street
Columbia, South Carolina 29201

Dear Allan:

The success of the Board's mission in locating business and industry in the state depends heavily on our ability to guarantee the confidentiality of certain projects. The presence of a vehicle with a state tag often raises questions and creates problems for our staff when traveling with corporate prospects. Confidentiality is a key ingredient with many corporate planners, and a breach of confidentiality can result in losing that prospect to our competitor states.

Please include the 1990 Ford Aerostar, serial no. 1FMCA11U1LZB00797, on the agency's exemption list.

Sincerely,

John C. Hankinson, Jr.
Deputy Director

EXHIBIT
24

APR 23 1990

STATE BUDGET & CONTROL BOARD

JCHjr/kh
cc: Wayne L. Sterling
Patrick T. Blackwell

14142

Post Office Box 927 Columbia, South Carolina 29202
(803)737-0400 (800)922-6684 (In State) TWX No. 810-666-2628
Fax (803)737-0418

EXHIBIT

APR 23 1990 25

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD
REGULAR SESSION

MEETING OF April 23, 1990
ITEM NUMBER 9

AGENCY: General Services

SUBJECT: Permanent Improvement Project

Budget and Control Board approval is requested for the following permanent improvement project establishment request which has been reviewed favorably by the Joint Bond Review Committee:

On Summary 18-90, Item 4:
Agency: Aeronautics Commission
Project: Global Wulfsberg Radios
Request: Establish project and budget
Amount: $32,459.60
Source: Capital improvement bond funds
Purpose: To purchase 7 radios for use in Aeronautics Commission aircraft to improve air-to-ground communications without the towns' having to purchase additional radio equipment for communication. Capital improvement bond funds authorized for airport improvements are proposed as the source of funds.

The Division recommends that a source of funds other than the capital improvement bonds authorized for airport improvements be used for this project since it involves equipment.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Agenda item worksheet; A13 form; attachments

14143

BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET

Meeting Scheduled for: April 23, 1990 Regular Agenda

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

2. Subject:
   Permanent Improvement Projects

3. Summary Background Information:
   On Summary 18-90:
   Item 4. Agency: Aeronautics Commission
   Project: Global Wulfsberg Radios
   Request: Establish project and budget
   Amount: $32,459.60
   Source: Capital Improvement Bond funds
   Purpose: To purchase 7 radios for use in Aeronautics Commission aircraft to improve air to ground communications without the towns having to purchase additional radio equipment for communication. Capital Improvement Bond funds that will be used were appropriated for airport improvements.

4. What is Board asked to do?
   Approve permanent improvement project establishment request. This Item has been reviewed favorably by the Joint Bond Review Committee.

5. What is recommendation of Board Division involved?
   Recommend alternative fund source be used for this project instead of Capital Improvement Bond funds. This project involves equipment for aircraft, not airport capital improvements.

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

7. List of Supporting Documents:

   (a) Attached:
   1. A-13 (Project Form) and Attachments

EXHIBIT

APR 23 1990 25

STATE BUDGET & CONTROL BOARD

14144

BUDGET AND CONTROL BOARD FORM A-13 PAGE 1
STATEWIDE PERMANENT IMPROVEMENT REPORTING SYSTEM (SPIRS)

For Board Use Only
18-90 (4)
Packet Number

PROJECT PROPOSAL AND JUSTIFICATION STATEMENT FOR ANNUAL PERMANENT IMPROVEMENT PROGRAM FOR FISCAL YEAR 1989-90

1. **PROJECT IDENTIFIERS:**
   - A. Agency: Number U04 Name SC Aeronautics Commission
   - B. Contact Person Alarice W. Robinson Phone: 822-5400
   - C. Project Name: Global Wulfsberg Radios # 9504
   - D. Facility Affected: Name Aircraft at SC Aeronautics Number

2. **PROJECT DESCRIPTION (What does it consist of? Attach supporting documentation):**

   SEE ATTACHED COPY OF INVOICE FROM MANUFACTURER

   Site Description: (Attach a map showing project location)
   Location: _____ (county) _____ (code) _____ (city) _____ (site)

3. **PROJECT JUSTIFICATION (What does it consist of? Attach supporting documentation):**

   SEE ATTACHED FACT SHEET

   (What specific needs does this project address?)

4. **ALTERNATIVES CONSIDERED AS A MEANS OF MEETING NEEDS SPECIFIED IN #3:**

   N/A

5. **PRIORITY:** This project is priority number 1 of 1 projects proposed in this program.

6. **ADDITIONAL OPERATING COSTS:** Will this project require additional annual operating costs?
   Yes____ No X If yes, complete and attach addendum A-49.

7. **ESTIMATES OF PROPOSED PROJECT COSTS:**
   - A. Total estimated cost of project $ 32,459.60
   - B. Total estimated cost of project includes the following (1. through 10. = 7A above):
     - (1) $_____ Planning/design services
     - (2) _____ Site work (including utilities)
     - (3) _____ Central energy systems repair/replacement
     - (4) _____ Mechanical systems repair/replacement
     - (5) _____ General renovation/repair of floor space (Gross sq. ft.: _____)
     - (6) _____ Roof repair/replacement
     - (7) _____ Construction of additional floor space: (Gross sq. ft.: _____)
     - (8) 32,459.60 Equipment/supplies
     - (9) _____ Purchase of facilities: (Floor space, gross sq. ft. _____) (Land, acres: _____)
     - (10) _____ Other (Specify) _____

   $ 32,459.60 Total (Same as 7 A)

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PROPERTY MANAGEMENT

14145

11

7. C. Total estimated cost of project by broad purpose: Total cost: $ 32,459.60
(equals 1 through 8, below and is same as 7A)

1. Purchase land	$	5. Restore facility	$
2. Purchase facility	$	6. Maintain facility	$
3. Demolish facility	$	7. Replace facility	$
4. Construct additional facility	$	8. Other: Equipment	$ 32,459.60

8. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR:

A. Estimated expenditures and expenditure purposes, this FY: 1990 $ 32,459.60
(Expenditure purposes (use 7B categories):

B. Estimated expenditures after this FY: $

C. Total (Same as 7A, 7B and 7C): $ 32,459.60

9. PROPOSED SOURCES OF FUNDS: Type	Amount	Revenue Code	Treasurer I D Number	Sub Fund	Mini Code	Object Code
(0) Capital Improvement Bonds	$ 32,459.60	8115	28-087	3043	9001	0635
(1) Dept Capital Imp Bonds						
(2) Inst (tuition) Bonds						
(3) Revenue Bonds						
(4) Excess Debt Service						
(6) Appropriated State						
(7) Federal						
(8) Athletic						
(9) Other						
TOTAL (Same as 7A)	$ 32,459.60					

10. Submitted By: Alarice W. Robinson

Authorized Official: Alarice W. Robinson, Accounting Manager Date Submitted 04/06/90
Typed Name and Title and Signature

FY Submitted 1990

11. APPROVED (For Board Use Only):

Typed Name and Title and Signature Date

PROJECT NUMBER 14146 12

PROJECT NAME

BUDGET AND CONTROL BOARD
DIVISION OF GENERAL SERVICES
PROPERTY MANAGEMENT OFFICE

According to an Aeronautics Commission official, the agency's efforts following Hurricane Hugo demonstrated the need for radios in Aeronautics Commission aircraft in order to communicate air to ground with municipal officials in the event of an emergency. Each municipality is on a different radio frequency and the Commission does not have the ability to tune in to all frequencies with existing equipment. With the Wulfsberg radios, the Commission will have the ability to communicate with all municipalities without the towns having to purchase additional radio equipment to communicate with the Commission. The radios are the last component needed to communicate with any entity regardless of frequency.

While the radios are no longer being made, the Commission does not anticipate any problems in maintaining or getting repair parts for the radios. The purchase of the radios will include a one-year warranty.

The Aeronautics Commission official stated that Capital Improvement Bond funds are being used to purchase the radios because the agency is not sure of its cash flow status at this time and purchasing the equipment can be considered capital expenditure due to the 15-year life span of the equipment.

CPR

EXHIBIT
25
APR 23 1990
STATE BUDGET & CONTROL BOARD

(5239)

Capital Improvements
Joint Bond Review Committee

HORACE C. SMITH
SENATE
CHAIRMAN

SENATE MEMBERS:
HORACE C. SMITH
JAMES M. WADDELL, JR.
HUGH K. LEATHERMAN
THOMAS L. MOORE
J. VERNE SMITH

HOUSE MEMBERS:
MARION P. CARNELL
JENNINGS G. McABEE
R. N. McLELLAN
LARRY BLANDING
WILLIAM D. BOAN

MARION P. CARNELL
HOUSE OF REPRESENTATIVES
VICE CHAIRMAN

SCOTT R. INKLEY
DIRECTOR OF RESEARCH
BUDGET AND CONTROL BOARD LIAISON

LIB CROFT
ADMINISTRATIVE ASSISTANT

April 4, 1990

Mr. William A. McInnis
Deputy Executive Director
State Budget & Control Board
600 Wade Hampton Building
Columbia, South Carolina 29201

In Re: SC Aeronautics Commission

Dear Mr. McInnis:

The Joint Bond Review Committee, at its meeting of 4/3/90, approved the request of the SC Aeronautics Commission for the purchase of radio transmitting equipment at a cost of #32,459.60 to be funded from CIB funds authorized for General Airport Improvements.

Attached hereto is a copy of the Aeronautics Commission's Fact Sheet pertaining to the request.

With kind regards, I am

Sincerely,

Marion P. Carnell

Marion P. Carnell, Vice-Chairman
Joint Bond Review Committee

MPC/lc
Enc.
cc: Mrs. Aline A. Ferguson

14148

P. O. BOX 142, COLUMBIA, SC 29202 • 410 GRESSETTE SENATE OFFICE BUILDING • 803-734-2824 • 803-734-3144

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South Carolina Aeronautics Commission
DRAWER 1987, COLUMBIA, SOUTH CAROLINA 29202
TELEPHONE 803-739-5400

March 30, 1990

FACT SHEET

During operations the morning after hurricane HUGO went through South Carolina, We recognized a need for communications radios with a higher transmit and receive capability than normal.

The Wulfsberg radios were selected for the following reasons:

1. It will tie in with the Flexcom system already in use with the S. C. Aeronautics Commission aircraft without requiring additional control heads and mounts;

2. It gives a greater transmit and receive capability for when working at low altitudes in disaster areas and on law enforcement missions;

3. This equipment would have a life expectancy of over 15 years and could be changed from one aircraft to the next if the original were sold and replaced;

4. This would enable us to work with local government without them incurring additional expenses to purchase special communications equipment that will net with our aircraft. This radio completes a Flexcom set that will allow communications with any city or county agency in the state;

5. This radio was no longer in production when we needed it. Global Wulfsberg, the manufacturer, found these radios that were excess in one federal agency and purchased them back. We had only a short period of time to decide on whether to purchase them or not. Hurricane HUGO was the deciding factor on this when we saw a definite communications problem that this radio would solve; and

6. The cost of $32,459.60 is very small when weighed against their usefulness in a disaster situation.

For any additional information, please feel free to contact me at 822-5411 or pager number 253-2278.

EXHIBIT
APR 23 1990 25
STATE BUDGET & CONTROL BOARD

J. Rex Dula
Aircraft Maintenance
S. C. Aeronautics Commission

EXHIBIT

APR 23 1990 26

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD REGULAR SESSION

MEETING OF April 23, 1990 ITEM NUMBER 10

AGENCY: General Services

SUBJECT: Land Acquisitions

The Division of General Services recommends approval of the following property acquisitions and the related permanent improvement projects:

a. Mental Health: 0.059 acres on Colonial Drive, to be donated by J. T. Woodward and Margaret O. Brown. The environmental study has indicated one contaminant source, a former service station site, at the corner of Colonial Drive and Harden Street. Dissolved hydrocarbon constituents (BTEX) have been discovered in ground water flow appearing to be somewhat toward the Woodward parcel; that parcel may have been impacted. However, because the parcel is surrounded by other State land, the State's liability by accepting the donation is not considered to be increased. The project, J12-9530, was approved by the JBRC on April 3, 1990.

b. Mental Retardation: purchase 1.43 acres in Due West for the appraised value of $8,000 using excess debt service funds. The environmental study indicates no hazardous conditions on the site. The total project, J16-9546, with a budget of $310,000, was approved by the JBRC on April 3, 1990.

c. Wildlife and Marine Resources Department: purchase 64.88 acres in Pickens County known as Glassy Mountain to be dedicated as a Heritage Preserve for the appraised value of $104,000 using Heritage Land Trust Fund monies. The property contains several rare plant species and has rock cliffs, a rare land form in South Carolina. The environmental study indicates no hazardous conditions exist on the site. The project, P34-9567, was approved by the JBRC on April 3, 1990.

BOARD ACTION REQUESTED:

Approve.

ATTACHMENTS:

Agenda item worksheets; attachments

14150

"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."

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

Meeting Scheduled for: April 23, 1990 Regular Session Agenda

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

2. Subject:

   Mental Health request to accept a donation of real property in the City of Columbia

3. Summary Background Information:

   The Department of Mental Health has been offered a .059 acre parcel of land on Colonial Drive as a donation. The property is triangular in shape, lies below road grade is surrounded by other lands of the Department and is of no use to the owners, J. T. Woodward and Margaret O. Brown. The acceptance of this donation will result in the Department owning all land in the triangle between Colonial Drive and Harden Street. The environmental study indicated on contaminant source with a significant potential of having impacted the Woodward parcel located at the corner of Colonial Drive and Harden Street. This is a former service station site. Dissolved hydrocarbon constituents (BTEX) have been discovered in ground water beneath this site at excessive levels with ground water flow appearing to be somewhat toward the Woodward parcel. This parcel therefore may have been impacted. Due to its location being surrounded by other state land, the State's liability is not considered to be any greater than it already is by accepting this donation. This acquisition is permanent improvement #J12-9530 and was approved by JBRC on April 3, 1990.

4. What is Board asked to do?

   Approve the donation of .059 acres on Colonial Drive to the Department of Mental Health.

5. What is recommendation of Board Division involved?

   Approve

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

7. Supporting Documents:

   (a) List Those Attached:

   1. Letter from Mental Health
   2. Map
   3. Environmental letter
   4. Code 1-11-65

   EXHIBIT

   APR 23 1990 26

   STATE BUDGET & CONTROL BOARD

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

   14152

DMH South Carolina Department of Mental Health

Commissioner's Office
2414 Bull Street/P.O. Box 485
Columbia, SC 29202
(803) 734-7780
Information (803) 734-7766

Joseph J. Bevilacqua, Ph.D.
State Commissioner

February 28, 1990

INTERAGENCY

Mr. Bruce Taylor, Property Manager
Division of General Services
1201 Main Street, Suite 410
Columbia, S. C. 29201

Dear Mr. Taylor:

Pursuant to your memorandum of January 11, 1990 regarding the acceptance of .059 acres of land on Colonial Drive, Mental Health investigated obtaining additional water sample tests. The estimated cost for these tests is $2,100.00. While the price for the work may be fair and reasonable, I believe an expenditure in that amount is excessive.

Since the donated property is bordered on three sides by Mental Health property, any groundwater flow with a southwesterly component toward the Woodward property would impact property currently owned by Mental Health, regardless of the Woodward parcel. If the groundwater flow is toward the west, it would also impact property owned by Mental Health. Under these circumstances, it does not appear that Mental Health's position would be changed if the Woodward property were accepted. Therefore, it is requested that Mental Health be allowed to accept the property without additional testing.

Your site visit on February 27, 1990 was very helpful and your continued efforts on our behalf with this matter are appreciated.

Sincerely,

R. Brooks Galloway

R. Brooks Galloway
Deputy Commissioner
Administrative Services

RBG/ccc

Enclosures

cc: Kennerly McLendon

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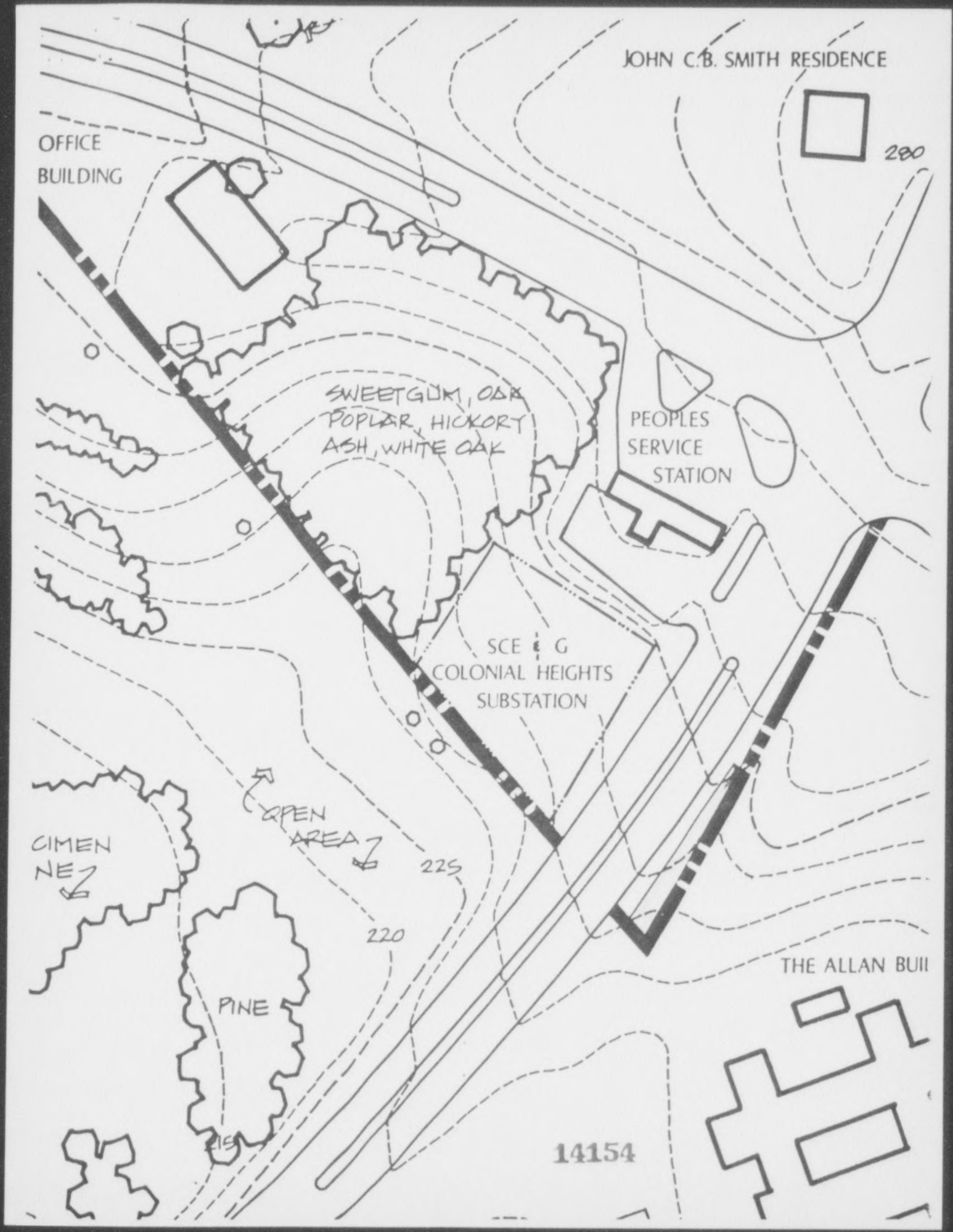
MAR 0 2 1990
PROPERTY MANAGEMENT

MENTAL HEALTH COMMISSION:

Richard K. Harding, M.D., Chairman, Columbia
C. Alex Harvin, Jr., Vice Chairman, Summerville
Elaine T. Freeman, Secretary, Greenville
E.A. Hall, Jr., Columbia
Ernest E. Hamill, Greenville
Louise R. Hassenplug, Florence
John P. Linton, Esq., Hopkins

14153


JOHN C.B. SMITH RESIDENCE
280
OFFICE
BUILDING
SWEETGUM, OAK
POPLAR, HICKORY
ASH, WHITE OAK
PEOPLES
SERVICE
STATION
SCE & G
COLONIAL HEIGHTS
SUBSTATION
OPEN
AREA
225
220
CIMEN
NE
PINE
THE ALLAN BUII
14154

The remaining potential off-site sources of contamination identified during the off-site reconnaissance are either topographically situated or sufficiently removed from the Woodward parcel such that no significant threat to the environmental status of the property is likely.

CONCLUSIONS

Based on the approved scope of services for the Phase I Environmental/Prebuy Assessment (review of available environmental records for the area, inspection and interpretation of available aerial photography and topographic maps, and a site reconnaissance by a representative of Earth Management Systems), one contaminant source with a significant potential of having impacted the Woodward parcel has been identified. This source, at the corner of Colonial Drive and Harden Street, is currently occupied by an office building, but was until recently the site of a gasoline station. Dissolved hydrocarbon constituents (BTEX) have been discovered in ground water beneath this site at levels exceeding state standards. Ground-water flow appears to be toward the west, but may have a southwesterly component, toward the Woodward parcel. Therefore, shallow ground water beneath the Woodward parcel may have been impacted. However, because there is no evidence to suggest that petroleum USTs have ever been located on the Woodward parcel, and because petroleum facilities are exempt from CERCLA regulations, it is unlikely that present or future owners of the Woodward parcel would be held liable for the contamination.

There is no evidence to indicate that any other potential off-site sources of contamination have affected the Woodward parcel. Additionally, no potential contaminant sources were identified within the confines of the Woodward parcel. No further assessment is recommended.

Respectfully submitted,
EARTH MANAGEMENT SYSTEMS, INC.

H. Brad Hubbard, P.G.
Project Hydrogeologist

Stephen C. Godfrey, P.G.
Senior Hydrogeologist

14155

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

Meeting Scheduled for: April 23, 1990 Regular Session Agenda

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

2. Subject:

   Mental Retardation land acquisition in Due West

3. Summary Background Information:

   The Department of Mental Retardation desires to purchase 1.43 acres in Due West to be the site of an 8-bed community residence. The property has been appraised at $8,000 and the owner, Dick Kimmons has agreed to sell at that price. The environmental study indicates no hazardous conditions on the site. Property Management has examined both reports and approves of their use in granting this request. This project is permanent improvement #J16-9546 and was approved by JBRC on April 3, 1990. The source of funds is Excess Debt Service. The Board is requested to approve the acquisition and the related construction project for a total project cost of $310,000.

4. What is Board asked to do?

   Approve the DMR acquisition of 1.43 acres in Due West for $8,000 and the related construction project for a total project cost of $310,000.

5. What is recommendation of Board Division involved?

   Approve

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

7. Supporting Documents:

   (a) List Those Attached:

   1. Letter from DMR
   2. Appraisal
   3. Map
   4. Environmental letter
   5. A-23
   6. Code 1-11-65

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

14156

b.

Phillip S. Massey, Ph.D.
Commissioner

Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

James E. Kirk
Deputy Commissioner
Fiscal Affairs

Judy E. Shoemaker, Ed.D.
Deputy Commissioner
Client Services

MENTAL RETARDATION COMMISSION

Melvin L. Burton, Jr., Chairman
Mrs. Doris G. Woods, Vice Chairman
Mrs. Ava M. Hope, Secretary
Clarence H. Buurman, Ph.D.
William deB. Mebane
Mrs. Mary C. Ramsay
Mrs. Emilie A. Towler

South Carolina Department of Mental Retardation

3440 Harden Street Extension
P. O. Box 4706
Columbia, South Carolina 29240

803/737-6474

April 12, 1990

EXHIBIT

APR 23 1990 26

STATE BUDGET & CONTROL BOARD

Mr. Bruce Taylor
Property Management
Division of General Services
S. C. Budget and Control Board
1201 Main Street
Columbia, S. C. 29201

Re: Project J16-9546 - Eight Bed Community Residence
at DueWest - Piedmont Region

Dear Bruce:

Please take necessary action to obtain approval of the Budget and Control Board, at their next meeting, for the Department to purchase the property in Due West.

The JBRC has already approved this request. The necessary information on the property is in your files as provided with the A-23 Form.

Your assistance in this matter will be appreciated.

Sincerely,

Eruch T. Tata

Eruch T. Tata, P.E.
Director of Engineering
and Planning

ETT/ett

14157

THE CRESTMONT COMPANY

October 26, 1989

DEPT. OF MENTAL RETARDATION
RECEIVED
JAN 22 1990
RECEIVED
ENGINEERING AND PLANNING

Mr. James Neel
Whitten Center
P. O. Box 239
Clinton, SC 29325

Dear Mr. Neal:

Pursuant to your request, we are submitting the attached appraisal report on the vacant 1.43 acre tract located on Main Street in Due West, South Carolina. Further identification of the property can be found on Abbeville County Tax Map 22L, Block 6FF, Lot 24.

We have considered all necessary and pertinent data affecting the valuation of the property. The following report contains all of the assumptions and limiting conditions as well as the market data and reasoning utilized to estimate the final market value of the subject property. Therefore, we are of the opinion that the fair market value of the subject property, as of October 18, 1989 is:

EIGHT THOUSAND DOLLARS
($8,000.00)

We certify that we have no intended interest in the subject property, financial or otherwise, and that our employment is in no way contingent upon the value reported.

We appreciate the opportunity of making this appraisal for you. Thank you for your consideration of The Crestmont Company.

Respectfully submitted,

R. Bruce Owen, MAI

Joanna H. Bishop

/cm

14158

803-232-3326
P.O. Box 9242 • Suite 103 • 27 Cleveland St. • Greenville, S.C. 29604

Base Map: USGS 7.5-Minute Topographic Quadrangles:
Due West, Shoals Junction, SC

EARTH MANAGEMENT SYSTEMS, INC.
Environmental Assessments, Investigations

Figure 1
Location Map
SCDMR Kimmons Property
Earth Management Systems
Report No. 9010-023

14159

CONCLUSIONS

Based on review of available environmental records for the area, review of available information on past property ownership, inspection and interpretation of topographic maps and available aerial photography, and a site inspection and area reconnaissance by a representative of Earth Management Systems, it is unlikely that the SCDMR Kimmons property has been significantly impacted by any on-site or off-site sources of contamination. Therefore, no additional assessment is recommended.

Respectfully submitted,
EARTH MANAGEMENT SYSTEMS, INC.

by: R. David Asti, G.I.T.
Staff Hydrogeologist

by: Stephen C. Godfrey, P.G.
Senior Hydrogeologist

EXHIBIT

APR 23 1990 26

STATE BUDGET & CONTROL BOARD

BUDGET AND CONTROL BOARD FORM A-23 PAGE 1
STATEWIDE PERMANENT IMPROVEMENT REPORTING SYSTEM (SPIRS)

For Board Use Only
16-90 (3)
Packet Number

REVISION OF PROJECT BUDGET OR PROJECT SCOPE
FOR ANNUAL PERMANENT IMPROVEMENT PROGRAM FOR FISCAL YEAR _____

1. PROJECT IDENTIFIERS:
   A. Agency: Number J16 Name South Carolina Department of Mental Retardation
   B. Contact person: Erich T. Tata P E Dir. of Engr. & Phone: 737-0511
   C. Project Number: 9546 Name: PIEDMONT REGION - EIGHT BED COMMUNITY RESIDENCE AT DUE WEST

2. PROJECT ACTION PROPOSED:
   X Increase total project budget
   _____ Decrease total project budget
   _____ Change source of funds
   _____ Revise scope LAND ACQUISITION

3. WHAT IS THE REVISION PROPOSED?: $ 10,000.00 — APPROVED BUDGET
   + 300,000.00 — TRANSFER FROM PROJECT J16-9541
   $ 310,000.00 = REVISED BUDGET

4. JUSTIFICATION FOR REVISION (Why is it needed?):
   TO PURCHASE SITE AND TO CONSTRUCT AN EIGHT-BED COMMUNITY RESIDENCE MEETING ICFMR (INTERMEDIATE) STANDARDS
   The site includes 1.43 acres located on the southwest side of Main Street in Due West, South Carolina. It is being purchased for $8,000.00 which was the appraised value.

5. ADDITIONAL OPERATING COSTS: Will this project require additional annual operating costs because of the revision?: Yes X No _____ (SEE ATTACHED LETTER)
   If yes, complete and attach Addendum A-9.

6. ESTIMATES OF PROJECT COSTS AS REVISED
   A. Total estimated cost of project as revised: $ 310,000.00
   B. Total estimated cost of project as revised includes the following (1 through 10 as above)

(1)	$ 1,500.00	Planning/design services (SURVEYING)
(2)	2,500.00	Site work (including utilities) (LANDSCAPING)
(3)		Central energy systems repair/replacement
(4)		Mechanical systems repair/replacement
(5)		General renovation/repair of floor space: (Gross sq. ft. _____)
(6)		Roof repair/replacement
(7)	200,000.00	Construction of additional floor space (Gross sq. ft. 3165)
(8)	20,000.00	Equipment/supplies
(9)	8,000.00	Purchase of facilities: (Floor space, gross sq. ft. _____) (Land, acres: 1.43 APPROX)
(10)	18,000.00	Other (Specify) INSURANCE; CONTINGENCY; ENV. STUDY
	$ 310,000.00	Total (Same as 6A)

RECEIVED FEB
MANAGEMENT

14161

7

C. Total estimated cost of project, as revised, by broad purpose: Total cost: $ 310,000.00
(equals 1 through 8, below, and is same as 6A)

1. Purchase land	$ 8,000.00	5. Restore facility	$
2. Purchase facility	$	6. Maintain facility	$
3. Demolish facility	$	7. Replace facility	$
4. Construct additional facility	$ 302,000.00	8. Other	$

7. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR AS REVISED:

A. Estimated expenditures and expenditure purposes, this FY 89-90* $ 110,000.00
(expenditure purposes (use 6B categories): (1);(2);(7);(5);(9);
(10))

B. Estimated expenditures after this FY $ 200,000.00

C. Total (Same as 6A, 6B and 6C) $ 310,000.00

8. PROPOSED SOURCES OF FUNDS AS REVISED: TYPE	PREVIOUSLY APPROVED AMOUNT	PROPOSED INCREASE + DECREASE −	REVISED AMOUNT	REVENUE CODE	TREASURER I. D. NUMBER	SUB FUND
(0) Capital Improvement Bonds	$	$	$ -			
(1) Depart Capital Imp Bonds						
(2) Inst (tuition) Bonds						
(3) Revenue Bonds						
(4) Excess Debt Service	10,000.00 0.00	0.00 +300,000.00*	10,000.00 300,000.00	4516	450 22700 450 -45000	4660
(6) Appropriated State						
(7) Federal						
(8) Auxiliary						
(9) Other						
TOTAL	$ 10,000.00	$ + 300,000.00*	$ 310,000.00			

* TRANSFER FROM PROJECT JIG-9541

9. Submitted By:

Authorized Official Lonnie A Bowman Jr Date Submitted 3/7/1990
Typed Name and Title and Signature FY Submitted
LONNIE A. BOWMAN, JR., DEPUTY COMMISSIONER SUPPORT SERVICES

10. APPROVED (For Board Use Only): 14162

Typed Name and Title and Signature Date

8

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

Meeting Scheduled for: April 23, 1990 Regular Session Agenda

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

2. Subject:

   Wildlife Department land acquisition in Pickens County

3. Summary Background Information:

   The Wildlife Department desires to purchase 64.88 acres in Pickens County to be dedicated as a Heritage Preserve. The property is situated atop a large Piedmont Monadnock. This property known as Glassy Mountain is structurally similar to Table Rock Mountain and contains several rare plant species as well as rock cliffs which are a rare land form in South Carolina. The property has an appraised value of $104,000 and the owners, J. Thomas Atkinson and J. Pat McCoy have agreed to sell at that price. The environmental study indicates no hazardous conditions on the site. Property Management has examined both reports and approves of their use in granting this request. This project is permanent improvement #P24-9567 and was approved by JBRC on April 3, 1990. The source of funds is Heritage Land Trust Fund.

4. What is Board asked to do?

   Approve the Wildlife Department purchase of 64.88 acres in Pickens County at the appraised value of $104,000 to be dedicated as a Heritage Preserve.

5. What is recommendation of Board Division involved?

   Approve

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

7. Supporting Documents:

   (a) List Those Attached:

   1. Letter from Wildlife
   2. Appraisal
   3. Map
   4. Environmental letter
   5. Code 1-11-65

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

C.

14163

South Carolina
Wildlife & Marine
Resources Department

Equal Opportunity Agency

James A. Timmerman, Jr., Ph.D.
Executive Director
John B. Reeves
Director of
Administrative Services

January 24, 1990

Mr. Bruce Taylor
Property Management
1201 Main Street
AT&T Building, Suite 410
Columbia, South Carolina 29201

Re: 64.88 Acres - Pickens County
Glassy Mountain P24-9567

Dear Bruce:

The S.C. Wildlife and Marine Resources Department is interested in purchasing the above referenced property. A copy of the appraisal of said property is enclosed for your review. An environmental assessment is in the process of being completed and will be sent to you.

After receipt and review of these reports, and if all is in order, it would be appreciated if you would seek approval from the Budget and Control Board so that the Department may proceed with the acquisition of this land.

Sincerely,

John B. Reeves, Director
Administrative Services

JBR/lj
Enclosure

RECEIVED
JAN 26 1990
PROPERTY MANAGEMENT

14164

Rembert C. Dennis Building ☐ P.O. Box 167 ☐ Columbia, South Carolina 29202 ☐ Telephone: 803 - 734-3884

ADAMS APPRAISAL ASSOCIATES
1315 PICKENS STREET • PO BOX 11492
COLUMBIA, SOUTH CAROLINA 29211
BUSINESS 803/799-9418

December 29, 1989

Mr. Erick Fox
Land Protection Assistant
S. C. Heritage Trust Program
Rembert C. Dennis Building
P. O. Box 167
Columbia, South Carolina 29202

Dear Mr. Fox:

At your request, we have appraised the market value in fee simple of that property known as 64.88 acres located at Glassy Mountain, approximately 2.5 miles northeast of the City of Pickens, Pickens County, South Carolina owned by J. Thomas Atkinson and Dr. J. Pat McCoy.

Enclosed are three (3) copies of the appraisal report containing fifty-five (55) pages including fourteen (14) preface pages and two (2) exhibits which describe the methods and procedures used in making the appraisal.

In our opinion, the market value of the subject property in fee simple as of December 27, 1989, was ONE HUNDRED FOUR THOUSAND ($104,000.00) DOLLARS.

$1632.96/ac

Respectfully submitted,

Henry D. Copeland

Henry D. Copeland, Appraiser

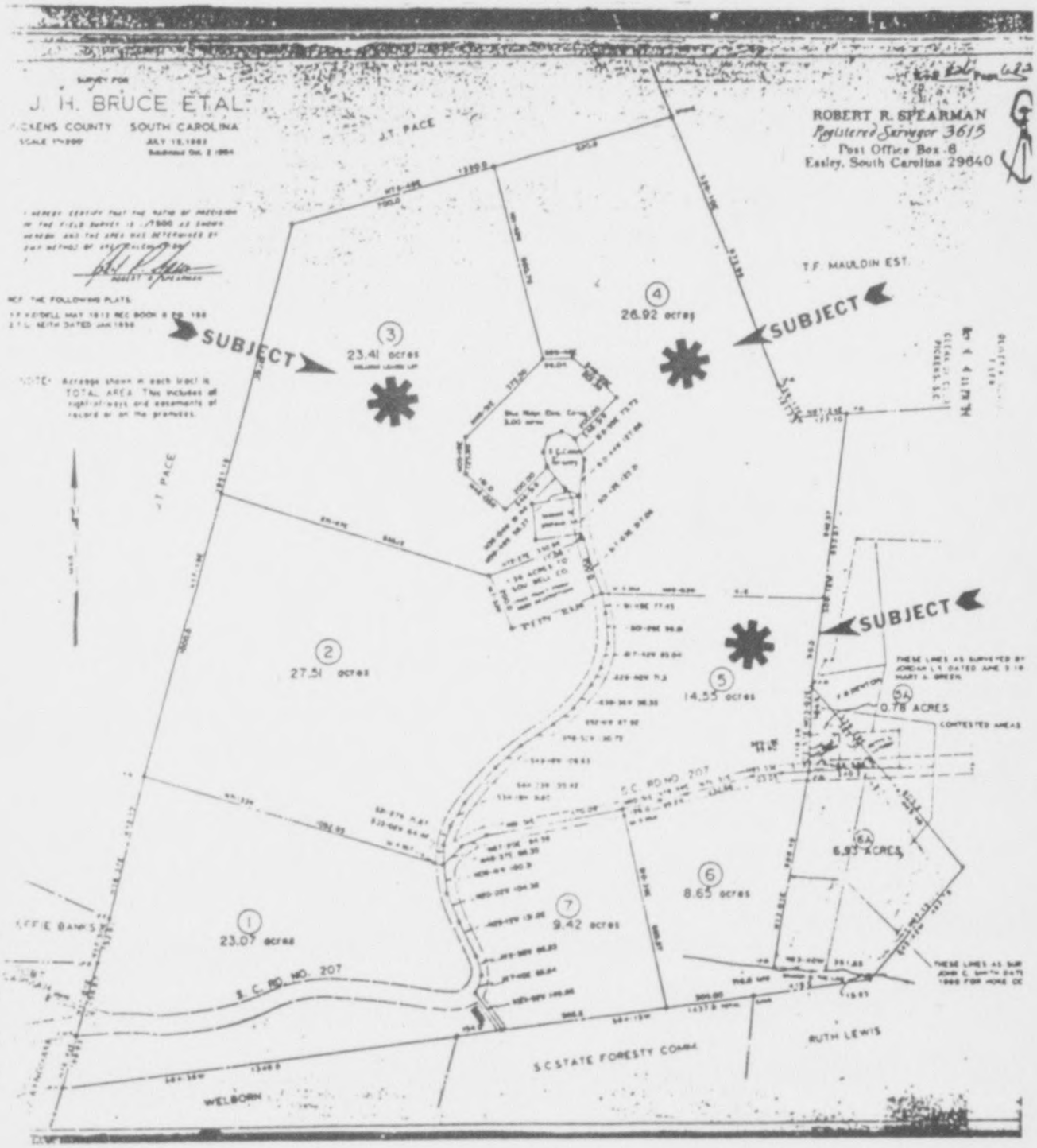
Philip W. Adams

Philip W. Adams, MAI, SRPA, RF

EXHIBIT
14165 APR 23 1990 26
STATE BUDGET & CONTROL BOARD

RECORDED PLAT

Three Tracts To Be Appraised Noted



structures or unusual surface conditions (i.e. unusually stunted vegetation growth, unusual surface soil stains, etc.) were evidenced to contribute to the potential for off-site contaminate migration on-site other than the natural surface flow of waters.

I. Site Reconnaissance To Assess On-Site Conditions

As previously stated, F&ME has physically reconnoitored the subject site (and adjacent areas). Other than evidence of some natural drainage areas and items previously noted, no unnaturally distressed areas (vegetation) or unusual soil stains were evidenced on-site.

J. Inquiry To Regulatory Agencies Concerning Potential Environmental Problems

Mr. Robert Lott, E.Q.C., Freedom of Information Division, S.C.D.H.E.C. was contacted to provide information pertaining to past or present reporting of environmentally related problems (refer to letter of response in Appendix).

As stated by Mr. Lott, no environmentally related problems have been recorded.

V. FINDINGS & RECOMMENDATIONS

The major objective of this Level I Environmental Investigation was to determine the potential presence of environmental problems, either on the subject tract or on adjacent properties which would impact or contribute to future on-site problems to the subject site.

To meet this objective, we have followed the criteria as set forth by the South Carolina Budget and Control Board Policy for "Obtaining Environmental Studies For Land Acquisitions" with respect to a visual inspection and records review.

The results of our findings have found no obvious evidence of environmentally undesirable conditions to exist within or adjacent (at present) the subject tract. As with any investigation of this type, the confidence and degree of certainty in our findings are comparable to the efforts and degree of precision expected for this level of environmental assessment.

In view of the findings as noted above, no Level II Environmental Assessment is recommended.

If there are any questions concerning our Level I Environmental Assessment or report, or if we can be of any further assistance on this project, please do not hesitate to contact us. We appreciate the opportunity to have provided this service to you.

Respectfully submitted,

F&ME ENGINEERING CONSULTANTS

Robert S. Powell

Robert S. Powell, P.G.
Chief Geologist

RSP/nlb

EXHIBIT

26

APR 23 1990

14168

STATE BUDGET & CONTROL BOARD