

MINUTES OF
Budget and
Control Board
Meeting
August 27, 1986

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

August 28, 1985

MEMORANDUM

TO: Budget and Control Board Division Directors
FROM: William A. McInnis, Deputy Executive Director *WAM*
SUBJECT: Summary of Board Actions at August 27, 1985 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. Approved an easement to the Georgetown County Water and Sewer District for the installation of a subaqueous wastewater discharge line below the mean high water elevation of the Waccamaw River incorporating a new project description and a termination agreement for the prior easement;
2. Received as information a report of the receipt of a Summons and Complaint re Teel v. Town of Bluffton, et al., relating to the Board's approval of a proposal to issue industrial revenue bonds;
3. Received as information a report that the following permanent improvement project on Summary 3-86 has been reviewed favorably by the Joint Bond Review Committee and approved by staff: Item 5, Technical & Comprehensive Education, H59-7084, Piedmont-Health Tec Phase 5, increase budget to \$2,405,671.50 by adding \$83,466 of Other (Local) funds;
4. Received as information a report that the following permanent improvement projects have been approved by staff and Joint Bond Review Committee review is not required:
On Summary 3-86:
 - Item 14, Adjutant General, E24-7004, Georgetown Armory, to close project, expenditures now equal total budget of \$986,867.50;
 - Item 15, Adjutant General, E24-7262, Greer Armory, to close project, expenditures now equal total budget of \$1,198,959.34;
 - Item 16, Adjutant General, E24-8042, Consolidated Storage Size Building, to close project, expenditures now equal total budget of \$176,000;

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- Item 17, Adjutant General, E24-8345, Mullins Pre-Engineering Metal Building, to close project, expenditures now equal total budget of \$50,000;
- Item 18, Adjutant General, E24-8386, McEntire Runway Resurface, to close project, expenditures now equal total budget of \$106,624;
- Item 19, Budget & Control Board-General Services, F12-7023, Blatt & Gressette Buildings, decrease budget to \$21,878,758.91 by subtracting \$17,000 of Capital Improvement Bond funds;
- Item 20, Budget & Control Board-General Services, F12-8640, Middleton Building Front Steps Repair, decrease budget to \$41,100 by subtracting \$4,400 of Other (Depreciation Reserve) funds;
- Item 21, Budget & Control Board-General Services, F12-8712, Blatt Building Renovation, increase budget to \$352,000 by adding \$17,000 of Capital Improvement Bond funds;
- Item 22, Budget & Control Board-General Services, F12-8713, Wade Hampton Basement Renovations, increase budget to \$49,400 by adding \$4,400 of Other (Reimbursable) funds;
- Item 23, Clemson University, H12-8612, Littlejohn Coliseum-Indoor Track Installation, decrease budget to \$52,800 by subtracting \$7,200 of Athletic funds;
- Item 24, Lander College, H21-7043, Handicapped Accommodations, decrease budget to \$479,145 by subtracting \$30,000 of Capital Improvement Bond funds;
- Item 25, Winthrop College, H47-7065, Handicapped Access, decrease budget to \$1,257,323.45 by subtracting \$199,576.54 of Capital Improvement Bond funds;
- Item 26, Winthrop College, H47-7862, Retrofit/Energy Conservation, increase budget to \$2,041,572.07 by adding \$65,226.54 of Capital Improvement Bond funds;
- Item 27, Winthrop College, H47-8188, Withers Elevator/Fire Stairs, change source of funds, subtract \$65,226.54 of Capital Improvement Bond funds, add \$199,576.54 Capital Improvement Bond funds and subtract \$134,350 of Excess Debt Service funds;
- Item 28, Technical & Comprehensive Education, H59-8694, Electrical System Modification, decrease budget to \$0.00 by subtracting \$49,500 of Other (Local) funds;

On Summary 4-86:

- Item 14, Adjutant General, E24-7012, Hampton Armory, increase budget to \$1,263,855.85 by adding \$2,900.08 of Capital Improvement Bond funds;
- Item 15, Adjutant General, E24-8025, North Charleston Armory, decrease budget to \$2,042,099.92 by subtracting \$2,900.08 Capital Improvement Bond funds;
- Item 16, USC-Columbia, H27-7321, Wade Hampton Hotel, decrease budget to \$2,945,104.39 by subtracting \$54,895.61 of Revenue Bonds;
- Item 17, USC-Columbia, H27-7935, Carolinian Library, decrease budget to \$110,000 by subtracting \$70,000 of Excess Debt Service (Tuition) funds;

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- Item 18, USC-Columbia, H27-8363, Housing Renovations, increase budget to \$622,895.61 by adding \$54,895.61 of Revenue Bond funds;
 - Item 19, Educational TV, H67-7085, Greenwood Transmitter, to close project, expenditures now equal total budget of \$1,037,999;
 - Item 20, Mental Retardation, J16-8527, Pee Dee-Support Facility Phase IV, establish project, total budget \$1,800,000 of Departmental Capital Improvement Bond funds;
 - Item 21, Mental Retardation, J16-8529, Whitten-Laundry Renovations, decrease budget to \$1,215,250 by subtracting \$85,000 of Excess Debt Service funds;
 - Item 22, Mental Retardation, J16-8534, Coastal-Dorm D1/D2 Renovate & Improve, establish project, total budget of \$1,000,000 of Departmental Capital Improvement Bond funds;
 - Item 23, Clemson University PSA, P20-7730, Pesticide Storage Facilities, increase budget to \$84,000 by adding \$52,000 of Capital Improvement Bond funds;
 - Item 24, Wildlife & Marine Resources, P24-8595, Berkeley Duck Pond Landing, increase budget to \$66,131 by adding \$6,006 of Other (Berkeley County Game/Fish Fund) funds;
 - Item 25, Wildlife & Marine Resources, P24-8599, Berkeley-Bushy Park Boat Ramp, decrease budget to \$162,533 by subtracting \$6,006 of Other (Berkeley County Game/Fish Fund) funds;
 - Item 26, Wildlife & Marine Resources, P24-8610, Lexington County-Shull Island Boat Ramp, decrease budget to \$116,650 by subtracting \$5,895 of Other (Lexington County Water Recreation Fund) funds;
 - Item 27, Parks, Recreation & Tourism, P28-8331, Hunting Island Redevelopment, decrease budget to \$542,323.07 by subtracting \$45.92 of Capital Improvement Bond funds;
- 5. Received as information reports on the reimbursement of interviewee travel expenses by Lander College (4), Francis Marion College (3);
 - 6. Affirmed the findings and recommendation of the Fire Marshal Appeal Panel regarding Columbia North Wilkes Youth Home and incorporated the recommendation into the following Order: "...that the requested variance be granted on condition that at least one window in each bedroom be operable at all times";
 - 7. Received as information a report that the Department of Mental Health will incur a year-end deficit for fiscal year 1985-86 of up to \$7.8 million but did not officially recognize it, and directed the Department to work with the Budget Division and the General Assembly to reduce the projected deficit;
 - 8. Received as information a report on privatization and directed staff to continue efforts to develop a policy on the subject as more information becomes available;

9. Carried over to the September 12 meeting the Nazarene Day Care Center appeal of a Fire Marshal Order, after a hearing on the matter;
10. Received as information a Parks, Recreation and Tourism report on efforts being made to comply with the federal requirements and Board policy regarding the forty-hour work week;
11. Authorized the Division of Information Resource Management to work with the State Treasurer's Office to obtain the best rate of interest in a solicitation for financing a \$30 million acquisition of telecommunications systems and to proceed with the financing when the State Treasurer has approved the arrangement;
12. Adopted resolutions approving the issuance of Agricultural Development Revenue Bonds by the Family Farm Development Authority for the referenced projects; and allocated a portion of the state ceiling to each project:

- | | |
|--------------------|---|
| (a) Borrower: | Billy Ray and Jane L. East |
| Amount: | d/b/a Bohicket Berry Farm Principal
\$250,000 |
| Purpose: | Purchase of farm land, equipment,
irrigation system, berry farm and
orchard |
| Maturity Schedule: | Interest only at 15% per annum for first
6 months, thereafter 138 equal monthly
payments |
| Bond Purchaser: | Southern Bank & Trust Company, Columbia |
| (b) Borrower: | Tommy P. Riley |
| Principal Amount: | \$325,000 |
| Purpose: | Construction of environmental poultry
and facility egg operation |
| Maturity Schedule: | 120 equal monthly payments at 9% per
annum |
| Bond Purchaser: | Bankers Trust, Newberry |
| (c) Borrower: | Double H Hog Farm (partnership of J.
Daniel Hutto, Jr., and R. Barry Hutto) |
| Principal Amount: | \$25,000 |
| Purpose: | Construct swine finishing facility |
| Maturity Schedule: | \$8,333 annual principal payment plus
accrued interest at 7.75% per annum for
a period of 3 years |
| Bond Purchaser: | Farmers & Merchants Bank, Holly Hill |

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13. Did not approve the following issuance of Agricultural Development Revenue Bonds by the Family Farm Development Authority because the indicated interest rate of 18% was considered excessive, but did agree that approval would be granted if the negotiated interest rate does not exceed 15%;

Borrower: Lawrence W. Davis
Principal Amount: \$125,000
Purpose: Purchase 353 acres farmland, equipment for truck operation and facilities
Maturity Schedule: 240 equal annual payments at 18% per annum
Bond Purchaser: Security Federal Savings & Loan, Aiken

14. Approved the following proposals to issue revenue bonds, and allocated a portion of the State Ceiling to each:

(a) Local Government: Greenville County
Amount of Issue: \$500,000
Name of Project: Banker, Inc.
Employment Impact: approximately 16
Project Description: Processing ferrous and nonferrous waste metals

(b) Local Government: Town of Fountain Inn
Amount of Issue: \$500,000
Name of Project: GEN III, Inc.
Employment Impact: approximately 5 additional
Project Description: manufacture stainless steel food service equipment

15. Approved the following proposal to issue revenue bonds on the condition that the required reviews are completed with satisfactory results, and allocated a portion of the State Ceiling to the project:

Local Government: Jasper County
Amount of Issue: \$2,000,000
Name of Project: Pearlstine Distributors Inc.
Employment Impact: 65
Project Description: Distribution facility

16. Received as information a status report on the State Ceiling as of August 8, 1985, (year elapsed 60%) which showed:

	<u>CY 1985 Ceiling</u>	<u>Allocated</u>	<u>(%)</u>	<u>Not Allocated</u>	<u>(%)</u>
State Pool	\$198,000,000	\$ 1,690,000	(1%)	\$196,310,000	(99%)
Local Pool	297,000,000	125,219,730	(42%)	171,780,270	(58%)
Total	\$495,000,000	\$126,909,730	(25%)	\$368,090,270	(75%)

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17. Granted 60-day extensions (to November 9, 1985) to the life of the ceiling allocations granted for the Richland County Mills Partners project, \$5,600,000; and Lexington County Wellington Synthetic project, \$1,500,000;
18. Granted a 60-day extension to the life of the \$35,000 ceiling allocation to the Family Farm Development Authority (W & W Farms project);
19. Adopted a resolution amending the resolution adopted on August 8, 1985, relating to the Spartanburg County Woodruff Health Care Center project and received as information the results of the review of the feasibility study on the project by the State Auditor's Office;
20. Authorized staff to restore \$6,250,000 of the State Ceiling to the Local Pool and to allocate \$6,250,000 from the State Agency and Exempt Facilities Pool for the Hampton County Southland Exchange project approved initially on April 9, 1985;
21. Allocated \$18,500 from the Civil Contingent Fund to the Governor's Office for the preparation of an economic development booklet;
22. Allocated \$21,500 from the Civil Contingent Fund to the Governor's Office, Division of Employment and Training, for an audit exception (Commission for Farmworkers);
23. Adopted a resolution authorizing the Energy Office (now a part of the Public Service Authority) to develop an energy efficiency standard for State government buildings in coordination with the Governor's Office Division of Energy and Environment, the Joint Legislative Committee on Energy, the Department of Education, and the Division of General Services, with the proposed standards to be submitted to the Board as proposed regulations;
24. Authorized the Health and Human Services Finance Commission to restructure its programs as follows:
 - (a) Combine Contracted Day Care with the other Social Services Block Grant Contractual Services;
 - (b) Merge Medically Needy, AFDC Expansion, AFDC Unemployed Parent & Inpatient Hospital Prospective Payments into the Regular Medicaid Program; and
 - (c) Combine Community Long Term Care (CLTC) Expanded Eligibility with CLTC-Home and Community Based Services.
25. Authorized Clemson University to employ Hugh Joseph Clausen as Assistant to the President and to pay him initially \$62,000 annually;

26. Approved \$46,670 as the annual salary for the new agency director for the State Housing Authority;
27. After being advised that staff will assess the on-call pay policies of State agencies in view of the Fair Labor Standards Act, authorized the addition of the following two classes to the Medical University on-call pay policy: Cardiovascular Technician and Cardiovascular Technician Supervisor; and approved the addition of the following 12 classes to the on-call pay policy of the Department of Mental Health: Addiction Specialist I, II, III; Psychologist I, II, III, IV; Clinical Chaplain I, II; Clinical Laboratory Technician I; Nurse Clinician; and Clinical Nurse Specialist; with the following classes to be eligible for on-call pay in the Community Mental Health Services only: Addiction Specialist I, II, III; Psychologist I, II, III, IV; Clinical Chaplain I, II;
28. Approved salary schedules for unclassified teachers for the 1985-86 school year, and authorized placement of each teacher on the salary schedules commensurate with number of years of teaching experience for:
 - (a) School for the Deaf and the Blind: 7% increase
 - (b) Wil Lou Gray Opportunity School: average 7% increase
 - (c) John de la Howe School: 6/5% increase;
29. Adopted the policy proposed by the Division of Motor Vehicle Management relating to fuel economy products and devices and authorized the Division to publish instructions for implementing this policy;
30. Approved \$23.50 per hour as the maintenance labor rate for the Motor Vehicle Management Division's maintenance shop effective July 1, 1985;
31. Approved the following interest rate for equipment: USC, sole source procurement from Varian Associates of 2 Spectrometers, Models XL-300 and XL-400; \$600,000 (including sales tax) to be financed over a 60-month period, interest rate 7.35%, Southern National Leasing;
32. In accord with Procurement Code §11-35-710, exempted from the purchasing procedures the acquisition of historical artifacts, weapons, flags, firearms, etc., which are rare and reasonably priced in the judgment of the Confederate Relic Room and Museum staff;
33. Authorized the Department of Mental Retardation to pay \$500 toward the moving costs of Dr. Arlene DeRienzo who has been recruited as Director of Diagnostic and Evaluation Services at the Pee Dee Center in Florence;

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34. Approved the following permanent improvement project establishment requests and budget revisions which have been reviewed favorably by the Joint Bond Review Committee:

(a) On Summary 3-86:

- Item 2, Budget & Control Board-Information Resource Management, F10-////, Sumter Street Building Telecommunications Main Switch, establish project and source of funds, \$275,000 of Other (Revenue) funds;
- Item 3, Budget & Control Board-Information Resource Management, F10-////, Telecommunications Equipment Rooms, establish project and source of funds, \$300,000 of Other (Revenue) funds;
- Item 6, Technical & Comprehensive Education, H59-8318, Tri County Tec Student Center, increase budget to \$1,504,974 by adding \$75,000 of Federal funds and \$179,922 of Other (Local) funds;

(b) On Summary 4-86:

- Item 7, Technical & Comprehensive Education, H59-8298, Horry-Georgetown Hodges Tourism Education Center, increase budget to \$2,000,000 by adding \$500,000 of Other (Local) funds;
 - Item 10, Mental Retardation, J16-8933, Central Office Building, to change source of funds, total budget \$2,500,000, subtract \$500,000 of Excess Debt Service funds and add \$500,000 of Other (Medicaid Operating) funds;
 - Item 11, Criminal Justice Academy, N20-8066, Classroom Wing, increase budget to \$925,000 by adding \$425,000 of Other (fines and forfeitures) funds;
35. Approved salary increases as proposed for 318 unclassified employees at the various colleges and universities and Technical and Comprehensive Education with increases ranging from 12.16% to 100%;
36. Approved salary increases for 11 unclassified employees of the Wildlife and Marine Resources Department ranging from 7.98% to 15.05%;
37. Received as information a report that the State Treasurer will provide the Board with a corrected description of the property involved in the College of Charleston acquisition of the Sears property;
38. Agreed to hold a regular meeting at 12:15 p.m. on Thursday, September 12, 1985, in 148-149 Dennis Building following budget hearings;
39. Adopted a resolution expressing its willingness to ensure that marketable legal title to an approximately 18-acre parcel in the Carolina Research Park is transferred in accord with the contract of sale;

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40. Approved the sale of 12.215 acres of surplus property off Highway 555 to the U.S. Aluminum and Steel Corporation for \$44,767.98;
41. Authorized the Department of Corrections to appeal to the Court of Common Pleas the decisions of the Employee Grievance Committee in the Arthur Roberson and the Anthony Brown cases; and
42. Ratified actions taken during executive session.

WAM:dw

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**MINUTES OF STATE BUDGET AND CONTROL BOARD MEETING
(Regular Business Portion Recorded Separately)**

August 27, 1985

2:00 P. M.

Following its regular business meeting, the Budget and Control Board met at 2:00 P. M. on Tuesday, August 27, 1985, in studios of the Educational Television Commission, with the following members in attendance:

Governor Richard W. Riley, Chairman;
Mr. Grady L. Patterson, Jr., State Treasurer;
Mr. Earle E. Morris, Jr., Comptroller General;
Senator Rembert C. Dennis, Chairman, Senate Finance Committee;
Representative Tom G. Mangum, Chairman, House Ways and Means Committee.

Also attending were:

William T. Putnam	Executive Director
Jesse A. Coles, Jr.	Director, Budget Division
Preston Cantrell	Budget Division
Curtis Holt	Budget Division
Phyllis Mayes	Director, Division of Human Resource Management

LAUNCHING OF 1986-87 BUDGET PREPARATION PROCESS

Governor Riley opened the session, which was taped by the Educational Television Commission for broadcast at 7:00 P. M. this evening, by noting that it marks the beginning of the process for preparing the operating budget for the State government for 1986-87. Governor Riley introduced Board members Patterson, Morris, Dennis and Mangum and Executive Director Putnam.

Following Governor Riley's introductory remarks, he introduced Executive Director Putnam who presented Budget Division Director Jesse Coles, who outlined the budget-making process and described in broad terms the sources of general fund revenues and the broad expenditure categories from the general fund.

Budget Division staff member Curtis Holt discussed various statutory and constitutional limits and Budget Division staff member Preston Cantrell described major budget requirements. Human Resource Management Division Director Mayes commented on the importance of the State government work force.

Budget Division Director Coles then summarized the staff presentation and Board members commented individually on the overall situation.

[Secretary's Note: In compliance with Section 9 of Act 593 of 1978 (the Freedom of Information Act), public notice of this meeting was given on numerous occasions during May, June, July and August to news media representatives as a part of the future meeting item included in the agenda of regular Board meetings.]

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MINUTES OF STATE BUDGET AND CONTROL BOARD MEETING

AUGUST 27, 1985

10 A. M.

The Budget and Control Board met at 10 a.m. on Tuesday, August 27, 1985, in the Governor's conference room in the State House with the following members in attendance:

Governor Richard W. Riley, Chairman;
Mr. Grady L. Patterson, Jr., State Treasurer;
Mr. Earle E. Morris, Jr., Comptroller General;
Senator Rembert C. Dennis, Chairman, Senate Finance Committee;
Representative Tom G. Mangum, Chairman, House Ways and Means Committee.

Also attending were:

William T. Putnam	Executive Director
William A. McInnis	Secretary
Katherine M. Hepfer	Governor's Executive Assistant
Joseph A. Wilson	Chief Deputy Attorney General
E. A. Laurent	Deputy Executive Director
Charles H. Smith	Special Projects Administrator
Donna K. Williams	Assistant to Board Secretary
Other Board staff	

BLUE AGENDA

Mr. Putnam called attention to blue agenda item 2, relating to a Summons and Complaint filed in connection with the Board's approval at the July 18, 1985, meeting of a Town of Bluffton proposal to issue \$500,000 industrial revenue bonds for the Bluffton Oyster Factory project. He noted that this is the first instance (other than test cases) in which the Board's approval of an industrial revenue bond issue has been challenged.

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

Blue agenda items are identified as such in these minutes.

GENERAL SERVICES: RIGHT-OF-WAY EASEMENT (BLUE AGENDA #1)

The Division advised that the Georgetown County Water and Sewer District previously was granted an easement and a State Permit for a project involving the installation of a subaqueous wastewater discharge line below the mean high water elevation of the Waccamaw River. The District has modified the project changing the linear distance of the discharge line.

The proposed easement incorporates the new project description and a termination agreement for the prior easement.

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The document has been approved by the Attorney General's Office and executed by the Georgetown County Water and Sewer District.

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board approved an easement to the Georgetown County Water and Sewer District for the installation of a subaqueous wastewater discharge line below the mean high water elevation of the Waccamaw River incorporating a new project description and a termination agreement for the prior easement.

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

ATTORNEY GENERAL'S OFFICE: TEEL V. TOWN OF BLUFFTON (BLUE AGENDA #2)

The Attorney General's Office advised of the receipt of a Summons and Complaint in the challenge to the Town of Bluffton industrial revenue bonds issue on behalf of the Bluffton Oyster Company project.

The Board was advised that Assistant Attorney General David C. Eckstrom will represent the Board in this matter and will keep the Board informed of all developments in the case.

The Board received as information the report of the receipt of a Summons and Complaint re Teel v. Town of Bluffton, et al., relating to the Board's approval of the Town of Bluffton proposal to issue \$500,000 industrial revenue bonds on behalf of the Bluffton Oyster Company project.

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

EXECUTIVE DIRECTOR: PERMANENT IMPROVEMENT PROJECTS (BLUE AGENDA #3)

The Board received as information a report that the following permanent improvement project on Summary 3-86 has been reviewed favorably by the Joint Bond Review Committee and approved by staff: Item 5, Technical & Comprehensive Education, H59-7084, Piedmont-Health Tec Phase 5, increase budget to \$2,405,671.50 by adding \$83,466 of Other (Local) funds.

The Board also received as information a report that the following permanent improvement projects have been approved by staff and Joint Bond Review Committee review is not required:

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On Summary 3-86:

- Item 14, Adjutant General, E24-7004, Georgetown Armory, to close project, expenditures now equal total budget of \$986,867.50;
- Item 15, Adjutant General, E24-7262, Greer Armory, to close project, expenditures now equal total budget of \$1,198,959.34;
- Item 16, Adjutant General, E24-8042, Consolidated Storage Size Building, to close project, expenditures now equal total budget of \$176,000;
- Item 17, Adjutant General, E24-8345, Mullins Pre-Engineering Metal Building, to close project, expenditures now equal total budget of \$50,000;
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- Item 19, Budget & Control Board-General Services, F12-7023, Blatt & Gressette Buildings, decrease budget to \$21,878,758.91 by subtracting \$17,000 of Capital Improvement Bond funds;
- Item 20, Budget & Control Board-General Services, F12-8640, Middleton Building Front Steps Repair, decrease budget to \$41,100 by subtracting \$4,400 of Other (Depreciation Reserve) funds;
- Item 21, Budget & Control Board-General Services, F12-8712, Blatt Building Renovation, increase budget to \$352,000 by adding \$17,000 of Capital Improvement Bond funds;
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- Item 23, Clemson University, H12-8612, Littlejohn Coliseum-Indoor Track Installation, decrease budget to \$52,800 by subtracting \$7,200 of Athletic funds;
- Item 24, Lander College, H21-7043, Handicapped Accommodations, decrease budget to \$479,145 by subtracting \$30,000 of Capital Improvement Bond funds;
- Item 25, Winthrop College, H47-7065, Handicapped Access, decrease budget to \$1,257,323.45 by subtracting \$199,576.54 of Capital Improvement Bond funds;
- Item 26, Winthrop College, H47-7862, Retrofit/Energy Conservation, increase budget to \$2,041,572.07 by adding \$65,226.54 of Capital Improvement Bond funds;

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Item 27, Winthrop College, H47-8188, Withers Elevator/Fire Stairs, change source of funds, subtract \$65,226.54 of Capital Improvement Bond funds, add \$199,576.54 Capital Improvement Bond funds and subtract \$134,350 of Excess Debt Service funds;

Item 28, Technical & Comprehensive Education, H59-8694, Electrical System Modification, decrease budget to \$0.00 by subtracting \$49,500 of Other (Local) funds;

On Summary 4-86:

Item 14, Adjutant General, E24-7012, Hampton Armory, increase budget to \$1,263,855.85 by adding \$2,900.08 of Capital Improvement Bond funds;

Item 15, Adjutant General, E24-8025, North Charleston Armory, decrease budget to \$2,042,099.92 by subtracting \$2,900.08 Capital Improvement Bond funds;

Item 16, USC-Columbia, H27-7321, Wade Hampton Hotel, decrease budget to \$2,945,104.39 by subtracting \$54,895.61 of Revenue Bonds;

Item 17, USC-Columbia, H27-7935, Carolinian Library, decrease budget to \$110,000 by subtracting \$70,000 of Excess Debt Service (Tuition) funds;

Item 18, USC-Columbia, H27-8363, Housing Renovations, increase budget to \$622,895.61 by adding \$54,895.61 of Revenue Bond funds;

Item 19, Educational TV, H67-7085, Greenwood Transmitter, to close project, expenditures now equal total budget of \$1,037,999;

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Item 21, Mental Retardation, J16-8529, Whitten-Laundry Renovations, decrease budget to \$1,215,250 by subtracting \$85,000 of Excess Debt Service funds;

Item 22, Mental Retardation, J16-8534, Coastal-Dorm D1/D2 Renovate & Improve, establish project, total budget of \$1,000,000 of Departmental Capital Improvement Bond funds;

Item 23, Clemson University PSA, P20-7730, Pesticide Storage Facilities, increase budget to \$84,000 by adding \$52,000 of Capital Improvement Bond funds;

Item 24, Wildlife & Marine Resources, P24-8595, Berkeley Duck Pond Landing, increase budget to \$66,131 by adding \$6,006 of Other (Berkeley County Game/Fish Fund) funds;

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- Item 25, Wildlife & Marine Resources, P24-8599, Berkeley-Bushy Park Boat Ramp, decrease budget to \$162,533 by subtracting \$6,006 of Other (Berkeley County Game/Fish Fund) funds;
- Item 26, Wildlife & Marine Resources, P24-8610, Lexington County-Shull Island Boat Ramp, decrease budget to \$116,650 by subtracting \$5,895 of Other (Lexington County Water Recreation Fund) funds;
- Item 27, Parks, Recreation & Tourism, P28-8331, Hunting Island Redevelopment, decrease budget to \$542,323.07 by subtracting \$45.92 of Capital Improvement Bond funds.

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

EXECUTIVE DIRECTOR: INTERVIEWEE TRAVEL EXPENSES (BLUE AGENDA #4)

The Board received as information reports on the reimbursement of interviewee travel expenses by Lander College (4), Francis Marion College (3).

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

EXECUTIVE SESSION

Upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board agreed to move two personnel items (items #2 and #3) proposed for consideration during executive session to the regular session agenda.

[SECRETARY'S NOTE: Governor Riley announced that Senator Dennis is en route to the meeting and that the Board would carry over consideration of regular session items #1 (relating to privatization) and #2 (relating to a Fire Marshal Appeal Panel recommendation) until his arrival.]

FIRE MARSHAL APPEAL PANEL: COLUMBIA NORTH WILKES YOUTH HOME

State Fire Marshal Richard Campbell appeared before the Board on this matter.

The Board was advised that a Fire Marshal Inspection Order dated January 16, 1985, was issued regarding Columbia North Alston Wilkes Youth Home and that the Home had complied or agreed to comply with the required corrections except the one to provide additional means of egress to offset the "dead-end feature." The Order was appealed to the Fire Marshal Appeal Panel, which made the following recommendation:

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The Panel recommends that the requested variance be granted as to the "dead-end" feature of the main hallway on the condition that at least one window in each of the bedrooms which exit into the hallway remain operable at all times.

Following a discussion in which it was noted that the Panel's recommendation had been agreed to by all parties, upon a motion by Mr. Patterson, seconded by Mr. Morris, the Board affirmed the findings and recommendation of the Fire Marshal Appeal Panel regarding the Columbia North Wilkes Youth Home appeal and incorporated the recommendation into the following Order: "...that the requested variance be granted on condition that at least one window in each bedroom be operable at all times."

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

DEPARTMENT OF MENTAL HEALTH: NOTIFICATION OF YEAR-END DEFICIT

Department of Mental Health Interim Commissioner Jaime Condom appeared before the Board on this matter.

Dr. Condom, in accord with Section 135 of the Appropriations Act, in his August 16 letter to Governor Riley had officially notified the Board of his expectation that the Department of Mental Health will incur a year-end deficit for fiscal year 1985-86 of up to \$7.8 million. This amounts to about 5.4% of the total funds authorized and appropriated for that agency in this fiscal year.

This deficit is projected to be about \$10.5 million in 86-87.

Dr. Condom advised in his letter that, in view of the pending deficit, the Department has taken cost-saving measures (restraints on filling vacant positions and a freeze on equipment purchases not directly related to patient care). In addition, a detailed self-analysis of the Department's operations is being performed to make the most efficient use of the funds available. Some savings will result but it is not expected that this would in any way eliminate more than a small percentage of the projected deficit. He assured Governor Riley that his agency has an agenda for maximizing the use of Medicaid funds.

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Dr. Condom cited the inability to control admissions as a major factor in this situation. He attributed this to the commitment law and to the fact that the community mental health program is not yet developed fully. He noted that about 16% of admissions are due to alcohol-related problems. Governor Riley expressed hope that meaningful changes of the commitment law could be made at the upcoming session.

[SECRETARY'S NOTE: Senator Dennis joined the meeting during consideration of this item.]

The Board received as information the report that the Department of Mental Health will incur a year-end deficit for fiscal year 1985-86 of up to \$7.8 million but did not officially recognize the deficit and directed the Department to work with the Budget Division and the General Assembly to reduce the projected deficit.

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

EXECUTIVE DIRECTOR: PRIVATIZATION/CAPITAL EXPENDITURE FUND/BOND FINANCING

The Board previously had been furnished with the following extracts from the 1985-86 Appropriations Act as background material for the discussion of privatization:

- (1) Part II, Section 28, which authorizes the Board to enter into lease-purchase agreements to replace the Central Correctional Institution;
- (2) Part II, Section 34, which provides for the establishment of the Capital Expenditure Fund (0.5% of the General Fund revenue estimate for 1985-86; 1.5% of the General Fund revenue estimate for 1986-87; and 2.5% of General Fund revenue estimate for 1987-88 and each fiscal year thereafter);
- (3) Part II, Section 35, which amends prior acts to provide that neither house of the General Assembly shall consider a Capital Improvement Bond bill introduced after May 1 and to provide that Capital Improvement Bonds may be authorized in even-numbered years rather than odd-numbered;

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- (4) Part II, Section 64, which amends the limitation on the maximum annual debt service on general obligations of the State other than highway bonds and State institution (tuition) bonds to reduce it from 5% to 4.5% in 1985-86; to 4% in 1986-87; to 3.5% in 1987-88; to 3% in 1988-89; and to 2.5% in 1989-90 and thereafter; and
- (5) Part II, Section 85, which authorizes the Board to finance the construction of correctional facilities with Capital Improvement Bonds or "other methods of financing approved by the Board."

Executive Director Putnam opened the discussion by noting that the privatization issue is under discussion all across the United States and that the discussions are not confined to privatization as relates to prison facilities only. He noted that the Board had indicated a desire to have a roundtable discussion of the subject without reference to any specific project.

Mr. Putnam then noted that privatization can involve both operations of facilities and provision of capital for equipment or construction of facilities. He pointed out that the State has been involved in privatization in operational areas for years. He cited the food service operations at institutions of higher learning and janitorial services as examples. Mr. Putnam noted that privately-owned janitorial service firms can do this work more cheaply because of the salary structure they are able to operate under in contrast to the self-imposed structure the State operates under.

With regard to private involvement in the construction of facilities, Mr. Putnam expressed the view that the cheapest way to finance facilities would be to construct them using cash on hand and that the next cheapest way would be to finance them through the issuance of general obligation bonds. He also stated that revenue bonds would be third in terms of cost and that private financing would rank fourth in cost to the State.

Mr. Putnam noted that there are problems in comparing public and private financing approaches but that, from a pure acquisition perspective, he noted that the State could save as much as 47% in contrast to private financing. He stated that about one-fifth of the 47% additional cost in one case arises from county and city taxes and that another one-fifth of the additional cost results from the necessity to capitalize interest costs during the construction period. He also noted interest rate differences as between the

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State government and private financing sources and he also noted differences in lease/purchase versus lease arrangements.

Mr. Putnam observed that the Robert Mills Building, now under renovation through a private firm, probably will cost the State 47% more than it would have had that project been financed by general obligation bonds. He also noted that the chances were between zero and nil of getting bonds authorized for that purpose at the time. He pointed out that the Health and Human Services Finance Commission presently is leasing commercial space and will occupy the Robert Mills Building in the future. He noted that, in this instance, the private lease cost versus lease/purchase cost are about the same although, at the end, the State will own the building.

Mr. Putnam then indicated that staff recommends that the State use its general obligation bond capacity and cash only for projects considered to be absolutely required. He expressed the view that, if the State is going to have to pay more than it would by way of general obligation bond financing, options ought to be available. He emphasized that cash and general obligation bond capability should be used to provide prison facilities.

A third alternative described by Mr. Putnam is a finance commission approach through a State agency or a quasi-State agency. He likened this approach to the authorities all colleges and universities presently have to issue revenue bonds. He noted that a finance authority could be established to issue revenue bonds which would enable the State to keep title to the projects in the State. He also observed that revenue bonds would not be counted in the limitation on the issuance of certain general obligations.

Mr. Patterson expressed concern about establishing another layer of bureaucracy in the form of a new finance commission and suggested that the revenue bonds Mr. Putnam referred to be issued through an existing board or commission. He noted that legislation would be required to authorize that sort of thing.

Governor Riley suggested that a policy be developed which would serve as an overall guideline for dealing with this whole subject area. He urged that policy approach be taken rather than getting into the subject on a project by project basis.

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Mr. Patterson expressed the view that the State has to bite the bullet on these sorts of issues and operate within the limitations and disciplines agreed upon. He expressed the view that, while cash is the best approach, there are so many demands on available funds for current operations that the State cannot finance major buildings out of current revenues. He also expressed the view that the expectation of paying cash for buildings is a rather remote possibility and that the State must bite the bullet and issue general obligation bonds for these purposes. Mr. Patterson emphasized his view that paying cash for major buildings is very desirable but he also expressed doubt as to its viability.

Governor Riley expressed the hope that the State can establish the discipline to lock in place the cash approach as represented by the capital expenditure fund.

Mr. Morris observed that, as a 33-year veteran of government, there is nothing that government can do better or cheaper than private enterprise. He urged that the State look at the privatization experiences in Texas and Tennessee. He indicated that, if funds can be saved, he will be open-minded on the issue. He urged that more specific information be secured. He also noted that a University of South Carolina study now underway probably will indicate that significant savings can result through private approaches in contrast to public financing methods. He expressed concern about the increasing numbers of State employees and urged that the Board be a leader in reducing the numbers of State employees.

Governor Riley noted that the State now has federal requirements which must be met in the area of prison facilities and noted that the State can contract with private builders to construct these facilities and also use prison labor. He indicated that he did not initially see advantages to the private financing approach and urged that the State examine this issue carefully before committing to any particular course.

Mr. Patterson again noted that private groups cannot borrow funds cheaper than the State and expressed the view that in no way can private enterprise build more cheaply than can the State.

Mr. Morris indicated his disagreement with Mr. Patterson's position and again expressed an interest in seeing what Texas and Tennessee are doing in the area of privatization.

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Senator Dennis then indicated that he shares Mr. Patterson's general view on this matter and that, by and large, the State will have to continue issuing general obligation and revenue bonds to finance major facilities. He indicated that he will withhold an opinion on privatization until the various studies are completed and more information is available. He noted that South Carolina has a reputation as a cost-efficient government and that the general obligation bond approach has worked well for the State by and large although it may be considered a horse ridden too hard at times. He noted that the State probably would have to go the general obligation bond route while striving toward a cash financing position. Senator Dennis indicated that he would wait and see on the privatization question.

Mr. Patterson then urged that the Board direct its thoughts toward the development of a policy on the subject of privatization and the members agreed with that need.

Executive Director Putnam noted that, while the Mills Building and the Mt. Vernon Mill projects are expensive and may cost more under the private financing approach than they would have if the State had issued general obligation bonds, they wouldn't have been done for years. He emphasized that the State has gotten very, very good buys in these projects, especially the Robert Mills Building.

Following this discussion, the Board received as information the report on privatization and directed staff to continue efforts to develop a policy on the subject as more information becomes available.

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

FIRE MARSHAL APPEAL PANEL: NAZARENE DAY CARE CENTER APPEAL

Appearing before the Board on this matter were Senator John Martin; State Fire Marshal Richard Campbell; and Assistant Attorney General C. Havird Jones.

Executive Director Putnam briefly recounted the background of this item which involves an appeal from a State Fire Marshal Order requiring that facilities which provide for four or more children too young to be termed ambulatory and who are unattended by a parent or guardian must have one-hour fire separation with a direct exit to the outside. In this instance, the Fire

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Marshal's Order dated April 4, 1985, requires that the nursery area of the Nazarene Day Care facility must be separated from the rest of the facility by one-hour partitions.

Senator Martin expressed his appreciation for the opportunity to appear before the Board on this matter. He noted that he had felt good about his appearance before the Fire Marshal Appeal Panel until he heard everyone on that Panel calling each other chief.

Senator Martin noted that the facility in question is about 7½ years old and that it was designed by an architect. He indicated that the facility is a dual-purpose one in that it is used for social events and for the day care. He expressed the view that having to put a one-hour fire wall into the area in question will destroy the dual-purpose functions that the facility now serves. He noted that the Center has complied with all other requirements of the Fire Marshal. Senator Martin indicated that the facility is located at ground level and that the cribs involved are within twenty feet of a double swinging door to the outside which would mean that the infants could be removed from the building by the eleven adults present in something like twenty seconds.

In response to Mr. Morris, Senator Martin indicated that about forty to fifty children are served by the facility and he emphasized that the present arrangement, with the relatively low dividers, permits the adults in attendance to look in on the infants easily. He recognized the Board's concern in this area and noted that there is no other facility in Fairfield County which can serve the needs being met by this one. He asked that the Board waive the regulation in question and emphasized that the overall safety of the children is of paramount importance rather than fire protection only. He expressed the view that the regulations do not take into account pertinent factors such as heat sensors and alarms. He advised the Board that all parents with children in the Center have agreed to sign a waiver indicating their understanding that the one-hour fire wall requirement has been waived if the Board were to approve the exception being requested. He closed his remarks by noting that if the facility is to be closed the children would be at far more risk elsewhere.

Attorney Jones indicated that the Fire Marshal is not trying to burden the people of Fairfield County and asked that the Board uphold the Panel's

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decision. He indicated that adoption of Section 19.310 allows making parts of a facility safe while not making all of it safe for various purposes. He also observed that the Appropriations Act Proviso which authorizes the Fire Marshal to make exceptions to the regulations if their intent is met was considered by the Fire Marshal who concluded that the one-hour separation and a direct exit to the outside are requirements which must be satisfied. He observed at the hearing only the Fire Marshal presented fire and life safety considerations while the appellant focused on inconvenience and matters of equity.

Following this discussion, the Board carried over to the September 12 meeting the Nazarene Day Care Center appeal.

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

PARKS, RECREATION AND TOURISM: WAGE AND HOUR LAW IMPACT

PRT Commissioner Terry Collier and Executive Director Fred Brinkman appeared before the Board on this matter.

Commissioner Collier indicated that he is representing Chairman Bundy of the PRT Commission and he advised that the Commission endorses the solutions and options to be presented by Mr. Brinkman. He noted that the problem to be discussed is not a temporary one but is, instead, one which the agency will face for a long time to come.

PRT Executive Director Brinkman expressed his appreciation to Mr. Putnam, the Division of Human Resource Management and to the the Budget Division for their assistance in examining the problems presented to his agency by the application of the Fair Labor Standards Act to it. He observed the outlines of the policy adopted on this subject by the Board and noted that his agency represents about one-third of the total overtime pay impact of the application of the Fair Labor Standards Act of State government as estimated by the Division of Human Resource Management. Mr. Brinkman noted that park employees work a seventy-hour week during the peak season and a forty-hour week during the off season for an average work-week of about fifty hours. He noted that State agencies generally have 244 working days with 31 days off for holidays and leave leaving 213 working days in the year. In contrast, he noted that parks employees have a 364 working day year and generally get 26 days off

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leaving a 338 working day year for them. He noted that if a five-day work week were followed uniformly resulting in a 260 work-day year and if 31 days were taken off the result would be a 229 work-day year. That would represent the loss of 109 working days or about one-third of what is presently the case. He noted that the agency presently works a 56-hour work week in the parks and that no additional funds are available for additional employees. He indicated that the agency does not desire to reduce the hours of park operation but that the employees do want equity. Mr. Brinkman noted that other states are not impacted as much as South Carolina is for a variety of reasons.

He noted that October 2 is the agency's target date for coming into compliance with the requirements of the Fair Labor Standard Act and the forty-hour work week.

Mr. Brinkman then briefly outlined the emergency funding needs of the agency which totaled approximately \$1.1 million. He noted that the possibility of borrowing funds from certain capital improvement projects had been suggested, that increases in user fees be accomplished and that other efforts be made within the limits of the current budget. He emphasized that PRT attempts to solve these problems through creative management and by doing more with less.

Mr. Brinkman indicates that cutting back to a forty-hour average work week would require overtime pay that cannot be handled without additional funds personnel and/or overtime pay or without drastic cutbacks in the levels of service and the periods of operations for some parks.

The Board received as information the Parks, Recreation and Tourism report on efforts being made to comply with the federal requirements and Board policy regarding the forty-hour work week.

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

[SECRETARY'S NOTE: Mr. Morris left the meeting at this point.]

INFORMATION RESOURCE MANAGEMENT: TELECOMMUNICATIONS SYSTEMS

The Division requested that it be authorized to ask the State Treasurer's Office to proceed with a solicitation for financing this \$30 million acquisition.

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The Division pointed out that, on December 31, 1984, the Board entered into a three-year term contract with AT&T Information Systems providing for the Board to procure all telecommunications systems of sixty or more lines and all systems in the greater Columbia and Charleston areas regardless of size.

The Division noted that, by purchasing these systems and then billing user agencies to cover debt service, insurance and maintenance, the Board abides by the legislative mandate to be solely responsible for the State government's telecommunications resource. It also makes possible the realization of relatively low interest rates, relatively low maintenance costs, statewide perspective, and control over an indebtedness which would have occurred even if the Board had not taken the initiative to centralize this procurement, according to the Division.

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board authorized the Division of Information Resource Management to work with the State Treasurer's Office to obtain the best rate of interest in the solicitation for financing a \$30 million acquisition of telecommunications systems and to proceed with the financing when the State Treasurer has approved the arrangement.

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

FAMILY FARM DEVELOPMENT AUTHORITY: AGRICULTURAL DEVELOPMENT BONDS

Family Farm Development Authority Director Clyde Livingston appeared before the Board on this matter.

Upon a motion by Mr. Patterson, seconded by Mr. Mangum, the Board adopted resolutions approving the issuance of Agricultural Development Revenue Bonds by the Family Farm Development Authority for the following projects and allocated a portion of the state ceiling to each project:

(a) Borrower:	Billy Ray and Jane L. East d/b/a Bohicket Berry Farm
Principal Amount:	\$250,000
Purpose:	Purchase of farm land, equipment, irrigation system, berry farm and orchard
Maturity Schedule:	Interest only at 15% per annum for first 6 months, thereafter 138 equal monthly payments
Bond Purchaser:	Southern Bank & Trust Company, Columbia

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- (b) Borrower: Tommy P. Riley
Principal Amount: \$325,000
Purpose: Construction of environmental poultry and
facility egg operation
Maturity Schedule: 120 equal monthly payments at 9% per annum
Bond Purchaser: Bankers Trust, Newberry
- (c) Borrower: Double H Hog Farm (partnership of J. Daniel
Hutto, Jr., and R. Barry Hutto)
Principal Amount: \$25,000
Purpose: Construct swine finishing facility
Maturity Schedule: \$8,333 annual principal payment plus accrued
interest at 7.75% per annum for a period of 3
years
Bond Purchaser: Farmers & Merchants Bank, Holly Hill

In this same motion, the Board did not approve the following issuance of Agricultural Development Revenue Bonds by the Family Farm Development Authority because the indicated interest rate of 18% was considered excessive, but did agree that approval would be granted if the negotiated interest rate does not exceed 15%;

- Borrower: Lawrence W. Davis
Principal Amount: \$125,000
Purpose: Purchase 353 acres farmland, equipment for truck
operation and facilities
Maturity Schedule: 240 equal annual payments at 18% per annum
Bond Purchaser: Security Federal Savings & Loan, Aiken

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

EXECUTIVE DIRECTOR: PRIVATE ACTIVITY BONDS: CEILING ALLOCATIONS

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board approved the following proposals to issue revenue bonds, and allocated a portion of the State Ceiling to each:

- (a) Local Government: Greenville County
Amount of Issue: \$500,000
Name of Project: Baker, Inc.
Employment Impact: approximately 16
Project Description: Processing ferrous and nonferrous
waste metals
(Exhibit 12)

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(b) Local Government: Town of Fountain Inn
Amount of Issue: \$500,000
Name of Project: GEN III, Inc.
Employment Impact: approximately 5 additional
Project Description: manufacture stainless steel food service
equipment
(Exhibit 13)

In this same motion, the Board approved the following proposal to issue revenue bonds on the condition that the required reviews are completed with satisfactory results, and allocated a portion of the State Ceiling to the project:

Local Government: Jasper County
Amount of Issue: \$2,000,000
Name of Project: Pearlstine Distributors Inc.
Employment Impact: 65
Project Description: Distribution facility
(Exhibit 14)

The Board received as information a status report on the State Ceiling as of August 8, 1985, (year elapsed 60%) which showed:

	<u>CY 1985 Ceiling</u>	<u>Allocated</u>	<u>(%)</u>	<u>Not Allocated</u>	<u>(%)</u>
State Pool	\$198,000,000	\$ 1,690,000	(1%)	\$196,310,000	(99%)
Local Pool	<u>297,000,000</u>	<u>125,219,730</u>	(42%)	<u>171,780,270</u>	(58%)
Total	\$495,000,000	\$126,909,730	(25%)	\$368,090,270	(75%)

Information relating to this matter has been retained in these files and is identified as Exhibits 12 through 14, respectively.

EXECUTIVE DIRECTOR: CEILING ALLOCATION EXTENSIONS

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board granted 60-day extensions (to November 9, 1985) to the life of the ceiling allocation granted for the Richland County Mills Partners project, \$5,600,000; and for the Lexington County Wellington Synthetic project, \$1,500,000.

Information relating to this matter has been retained in these files and is identified as Exhibit 15.

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FAMILY FARM DEVELOPMENT AUTHORITY: CEILING ALLOCATION EXTENSION

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board granted a 60-day extension to the life of the \$35,000 ceiling allocation to the Family Farm Development Authority (W & W Farms project).

Information relating to this matter has been retained in these files and is identified as Exhibit 16.

SPARTANBURG COUNTY: WOODRUFF HEALTH CARE CENTER PROJECT

Mr. Eric B. Amstutz of the Wyche Burgess, Freeman and Parham firm and a representative of the Atlanta CPA firm of Pannell Kerr Forster appeared before the Board on this matter.

Mr. Amstutz had advised by letter that the resolution adopted by the Board at the August 8 meeting granting conditional approval to this project states that the issuer will secure payment of the bonds by the execution and delivery to a national banking association, as trustees for the holders of the bonds, of an indenture granting certain rights to the trustee. He requested that the Board amend the August 8 resolution to permit a state bank to act as trustee with respect to these bonds.

A second part of this item related to the review of the financial feasibility of the project conducted by the State Auditor's Office. That office reviewed a preliminary draft of a feasibility study for the project prepared by Pannell Kerr Forster, Certified Public Accountants, Atlanta. The Auditor's Office indicated that its review study produced no indications that would cause it to dispute any of the assumptions, estimates or forecast information contained in the study but the State Auditor's Office does express the belief that there are several factors which cause this project to carry a higher element of risk. The principal one cited is that the project will not be eligible initially to serve patients under the Medicaid program because of the State's moratorium on the certification of Medicaid nursing home beds. This means that the project initially will use only 44 of the 88 available beds for skilled and intermediate care of nursing home patients. The remaining 44 beds are expected to be used as "community residential care facility beds" with estimated daily rates of about \$28 which are substantially less than the rates expected to be realized from the regular nursing home patients.

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The State Auditor's Office concluded that, while the project appears to have a higher element of risk (and assuming that the final official statement will contain all disclosures appearing in the preliminary statement reviewed by the Auditor's Office), relying upon the assumptions, estimates and forecasts prepared by Pannell Kerr Forster in their feasibility study, the project will generate sufficient revenues to meet the debt service requirements of the proposed bond issue. The auditors do note that this conclusion is heavily reliant upon certain assumptions and estimates and that there is no assurance that the actual revenue will, in fact, equal the levels forecasted.

The auditors also took note of certain transactions among interested or related parties which are disclosed in the preliminary copy of the official statement on this project.

Executive Director Putnam called the Board's attention to information in the preliminary official statement indicating that one of the principal suppliers to this project is under indictment. He stated that he knew of no firm reason not to approve the proposal. Board Attorney Joe Wilson noted that various matters had been disclosed.

Following this discussion, upon a motion by Senator Dennis, seconded by Mr. Patterson, the Board adopted a resolution amending the resolution adopted on August 8, 1985, relating to the Spartanburg County Woodruff Health Care Center project and received as information the results of the review of the feasibility study on the project by the State Auditor's Office.

Information relating to this matter has been retained in these files and is identified as Exhibit 17.

EXECUTIVE DIRECTOR: CEILING ALLOCATION POOL SHIFT

The Board was reminded that, on April 9, 1985, it had approved an allocation of \$6,250,000 for the Hampton County Southland Exchange project. That allocation was considered to have been made from the Local Pool because, at that time, it was not made clear that the solid waste disposal facility to be constructed is an "exempt facility" as defined in Section 103(b)(4)(E) of the Internal Revenue Code, as amended.

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The Board was further advised, that, because the project is is an "exempt facility" as defined in the Internal Revenue Code, the allocation should have been made from the State Agency and Exempt Facilities Pool.

Upon a motion by Mr. Patterson, seconded by Mr. Mangum, the Board authorized staff to restore \$6,250,000 of the State Ceiling to the Local Pool and to allocate \$6,250,000 from the State Agency and Exempt Facilities Pool for the Hampton County Southland Exchange project approved initially on April 9, 1985.

Information relating to this matter has been retained in these files and is identified as Exhibit 18.

[SECRETARY'S NOTE: Senator Dennis excused himself from the meeting at this point.]

GOVERNOR'S OFFICE: CIVIL CONTINGENT FUND ALLOCATION

The Governor's Office requested an allocation of \$18,500 from the Civil Contingent Fund for an economic development booklet.

The Board was advised that, last year, the Governor's Office had commissioned Chernoff-Silver and Associates to prepare an economic development booklet designed to cast a new image of South Carolina.

At the time the project was commissioned, the cost was estimated at \$25,000. Additional costs of approximately \$10,000 resulted from hiring professional photographers and from design decisions. Approximately \$16,500 has been raised from agencies associated with the development of the booklet.

The Governor's Office requested an allocation for the remaining \$18,500 so the project can be completed in time for the Governor's foreign trade mission in September and so that Chernoff-Silver can be reimbursed for expenses incurred.

Upon a motion by Mr. Patterson, seconded by Mr. Mangum, the Board allocated \$18,500 from the Civil Contingent Fund to the Governor's Office for the preparation of an economic development booklet.

Information relating to this matter has been retained in these files and is identified as Exhibit 19.

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GOVERNOR'S OFFICE: CIVIL CONTINGENT FUND REQUEST

The Governor's Office Division of Employment and Training requested an allocation of \$21,500 from the Civil Contingent Fund for an audit exception.

The total costs questioned under three contracts (South Carolina Commission for Farmworkers, Inc.) was \$124,728. As a result of a hearing before the administrative law judge on October 28, 1982, that amount was reduced to \$38,846. Division attorneys and Department of Labor representatives have agreed that \$21,500 is to be repaid.

Governor Riley noted that, before he became Governor, there were some \$72 million of audit exceptions in this area. He indicated that that now has been reduced to just over \$300,000 and that it appears that the \$300,000 will have to be paid.

Upon a motion by Mr. Patterson, seconded by Mr. Mangum, the Board allocated \$21,500 from the Civil Contingent Fund to the Governor's Office, Division of Employment and Training, for an audit exception (Commission for Farmworkers).

Information relating to this matter has been retained in these files and is identified as Exhibit 20.

GOVERNOR'S OFFICE: ENERGY EFFICIENCY STANDARD

Governor's Office staff member David Reid appeared before the Board on this matter.

The Governor's Office, Energy Division proposed that the Board adopt the following resolution directing the development of an energy efficiency standard for certain government buildings:

Whereas, total funds appropriated to state agencies for light, power and heat are estimated to be more than \$62.9 million; and

Whereas, the Budget and Control Board recognizes that state government expenditures for energy are rising at a rapid rate; and

Whereas, the energy costs resulting from a building's design and its heating, lighting, cooling and ventilation equipment are significant costs during the life of a building; and

Whereas, rising energy costs, inefficient building design and inefficient heating, lighting, cooling and ventilation equipment waste state money and erode efforts by state government to meet the legitimate needs of the state; and

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Whereas, properly designed buildings and energy efficient heating, lighting, cooling and ventilation equipment greatly reduce energy consumption, often with substantial money savings over the life of the building;

Now, Therefore, Be It Resolved by the South Carolina Budget and Control Board that the South Carolina Energy Office is hereby requested to develop a proposed "Energy Efficiency Standard for State Government Buildings" in coordination with the Governor's Division of Energy and Environment, the Joint Legislative Committee on Energy, the Department of Education and the Division of General Services' Office of Energy Management.

Upon completion of the proposed standards, they shall be submitted to the Budget and Control Board for its consideration as proposed regulations.

Upon a motion by Mr. Patterson, seconded by Mr. Mangum, the Board adopted the resolution authorizing the Energy Office (now a part of the Public Service Authority) to develop an energy efficiency standard for State government buildings in coordination with the Governor's Office Division of Energy and Environment, the Joint Legislative Committee on Energy, the Department of Education, and the Division of General Services, with the proposed standards to be submitted to the Board as proposed regulations.

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

BUDGET DIVISION: HEALTH & HUMAN SERVICES FINANCE PROGRAM RESTRUCTURE

Appearing before the Board on this matter were Budget Division staff members Curtis Holt and Ed Brophy and Health and Human Services Finance Commission staff members Gwen Power and Carol Waldo.

Mr. Holt indicated that the Health and Human Service Finance Commission is asking for Board approval of the restructuring of its programs so as to combine six existing programs into three.

In response to Governor Riley's question about the availability of detailed data if this restructuring is approved, the group appearing before the Board indicated that such detail data would be available through various reports.

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In response to Executive Director Putnam's question regarding the complaints and sources of complaints if this is approved, Budget Division staff member Brophy expressed the view that providers probably will like it and that fewer transfer requests would be required.

Mr. Putnam noted that the General Assembly had split out the line items as they presently are and Mr. Brophy expressed the view that provider line items will still be in place and that the Board won't get flack from the proposed revision. HHSFC staff member Gwen Power indicated that each provider still will have a line item identification.

Mr. Patterson expressed some reservation about the proposal but all of the staff persons from the Budget Division and the HHSFC agreed that no problem would be presented by the proposed restructuring.

In response to Mr. Mangum's inquiry as to why the restructuring is proposed, staff indicated that the change will make monitoring of the activity easier. Mr. Mangum noted that his Committee probably will want the information broken down even more than it is presently and Governor Riley noted that detail will still be available with it being merged for budgetary purposes.

Upon a motion by Mr. Patterson, seconded by Mr. Mangum, the Board authorized the Health and Human Services Finance Commission to restructure its programs as follows:

- (a) Combine Contracted Day Care with the other Social Services Block Grant Contractual Services;
- (b) Merge Medically Needy, AFDC Expansion, AFDC Unemployed Parent & Inpatient Hospital Prospective Payments into the Regular Medicaid Program; and
- (c) Combine Community Long Term Care (CLTC) Expanded Eligibility with CLTC-Home and Community Based Services.

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

[SECRETARY'S NOTE: Senator Dennis rejoined the meeting at this point.]

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HUMAN RESOURCE MANAGEMENT: UNCLASSIFIED EMPLOYEES SALARY (CLEMSON)

Division Director Phyllis Mayes appeared before the Board on this matter.

The Division advised that Clemson is requesting authorization to hire Hugh Joseph Clausen in a position of Assistant to the President at a salary of \$62,000 annually. The Division advised that the proposed salary is 10.85% above the midpoint of the Executive Compensation System position salary range (which is \$44,745 to \$67,118).

The Division noted that Mr. Clausen retired from the Army as a Major General and that he has an extensive legal and management background. The Division further noted that the requested salary is in line with similar management positions at Clemson University and is considered warranted.

The Board was reminded that this item had been carried over at the August 8 meeting.

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board authorized Clemson University to employ Hugh Joseph Clausen as Assistant to the President and to pay him initially \$62,000 annually.

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

HUMAN RESOURCE MANAGEMENT: HOUSING AUTHORITY AGENCY HEAD SALARY

Division Director Phyllis Mayes appeared before the Board on this matter.

The Division advised that the Board of Commissioners of the State Housing Authority has recommended a salary of \$46,670 for Mr. Linwood H. Ransom, Jr., upon his appointment as Executive Director, effective August 1, 1985.

The Division indicated that Mr. Ransom's qualifications and experience exceed the minimum requirements for the position and that the salary range is \$39,669 minimum, midpoint \$46,670, and maximum \$53,670. Mr. Ransom's current salary is \$39,190. The line-item appropriation for the position for 1985-86 is \$48,064.

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board approved \$46,670 as the annual salary for the new agency director for the State Housing Authority.

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

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Regular Session -- August 27, 1985 -- Page 25

MEDICAL UNIVERSITY; MENTAL HEALTH: ON-CALL PAY

Human Resource Management Division Director Phyllis Mayes appeared before the Board on this matter.

The Medical University requested approval of the addition of the following two additional classes to its on-call pay policy approved by the Board on December 2, 1982: Cardiovascular Technician (4956); and Cardiovascular Technician Supervisor (4957).

MUSC stated that these are needed to assist in handling the consistent and growing requirement for emergency catheterizations in Pediatric Cardiology.

The Department of Mental Health requested that the following 12 additional classes be added to their on-call pay policy which was approved by the Board on October 19, 1984:

Addiction Specialist I	(5311)
Addiction Specialist II	(5312)
Addiction Specialist III	(5313)
Psychologist I	(5531)
Psychologist II	(5532)
Psychologist III	(5533)
Psychologist IV	(5534)
Clinical Chaplain I	(5361)
Clinical Chaplain II	(5362)
Clinical Laboratory Technician I	(4926)
Nurse Clinician	(4024)
Clinical Nurse Specialist	(4072)

The Department noted that, of these classes, the following are to be eligible for on-call pay in the Community Mental Health Services only:

Addiction Specialist I	(5311)
Addiction Specialist II	(5312)
Addiction Specialist III	(5313)
Psychologist I	(5531)
Psychologist II	(5532)
Psychologist III	(5533)
Psychologist IV	(5534)
Clinical Chaplain I	(5361)
Clinical Chaplain II	(5362)

After being advised that staff will assess the on-call pay policies of State agencies in view of the Fair Labor Standards Act, upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board authorized the addition of the following two classes to the Medical University on-call pay policy:

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Cardiovascular Technician and Cardiovascular Technician Supervisor; and approved the addition of the following 12 classes to the on-call pay policy of the Department of Mental Health: Addiction Specialist I, II, III; Psychologist I, II, III, IV; Clinical Chaplain I, II; Clinical Laboratory Technician I; Nurse Clinician; and Clinical Nurse Specialist; with the following classes to be eligible for on-call pay in the Community Mental Health Services only: Addiction Specialist I, II, III; Psychologist I, II, III, IV; Clinical Chaplain I, II.

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

HUMAN RESOURCE MANAGEMENT: SALARY SCHEDULES FOR UNCLASSIFIED EMPLOYEES

Division Director Phyllis Mayes appeared before the Board on this matter.

The Board was advised that the Education Improvement Act provides for each State agency having certified instructional personnel to receive an allocation based on the following formula:

Each State agency shall receive such funds as are required to adjust the pay of all certified instructional personnel to the appropriate salary provided by the salary schedules of the surrounding school districts.

The Division recommended approval of the following salary schedules for unclassified teachers for the 1985-86 school year, and recommends that each teacher be placed on the salary schedules commensurate with number of years of teaching experience:

- a. School for the Deaf and the Blind: 7% increase (located in Spartanburg District 7; proposed schedule coincides with Spartanburg District 7 schedule);
- b. Wil Lou Gray Opportunity School: average 7% increase (located in Lexington District 2 and surrounded by Lexington Districts 1, 4, and 5 and Richland District 1);
- c. John de la Howe School: 6.5% increase (located in McCormick School District and surrounded by Abbeville and Greenwood Districts 51 and 52).

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board approved salary schedules for unclassified teachers for the 1985-86 school

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year, and authorized placement of each teacher on the salary schedules commensurate with number of years of teaching experience for:

- (a) School for the Deaf and the Blind: 7% increase
- (b) Wil Lou Gray Opportunity School: average 7% increase
- (c) John de la Howe School: 6.5% increase.

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

MOTOR VEHICLE MANAGEMENT: FUEL ECONOMY PRODUCTS AND DEVICES POLICY

Division Director Allan Spence appeared before the Board on this matter.

The Division proposed that all testing of motor vehicle fuel economy products and devices be the responsibility of that Division and that the Board policy provide that no State agency may test or evaluate any fuel economy product or device without the approval of the Director of the Division.

The proposed policy also indicates that the State will not test or evaluate these products or devices unless there is a reasonable assumption that they will be cost-effective and legally acceptable. The suggested policy outlines the requirements products or devices must meet to be considered for testing and evaluation by the State.

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board adopted the policy proposed by the Division of Motor Vehicle Management relating to fuel economy products and devices and authorized the Division to publish instructions for implementing this policy.

Information relating to this matter has been retained in these files and is identified as Exhibit 27.

MOTOR VEHICLE MANAGEMENT: MAINTENANCE LABOR RATES

Division Director Allan Spence appeared before the Board on this matter.

The Division advised that the results of a cost allocation study it conducted which was reviewed by the Board's Internal Audit Unit indicate that the maintenance labor rate should be \$23.50 per hour effective July 1, 1985.

The rate has been \$17.50 since July, 1982. The Division indicated that the average local rate is \$30 per flat rate hour.

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Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board approved \$23.50 per hour as the maintenance labor rate for the Motor Vehicle Management Division's maintenance shop effective July 1, 1985.

Information relating to this matter has been retained in these files and is identified as Exhibit 28.

GENERAL SERVICES: INTEREST RATES, EQUIPMENT ACQUISITION

The Division of General Services and the State Treasurer's Office recommended approval of the following interest rate for equipment acquisition:

University of South Carolina: sole source procurement from Varian Associates of 2 Spectrometers, Models XL-300 and XL-400, to be used in the Magnetic Resonance Laboratory of the Chemistry Department. The total amount to be financed, including sales tax, is \$600,000 and will be financed over a 60-month period, interest rate 7.35%, Southern National Leasing.

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board approved the referenced interest rate.

Information relating to this matter has been retained in these files and is identified as Exhibit 29.

GENERAL SERVICES: PROCUREMENT CODE EXEMPTION

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board, in accord with Procurement Code §11-35-710, exempted from the purchasing procedures the acquisition of historical artifacts, weapons, flags, firearms, etc., which are rare and reasonably priced in the judgment of the Confederate Relic Room and Museum staff.

Information relating to this matter has been retained in these files and is identified as Exhibit 30.

MENTAL RETARDATION: PAYMENT OF MOVING EXPENSES

The Department of Mental Retardation advised that it has been attempting for almost a year to recruit a Director of Diagnostic and Evaluation Services at the Pee Dee Center in Florence.

Dr. Arlene DeRienzo of Columbus, Ohio has been recruited, and Commissioner Charles D. Barnett by letter requested authorization to pay \$500 toward her moving costs.

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Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board authorized the Department of Mental Retardation to pay \$500 toward the moving costs of Dr. Arlene DeRienzo who has been recruited as Director of Diagnostic and Evaluation Services at the Pee Dee Center in Florence.

Information relating to this matter has been retained in these files and is identified as Exhibit 31.

EXECUTIVE DIRECTOR: PERMANENT IMPROVEMENT PROJECTS

Upon a motion by Senator Dennis, seconded by Mr. Patterson, the Board added to the agenda and approved the following permanent improvement project establishment requests and budget revisions which have been reviewed favorably by the Joint Bond Review Committee:

(a) On Summary 3-86:

- Item 2, Budget & Control Board-Information Resource Management, F10-////, Sumter Street Building Telecommunications Main Switch, establish project and source of funds, \$275,000 of Other (Revenue) funds;
- Item 3, Budget & Control Board-Information Resource Management, F10-////, Telecommunications Equipment Rooms, establish project and source of funds, \$300,000 of Other (Revenue) funds;
- Item 6, Technical & Comprehensive Education, H59-8318, Tri County Tec Student Center, increase budget to \$1,504,974 by adding \$75,000 of Federal funds and \$179,922 of Other (Local) funds;

(b) On Summary 4-86:

- Item 7, Technical & Comprehensive Education, H59-8298, Horry-Georgetown Hodges Tourism Education Center, increase budget to \$2,000,000 by adding \$500,000 of Other (Local) funds;
- Item 10, Mental Retardation, J16-8933, Central Office Building, to change source of funds, total budget \$2,500,000, subtract \$500,000 of Excess Debt Service funds and add \$500,000 of Other (Medicaid Operating) funds;
- Item 11, Criminal Justice Academy, N20-8066, Classroom Wing, increase budget to \$925,000 by adding \$425,000 of Other (fines and forfeitures) funds;

Information relating to this matter has been retained in these files and is identified as Exhibit 32.

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Regular Session -- August 27, 1985 -- Page 30

HUMAN RESOURCE MANAGEMENT: UNCLASSIFIED SALARY INCREASE ABOVE 12%

The Division advised that the colleges, universities and technical education have recommended 318 unclassified employees for salary increases that exceed 12% which range from 12.16% to 100%, as follows:

- (a) College of Charleston: 18 salary increases (7 for intradepartmental equity and merit; 1 for intradepartmental equity, promotion and merit; and 10 for promotion and merit). Increases range from 12.2% to 19.1%.
- (b) Citadel: 9 salary increases (5 for merit and salary enhancement, Department of Electrical Engineering; 3 for merit; and 1 for promotion and merit). Increases range from 13.2% to 19.1%.
- (c) Lander College: 11 salary increases (8 for equity and adjustments; 3 for promotion and equity adjustments). Increases range from 16.4% to 29.5%.
- (d) S.C. State College: 2 salary increases (1 for equity adjustment; 1 for promotion and assumption of administrative duties). Increases range from 14.95% to 19.47%.
- (e) Winthrop College: 3 salary increases (1 for exceptional performance; 1 for increased responsibility and internal equity; 1 for change of status, promotion and internal equity). Increases range from 14.7% to 20%.
- (f) Clemson University: 12 salary increases (3 for employees contracted under Intergovernmental Personnel Act; 3 for equity adjustments; 5 for promotion; 1 for assuming additional administrative duties). Increases range from 14.6% to 29.8%.
- (g) Medical University: 12 salary increases (7 for promotion; 5 for merit and equity adjustments). Increases range from 13.4% to 100%. (One raise of 100% requested for an employee initially hired as a trainee at half salary.)
- (h) USC: 104 salary increases (62 for merit and equity adjustments; 34 for merit and promotion; 5 for merit and administrative supplements; 3 for merit, promotion and equity adjustments). Increases range from 12.16% to 64.84%.
- (i) Technical Education: 147 salary increases (140 for labor market adjustments; 6 for internal equity; 1 for promotion and equity). Increases range from 13.6% to 30%.

Upon a motion by Senator Dennis, seconded by Mr. Patterson, the Board approved the referenced salary increases as proposed for 318 unclassified employees at the various colleges and universities and Technical and Comprehensive Education with increases ranging from 12.16% to 100%.

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HUMAN RESOURCE MANAGEMENT: UNCLASSIFIED SALARY INCREASE ABOVE 12%

The Division advised that the colleges, universities and technical education have recommended 318 unclassified employees for salary increases that exceed 12% which range from 12.16% to 100%, as follows:

- (a) College of Charleston: 18 salary increases (7 for intradepartmental equity and merit; 1 for intradepartmental equity, promotion and merit; and 10 for promotion and merit). Increases range from 12.2% to 19.1%.
- (b) Citadel: 9 salary increases (5 for merit and salary enhancement, Department of Electrical Engineering; 3 for merit; and 1 for promotion and merit). Increases range from 13.2% to 19.1%.
- (c) Lander College: 11 salary increases (8 for equity and adjustments; 3 for promotion and equity adjustments). Increases range from 16.4% to 29.5%.
- (d) S.C. State College: 2 salary increases (1 for equity adjustment; 1 for promotion and assumption of administrative duties). Increases range from 14.95% to 19.47%.
- (e) Winthrop College: 3 salary increases (1 for exceptional performance; 1 for increased responsibility and internal equity; 1 for change of status, promotion and internal equity). Increases range from 14.7% to 20%.
- (f) Clemson University: 12 salary increases (3 for employees contracted under Intergovernmental Personnel Act; 3 for equity adjustments; 5 for promotion; 1 for assuming additional administrative duties). Increases range from 14.6% to 29.8%.
- (g) Medical University: 12 salary increases (7 for promotion; 5 for merit and equity adjustments). Increases range from 13.4% to 100%. (One raise of 100% requested for an employee initially hired as a trainee at half salary.)
- (h) USC: 104 salary increases (62 for merit and equity adjustments; 34 for merit and promotion; 5 for merit and administrative supplements; 3 for merit, promotion and equity adjustments). Increases range from 12.16% to 64.84%.
- (i) Technical Education: 147 salary increases (140 for labor market adjustments; 6 for internal equity; 1 for promotion and equity). Increases range from 13.6% to 30%.

Upon a motion by Senator Dennis, seconded by Mr. Patterson, the Board approved the referenced salary increases as proposed for 318 unclassified employees at the various colleges and universities and Technical and Comprehensive Education with increases ranging from 12.16% to 100%.

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Information relating to this matter has been retained in these files and is identified as Exhibit 33.

HUMAN RESOURCE MANAGEMENT: UNCLASSIFIED SALARY INCREASES (WILDLIFE DEPT.)

The Division advised that the Department of Wildlife and Marine Resources is asking for salary increases for 11 unclassified scientists ranging from 7.98% to 15.05%.

The Division indicated that funds were appropriated for 1985-86 for reallocation of the unclassified scientific positions within the Marine Resources Division. That appropriation was made on the basis that, while these positions are at the Ph.D. level and are comparable to 12-month faculty positions, the average salaries for Marine Resources Division scientists were considerably lower than those of comparable faculty positions.

Upon a motion by Senator Dennis, seconded by Mr. Patterson, the Board approved salary increases for 11 unclassified employees of the Wildlife and Marine Resources Department ranging from 7.98% to 15.05%.

Information relating to this matter has been retained in these files and is identified as Exhibit 34.

STATE TREASURER: COLLEGE OF CHARLESTON ACQUISITION OF SEARS PROPERTY

The Board received as information a report that the State Treasurer will provide the Board with a corrected description of the property involved in the College of Charleston acquisition of the Sears property.

FUTURE MEETING

The Board agreed to hold a regular meeting at 12:15 p.m. on Thursday, September 12, 1985, in 148-149 Dennis Building following budget hearings.

EXECUTIVE SESSION

Mr. Putnam advised that one contractual (property) item and one grievance item had been proposed for consideration in executive session and requested that the Board add one item relating to legal advice on a contractual matter to the executive session agenda.

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Regular Session -- August 27, 1985 -- Page 32

Upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board agreed to consider these items in executive session whereupon Governor Riley declared the meeting to be in executive session.

RATIFICATION OF EXECUTIVE SESSION ACTIONS

Following consideration of executive session items, the meeting was opened and, upon a motion by Mr. Patterson, seconded by Senator Dennis, the Board ratified the following actions taken during executive session:

- (1) Adopted a resolution expressing its willingness to ensure that marketable legal title to an approximately 18-acre parcel in the Carolina Research Park is transferred in accord with the contract of sale;
- (2) Approved the sale of 12.215 acres of surplus property off Highway 555 to the U.S. Aluminum and Steel Corporation for \$44,767.98; and
- (3) Authorized the Department of Corrections to appeal to the Court of Common Pleas the decisions of the Employee Grievance Committee in the Arthur Roberson and the Anthony Brown cases.

The meeting was adjourned at 1:25 p.m.

[Secretary's Note: In compliance with Section 9 of Act 593 of 1978 (the Freedom of Information Act), 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 4:45 p.m. on Friday, August 23, 1985.]

002585

EXHIBIT

AUG 27 1985 NO. 1

STATE BUDGET AND CONTROL BOARD AGENDA
MEETING OF August 27, 1985 ITEM NUMBER 1

AGENCY: General Services

SUBJECT: Right-of-way Easement; Termination of Prior Easement

The Georgetown County Water and Sewer District previously was granted an easement and a State Permit for a project involving the installation of a subaqueous wastewater discharge line below the mean high water elevation of the Waccamaw River. The District has modified the project changing the linear distance of the discharge line.

The proposed easement incorporates the new project description and a termination agreement for the prior easement.

The document has been approved by the Attorney General's Office and executed by the Georgetown County Water and Sewer District.

BOARD ACTION REQUESTED:

Approve an easement to the Georgetown County Water and Sewer District for the installation of a subaqueous wastewater discharge line below the mean high water elevation of the Waccamaw River incorporating a new project description and a termination agreement for the prior easement.

ATTACHMENTS:

Agenda item worksheet and attachments

002586

EXHIBIT

RECEIVED AUG 14 1985

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

For meeting scheduled for:

August 27, 1985

STATE BUDGET & CONTROL BOARD

☒ Blue Agenda☐ Regular Session Agenda☐ Executive Session Agenda

1. Submitted By:

(a) Agency: Division of General Services(b) Authorized Official Signature: Tony R. Ellis, Director

2. Subject:

Right-of-Way Easement and Termination of Prior Easement

3. Summary Background Information:

The Georgetown County Water and Sewer District was previously granted an easement and a State Permit in regard to a project involving the installation of a subaqueous wastewater discharge line below the mean high water elevation of the Waccamaw River. The District has modified said project thereby changing the linear distance of the subaqueous wastewater discharge line.

The attached easement has been prepared incorporating a new description and a termination agreement for the prior easement. This document has been reviewed and approved by the Attorney General's Office and same has been executed in duplicate by the District.

4. What is Board asked to do?

Review the proposed Easement and Termination Agreement

5. What is recommendation of the Board Division involved?

Approve and execute the proposed Easement and Termination Agreement.

6. Recommendation of other office (as required)?

(a) Office Name _____ Authorized
(b) Signature _____

7. Supporting Documents:

<u>List Those Attached</u>	<u>List Those Not Attached But Available from Submitter</u>
1. Original Easement and Termination Agreement (5 Pages) 2 originals.	
2. Plat dated 5/3/85	

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EXHIBIT

AUG 27 1985 NO. 1

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

EASEMENT AND TERMINATION OF STATE BUDGET & CONTROL BOARD
PRIOR EASEMENT

THIS AGREEMENT, made and entered into this ____ day of August, 1985, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter called STATE), and Georgetown County Water and Sewer District, as Grantee (hereinafter called DISTRICT),

WITNESSETH:

WHEREAS, the DISTRICT is a body corporate and politic of perpetual succession created by the General Assembly under Act #733 of the 1967 Acts and Joint Resolutions, to acquire, construct and operate water and sewer systems. The DISTRICT'S mailing address is Post Office Drawer E, Georgetown, South Carolina, 29442; and,

WHEREAS, the District proposes to construct a subaqueous waste-water discharge line below the mean high water elevation of the Waccamaw River in Georgetown County, South Carolina. The subaqueous waste-water discharge line and easement area are more particularly shown and delineated on a plat entitled "A PERMANENT EASEMENT PASSING THROUGH A CANAL AND INTO THE WACCAMAW RIVER" made by Albert Heatley, Jr., Registered Surveyor of Davis & Floyd, Inc., dated May 3, 1985, which is attached hereto and incorporated herein by reference as Exhibit A.

WHEREAS, pursuant to Section 1-11-90 of the South Carolina Code of Laws for 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and marshlands for construction, operation, and maintenance of waste-water discharge lines over, on, or under such land or marshland as are owned by the STATE; and,

WHEREAS, the DISTRICT is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Georgetown County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as grantor, in consideration of the sum of ONE (\$1.00) DOLLAR and other valuable considerations, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto the DISTRICT, its successors and assigns, a right of way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Georgetown County and lying below the mean high water line:

002588

EXHIBIT

AUG 27 1985

NO. 1

STATE BUDGET & CONTROL BOARD

This easement of right of way shall be used solely for the purposes incidental with the construction, installation, operation and maintenance of a 24" diameter effluent discharge force main below the mean high water elevation of the Waccamaw River in Georgetown County, South Carolina. Said easement area is more particularly described as follows:

A twenty (20) foot permanent easement lying ten (10) feet on each side of a traverse line from Point D to Point F on plat hereinafter referred to. Commencing at a point located on the northwest right of way of River Oaks Drive and 0.32 miles northwest of Live Oak Drive, designated as Point A. Thence turning and running north 44 degrees 41 minutes 46 seconds west, a distance of two hundred thirty and sixty-eight hundredths (230.68) feet measured along the property line of Rose and John Gallup and Randall and Suzanne Grant to Point B, an iron pin. Thence turning and running north 15 degrees 30 minutes 51 seconds east, a distance of thirty-nine and forty-four hundredths (39.44) feet measured along the property of Rose and John Gallup and the property of M. E. Hinds, Buddy R. Stanley, and David W. Williams to Point C, a traverse point. Thence turning and running north 22 degrees 13 minutes 33 seconds west, a distance of fifty-nine and sixty-two hundredths (59.62) feet measured along property of M. E. Hinds, Buddy R. Stanley, and David W. Williams to Point D, a traverse point, the point of beginning. Thence running north 22 degrees 13 minutes 33 seconds west, a distance of thirty-five and no hundredths (35.00) feet through the property of the State of South Carolina, to Point E, a traverse point. Thence turning and running north 73 degrees 45 minutes 00 seconds west, a distance of nine hundred twenty-three and no hundredths (923.00) feet measured through the property of the State of South Carolina to the Waccamaw River, to Point F.

The subaqueous waste-water discharge line and easement area are more particularly shown and delineated on a plat entitled "A PERMANENT EASEMENT PASSING THROUGH A CANAL AND INTO THE WACCAMAW RIVER", made by Robert Heatley, Jr., Registered Surveyor with Davis & Floyd, Inc. dated May 3, 1985, which is attached hereto and incorporated herein by reference as Exhibit A.

EXHIBIT

AUG 27 1985

NO. 1

STATE BUDGET & CONTROL BOARD

This easement of right of way is subject to all easements and rights of way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

The DISTRICT hereby agrees and covenants with the STATE that the DISTRICT, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. The DISTRICT shall use the easement area solely for the purposes incidental with the construction, operation, and maintenance of said subaqueous waste-water discharge line and shall maintain such easement area and waste-water discharge line in good condition.

The DISTRICT further agrees and covenants that the DISTRICT shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including but not limited to, reasonable costs and attorney's fees resulting in personal injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

The DISTRICT WILL COMPLY WITH AND BE BOUND BY ANY AND ALL APPLICABLE STATE STATUTES, REGULATIONS, AND TERMS AND CONDITIONS OF ANY PERMITS OR AGREEMENTS CONCERNING THIS PROJECT AND ANY AND ALL LANDS AND WATERS INVOLVED THEREWITH.

This Easement may be terminated by the State, in its discretion and such interests as the STATE may have shall revert to the STATE if the DISTRICT, its successors and assigns: (1) quits and abandons all use of such subaqueous waste-water discharge line, in which case this easement of right of way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

002590

EXHIBIT

AUG 27 1985 NO. 1

STATE BUDGET & CONTROL BOARD

IT IS FURTHER UNDERSTOOD AND AGREED that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right.

IT IS FURTHER UNDERSTOOD AND AGREED that, in consideration of the execution and delivery of this easement by the STATE, the DISTRICT does hereby relinquish, release, terminate and end any and all rights granted to it under easement heretofore made and entered into by and between the parties hereto on the 1st day of June, 1985, executed in accordance with action of the South Carolina Budget & Control Board at its meeting held on June 25, 1985, and recorded in the office of the Clerk of Court for Georgetown County on July 2, 1985 in deed book 227 at page 932.

IN WITNESS WHEREOF, this instrument is being executed on behalf of the State of South Carolina Budget and Control Board pursuant to action of the South Carolina Budget and Control Board at its meeting on 27th day of August, 1985; and on behalf of the Georgetown County Water and Sewer Commission, a body politic under the Laws of the State of South Carolina.

IN THE PRESENCE OF:

Carol M. Hesser
William A. McAnis

Jacqueline C. White
Christine M. Jones

STATE OF SOUTH CAROLINA BUDGET AND
CONTROL BOARD:

BY: Richard W. Riley
Governor Richard W. Riley

GEORGETOWN COUNTY WATER AND SEWER
DISTRICT:

By: Robert E. Barker
Robert E. Barker, Executive Director

ATTORNEY GENERAL'S OFFICE:

APPROVED: Kenneth B. Wynn

EXHIBIT

AUG 27 1985

NO. 1

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA

COUNTY OF GEORGETOWN

PERSONALLY appeared before me, Christine M. Jones
who, on oath, deposes and says that he/she saw the within named Georgetown
County Water and Sewer District, by its executive director, Robert E. Barker,
sign, seal and as its act and deed deliver the within written Easement and
termination of prior easement; and that he/she, along with Jacqueline C. White
witnessed the execution thereof.

SWORN to before me this
30th. day of July, 1985

Christine M. Jones

Jacqueline C. White (SEAL)
Notary Public for South Carolina
My commission expires: July, 1991

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

PERSONALLY appeared before me, William A. McInnis
who on oath deposes and says that he/~~she~~ saw the within named State of South
Carolina, Budget and Control Board, by Governor Richard W. Riley, sign,
seal and as its act and deed deliver the within written easement and Termination
of Easement, and that he/~~she~~, along with Katherine M. Hepfer
witnessed the execution thereof.

SWORN to before me this
27th day of August, 1985

William A. McInnis

Anna A. Williams (SEAL)
Notary Public for South Carolina
My commission expires: 5/3/89

C02592

EXHIBIT

AUG 27 1985

NO. 2

STATE BUDGET AND CONTROL BOARD STATE BUDGET & CONTROL BOARD
MEETING OF August 27, 1985 BLUE AGENDA
ITEM NUMBER

2

AGENCY: Attorney General's Office

SUBJECT: Teel v. Town of Bluffton

The Attorney General's Office advises of the receipt of a Summons and Complaint in the challenge to the Town of Bluffton industrial revenue bonds issue (Bluffton Oyster Company project).

Mr. David C. Eckstrom, Assistant Attorney General, will be representing the Board in this matter.

BOARD ACTION REQUESTED:

Receive as information a report of the receipt of a Summons and Complaint re Teel v. Town of Bluffton.

ATTACHMENTS:

Eckstrom August 16 letter to McInnis

002593

AUG 19 1985

The State of South Carolina



Office of the Attorney General

EXHIBIT

AUG 27 1985

NO. 2

STATE BUDGET & CONTROL BOARD

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE 803-758-2072

August 16, 1985

William A. McInnis
Deputy Executive Director
Budget & Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Re: Teel v. Town of Bluffton

Dear Bill:

Pursuant to our telephone conversation today, enclosed is a copy of the Summons and Complaint with Acknowledgement of Service in the above challenge to the Town of Bluffton IRB issue. We are today accepting service of the Summons and Complaint on behalf of the Board. I have been assigned to represent the Board in this matter. I will keep you informed of all developments in the case.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "David", written over a faint circular stamp.

David C. Eckstrom
Assistant Attorney General

DCE/cr

Enclosures

002594

EXHIBIT

AUG 27 1985

NO. 2

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

STATE BUDGET & CONTROL BOARD
IN THE COURT OF COMMON PLEAS

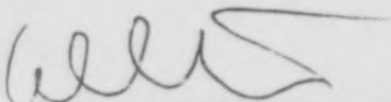
Leslie M. Teel,)
Plaintiff,)
vs.)

85-CP-7-1062

ACKNOWLEDGEMENT OF SERVICE

Town of Bluffton, Town Council)
of Bluffton, George C. Heyward)
Mayor of the Town of Bluffton)
and Chairman of the Town)
Council of Bluffton, J.B.)
Hilderbrand, Paul C. Pinckney,)
Dean Poucher, Abraham Mitchell)
Individually and as Members)
of the Town Council of)
Bluffton, The Bluffton Oyster)
Company, Jerry H. Reeves, III,)
Roberts Vaux, J. Walton Harper)
Dan Cramer, George William)
Harrell, Jr., Individually as)
Developers of the Bluffton)
Oyster Company, South Carolina)
Budget and Control Board,)
Defendants.)

Due and legal service of the Summons and Complaint in
the above-entitled action is hereby acknowledged, and a copy
thereof retained the 2nd day of August, 1985.



DAVID C. ECKSTROM
Attorney for Defendant South
Carolina Budget and Control Board

002595

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS FOR
THE FOURTEENTH JUDICIAL CIRCUIT

85-CP-7-1062

LESLIE M. TEEL,
Plaintiff,

v.

EXHIBIT

AUG 27 1985 NO. 2

STATE BUDGET & CONTROL BOARD

TOWN OF BLUFFTON, TOWN COUNCIL)
OF BLUFFTON, GEORGE C. HEYWARD, MAYOR)
OF THE TOWN OF BLUFFTON AND CHAIRMEN OF)
THE TOWN COUNCIL OF BLUFFTON, J.B. HILDEBRAND,)
PAUL C. PINCKNEY, DEAN POUCHER, ABRAHAM MITCHELL,)
INDIVIDUALLY AND AS MEMBERS OF THE TOWN COUNCIL)
OF BLUFFTON, THE BLUFFTON OYSTER COMPANY, JERRY H.)
REEVES, III, ROBERTS VALIX, J. WALTON HARPER, DAN)
CRAMER, GEORGE WILLIAM HARRELL, JR., INDIVIDUALLY)
AS DEVELOPERS OF THE BLUFFTON OYSTER COMPANY,)
SOUTH CAROLINA BUDGET AND CONTROL BOARD,)
Defendants.

S U M M O N S

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this Action, a copy of which is hereby served upon you, and to serve a copy of your Response to the said Complaint on the subscriber at his office, 1 Chamber of Commerce Drive, Suite B, Hilton Head Island, South Carolina 29928, within Thirty (30) days after service hereof, exclusive of the day of such service; and if you fail to Answer the Complaint within the time aforesaid, the Plaintiff in this Action will apply to the Court for the relief demanded in the Complaint.

LAW OFFICES OF GIBBES & GIBBES

By: Brian P. Gibbs
Brian P. Gibbs,
Attorney for the Plaintiff

Hilton Head Island, South Carolina

Dated: This 5th day of July, 1985.

002596

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

IN THE COURT OF COMMON PLEAS FOR
THE FOURTEENTH JUDICIAL CIRCUIT

LESLIE M. TEEL,
Plaintiff,

v.

TOWN OF BLUFFTON, TOWN COUNCIL)
OF BLUFFTON, GEORGE C. HEYWARD, MAYOR)
OF THE TOWN OF BLUFFTON AND CHAIRMEN OF)
THE TOWN COUNCIL OF BLUFFTON, J.B. HILDEBRAND,)
PAUL C. PINCKNEY, DEAN POUCHER, ABRAHAM MITCHELL,)
INDIVIDUALLY AND AS MEMBERS OF THE TOWN COUNCIL)
OF BLUFFTON, THE BLUFFTON OYSTER COMPANY, JERRY H.)
REEVES, III, ROBERTS VAUX, J. WALTON HARPER, DAN)
CRAMER, GEORGE WILLIAM HARRELL, JR., INDIVIDUALLY)
AS DEVELOPERS OF THE BLUFFTON OYSTER COMPANY,)
SOUTH CAROLINA BUDGET AND CONTROL BOARD,)
Defendants.)

EXHIBIT

AUG 27 1985 NO. 2

STATE BUDGET & CONTROL BOARD

COMPLAINT (Non-Jury)

The Plaintiff, complaining of the Defendants above named, would respectfully allege that:

1. Plaintiff is a resident and citizen of the Town of Bluffton, County of Beaufort, State of South Carolina.

2. Defendant Town of Bluffton is a municipality organized and existing under the laws of the State of South Carolina, County of Beaufort.

3. Defendant, Town Council of Bluffton, is, upon information and belief, the governing Board of the Town of Bluffton, in power to regulate the location and use of buildings, structures and land in the Town of Bluffton, Beaufort County, South Carolina.

4. Defendants George C. Heyward, J. B. Hildebrand, Paul C. Pinckney, Dean Poucher, and Abraham Mitchell, upon information and belief, are members of the Town Council of Bluffton and actively involved in the management of the affairs of the Town of Bluffton.

5. Defendant Bluffton Oyster Company, upon information and belief, is a Corporation organized and existing under the laws of the State of South Carolina, County of Beaufort.

6. Defendants Jerry H. Reeves, III, Roberts Vaux, J. Walton Harper, Dan Cramer and George William Harrell, Jr., upon information and belief, are Officers, Directors, and Shareholders actively involved in the management of the affairs of the Defendant Bluffton Oyster Company.

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7. Defendant South Carolina Budget and Control Board, hereinafter referred to as the "State Board", is empowered, pursuant to § 4 29 140, Code of Laws of South Carolina, 1976 (as amended), to approve the issuance of Industrial Development Bonds after review of a Petition by a governing Board, after an independent investigation as it deems advisable and a finding that the project is intended to promote the purposes of the Industrial Development Projects Statute, § 4 29 10, et. seq., and is reasonably anticipated to effect such result. The State Board is further required to publish Notice of Approval of any Bond Issue by the State Board at least once in a newspaper having general circulation in the County where the project is to be located.

8. Upon information and belief, since the Bluffton Oyster Company has begun its existence, the individual Defendants described in paragraph 6 have been appointed and nominated, and directed themselves as Members of the Board of Directors of the Bluffton Oyster Company; and have controlled, dominated, and dictated the acts of the Bluffton Oyster Company with respect to the policies and conduct of the Defendant Bluffton Oyster Company and they continue to control, dominate, and dictate said acts. These individual Defendants as Directors, Officers, and key management Shareholders of the Defendant Bluffton Oyster Company, as set forth above, by virtue of their acceptance of their respective offices and management control, are fiduciaries for the Defendant Bluffton Oyster Company and its Shareholders.

9. The Defendant governing Board of the Town of Bluffton, and its individual members, has passed resolutions authorizing the execution and delivery of an Assistance Agreement by and between the Town of Bluffton and the Bluffton Oyster Company, to issue industrial Development Registered Revenue Bonds or Notes in the principal amount not exceeding Five Hundred Thousand Dollars (\$500,000.00) to develop the Bluffton Oyster Company and operate an oyster processing facility previously owned and operated by the Bluffton Oyster Cooperative, Inc.; and has petitioned the State Board for approval of such Bonds.

10. The Defendant State Board, upon information and belief, has approved the issuance of the Industrial Development Registered Revenue Bonds or Notes; but, upon further information and belief, has not published the required notice in a local newspaper.

11. The Defendant Bluffton Oyster Company, as well as its individual Defendant Shareholders, have proposed development of a seafood processing facility in Bluffton, South Carolina, which is contrary to law and the Development Standards Ordinance of Beaufort County as well as the Bluffton Zoning Ordinance.

12. The Defendant Town Council of Bluffton, and its individual members have approved said development as proposed.

13. The Defendant State Board, upon information and belief, has abused its discretion in failing to make an adequate independent investigation of the proposed project and in finding that said project will promote the purposes of State law or effect such result since said project would be contrary to State law and the Development Standards Ordinance of Beaufort County as well as the Bluffton Zoning Ordinance.

14. That the Defendant Town Council of Bluffton, and its individual Defendant members, as well as the State Board, by approving a Bond Issue in support of, as well as development of the Bluffton Oyster Company and a seafood processing facility have violated State law, the Development Standards Ordinance of the County of Beaufort and the Bluffton Zoning Ordinance, in the following particulars, inter alia;

(a) The proposed Bluffton Oyster Company and Oyster seafood processing facility would constitute a prohibited non conforming development in that the prior use of the subject property as an Oyster Factory, being a tolerated non conforming use, discontinued for a period of Thirty (30) days or more and, therefore, such a new non conforming use would be in violation of the Development Standards Ordinance for Beaufort County, South Carolina;

(b) In order to render the Bluffton Oyster Company a profitable venture, expansion of the non conforming use both physically and by increased intensity would be required in violation of the DSO for Beaufort County and the Bluffton Zoning Ordinance;

(c) Operation of an Oyster Factory as a non conforming use would constitute a public nuisance;

(d) Valuation of the land upon which the proposed Oyster and seafood Factory would be located has been grossly under valuated in violation of State law;

(e) The Bluffton Oyster Company does not, and upon information and belief, cannot obtain the required permits to harvest oysters;

(f) The proposed Bluffton Oyster Company and oyster and seafood facility would constitute an increase in non conforming use even greater than that allowed the defunct Bluffton Oyster Cooperative, Inc., since the Defendant Company intends to process other seafoods besides oysters;

(g) The resolution of the Town Council of Bluffton purports to repeal all orders, resolutions, ordinances and parts thereof in conflict with the resolution approving development of the Bluffton Oyster Company and the oyster and seafood processing facility when, in fact, the Bluffton Town Council has no such power;

(h) The Bluffton Oyster Company cannot, under the Bluffton Zoning Ordinance, utilize the subject land in the non conforming fashion proposed.

15. Throughout the process which has resulted in approval resolutions and petition for a Bond Issue to fund the Bluffton Oyster Company, the Defendant Bluffton Oyster Company, and its individual shareholders, and the Town Council of Bluffton, and its individual members, have conspired to violate State law as well as the Development Standards Ordinance for Beaufort County and the Bluffton Zoning Ordinance.

16. The Defendant State Board has issued its approval of the Bond Issue in violation of State law, the DSO for Beaufort County and the Bluffton Zoning Ordinance.

002599

17. The Plaintiff has made repeated demands on the Defendants to remedy the problems created by the approval and subsequent potential funding and development of the Bluffton Oyster Company operation, and the Defendants have failed to do so.

18. Plaintiff is informed and believes that as a citizen bringing this Action, he is entitled to recover all reasonable litigation costs, including Attorney's fees from the Defendants.

WHEREFORE, the Plaintiff, on behalf of himself as a citizen of the Town of Bluffton, demands judgement be entered herein that:

1. The Defendant Town of Bluffton, through its governing Board, revoke approval of the Bluffton Oyster Company operation and the Bond Issue.

2. The Defendants, and each of them, account for their acts as the Town Council of Bluffton, as proposed developers of the Bluffton Oyster Company and the State Board;

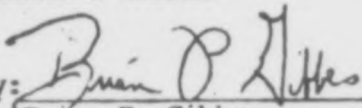
3. The Defendant Town Council of Bluffton immediately remedy and rectify all actions which have been taken contrary to law and the best interests of the citizens of the Town of Bluffton, Beaufort County and the State of South Carolina, by revoking approval of the Bluffton Oyster Company operation and the Bond Issue;

4. The Defendant Bluffton Oyster Company, and each individual shareholder, be enjoined from operating the Bluffton Oyster Company as a non conforming use of residential property;

5. The Defendant State Board's approval of the Bond Issue be enjoined and the State Board immediately revoke its approval of the Bond Issue;

6. Plaintiff have such other and further relief as may be just and proper with costs and disbursements of this Action, including the fair, reasonable, and substantial allowance for Attorney's fees and other lawful expenses in connection with the prosecution of this Action.

GIBBES & GIBBES

By: 
Brian P. Gibbs

Hilton Head Island, South Carolina

Dated: This 9th day of July, 1985.

002600

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

V E R I F I C A T I O N

BEFORE the undersigned notary public, personally appeared Leslie M. Teel, who being duly sworn, deposes and says:

That he is the Plaintiff in this Action.

That he has read the within Summons and Complaint, and those matters alleged therein are true of his own knowledge, except those alleged to be upon information and belief; and as to them, he believes them to be true.

Leslie M. Teel
Leslie M. Teel

Sworn to before me this

2nd day of July, 1985.

Brian O. Hiles (L.S.)
NOTARY PUBLIC FOR SOUTH CAROLINA

EXHIBIT

AUG 27 1985 NO. 2

STATE BUDGET & CONTROL BOARD

My commission expires: July 18, 1994.

002601

EXHIBIT

AUG 27 1985

NO. 3

STATE BUDGET AND CONTROL BOARD
MEETING OF AUGUST 27, 1985

STATE BUDGET & CONTROL BOARD
BLUE AGENDA
ITEM NUMBER

3

AGENCY: Executive Director

SUBJECT: Permanent Improvement Projects

- A. The following permanent improvement project on Summary 3-86 has been reviewed favorably by the Joint Bond Review Committee and approved by staff:
Item 5, Technical & Comprehensive Education, H59-7084, Piedmont-Health Tec Phase 5, increase budget to \$2,405,671.50 by adding \$83,466 of Other (Local) funds.
- B. The following permanent improvement projects have been approved by staff and Joint Bond Review Committee review is not required:
- (1) On Summary 3-86:
- Item 14, Adjutant General, E24-7004, Georgetown Armory, to close project, expenditures now equal total budget of \$986,867.50.
 - Item 15, Adjutant General, E24-7262, Greer Armory, to close project, expenditures now equal total budget of \$1,198,959.34.
 - Item 16, Adjutant General, E24-8042, Consolidated Storage Size Building, to close project, expenditures now equal total budget of \$176,000.
 - Item 17, Adjutant General, E24-8345, Mullins Pre-Engineering Metal Building, to close project, expenditures now equal total budget of \$50,000.
 - Item 18, Adjutant General, E24-8386, McEntire Runway Resurface, to close project, expenditures now equal total budget of \$106,624.
 - Item 19, Budget & Control Board-General Services, F12-7023, Blatt & Cressette Buildings, decrease budget to \$21,878,758.91 by subtracting \$17,000 of Capital Improvement Bond funds.
 - Item 20, Budget & Control Board-General Services, F12-8640, Middleton Building Front Steps Repair, decrease budget to \$41,100 by subtracting \$4,400 of Other (Depreciation Reserve) funds.
 - Item 21, Budget & Control Board-General Services, F12-8712, Blatt Building Renovation, increase budget to \$352,000 by adding \$17,000 of Capital Improvement Bond funds.
 - Item 22, Budget & Control Board-General Services, F12-8713, Wade Hampton Basement Renovations, increase budget to \$49,400 by adding \$4,400 of Other (Reimbursable) funds.
 - Item 23, Clemson University, H12-8612, Littlejohn Coliseum-Indoor Track Installation, decrease budget to \$52,800 by subtracting \$7,200 of Athletic funds.
 - Item 24, Lander College, H21-7043, Handicapped Accommodations, decrease budget to \$479,145 by subtracting \$30,000 of Capital Improvement Bond funds.

002602

EXHIBIT

AUG 27 1985 NO. 3

STATE BUDGET AND CONTROL BOARD BUDGET & CONTROL BOARD AGENDA
MEETING OF AUGUST 27, 1985 ITEM NUMBER

3

, Page 2

AGENCY: Executive Director

SUBJECT: Permanent Improvement Projects

- Item 25, Winthrop College, H47-7065, Handicapped Access, decrease budget to \$1,257,323.45 by subtracting \$199,576.54 of Capital Improvement Bond funds.
- Item 26, Winthrop College, H47-7862, Retrofit/Energy Conservation, increase budget to \$2,041,572.07 by adding \$65,226.54 of Capital Improvement Bond funds.
- Item 27, Winthrop College, H47-8188, Withers Elevator/Fire Stairs, change source of funds, subtract \$65,226.54 of Capital Improvement Bond funds, add \$199,576.54 Capital Improvement Bond funds and subtract \$134,350 of Excess Debt Service funds.
- Item 28, Technical & Comprehensive Education, H59-8694, Electrical System Modification, decrease budget to \$0.00 by subtracting \$49,500 of Other (Local) funds.

(2) On Summary 4-86:

- Item 14, Adjutant General, E24-7012, Hampton Armory, increase budget to \$1,263,855.85 by adding \$2,900.08 of Capital Improvement Bond funds.
- Item 15, Adjutant General, E24-8025, North Charleston Armory, decrease budget to \$2,042,099.92 by subtracting \$2,900.08 Capital Improvement Bond funds.
- Item 16, USC-Columbia, H27-7321, Wade Hampton Hotel, decrease budget to \$2,945,104.39 by subtracting \$54,895.61 of Revenue Bonds.
- Item 17, USC-Columbia, H27-7935, Caroliniana Library, decrease budget to \$110,000 by subtracting \$70,000 of Excess Debt Service (Tuition) funds.
- Item 18, USC-Columbia, H27-8363, Housing Renovations, increase budget to \$622,895.61 by adding \$54,895.61 of Revenue Bond funds.
- Item 19, Educational TV, H67-7085, Greenwood Transmitter, to close project, expenditures now equal total budget of \$1,037,999.
- Item 20, Mental Retardation, J16-8527, Pee Dee-Support Facility Phase IV, establish project, total budget \$1,800,000 of Departmental Capital Improvement Bond funds.
- Item 21, Mental Retardation, J16-8529, Whitten-Laundry Renovations, decrease budget to \$1,215,250 by subtracting \$85,000 of Excess Debt Service funds.
- Item 22, Mental Retardation, J16-8534, Coastal-Dorm D1/D2 Renovate & Improve, establish project, total budget of \$1,000,000 of Departmental Capital Improvement Bond funds.
- Item 23, Clemson University PSA, P20-7730, Pesticide Storage Facilities, increase budget to \$84,000 by adding \$52,000 of Capital Improvement Bond funds.

002603

EXHIBIT

AUG 27 1985

NO. 3

STATE BUDGET AND CONTROL BOARD
MEETING OF AUGUST 27, 1985 STATE BUDGET & CONTROL BOARD

BLUE AGENDA
ITEM NUMBER

3, Page 3

AGENCY: Executive Director

SUBJECT: Permanent Improvement Projects

- Item 24, Wildlife & Marine Resources, P24-8595, Berkeley Duck Pond Landing, increase budget to \$66,131 by adding \$6,006 of Other (Berkeley County Game/Fish Fund) funds.
- Item 25, Wildlife & Marine Resources, P24-8599, Berkeley-Bushy Park Boat Ramp, decrease budget to \$162,533 by subtracting \$6,006 of Other (Berkeley County Game/Fish Fund) funds.
- Item 26, Wildlife & Marine Resources, P24-8610, Lexington County-Shull Island Boat Ramp, decrease budget to \$116,650 by subtracting \$5,895 of Other (Lexington County Water Recreation Fund) funds.
- Item 27, Parks, Recreation & Tourism, P28-8331, Hunting Island Redevelopment, decrease budget to \$542,323.07 by subtracting \$45.92 of Capital Improvement Bond funds.

BOARD ACTION REQUESTED:

Receive as information.

ATTACHMENTS:

Referenced Summaries.

002604

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 2 of 9
Forwarded to JBRC 08/05/85

Item Agency: H12 Clemson University Project: 8641, Clemson House-Room 700 Renovation

4.

Action

Proposed: Increase budget from \$ 150,000.00 to \$ 390,000.00

(Add \$ 240,000.00 [6] Appropriated State, Physical Plant)

Purpose: Construct new mechanical rooms, replace and enlarge HVAC system, remove asbestos, other remedial work required by asbestos removal, including renovation activities to public spaces on seventh floor.

Ref: Supporting document pages 7-8.

CHE Approval Date: 07/17/85
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Appropriated State	240,000.00
Other	150,000.00

TOTAL FUNDS 390,000.00

Item Agency: H59 Technical & Comp Ed Project: 7084, Piedmont-Health Tec Phase V

5.

Action

Proposed: Increase budget from \$ 2,322,205.50 to \$ 2,405,671.50

(Add \$ 83,466.00 Other, Local)

Purpose: To increase construction line item to reflect low bid received July 3, 1985 and to add \$25,000 to contingency budget. Bid expires in 60 days.

Ref: Supporting document pages 9-11.

CHE Approval Date: N/A
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	1,400,000.00
Other	1,005,671.50

TOTAL FUNDS 2,405,671.50

Item Agency: H59 Technical & Comp Ed Project: 8318, Tri County-Student Center

6.

Action

Proposed: Increase budget from \$ 1,250,052.00 to \$ 1,504,974.00

(Add \$ 75,000.00 [7] Federal)

(Add \$ 179,922.00 [9] Other)

Purpose: To include necessary change orders and to lower costs of moveable equipment needed but not included in original project.

Ref: Supporting document pages 12-13.

CHE Approval Date: N/A
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Tuition Bonds	1,200,000.00
Federal	75,000.00
Other	229,974.00

TOTAL FUNDS 1,504,974.00

STATE BUDGET & CONTROL BOARD
AUG 27 1985
EXHIBIT
NO. 3

002605

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 4 of 9
Forwarded to JBRC 08/05/85

Item Agency: E24 Adjutant General Project: 7004, Georgetown Armory
14.
Action
Proposed: To close project.
(Expenditures now equal total budget of \$ 986,867.50)

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	250,479.00
Appropriated State	76,253.50
Federal	660,135.00

Purpose: To close project.

Ref: Supporting document pages 34-35.

TOTAL FUNDS 986,867.50

Item Agency: E24 Adjutant General Project: 7262, Greer Armory
15.
Action
Proposed: To close project.
(Expenditures now equal total budget of \$ 1,198,959.34)

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	379,897.44
Federal	819,061.90

Purpose: To close project.

Ref: Supporting document pages 36-37.

TOTAL FUNDS 1,198,959.34

Item Agency: E24 Adjutant General Project: 8042, Consolidated Storage Size Building
16.
Action
Proposed: To close project.
(Expenditures now equal total budget of \$176,000.00)

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount
Federal	176,000.00

Purpose: To close project.

Ref: Supporting document pages 38-39.

TOTAL FUNDS 176,000.00

Item Agency: E24 Adjutant General Project: 8345, Mullins-Pre-Eng Metal Building
17.
Action
Proposed: To close project.
(Expenditures now equal total budget of \$ 50,000.00)

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount
Federal	50,000.00

Purpose: To close project.

Ref: Supporting document pages 40-41.

TOTAL FUNDS 50,000.00

EXHIBIT
AUG 27 1985
NO. 3
STATE BUDGET & CONTROL BOARD

002606

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 6 of 9
Forwarded to JBRC 08/05/85

Item Agency: E24 Adjutant General Project: 8386, McEntire Runway Resurface

18.

Action

Proposed: To close project.
(Expenditures now equal total budget of \$ 106,624.00)

Purpose: To close project.

Ref: Supporting document pages 42-43.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed

Source	Amount
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Federal	106,624.00
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TOTAL FUNDS	106,624.00
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Item Agency: F12 B&C Bd-General Services Project: 7023, Blatt/Cressette Buildings

19.

Action

Proposed: Decrease budget from \$21,895,758.91 to \$21,878,758.91

(Subtract \$ 17,000.00 [0] Capital Improvement Bonds)

Purpose: To transfer funds to project F12-8712, Blatt Building Renovations, as requested by House Operations and Management Committee.

Ref: Supporting document pages 44-46.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/02/85

Budget After Action Proposed

Source	Amount
--------	--------

Capital Improvement Bonds	21,655,140.96
Appropriated State	223,617.95

TOTAL FUNDS	21,878,758.91
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Item Agency: F12 B&C Bd-General Services Project: 8640, Middleton Bldg-Front Steps Repair

20.

Action

Proposed: Decrease budget from \$ 45,500.00 to \$ 41,100.00

(Subtract \$ 4,400.00 [9] Other, Depreciation Reserve)

Purpose: To provide additional funds to project F12-8713 which are needed to award contract to low bidder.

Ref: Supporting document pages 47-48.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/24/85

Budget After Action Proposed

Source	Amount
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Other	41,100.00
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TOTAL FUNDS	41,100.00
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EXHIBIT

AUG 27 1985 NO. 3

STATE BUDGET & CONTROL BOARD

002607

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 7 of 9
Forwarded to JBRC 08/05/85

Item Agency: F12 B&C Bd-General Services Project: 8712, Blatt Building Renovations

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/02/85

21.

Action

Proposed: Increase budget from \$ 335,000.00 to \$ 352,000.00

(Add \$ 17,000.00 [0] Capital Improvement Bonds)

Budget After Action Proposed
Source Amount

Capital Improvement Bonds 17,000.00
Appropriated State 325,000.00
Other 10,000.00

Purpose: The original appropriations for furnishings in this renovation project was \$75,000. Upon detailed review of interior design, it was found that \$92,000 was required to furnish the space as it needs to be and it was requested by the House Operations and Management Committee that \$17,000 be transferred from project F12-7023, Capitol Complex Phase II, to this project.

Ref: Supporting document pages 49-51.

TOTAL FUNDS 352,000.00

Item Agency: F12 B&C Bd-General Services Project: 8713, Wade Hampton Basement Renovations

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/05/85

22.

Action

Proposed: Increase budget from \$ 45,000.00 to \$ 49,400.00

(Add \$ 4,400.00 [9] Other, Reimbursable)

Budget After Action Proposed
Source Amount

Other 49,400.000

Purpose: To transfer funds from F12-8640. Additional funds needed to request contract be awarded to low bid of \$46,464. Bids taken on July 17.

Ref: Supporting document pages 52-53.

TOTAL FUNDS 49,400.000

Item Agency: H12 Clemson University Project: 8612, Littlejohn Coliseum-Indoor Track Installation

CHE Approval Date: 08/02/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/02/85

23.

Action

Proposed: Decrease budget from \$ 60,000.00 to \$ 52,800.00

(Subtract \$ 7,200.00 [8] Athletic)

Budget After Action Proposed
Source Amount

Athletic 52,800.00

Purpose: To close project. \$200 cash to be transferred back to athletic operating funds and \$7,000 receivable from athletics to be cancelled.

Ref: Supporting document pages 54-55.

TOTAL FUNDS 52,800.00

002608

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 8 of 9
Forwarded to JBRC 08/05/85

Item Agency: H21 Lander College Project: 7043, Handicapped Accommodations

24.

Action

Proposed: Decrease budget from \$ 509,145.00 to \$ 479,145.00

(Subtract \$ 30,000.00 [0] Capital Improvement Bonds)

Purpose: To transfer funds to Receptions Rooms-President's House project, which were approved in 1985-86 APIP, to make these spaces handicapped accessible.

Ref: Supporting document pages 56-57.

CHE Approval Date: 07/25/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount

Capital Improvement Bonds	479,145.00
---------------------------	------------

TOTAL FUNDS 479,145.00

Item Agency: H47 Winthrop College Project: 7065, Handicapped Access

25.

Action

Proposed: Decrease budget from \$ 1,456,900.00 to \$ 1,257,323.45

(Subtract \$ 199,576.54 [0] Capital Improvement Bonds)

Purpose: To transfer funds from this project to other projects in which some of the scope of work accomplished the purpose of providing access to the handicapped to major facilities at Winthrop College.

Ref: Supporting document pages 58-59.

CHE Approval Date: 07/22/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount

Capital Improvement Bonds	1,257,323.45
---------------------------	--------------

TOTAL FUNDS 1,257,323.45

Item Agency: H47 Winthrop College Project: 7862, Retrofit/Energy Conservation

26.

Action

Proposed: Increase budget from \$ 1,976,345.53 to \$ 2,041,572.07

(Add \$ 65,226.54 [0] Capital Improvement Bonds)

Purpose: To allow for necessary work on hot water heaters which are antiquated and which are inefficient from an energy utilization standpoint.

Ref: Supporting document pages 60-61.

CHE Approval Date: 07/22/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount

Capital Improvement Bonds	2,041,572.07
---------------------------	--------------

TOTAL FUNDS 2,041,572.07

002609

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 9 of 9
Forwarded to JBRC 08/05/85

Item Agency: H47 Winthrop College Project: 8188, Withers Elevator/Fire Stairs

27.

Action

Proposed: Change source of funds.

(Subtract \$ 65,226.54 [0] Capital Improvement Bonds)
(Add \$ 199,576.54 [0] Capital Improvement Bonds)
(Subtract \$ 134,350.00 [4] Excess Debt Service)

Purpose: The Withers Elevator project was designed to aid the handicapped in gaining access to the upper floors of the Withers Building which is the home of the School of Education. Since handicapped funds were frozen at the time of construction, other funds were used to accomplish the purposes of this project. Now that the funds in project 7065 have been released, it is appropriate to make the transfer.

Ref: Supporting document pages 62-63.

CHE Approval Date: 07/22/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/26/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	199,576.54
Other	112,423.46

TOTAL FUNDS 312,000.00

Item Agency: H59 Technical & Comp Ed Project: 8694, Electrical System Modification

28.

Action

Proposed: Decrease budget from \$ 49,500.00 to \$ 0.00

(Subtract \$ 49,500.00 [9] Other, Local)

Purpose: To cancel project. The scope of the project has changed. Equipment that was to be installed has been relocated to another area. Project is to be restudied. Funds allocated for this project will revert to institution's general fund.

Ref: Supporting document pages 64-65.

CHE Approval Date: N/A
Committee Review Date: 99/99/99
B&C Board Approval Date: 07/23/85

Budget After Action Proposed	
Source	Amount
Other	0.00

TOTAL FUNDS 0.00

002610

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
August 1, 1985 Through August 15, 1985

SUMMARY 4-86 Page 5 of 8
Forwarded to JBRC 08/19/85

Item Agency: E24 Adjutant General Project: 7012, Hampton Armory

14.

Action

Proposed: Increase budget from \$ 1,260,955.77 to \$ 1,263,855.85

(Add \$ 2,900.08 [0] Capital Improvement Bonds)

Purpose: Due to legal ramifications, caused by Contractor, these funds are needed to settle and close this project. Transfer funds from E24-8025.

Ref: Supporting document pages 50-51.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/12/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	423,418.82
Federal	840,437.03

TOTAL FUNDS 1,263,855.85

Item Agency: E24 Adjutant General Project: 8025, North Charleston Armory

15.

Action

Proposed: Decrease budget from \$ 2,045,000.00 to \$ 2,042,099.92

(Subtract \$ 2,900.08 [0] Capital Improvement Bonds)

Purpose: To transfer funds to E24-7012, Hampton Armory.

Ref: Supporting document pages 52-53.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/12/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	809,099.92
Federal	1,233,000.00

TOTAL FUNDS 2,042,099.92

Item Agency: H27 USC-Columbia Project: 7321, Wade Hampton Hotel

16.

Action

Proposed: Decrease budget from 3,000,000.00 to \$ 2,945,104.39

(Subtract \$ 54,895.61 [3] Revenue Bonds)

Purpose: To close project and transfer remaining funds to H27-8363.

Ref: Supporting document pages 54-55.

CHE Approval Date: 08/14/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/16/85

Budget After Action Proposed	
Source	Amount
Revenue Bonds	2,945,104.39

TOTAL FUNDS 2,945,104.39

Item Agency: H27 USC-Columbia Project: 7935, Caroliniana Library

17.

Action

Proposed: Decrease budget from \$ 180,000.00 to \$ 110,000.00

(Subtract \$ 70,000.00 [4] Excess Debt Service, Tuition)

Purpose: Decrease funds for this project and transfer them to H27-8501.

Ref: Supporting document pages 56-57.

CHE Approval Date: 08/14/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/16/85

Budget After Action Proposed	
Source	Amount
Excess Debt Service	10,000.00
Other	100,000.00

TOTAL FUNDS 110,000.00

EXHIBIT
AUG 27 1985 NO. 3
STATE BUDGET & CONTROL BOARD

002611

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
August 1, 1985 Through August 15, 1985

SUMMARY 4-86 Page 6 of 8
Forwarded to JBRC 08/19/85

Item Agency: H27 USC-Columbia Project: 8363, Housing Renovations

18.

Action

Proposed: Increase budget from \$ 568,000.00 to \$ 622,895.61

(Add \$ 54,895.61 [3] Revenue Bonds)

Purpose: To transfer funds from closed project, H27-7321.

Ref: Supporting document pages 58-59.

CHE Approval Date: 08/14/85
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/16/85

Budget After Action Proposed	
Source	Amount
Revenue Bonds	54,895.61
Excess Debt Service	568,000.00

TOTAL FUNDS 622,895.61

Item Agency: H67 Educational TV Project: 7085, Greenwood Transmitter

19.

Action

Proposed: To close project.
(Expenditures now equal total budget of \$ 1,037,999.00)

Purpose: To close project.

Ref: Supporting document pages 60-61.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/16/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	1,037,999.00

TOTAL FUNDS 1,037,999.00

Item Agency: J16 Mental Retardation Project: 8527, Pee Dee-Support Facility-Phase IV

20.

Action

Proposed: Establish project.

Total budget.....\$ 1,800,000.00
[1] Departmental Capital Imp Bonds..\$ 1,800,000.00

Purpose: Provide a better and more functional maintenance facility, a new canteen/beauty/barber shop, indoor therapy pool and warehouse facility and to demolish existing maintenance building which is military surplus. Priority group 6 new start.

Ref: Supporting document pages 62-63.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/15/85

Budget After Action Proposed	
Source	Amount
Dept Capital Imp Bonds	1,800,000.00

TOTAL FUNDS 1,800,000.00

Item Agency: J16 Mental Retardation Project: 8529, Whitten-Laundry Renovations

21.

Action

Proposed: Decrease budget from \$ 1,300,250.00 to \$ 1,215,250.00

(Subtract \$ 85,000.00 [4] Excess Debt Service)

Purpose: To transfer funds to J16-8700 to adjust for actual bids received.

Ref: Supporting document pages 64-66.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/12/85

Budget After Action Proposed	
Source	Amount
Excess Debt Service	1,215,250.00

TOTAL FUNDS 1,215,250.00

002612

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
August 1, 1985 Through August 15, 1985

SUMMARY 4-86 Page 7 of 8
Forwarded to JBRC 08/19/85

Item Agency: J16 Mental Retardation Project: 8534, Coastal-Dorm D1/D2 Renovate & Improve
22.

Action
Proposed: Establish project.

Total budget.....\$ 1,000,000.00
[1] Departmental Capital Imp Bonds..\$ 1,000,000.00

Purpose: Renovate two dormitories to convert them to four 8-bed units consisting of two 4-bed bedroom, bathroom, living/dining areas each with common support facilities. To provide automatic fire alarm/life safety systems. Priority group 6 new start.

Ref: Supporting document pages 67-68.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/15/85

Budget After Action Proposed	
Source	Amount
Dept Capital Imp Bonds	1,000,000.00

TOTAL FUNDS 1,000,000.00

Item Agency: P20 Clemson University PSA Project: 7730, Pesticide Storage Facilities
23.

Action
Proposed: Increase budget from \$ 32,000.00 to \$ 84,000.00

(Add \$ 52,000.00 [0] Capital Improvement Bonds)

Purpose: Pesticide storage facilities will be built at Cherry Farm, the Edisto Experiment Station, and the Simpson Station. The Cherry Farm structure will replace an existing substandard facility. The initial funds were for utility infrastructure at Cherry Farm and for the design of a prototype facility.

Ref: Supporting document pages 69-71.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/12/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	84,000.00

TOTAL FUNDS 84,000.00

Item Agency: P24 Wildlife & Marine Res Project: 8595, Berkeley-Duck Pond Landing
24.

Action
Proposed: Increase budget from \$ 60,125.00 to \$ 66,131.00

(Add \$ 6,006.00 [9] Other, Berkeley Cty Game & Fish Fund)

Purpose: To transfer funds from project P24-8599 to meet the minimum bid.

Ref: Supporting document pages 72-73.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/15/85

Budget After Action Proposed	
Source	Amount
Other	66,131.00

TOTAL FUNDS 66,131.00

002613

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
August 1, 1985 Through August 15, 1985

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Forwarded to JBRC 08/19/85

Item Agency: P24 Wildlife & Marine Res Project: 8599, Berkeley-Bushy Park Boat Ramp
25.

Action
Proposed: Decrease budget from \$ 168,539.00 to \$ 162,533.00

(Subtract \$ 6,006.00 [9] Other, Berkeley County Game/Fish Fund)

Purpose: To transfer funds to project P24-8595.

Ref: Supporting document pages 74-75.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/15/85

Budget After Action Proposed	
Source	Amount
Other	162,533.00

TOTAL FUNDS 162,533.00

Item Agency: P24 Wildlife & Marine Res Project: 8610, Lexington County-Shull Island Boat Ramp
26.

Action
Proposed: Decrease budget from \$ 122,545.00 to \$ 116,650.00

(Subtract \$ 5,895.00 [9] Other, Lexington Cty Water Rec Fund)

Purpose: To close project and transfer funds back to original source.

Ref: Supporting document pages 76-77.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/15/85

Budget After Action Proposed	
Source	Amount
Other	116,650.00

TOTAL FUNDS 116,650.00

Item Agency: P28 Parks, Rec, & Tourism Project: 8331, Hunting Island Redevelopment
27.

Action
Proposed: Decrease budget from \$ 542,368.99 to \$ 542,323.07

(Subtract \$ 45.92 [0] Capital Improvement Bonds)

Purpose: To correct math error.

Ref: Supporting document pages 78-79.

CHE Approval Date: Not Req'd
Committee Review Date: 99/99/99
B&C Board Approval Date: 08/12/85

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	289,086.69
Federal	253,236.38

TOTAL FUNDS 542,323.07

EXHIBIT
AUG 27 1985 NO. 3
STATE BUDGET & CONTROL BOARD

002614

EXHIBIT

AUG 27 1985 NO. 4

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

BLUE AGENDA
ITEM NUMBER

4

AGENCY: Executive Director

SUBJECT: Interviewee Travel Expense Reimbursement

The following agencies have reported on payments of interviewee travel expenses:

<u>Agency</u>	<u>Number</u>	<u>Estimated Cost</u>
(a) Lander College	4	2,335.33
(b) Francis Marion College	3	475.88

BOARD ACTION REQUESTED:

Receive as information reports on the reimbursement of interviewee travel expenses by Lander College (4), Francis Marion College (3).

ATTACHMENTS:

002615

AUG 2 1985

Lander

COLLEGE

Greenwood, South Carolina 29646

Telephone (803)229-8320

Office of Academic Affairs

DATE: July 2, 1985

EXHIBIT

TO: Oscar C. Page
Acting President

AUG 27 1985 NO. 4

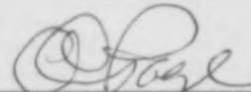
FROM: Ed Stampf
Assistant Dean

STATE BUDGET & CONTROL BOARD

Your approval is requested to invite Susan McGuigan to campus for an interview for the position of Visiting Assistant Professor of English and to pay his (her) travel expenses. The significance of this position is such that it warrants the costs of an interview. The participation of a number of Lander College persons is vital to this particular interview; therefore, the costs of bringing the candidate to the campus would be far less than would be the expense of conducting the interview at his (her) home area or elsewhere. Qualified candidates residing within South Carolina were considered before candidates from other states were sought.

Travel-----\$ 529.00
Food-----\$
Lodging-----\$ 38.00

TOTAL \$ 567.00

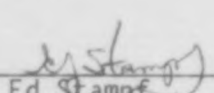
Initial Approval: Oscar C. Page
Acting PresidentDate: 7/2/85

Actual Costs:

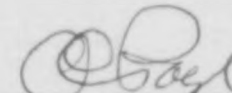
Travel-----\$ 527.66
Food-----\$
Lodging-----\$ 47.90

TOTAL \$ 575.56

APPROVAL RECOMMENDED


Ed Stampf
Assistant Dean

APPROVED


Oscar C. Page
Acting PresidentDate: 7/29/85Date: 7/29/85

002616

AUG 2 1985

Lander

COLLEGE

Greenwood, South Carolina 29646

Telephone (803)229-8320

Office of Academic Affairs

DATE: July 8, 1985

TO: Oscar C. Page
Acting President

FROM: Ed Stampf
Assistant Dean

Your approval is requested to invite Anne M. Tibbitts to campus for an interview for the position of Visiting Asst. Prof. of English and to pay his (her) travel expenses. The significance of this position is such that it warrants the costs of an interview. The participation of a number of Lander College persons is vital to this particular interview; therefore, the costs of bringing the candidate to the campus would be far less than would be the expense of conducting the interview at his (her) home area or elsewhere. Qualified candidates residing within South Carolina were considered before candidates from other states were sought.

Travel-----	\$ <u>748</u>
Food-----	\$ <u> </u>
Lodging----	\$ <u>38</u>
TOTAL	\$ <u>786</u>

Initial Approval: Oscar C. Page

Oscar C. Page
Acting President

Date: 7/8/85

Actual Costs:

Travel-----	\$ <u>593.70</u>
Food-----	\$ <u> </u>
Lodging----	\$ <u>41.73</u>
TOTAL	\$ <u>635.43</u>

APPROVAL RECOMMENDED

Ed Stampf
Ed Stampf
Assistant Dean

Date: 7/29/85

APPROVED

Oscar C. Page
Oscar C. Page
Acting President

Date: 7/29/85

002617

AUG 2 1985

Lander

COLLEGE

Greenwood, South Carolina 29646

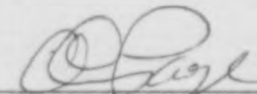
Telephone (803)229-8320

Office of Academic Affairs

DATE: June 21, 1985TO: Oscar C. Page
Acting PresidentFROM: Ed Stampf
Assistant Dean

Your approval is requested to invite Jon D. Wright to campus for an interview for the position of Visiting Assist. Prof. of English and to pay his (her) travel expenses. The significance of this position is such that it warrants the costs of an interview. The participation of a number of Lander College persons is vital to this particular interview; therefore, the costs of bringing the candidate to the campus would be far less than would be the expense of conducting the interview at his (her) home area or elsewhere. Qualified candidates residing within South Carolina were considered before candidates from other states were sought.

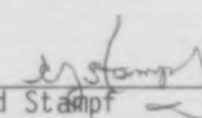
Travel-----\$ 784.20
Food-----\$
Lodging-----\$ 38.00
TOTAL \$ 822.20

Initial Approval: Oscar C. Page
Acting PresidentDate: 7/2/85

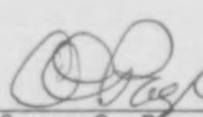
Actual Costs:

Travel-----\$ 788.36
Food-----\$
Lodging-----\$ 42.36
TOTAL \$ 830.72

APPROVAL RECOMMENDED


Ed Stampf
Assistant Dean

APPROVED


Oscar C. Page
Acting PresidentDate: 7/29/85Date: 7/29/85

002618

AUG 13 1985

Lander

COLLEGE

Greenwood, South Carolina 29646

Telephone (803)229-8320

Office of Academic Affairs

DATE: July 24, 1985

TO: Larry A. Jackson, President

FROM: Oscar C. Page

Your approval is requested to invite Barbara Heinz to campus for an interview for the position of BSN Nursing program faculty and to pay his (her) travel expenses. The significance of this position is such that it warrants the costs of an interview. The participation of a number of Lander College persons is vital to this particular interview; therefore, the costs of bringing the candidate to the campus would be far less than would be the expense of conducting the interview at his (her) home area or elsewhere. Qualified candidates residing within South Carolina were considered before candidates from other states were sought.

Travel-----	\$ 200.00
Food-----	\$ 30.00
Lodging-----	\$ 80.00
TOTAL	\$ <u>310.00</u>

Initial Approval: L.A.J.
Larry A. JacksonDate: July 25, 1985-----
Actual Costs:

Travel----	\$ 164.80
Food-----	\$ 13.65
Lodging---	\$ 115.17
TOTAL	\$ <u>293.62</u>

APPROVAL RECOMMENDED

Oscar C. Page

APPROVED

Larry A. JacksonDate: 8-7-85

Date: _____

002619

AUG - 8 1985



FRANCIS MARION COLLEGE

BOX F7500, FLORENCE, SOUTH CAROLINA 29501-0056 / (803) 669-4121

Office of the Vice President
for Academic Affairs and
Dean of the College

June 14, 1985

EXHIBIT

AUG 27 1985

NO. 4

TO: President Thomas C. Stanton

STATE BUDGET & CONTROL BOARD

FROM: William C. Moran

Your approval is requested to invite Dr. Ronald L. Marshall to campus for an interview for the position of Assistant/Associate Professor of Business Administration (Computer Information Services) and to pay his travel expenses. The significance of this position is such that it warrants the costs of an interview. Further, the participation of a number of Francis Marion College persons is vital to this particular interview; therefore the costs of bringing Dr. Marshall to the campus would be far less than would be the expense of conducting the interview at his home area or elsewhere. As is our usual policy, candidates residing within South Carolina were considered before candidates from other states were sought.

Estimated Costs:

Travel-----	\$ 610.00
Food-----	18.00
Lodging-----	55.00
TOTAL	\$ 683.00

William C. Moran
Dean of the College

Initial Approval:

Date: 6/15/85

Actual Costs:

Travel-----	\$ 402.00 ✓
Food-----	
Lodging-----	27.82 ✓
TOTAL	\$ 429.82

APPROVAL RECOMMENDED
Date 7-25-85

APPROVED:
Date 7/26/85

PEX
8/11/85

002620

JUN 17 1985

AUG 14 1985



FRANCIS MARION COLLEGE

BOX F7500, FLORENCE, SOUTH CAROLINA 29501-0056 / (803) 669-4121

Office of the Vice President
for Academic Affairs and
Dean of the College

June 21, 1985

TO: President Thomas C. Stanton
FROM: William C. Moran

Your approval is requested to invite Ms. Jacqueline Lauby to campus for an interview for the position of Temporary Instructor of English and to pay her travel expenses. The significance of this position is such that it warrants the costs of an interview. Further, the participation of a number of Francis Marion College persons is vital to this particular interview; therefore, the costs of bringing Ms. Lauby to the campus would be far less than would be the expense of conducting the interview at her home area or elsewhere.

Estimated Costs:

Travel-----	\$ 30.00
Food-----	18.00
TOTAL	\$ 48.00

William C. Moran
William C. Moran
Dean of the College

Initial Approval
Date *6/21/85*

Actual Costs:

Travel-----	\$ 8.00
Food-----	
TOTAL	\$ 8.00

APPROVAL RECOMMENDED
DATE *7-31-85*

APPROVED
DATE *8/1/85*

8/6/85

002621

BOX F7500, FLORENCE, SOUTH CAROLINA 29501-0056 / (803) 669-4121

May 1, 1985

FROM: William C. Moran

Estimated Costs:

Travel-----	\$ 294.00
Food-----	18.00
Lodging-----	55.00
TOTAL	\$ 367.00

AUG 27 1985 NO. 4

STATE BUDGET & CONTROL BOARD

William C. Moran
William C. Moran
Dean of the College

Initial Approval

Date:

Actual Costs:

Travel-----	\$	
Food-----		27.82
Lodging-----		10.24
TOTAL	\$	38.06

APPROVAL RECOMMENDED
DATE 8-1-15

APPROVED
DATE

MAY 02 1985

002622

EXHIBIT

AUG 27 1985

NO. 5

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

3

AGENCY: Fire Marshal Appeal Panel

SUBJECT: Columbia North Wilkes Youth Home

A Fire Marshal Inspection Order dated January 16, 1985, was issued regarding Columbia North Alston Wilkes Youth Home. The Order was appealed to the Fire Marshal Appeal Panel, which makes the following recommendation:

The Panel recommends that the requested variance be granted as to the "dead-end" feature of the main hallway on the condition that at least one window in each of the bedrooms which exit into the hallway remain operable at all times.

BOARD ACTION REQUESTED:

Affirm the findings and recommendation of the Fire Marshal Appeal Panel in an appeal by Columbia North Alston Wilkes Youth Home and incorporate the recommendation into the following Order:

The Board recommends that the requested variance be granted on condition that at least one window in each bedroom be operable at all times.

ATTACHMENTS:

Gambrell August 7 letter to Cross plus attachments

002623

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

DECISION BY SOUTH CAROLINA
STATE BUDGET AND CONTROL BOARD

Decision Re: Columbia North Alston Wilkes Youth Home
701 Pisgah Church Road
Columbia, South Carolina

Decision on Appeal from State Budget and Control Board Regulation
19-312 as a result of a Fire Marshal Inspection Order dated
January 16, 1985.

The South Carolina State Budget and Control Board at its
meeting held August 27, 1985, reviewed the Findings and
Recommendations of the South Carolina State Fire Marshal Appeal
Panel in this matter.

The Board recommends that the requested variance be granted
on condition that at least one window in each bedroom be operable
at all times.

Let a copy of this Decision and a copy of the Findings and
Recommendations of the Fire Marshal Appeal Panel be forwarded to
Columbia North Alston Wilkes Youth Home, 701 Pisgah Church Road,
Columbia, South Carolina.

SOUTH CAROLINA STATE BUDGET
AND CONTROL BOARD

BY: William A. McInnis
WILLIAM A. MCINNIS, SECRETARY

Columbia, South Carolina

August 27, 1985.

002624

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 803-758-2072

EXHIBIT

AUG 27 1985 NO. 5

STATE BUDGET & CONTROL BOARD

August 7, 1985

Hettie Cross, Administrative Assistant
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

Re: Columbia North Wilkes Youth Home

Dear Hettie:

Enclosed herewith for your consideration are the original and one copy of the proposed Findings and Recommendations of the State Fire Marshal Appeal Panel regarding the above matter.

Also, enclosed herewith is a proposed Decision of the State Budget and Control Board.

With kindest regards, I am,

Sincerely yours,

A handwritten signature in dark ink, appearing to read "C. W. Gambrell, Jr.", written over a faint circular stamp.

Charles W. Gambrell, Jr.
Assistant Attorney General

CWGjr:ymk

Enclosures

002625

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

EXHIBIT

MEMORANDUM

TO: Appeal Panel Members and Alternates
FROM: Hettie Cross, Administrative Assistant *hc*
DATE: June 25, 1985
SUBJECT: COLUMBIA NORTH ALSTON WILKES YOUTH HOME

AUG 27 1985 NO. 5
STATE BUDGET & CONTROL BOARD

This is to notify you that the appeal of the Columbia North Alston Wilkes Youth Home has been scheduled for July 30, 1985 at 10:00 a.m. in Room 373 of the Edgar Brown Building, 1205 Pendleton Street, Capitol Complex, Columbia, South Carolina.

The primary members of the Panel are requested to notify this office (758-5606) in the event there is a conflict on this date, so that alternates may be notified to attend.

/hc

cc: Richard S. Campbell, State Fire Marshal
C. H. Jones, Jr., Attorney for Fire Marshal
Bill Gambrell, Attorney for Panel
Robert E. Ellison, Jr., Deputy State Fire Marshal
Mrs. Elizabeth V. Hopper, Director, Continuum of Care

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State of South Carolina
State Budget and Control Board



RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

June 10, 1985

CERTIFIED MAIL

Ms. Elizabeth V. Hopper, Director
Continuum of Care for Emotionally
Disturbed Children
Post Office Box 1598
Cayce, SC 29171

Dear Ms. Hopper:

REF: Notice of Hearing
Columbia North Alston Wilkes Youth Home

The State Fire Marshal Appeal Panel as designated by the State Budget and Control Board, Rule 19-312, Regulations, Budget and Control Board, Code of Laws, 1976, as amended, has scheduled a formal hearing at 10:00 a.m. on Tuesday, July 30, 1985, in Room 373 of the Edgar Brown Building, 1205 Pendleton Street, Capitol Complex, Columbia, South Carolina. The matter before the Appeal Panel as stated in the Appeal Request of April 30, 1985, is as follows:

S. C. Code Section:	State Statute 23-9-40
Regulation:	Standard Building Code 1104.2
Facility is appealing:	That required additional exit be waived.

This hearing will be conducted in accordance with procedures as set forth in ARTICLE 3 of the "Administrative Procedures Act," 1-23-320, et. seq., Code of Laws of South Carolina, 1976, as amended.

Please provide the undersigned with the names and addresses of any witnesses requiring subpoenas within ten days after your receipt of this letter in order that appropriate subpoenas may be issued. Any responsive

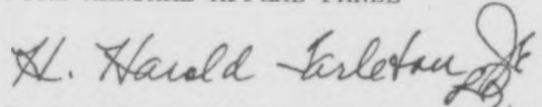
002627

Ms. Elizabeth V. Hopper
Page 2
June 10, 1985

pleadings, motions, or memoranda that you wish to submit for the Appeal Panel's consideration should be submitted to the undersigned by certified mail or hand delivered within 20 days after receipt of this notice.

Very truly yours,

FIRE MARSHAL APPEAL PANEL



H. Harold Tarleton, Jr., A.I.A.
Chairman
P. O. Box 5265
Greenville, South Carolina 29606

HHT:lq

cc: Robert E. Ellison, Jr., Rt. 2, Box 378-B, Blythewood, SC 29016
Richard S. Campbell, State Fire Marshal
Charles W. Gambrell, Attorney for Panel
C. H. Jones, Jr., Attorney for Fire Marshal
Members - Fire Marshal Appeal Panel

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State Fire Marshal Appeal Panel
P. O. Box 12444
Columbia, SC 29211

Columbia North Alston Wilkes Youth Home
(name of facility)

R. E. Ellison, Jr.

(name of inspector)

701 Pisgah Church Road

Columbia, SC

(address)

1. Date of District Fire Marshal's Inspection Report: 1/16/85
2. Description of Appeal: (S. C. Code Section: State Statute 23-9-40)
(Regulation: Standard Building Code 1104.2)

VIOLATION/WAIVER REQUEST

That required additional exit be waived

3. Fire Marshal's Review/Action: Dead ends exceeding 20 feet are not allowed
by Building Code

S/

Richard S. Campbell, P.E.

Date:

May 13, 1985

(forwarded to Appeal Panel)

For the Appeal Panel:

Date Received: _____ Date of Hearing: _____

1. Recommendation of Appeal Panel: _____

2. Rationale of Recommendation: _____

S/

Lewis B. Lee, Chairman

Date: _____

Budget and Control Action: _____ Appeal Received: _____

Date of Board Action: _____

Board Decision: _____

S/

William A. McInnis, Secretary
Budget and Control Board

Distribution: Appellant
Appeal Panel
Fire Marshal's Office

Date: _____

Nancy Perry
Secretary to
Mr. Hopper

002629

Policy Council Members:
William S. Hall, M.D., Chairperson
Rep. Parker Evatt, Vice-Chairperson
Charles D. Barnett, Ph.D.
Harry W. Davis, Jr., J.D.



Rep. Patrick B. Harris
Gordon McAndrew, Ph.D.
Sarah C. Shuptrine
James L. Solomon, Jr.
Charlie G. Williams, Ph.D.

Continuum of Care for Emotionally Disturbed Children

P.O. Box 1598 / Cayce, South Carolina 29171 / (803) 758-2393

Elizabeth V. Hopper, Director

April 30, 1985

Mr. B. Harvey Scurry
Assistant State Fire Marshal
800 Dutch Square Blvd., Suite 201
Columbia, SC 29210

Dear Mr. Scurry:

Please find attached the completed Appeal Request relevant to your department's inspection of the high management group home the Continuum operates under contract to the Alston Wilkes Society. We are most anxious to proceed with the appeal process as we will need to make any changes in the physical structure of this facility prior to the end of this fiscal year. Would you kindly schedule our appearance before the Appeal Panel at the earliest possible date?

Thank you for your assistance with this process. Please contact me or Nancy Perry, Supervisor of Residential Services, if there is anything more that we need to do. We look forward to hearing from you regarding a date for the appeal.

Sincerely,

Elizabeth V. Hopper

Elizabeth V. Hopper
Director

EVH/jm

Attachment

RECEIVED

MAY 03 1985

**DIVISION OF
STATE FIRE MARSHAL**

002620

State of South Carolina
Division of State Fire Marshal
Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



800 DUTCH SQUARE BLVD., SUITE 201
COLUMBIA, S.C. 29210
(803) 758-6612

REMBERT C. DENNIS, CHAIRMAN
SENATE FINANCE COMMITTEE

TOM G. MANGUM, CHAIRMAN
WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

RICHARD S. CAMPBELL, P.E.
STATE FIRE MARSHAL

EXHIBIT

APPEAL REQUEST

AUG 27 1985 NO. 5

STATE BUDGET & CONTROL BOARD

NAME OF FACILITY Alston Wilkes Youth Home - Columbia North

ADDRESS 701 Pisgah Church Rd. FIRE CHIEF Chief Boykin
Columbia, SC FIRE DEPT. City of Columbia,
Dentsville Station

DATE OF ORDER 1/16/85 BUILDING OFFICIAL _____

NAME OF DEPUTY STATE FIRE MARSHAL Robert E. Ellison, Jr.

REQUEST FOR APPEAL

STATE SPECIFICALLY WHAT YOU ARE APPEALING: Mandated Correction A 1:

"provide additional means of egress to offset deadend feature."

Mandated Correction A 13: "provide handicap ramp as per state regs"

Elizabeth V. Hopper 4/30/85
Signature of Appellant Date
Elizabeth V. Hopper, Director, Continuum of Care

OFFICE USE ONLY:

DATE RECEIVED IN OFFICE

DATE SENT TO
EXECUTIVE DIRECTOR'S OFFICE

002631

State of South Carolina
Division of State Fire Marshal
Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

800 DUTCH SQUARE BLVD., SUITE 201
COLUMBIA, S.C. 29210
(803) 758-6612

REMBERT C. DENNIS, CHAIRMAN
SENATE FINANCE COMMITTEE
TOM G. MANGUM, CHAIRMAN
WAYS AND MEANS COMMITTEE
WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

RICHARD S. CAMPBELL, P.E.
STATE FIRE MARSHAL

April 29, 1985

Ms. Elizabeth V. Hopper, Director
Continuum of Care for Emotionally
Disturbed Children
Post Office Box 1598
Cayce, SC 29171

RE: Facility at 701 Pisgah Church Road, Columbia

Dear Ms. Hopper:

Your letter dated April 2, 1985, states that you would like to appeal portions of Deputy R. E. Ellison's inspection order of January 16, 1985.

So that we may proceed with this request and have it scheduled to be heard before the Fire Marshal's Appeals Panel, the enclosed form must be completed and returned to this office no later than May 31, 1985.

If we may be of further assistance in this matter, please feel free to call on us.

Sincerely,

B. Harvey Scurry

B. Harvey Scurry
Assistant State Fire Marshal

BHS/pz

Enclosure

cc: R. E. Ellison, Jr., Deputy State Fire Marshal

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Policy Council Members:
William S. Hall, M.D., Chairperson
Rep. Parker Evatt, Vice-Chairperson
Charles D. Barnett, Ph.D.
Harry W. Davis, Jr., J.D.



RECEIVED
APR 16 1985

Rep. Patrick B. Harris
Gordon McAndrew, Ph.D.
Sarah C. Shuptrine
James L. Solomon, Jr.
Charlie G. Williams, Ph.D.

DIVISION OF
STATE FIRE MARSHAL
Continuum of Care for Emotionally Disturbed Children
P.O. Box 1598 / Cayce, South Carolina 29171 / (803) 758-2393

Elizabeth V. Hopper, Director

April 2, 1985

EXHIBIT

AUG 27 1985 NO. 5

STATE BUDGET & CONTROL BOARD

Mr. Richard E. Campbell, P.E.
State Fire Marshal
800 Dutch Square Blvd., Suite 201
Columbia, SC 29210

Dear Mr. Campbell:

On January 16, 1985, Mr. Robert Ellison completed a fire safety inspection on a building leased by the Continuum of Care and operated under contract with the Alston Wilkes Society as a high management group home for six males, ages 11-16 years. The building is located at 701 Pisgah Church Road in Columbia. Mr. Ellison noted several deficiencies (a copy of his report is attached) and while we are willing to correct all the deficiencies, it will be extremely difficult to make all the changes without jeopardizing even further the security of the treatment program operating there.

We are especially concerned about the reported need for another exit door in the building and asked Mr. Ellison about the possibility of being granted an exception to this regulation. Exploration of the possibility of an exception, including correspondence and telephone contacts, significantly exceeded the thirty day period allowed for an appeal. However, Mr. Ellison advised that because exceptions could be granted only through the appeal process, we could still appeal the decision. We request your assistance in arranging for the appeal process.

Our request for appeal regarding item A1 "provide additional egress to offset deadend feature" of the Inspection Order of January 16, 1985, is based on the need for security in the type of treatment program needed for severely emotionally disturbed children, the age of clients served in the facility and the availability of awake staff around the clock who can respond in any emergency situation. Mr. Ellison estimated the length of the deadend hallway, which he indicated required the additional exit door, as thirty feet in length. By our measurement it is twenty-four feet, six inches (24 ft. 6 in.) which, while it exceeds the stated regulation, may present less of a problem than was estimated, especially in view of the fact that there is awake staff at all times.

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Mr. Richard E. Campbell, P.E.
April 2, 1985
Page Two

EXHIBIT

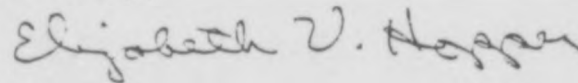
AUG 27 1985 NO. 5

STATE BUDGET & CONTROL BOARD

In addition, we request your assistance in obtaining complete information regarding the regulations applicable to this type of facility. The "Specific Requirements for Residential Care Facilities", which we have a copy of, does not address all the areas noted in Mr. Ellison's report, so we are assuming that there are other regulations as well. We anticipate development of other residential treatment programs and need to be knowledgeable about all regulations prior to leasing or constructing other buildings.

Your assistance will certainly be appreciated.

Sincerely,



Elizabeth V. Hopper
Director

EVH/jm

Enclosure

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EXHIBIT

AUG 27 1985

NO. 5

FIRE MARSHAL INSPECTION ORDER

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

IN RE:

Olston Wilkes Youth Home
(North Carolina)

NOTICE OF ORDER

CONTINUUM
OF CARE

YOU ARE HEREBY NOTIFIED that this is an official ORDER of the South Carolina State Fire Marshal stating the defects found to exist in the above-referenced structure or building, and further requiring that you as owner, agent, or person in control of said structure or building have 60 days to complete the specified repairs or improvements.

You are further notified that said owner, agent, or party in control of said building or structure may appeal this ORDER of the State Fire Marshal by serving upon the State Fire Marshal at the below address by mail or otherwise within thirty (30) days the specified grounds of appeal.

South Carolina State Fire Marshal
800 Dutch Square Blvd., Suite 201
Columbia, S.C. 29210
Phone: 758-6612

Name of Facility	<u>Columbia North A.W. Youth Home</u>	Number of Years in Operation	<u>NEW</u>	Phone #	<u>7861323</u>	Date of Inspect.	<u>1-16-85</u>
Street & No.	<u>Rt 1 Box 701A Church Rd</u>	City	<u>Columbia</u>	Zip	<u>292</u>	County	<u>RICHLAND</u>
Location:	Within City Limits <input type="checkbox"/> Out of City Limits <input checked="" type="checkbox"/> Distance Out of City Limits _____						
Name & Address of Tenant	<u>CCEDC</u>						
Name & Address of Owner	<u>DMA</u>						
Nature of Inspection	<input type="checkbox"/> Routine <input type="checkbox"/> Re-Inspect		<input checked="" type="checkbox"/> Requested Person Making Request <u>Mary Perry CCEDC</u>				
Age of Building	Height of Building	<u>14</u>	Number of Stories	Approximate Square Footage <u>1800</u>			
Type Construction: Fire Proof <input type="checkbox"/> Fire Resistive <input type="checkbox"/> Heavy Timber <input type="checkbox"/> Non-Combustible <input type="checkbox"/> Ordinary <input checked="" type="checkbox"/> Wood Frame <input type="checkbox"/> Other <input type="checkbox"/> Specify <input type="checkbox"/>							
Occupancy Category: Assembly <input type="checkbox"/> Business <input type="checkbox"/> Educational <input type="checkbox"/> Hazardous <input type="checkbox"/> Factory <input type="checkbox"/> Institutional <input type="checkbox"/> Mercantile <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Storage <input type="checkbox"/>							
Number of People using Building				Capacity of People <u>100 for 6</u>			

	ITEM	MANDATED CORRECTIONS DESCRIPTION & LOCATION	CODE
A EXITS & ESCAPES	1 Number of Exit Doors <u>2</u> Adequate: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	2 Blocked <input type="checkbox"/> Locked <input type="checkbox"/>		
	3 Exit Signs: Good <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Not Required <input checked="" type="checkbox"/>		
	4 Emergency Lights: Good <input type="checkbox"/> Unsatisfactory <input checked="" type="checkbox"/> Not Required <input type="checkbox"/>		
	5 Panic Hardware: Good <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Not Required <input checked="" type="checkbox"/>		
	6 Self-closing Device: Good <input type="checkbox"/> Unsatisfactory <input type="checkbox"/> Not Required <input type="checkbox"/>		
	7 Number of Stairways _____ Adequate: Yes <input type="checkbox"/> No <input type="checkbox"/>		
	8 Open <input type="checkbox"/> Closed <input type="checkbox"/> Wood <input type="checkbox"/> Metal <input type="checkbox"/> Masonry <input type="checkbox"/>		
	9 Number of Fire Escapes _____ Adequate: Yes <input type="checkbox"/> No <input type="checkbox"/>		
	10 Wood <input type="checkbox"/> Metal <input type="checkbox"/> Other <input type="checkbox"/> (Specify) _____		
	11 Handrails Adequate: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>		
	12 Landings Adequate: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>		
	13 Other _____		
B FIRE SYSTEMS	1 Fire Alarm: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Adequate: Yes <input type="checkbox"/> No <input type="checkbox"/>		
	2 Smoke Detectors: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Adequate: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	3 Sprinkler System: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Adequate: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	4 Standpipe System: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Adequate: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	5 Number of Fire Extinguishers _____ Adequate: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	6 Date Last Charged _____ Good <input checked="" type="checkbox"/> Unsatisfactory <input type="checkbox"/>		
	7 Fixed Hood Extinguisher System: Yes <input type="checkbox"/> No <input type="checkbox"/> Not Required <input checked="" type="checkbox"/>		
	8 Date Last Serviced _____ Adequate: Yes <input type="checkbox"/> No <input type="checkbox"/>		
	9 Other _____		
C CONST.	1 Fire Rated Corridors-Walls: Yes <input type="checkbox"/> No <input type="checkbox"/> Adequate: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	2 Fire Rated Ceilings: Yes <input type="checkbox"/> No <input type="checkbox"/> Adequate: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	3 Flame Spread Rating Adequate: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	4 Fire & Draft Stopping Adequate: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> DOORS.		
	5 Other _____		
D HEATING	1 Heating System: Gas <input type="checkbox"/> Electric <input type="checkbox"/> Oil <input checked="" type="checkbox"/> Wood <input type="checkbox"/> Other <input type="checkbox"/>		
	2 Condition: Good <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Unsatisfactory <input type="checkbox"/>		
	3 Chimneys & Flues: Metal <input type="checkbox"/> Masonry <input checked="" type="checkbox"/> NA <input type="checkbox"/>		
	4 Condition: Good <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Unsatisfactory <input type="checkbox"/>		
	5 Other _____		
EE ELEC.	1 Electrical: Good <input type="checkbox"/> Fair <input checked="" type="checkbox"/> Unsatisfactory <input type="checkbox"/>		
	2 Excessive Use of Extension Cords: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	3 Open Breakers: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	4 Covers Missing on Electrical Boxes: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	5 Proper Sized Fuses/Breakers: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
	6 Licensed Electrician Certification Required: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	7 Other _____		
F GENERAL	1 Housekeeping: Good <input checked="" type="checkbox"/> Fair <input type="checkbox"/> Unsatisfactory <input type="checkbox"/>		
	2 Excessive Storage of Combustibles: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	3 Storage Under Stairs: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	4 Flammable Liquid Storage: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
	5 Chemical Storage: Yes <input type="checkbox"/> No <input type="checkbox"/> Adequate <input checked="" type="checkbox"/>		
	6 Excessive Flammable Decorative Materials: Yes <input type="checkbox"/> No <input type="checkbox"/> Adequate <input checked="" type="checkbox"/>		
	7 Other _____		
	✓ B5	Mount fire extinguisher in kitchen area where indicated during inspection. (SBC 115.2)	
	✓ A4	Provide UL approved emergency lighting unit for hallway (stair 7-30)	
	A1	Provide additional means of egress to offset dead-end feature. Hallway is approximately 30 feet deep provide landings and handrail as necessary. (SBC 104.2)	
	C4	Provide solid core doors for bedrooms. Cit. Reg. 1-31	
	✓ B2	Provide smoke detectors for bedrooms if doors remain closed. All detectors to be open flame. (SBC 104.2) St. Reg. 1-310	
	A13	Provide handicap ramp as per state reg. 1C 19-310	
	✓ A13	To establish fire plan with fire drill every 3 months - records to be kept. (St. Reg 19-310)	

In accordance with §23-9-80, Code of Laws, South Carolina, 1976, as amended, a true copy of the ORDER was:

Delivered Personally to

James R. Thompson

as owner or occupant

exit doors to be rehinged
to swing in direction of
exit travel (SBC 115.)

Robert E. Ellison
Resident or Deputy Fire Marshal

Columbia

002635

SC 29

DATE

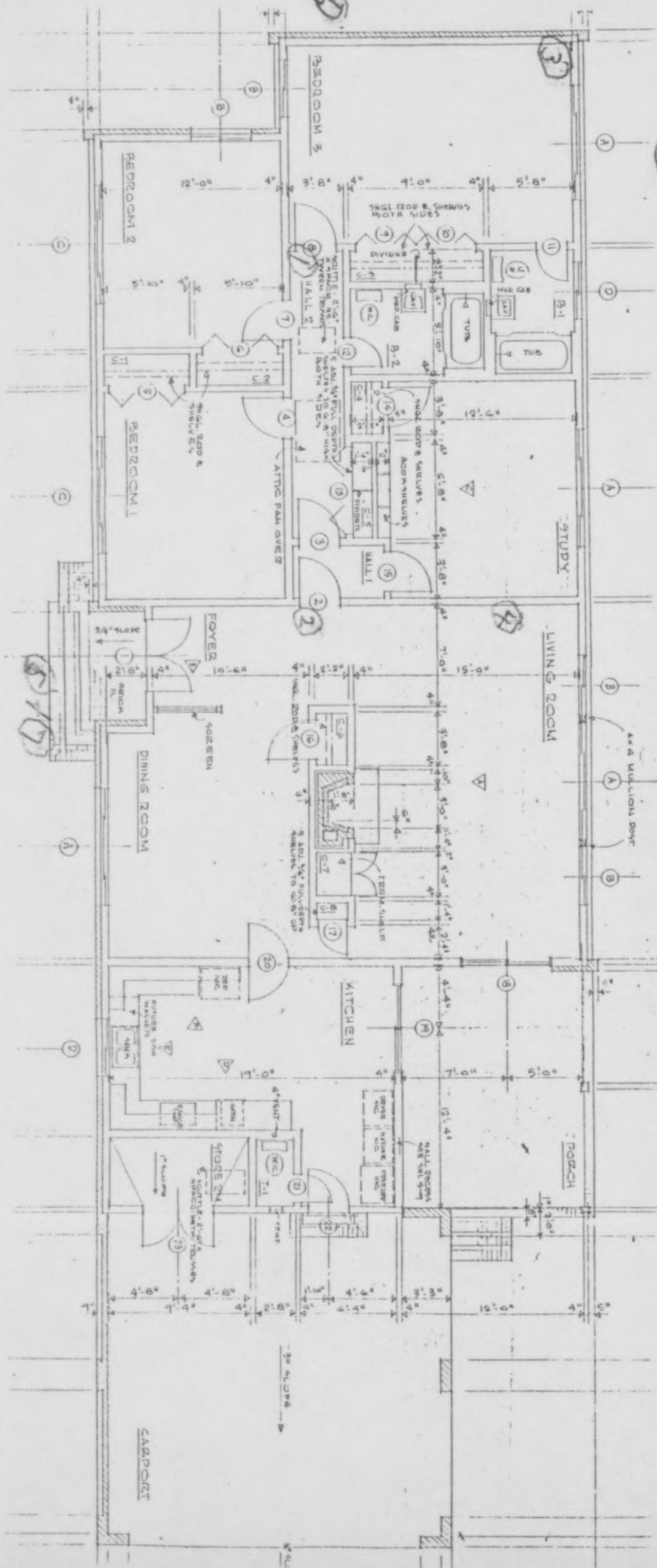
1-16-85

EXHIBIT

AUG 27 1985

NO. 5

STATE BUDGET & CONTROL BOARD



002636

EXHIBIT

AUG 27 1985

NO. 6

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
REGULAR SESSION
ITEM NUMBER

4

AGENCY: Department of Mental Health

SUBJECT: Notification of Year-End Deficit

Interim State Commissioner Condom, in accord with Section 135 of the Appropriations Act, in his August 16 letter to Governor Riley has officially notified the Board of his expectation that the Department of Mental Health will incur a year-end deficit for fiscal year 1985-86 of up to \$7.8 million. This amounts to about 5.4% of the total funds authorized and appropriated for that agency in this fiscal year.

This deficit is projected to be about \$10.5 million in 86-87.

Interim Commissioner Condom advises that, in view of the pending deficit, the Department has taken cost-saving measures (restraints on filling vacant positions and a freeze on equipment purchases not directly related to patient care). In addition, a detailed self-analysis of the Department's operations is being performed to make the most efficient use of the funds available. Some savings will result but it is not expected that this would in any way eliminate more than a small percentage of the projected deficit.

The inability to control admissions is cited as a major factor in this situation.

The attachment includes further details on the Department's situation.

The Board is asked to officially recognize the necessity for this deficit.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Extract from Appropriations Act on Section 42; Condom August 16 letter to Governor Riley plus attachment.

002637

SECTION 42
DEPARTMENT OF MENTAL HEALTH

	TOTAL FUNDS	GENERAL FUNDS
EMPLOYER CONTRIBUTIONS	18,105,347	14,448,170
TOTAL FRINGE BENEFITS	18,105,347	\$14,448,170
TOTAL STATE EMPLOYER CONTRIBUTIONS	\$ 18,105,347	\$14,448,170
	=====	=====
TOTAL EMPLOYEE BENEFITS	\$ 20,554,452	\$15,919,864
	=====	=====
IX. NON-RECURRING APPROPRIATIONS:		
OTHER OPERATING EXPENSES:		
MOTOR VEHICLE - PASSENGER EQUIPMENT		
TOTAL OTHER OPERATING EXPENSES		
	=====	=====
TOTAL NON-RECURRING APPROPRIATIONS		
	=====	=====
→ TOTAL MENTAL HEALTH	\$ 144,403,067	107,832,472
	=====	=====
TOTAL AUTHORIZED FTE POSITIONS	(5694.55)	(4464.54)
	=====	=====

$\frac{7,800,000}{144,403,067} = 5.4\%$

Provided, That all Federal Funds received by the Department of Mental Health from patients' Medicare benefits shall be considered as patient fees under the provisions of Act No. 1276 of the 1970 Acts (providing for the issuance of bonds to be repaid from patient fees) except that the Department shall remit to the General Fund of the State \$290,963 from such funds to support the appropriation for administrative costs of the collection of Medicare benefits.

Provided, Further, That notwithstanding any other provision of law and in addition to other payments provided in Part I of this act, the Department of Mental Health is hereby directed during Fiscal Year 1985-86 to remit to the General Fund of the State the amount of \$3,800,000 to be paid from the surplus funds in the paying patient account which has been previously designated for capital improvements and debt service under the provisions of Act 1276 of 1970.

Provided, Further, That notwithstanding any other provisions of law and in addition to other payments provided in Part I of this act, the Department of Mental Health is hereby authorized during the Fiscal Year 1985-86, to provide the funds budgeted herein for the \$2,000,000 and 67 positions for Community Mental Health, the \$20,000 for Autistic Children Summer Programming, the \$10,000 and 1 position for Friendship Center and the \$69,683 and 1 position for Research and Education, and \$275,228 for supplies in Crafts Farrow, and Long Term Care Center, the \$50,000 for

EXHIBIT

AUG 27 1985 NO. 6

STATE BUDGET & CONTROL BOARD



South Carolina Department of Mental Health

An Equal Opportunity Employer

P.O. Box 485 / 2414 Bull Street / Columbia, South Carolina 29202

Jaime E. Condom, M.D. / Interim State Commissioner of Mental Health
Racine D. Brown, Ph.D. / Assistant State Commissioner of Mental Health

August 16, 1985

RECEIVED

AUG 19 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Governor Richard W. Riley
Chairman, S. C. Budget & Control Board
The State House
Columbia, South Carolina 29201

Dear Governor Riley:

In accordance with Section 135 of the FY 1985-86 Appropriations Act, I am writing to officially notify you and the other members of the Budget and Control Board that the S. C. Department of Mental Health will incur a year-end deficit for FY 1985-86 of up to \$7,800,000.

As we noted in our 1986-87 budget request, this deficit is projected to be \$10,491,000 for 1986-87. For the past two fiscal years the Agency was forced to seek supplemental appropriations of \$800,000 (FY 84) and \$2,300,000 (FY 85). These deficits would have been much larger had the Department not been able to reduce them through certain actions no longer available. The more significant causes for the increase in FY 86 over FY 85 are shown in the enclosed document.

In view of the pending deficit, the Department has taken cost saving measures internally through the implementation of a restraint on filling vacant positions as well as a freeze on equipment purchases not directly related to patient care. Further, we are performing a detailed Department-wide self-analysis of our operations to root out any "fat" that may exist, in order to maximize the efficiency of the use of the dollars we do have. While we anticipate some savings in this area, we do not foresee this in any way eliminating more than a small percentage of the deficit.

Although we have several programs to reduce excessive hospital populations, we are still unable to control admissions. The resulting excess population is the primary cause of the deficiency (we currently have over 700 more patients than we are budgeted for and are thus, in effect, operating a 700 bed hospital with no budget). The Department has previously addressed the problems associated with current admission policies. It is imperative that changes to the existing statutes be effected in order to avoid overcrowding and hence understaffing.

EXHIBIT

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STATE BUDGET & CONTROL BOARD
002639

EXHIBIT

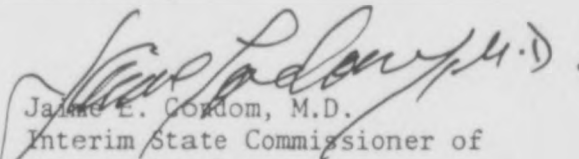
Governor Richard W. Riley
August 16, 1985
Page Two

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STATE BUDGET & CONTROL BOARD

The projected amount of deficiency is predicated on our ability to transfer surplus funds within the agency (except for Community Mental Health Centers which are restricted through proviso).

Sincerely,


Jaime E. Cordom, M.D.
Interim State Commissioner of
Mental Health

JEC:cmb
Enclosure

cc: Members, S. C. Budget & Control Board
✓ William T. Putnam, Executive Director, Budget & Control Board
Sarah Shuptrine, Director, Health & Human Services Division,
Governor's Office
Members, Mental Health Commission

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SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
SIGNIFICANT FACTORS CAUSING 1985-86 DEFICIT

Over a period of several years, the Department has accumulated a deficit in its operating budget which now represents a systemic, recurring deficiency.

The causes of this deficiency relate directly to several changes in operations to improve patient care which have been effected without concomitant increases in the funding base.

A summary of the more significant items among these improvements includes:

- 1) The transfer of 300 patients from marginal care (primarily at Crafts-Farrow State Hospital) to the newly constructed Roddy Pavilion of the Tucker Center in 1982-83--this was totally accomplished with no new funding.
 - 2) Establishment of the 430 bed Dowdy-Gardner Nursing Care Center beginning in 1983-84, the full utilization of which will be achieved during 1985-86--again with no new funds.
 - 3) Redirecting \$4,500,000 of Psychiatric Hospital Funding to Community Support Programs to obtain a more appropriate level of care for a targeted population of approximately 600 long-term patients who do not require hospitalization.
 - 4) Establishment of a \$2,800,000 Emergency Stabalization Program to reduce emergency admissions to psychiatric hospitals.
- Although this did not have a direct monetary impact on the deficit as it represented additional funding, it had a significant indirect impact in that it was totally funded by Patient Fee

002641

Collections which were previously available for renovations and betterments to the Department's operating assets (buildings, grounds and major equipment).

- 5) Opening a 206 bed psychiatric hospital with an operating budget of \$7,668,000 with only \$2,000,000 of new funding.
- 6) Restructuring the Medical/Surgical component at Byrnes Medical Center into a separate facility with separate administration, etc. in order to improve the level of Medical/Surgical services available within the Department. At the same time, the demand on the total system for utilization of outside hospitalization far outstripped the growth in funding available therefor.
- 7) Increased staff to patient ratios in several key psychiatric programs, especially in the area of licensed nursing personnel, to provide better patient care with little additional funding.

At the same time, the resultant changes in patient populations have created an average level of hospitalized patients with fewer resources, resulting in an overall decline in patient fee collections available for renovations, major maintenance, etc.

Further, changes in Medicaid regulations resulted in the elimination of a program that generated \$1,200,000 in net revenue during 1984-85.

These factors, coupled with an increasing flood of inappropriate admissions, have resulted in a patient population that, despite considerable effort to reduce the census, actually resulted in the first net patient gain (for 1984-85) the Department has experienced in 15 years.

The result is a net deficit that has grown to \$7,800,000 (projected) for 1985-86.

EXHIBIT

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For several years, the Department has attempted to mitigate these shortfalls through cut backs in nonessential personnel, equipment freezes, reduction of supplies and similar expenditures. Accordingly, these types of options have been overworked to the extent that essential support services are at a minimal level and equipment and building are in an overall unacceptable state of repair that must be soon rectified in order to prevent serious future deterioration. Further cuts of this nature are not feasible.

During 1984-85, the Department was forced to request a \$2,300,000 deficiency appropriation. In addition, it was necessary to borrow almost \$1,000,000 against future collections of revenues in order to complete the year. The true deficiency for 1984-85 was, however, significantly greater. During that year, \$4,500,000 was used to operate existing psychiatric hospitals that was earmarked for Harris Psychiatric Hospital. Also, \$2,200,000 from the ESP/CSP programs referred to above was spent on psychiatric hospital operations in 1984-85. It is essential to the completion of Departmental commitments, especially those to the U. S. Justice Department, that these funds be used in the programs for which they were intended.

In addition to the comments enumerated above, several specific factors will impact on the 1985-86 deficit, above and beyond 1984-85:

- 1) For 1984-85 we were able to use the \$582,000 special authorization for the Hall Institute to fund other shortfalls--there will be no money available in the patient fee note account to fund this for 1985-86.
- 2) Although we anticipate having the revenues available to borrow against again this year, it is unlikely there will be any increase available in this area.

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3) The new funds for Harris Hospital (and even more) will all be spent on that facility.

4) We have not received adequate increases in non-personnel related costs to cover inflation for several years--this had been covered through decreasing populations in the past.

Therefore, the Department must have funds to cover its 1985-86 operating deficit of approximately \$7,800,000 and a permanent addition to its operating budget of \$10,491,000 beginning in 1986-87 to regularize the deficit replacement and restore funding to other programs (ESP/CSP/etc.) which is planned for use in 1985-86 to hold the deficit at \$7,800,000.

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EXHIBIT

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NO. 7

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD

ITEM NUMBER

1

AGENCY: Executive Director

SUBJECT: "Privatization," Capital Expenditure Fund and Bond Financing

Background material for the discussion of this subject is attached. Included are the following extracts from the 1985-86 Appropriations Act":

- (1) Part II, Section 28, which authorizes the Board to enter into lease-purchase agreements to replace the Central Correctional Institution;
- (2) Part II, Section 34, which provides for the establishment of the Capital Expenditure Fund (0.5% of the General Fund revenue estimate for 1985-86; 1.5% of the General Fund revenue estimate for 1986-87; and 2.5% of General Fund revenue estimate for 1987-88 and each fiscal year thereafter;
- (3) Part II, Section 35, which amends prior acts to provide that neither house of the General Assembly shall consider a Capital Improvement Bond bill introduced after May 1 and to provide that Capital Improvement Bonds may be authorized in even-numbered years rather than odd-numbered;
- (4) Part II, Section 64, which amends the limitation on the maximum annual debt service on general obligations of the State other than highway bonds and State institution (tuition) bonds to reduce it from 5% to 4.5% in 1985-86; to 4% in 1986-87; to 3.5% in 1987-88; to 3% in 1988-89; and to 2.5% in 1989-90 and thereafter; and
- (5) Part II, Section 85, which authorizes the Board to finance the construction of correctional facilities with Capital Improvement Bonds or "other methods of financing approved by the Board."

BOARD ACTION REQUESTED:

Consider

ATTACHMENTS:

Referenced extracts from 1985-86 Appropriations Act

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provided by this section, a lease must be for a period in excess of ninety days."

B. The provisions of Section 12-35-516 as amended in this section shall apply only to leases executed on or after the effective date of this section.

C. This section shall take effect September 1, 1985.

SECTION 28

TO PROVIDE THAT THE BUDGET AND CONTROL BOARD, UNDER CERTAIN CONDITIONS, IS AUTHORIZED TO ENTER INTO LEASE PURCHASE AGREEMENTS WHICH WOULD PROVIDE THE STATE WITH AN ECONOMICALLY FEASIBLE METHOD OF REPLACING THE CENTRAL CORRECTIONAL INSTITUTION.

In furtherance of the State's interest in complying with the terms of Nelson v. Leeke, and in minimizing potential legal liability in the future, and in furtherance of achieving a cost effective and timely solution to this problem through innovative means available in the private sector, after consultation with the Joint Bond Review Committee and the State Reorganization Commission, the State Budget and Control Board is authorized to enter into lease purchase agreements consistent with the Consolidated Procurement Code of the State of South Carolina which would provide the State an economically feasible method of replacing the Central Correctional Institution (CCI), so long as these agreements (1) can be demonstrated to be comparably cost effective to traditional financing methods, (2) can result in long term operational cost savings, (3) are in compliance with the standards enunciated in Nelson v. Leeke, (4) can result in the provision of a new facility of sufficient bed, program and support space more expeditiously than traditional methods, (5) that will minimize the wasteful expenditure of funds for further capital improvements to CCI, and (6) will be subject to the year to year appropriation process of the General Assembly.

SECTION 29

TO AMEND THE 1976 CODE, BY ADDING CHAPTER 22 TO TITLE 2, SO AS TO CREATE THE SOUTH CAROLINA JOINT COMMITTEE ON AQUACULTURE.

Title 2 of the 1976 Code is amended by adding:

"Chapter 22

The South Carolina Joint Committee on Aquaculture

Section 2-22-5. The General Assembly of South Carolina declares that aquaculture has the potential for augmenting existing commercial and recreational fisheries and for producing other renewable resources, thereby assisting the State of South Carolina in meeting its food needs and contributing to the reduction of foreign seafood imports into South Carolina and the United States. It is, therefore, in the State's interest, and it is the State's policy, to encourage the development of aquaculture in South Carolina.

Section 2-22-10. There is created the South Carolina Joint Committee on Aquaculture. The membership of this committee is as follows: the Chairman of the Senate

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AUG 27 1985 NO. 7

STATE BUDGET & CONTROL BOARD

(2)

SECTION 34

TO AMEND SECTION 11-11-310, AS AMENDED, OF THE 1976 CODE, RELATING TO LIMITATIONS ON ANNUAL APPROPRIATIONS, SO AS TO PROVIDE FOR THE ESTABLISHMENT OF A CAPITAL EXPENDITURE FUND AND FOR THE MANNER AND CONDITIONS UNDER WHICH REVENUE IN THIS FUND MAY BE APPROPRIATED.

The fifth paragraph of Section 11-11-310 of the 1976 Code, as last amended by Act 487 of 1984, is further amended to read:

"The General Assembly beginning with fiscal year 1985-86 in the annual general appropriations act shall appropriate into a Capital Expenditure Fund which is separate and distinct from the general reserve fund the following amounts:

(1) For fiscal year 1985-86, the amount appropriated must be one-half of one percent of the general fund revenue estimate for that year;

(2) For fiscal year 1986-87, the amount appropriated must be one and one-half percent of the general fund revenue estimate for that year;

(3) For fiscal year 1987-88, and for each fiscal year thereafter, the amount appropriated must be two and one-half percent of the general fund revenue estimate for that year.

Revenues in this Capital Expenditure Fund may be appropriated by the General Assembly in separate legislation for the purpose of accelerating the retirement of state bonded indebtedness or for the purpose of avoiding the issuance of bonds for projects that are authorized but not issued."

SECTION 35

TO AMEND SECTION 15 OF ACT 518 OF 1980 RELATING TO THE DATE BOND BILLS MUST BE INTRODUCED TO BE CONSIDERED BY THE GENERAL ASSEMBLY SO AS TO CHANGE THE DATE FROM APRIL FIRST TO MAY FIRST AND TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO CAPITAL IMPROVEMENT BONDS, SO AS TO ALLOW THE GENERAL ASSEMBLY TO AUTHORIZE CAPITAL IMPROVEMENT BONDS IN EVEN NUMBERED YEARS RATHER THAN ODD NUMBERED YEARS.

A. Section 15 of Act 518 of 1980 is amended to read:

"Section 15. Beginning with the 1981 Session of the General Assembly and thereafter, neither House of the General Assembly shall consider the Capital Improvement Bond Bill which is introduced later than May first."

B. An unnumbered section of Act 1377 of 1968, added by Section 13 of Act 518 of 1980, is amended to read:

"Section _____. State Capital Improvement Bonds may be authorized by the General Assembly in even numbered years."

SECTION 36

TO AMEND ARTICLE I OF CHAPTER 33 OF TITLE 39 OF THE 1976 CODE, RELATING TO THE STATE DAIRY COMMISSION, SO AS TO CHANGE THE NAME OF THE COMMISSION TO THE STATE DAIRY BOARD, TO RESTRUCTURE THE BOARD, ELIMINATE THE AUTHORITY OF THE BOARD TO FIX PRICES PAID BY DISTRIBUTORS TO PRODUCERS, CHANGE THE MANNER IN WHICH ASSESSMENTS ARE LEVIED AND EXPENDED AND FURTHER REGULATE THE MILK INDUSTRY.

A. Article 1 of Chapter 33 of Title 39 is amended to read:

"Section 39-33-10. As used in this article, unless otherwise stated or the context of the subject matter clearly indicates otherwise, the words and terms enumerated below are defined as follows:

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The fifth paragraph of Section 11-11-310 of the 1976 Code, as last amended by Act 487 of 1984, is further amended to read:

"The General Assembly beginning with fiscal year 1985-86 in the annual general appropriations act shall appropriate into a Capital Expenditure Fund which is separate and distinct from the general reserve fund the following amounts:

(1) For fiscal year 1985-86, the amount appropriated must be one-half of one percent of the general fund revenue estimate for that year;

(2) For fiscal year 1986-87, the amount appropriated must be one and one-half percent of the general fund revenue estimate for that year;

(3) For fiscal year 1987-88, and for each fiscal year thereafter, the amount appropriated must be two and one-half percent of the general fund revenue estimate for that year.

Revenues in this Capital Expenditure Fund may be appropriated by the General Assembly in separate legislation for the purpose of accelerating the retirement of state bonded indebtedness or for the purpose of avoiding the issuance of bonds for projects that are authorized but not issued."

SECTION 35

TO AMEND SECTION 15 OF ACT 518 OF 1980 RELATING TO THE DATE BOND BILLS MUST BE INTRODUCED TO BE CONSIDERED BY THE GENERAL ASSEMBLY SO AS TO CHANGE THE DATE FROM APRIL FIRST TO MAY FIRST AND TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO CAPITAL IMPROVEMENT BONDS, SO AS TO ALLOW THE GENERAL ASSEMBLY TO AUTHORIZE CAPITAL IMPROVEMENT BONDS IN EVEN NUMBERED YEARS RATHER THAN ODD NUMBERED YEARS.

A. Section 15 of Act 518 of 1980 is amended to read:

"Section 15. Beginning with the 1981 Session of the General Assembly and thereafter, neither House of the General Assembly shall consider the Capital Improvement Bond Bill which is introduced later than May first."

B. An unnumbered section of Act 1377 of 1968, added by Section 13 of Act 518 of 1980, is amended to read:

"Section _____. State Capital Improvement Bonds may be authorized by the General Assembly in even numbered years."

SECTION 36

TO AMEND ARTICLE 1 OF CHAPTER 33 OF TITLE 39 OF THE 1976 CODE, RELATING TO THE STATE DAIRY COMMISSION, SO AS TO CHANGE THE NAME OF THE COMMISSION TO THE STATE DAIRY BOARD, TO RESTRUCTURE THE BOARD, ELIMINATE THE AUTHORITY OF THE BOARD TO FIX PRICES PAID BY DISTRIBUTORS TO PRODUCERS, CHANGE THE MANNER IN WHICH ASSESSMENTS ARE LEVIED AND EXPENDED AND FURTHER REGULATE THE MILK INDUSTRY.

A. Article 1 of Chapter 33 of Title 39 is amended to read:

"Section 39-33-10. As used in this article, unless otherwise stated or the context of the subject matter clearly indicates otherwise, the words and terms enumerated below are defined as follows:

or educational purposes shall not be exempt from the assessment and collection of admissions tax on charges for admission for the use of or entrance to rides, places of amusement, shows, exhibits and other carnival facilities, but not to include charges for general gate admissions except when the proceeds of any such carnival, circus, or community fair are donated to a hospital; provided, further, that no admission tax shall be charged or collected by reason of any charge made to any member of a nonprofit organization or corporation for the use of the facilities of the said organization or corporation of which he is a member."

SECTION 63

TO AMEND SECTION 14-3-650 OF THE 1976 CODE, RELATING TO THE FILING OF CERTAIN NOTICES OF INTENT TO APPEAL, SO AS TO CHANGE THE FEE FOR FILING SUCH NOTICE FROM THREE DOLLARS TO FIFTY DOLLARS.

Section 14-3-650 of the 1976 Code is amended to read:

"Section 14-3-650. In all appeals, other than in criminal cases, the appellant shall, when the return is filed with the clerk of the Supreme Court, pay to said clerk a fee of fifty dollars for docketing the cause and keeping counsel advised as to the time when the cause is to be called for hearing, as the court may provide in its rules. Such fee shall be taxed against the losing party as a part of the costs and disbursements in the Supreme Court."

SECTION 64

TO AMEND SECTION 11-11-430, OF THE 1976 CODE, RELATING TO THE LIMITATION OF GENERAL REVENUES WHICH CAN BE USED FOR DEBT SERVICE, SO AS TO REDUCE THE FIVE PERCENT LIMIT BEGINNING IN FISCAL YEAR 1985-86 BY ONE-HALF OF ONE PERCENT EACH FISCAL YEAR UNTIL A NEW LIMIT OF TWO AND ONE-HALF PERCENT IS ACHIEVED IN FISCAL YEAR 1989-90 AND THEREAFTER.

Subsection (C) of Section 11-11-430 of the 1976 Code, as added by Section 3 of Act 487 of 1984, is amended to read:

"(C) The issuance of general obligation bonds of the State must be limited so that the maximum annual debt service on all general obligation bonds of the State (excluding highway bonds, state institution bonds, tax anticipation notes, and bond anticipation notes) may not exceed five percent of the general revenues of the State for the fiscal year next preceding (excluding revenues which are authorized to be pledged for state highway bonds and state institution bonds).

Beginning with fiscal year 1985-86, the limitation on debt service provided by this subsection shall decrease by one-half of one percent each fiscal year until the limitation reaches two and one-half percent in fiscal year 1989-90 and thereafter."

SECTION 65

TO AMEND SECTIONS 9-1-1620 AND 9-11-150, BOTH AS AMENDED, OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA RETIREMENT SYSTEM AND THE POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO

EXHIBIT

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STATE BUDGET & CONTROL BOARD

applicable fiscal years is not less than that required for annual debt service requirements of the requested turnpike bonds.

Section 57-5-1460. If following presentation of a certified copy of the bond resolution it appears to the satisfaction of the Governor and the State Treasurer that the estimated collection from the sources of revenue in applicable future fiscal years are not less than that required for annual debt service requirements for the requested turnpike bonds, the Governor and State Treasurer may effect the delivery of bonds in accordance with the bond resolution.

Section 57-5-1470. All turnpike bonds issued under this article, and the interest thereon, are exempt from all state, county, municipal, school district, and other taxes or assessment, direct or indirect, general or special, imposed by the State of South Carolina, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes. Each turnpike facility constitutes a portion of the state highway system and as such is not subject to ad valorem or other forms of taxation by the State or any of its political subdivisions.

Section 57-5-1480. It is lawful for all executors, administrators, guardians, and other fiduciaries and all sinking fund commissions, including the State Budget and Control Board in its capacities as trustee of the funds of the South Carolina Retirement System and as manager and administrator of other state sinking funds, to invest any moneys in their hands in turnpike bonds.

SECTION 85

TO AUTHORIZE THE BUDGET AND CONTROL BOARD TO FINANCE CONSTRUCTION OF CORRECTIONAL FACILITIES.

The Budget and Control Board is authorized to finance the construction of correctional facilities by issuance of capital improvement bonds or other methods of financing approved by the Board.

SECTION 86

TO AMEND SECTION 56-1-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DRIVER'S LICENSES, SO AS TO INCREASE THE FEE FROM FOUR TO TEN DOLLARS AND TO REQUIRE THE INCREASE REVENUES TO BE EXPENDED TO IMPROVE ACCESS ROUTES TO DISTRESSED AND IMPACTED AREAS OF THE STATE.

A. Section 56-1-140 of the 1976 Code, as amended by Act 738 of 1976, is further amended to read:

"Section 56-1-140. The Department shall upon the payment of a fee of ten dollars issue to every applicant qualifying therefor a driver's license as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, and a brief description and laminated colored photograph of the licensee and either a facsimile of the signature of the licensee or a space upon which the licensee shall write his usual signature with pen and ink immediately upon receipt of the license. No license shall be valid until it has been so signed by the licensee. The license shall

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STATE BUDGET & CONTROL BOARD

(5)

EXHIBIT

AUG 27 1985

NO. 8

STATE BUDGET AND CONTROL BOARD STATE BUDGET & CONTROL BOARD
MEETING OF August 27, 1985 REGULAR SESSION
ITEM NUMBER

2

AGENCY: Fire Marshal Appeal Panel

SUBJECT: Nazarene Day Care Center Appeal

On April 4, 1985, a Fire Marshal Inspection Order was issued regarding Nazarene Day Care Center. That Order was appealed to the Fire Marshal Appeal Panel, which makes the following recommendation:

The Panel recommends that the State Fire Marshal's Order dated April 4, 1985, stand, i.e., the nursery area must be separated from the rest of the facility by one hour partitions, including twenty minute door and frame system (5/8 inch fire rated sheetrock on wood studs) and emergency lights must be installed; one unit in the front part used as a day care facility and two in the gymnasium.

BOARD ACTION REQUESTED:

Affirm the findings and recommendations of the Fire Marshal Appeal Panel and incorporate the recommendation into the following Order:

The Board recommends that the Fire Marshal Appeal Panel's recommendations dated July 11, 1985, be upheld and a one-hour fire partition be built separating the nursery from the rest of the facility including a twenty-minute door and frame system. The Board also upholds the recommendation that emergency lights be installed in the front building and the gymnasium.

ATTACHMENTS:

Fire Marshal Appeal Panel Findings and Recommendation; proposed Budget and Control Board Order

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EXHIBIT

JOHN A. MARTIN
WALTER B. BROWN, JR.

AUG 27 1985 NO. 8

ATTORNEYS AT LAW
120 NORTH VANDERHORST STREET
WINNSBORO, SOUTH CAROLINA 29180

STATE BUDGET & CONTROL BOARD

MAILING ADDRESS:
P. O. BOX 298

August 15, 1985

TELEPHONES: 803 635-4912
803 635-5222

RECEIVED

AUG 19 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Mr. Richard S. Campbell, P. E.
State Fire Marshall
800 Dutch Square Boulevard, Suite 201
Columbia, South Carolina 29210

RE: Nazarene Day Care

Dear Mr. Campbell:

I have copy of your letter of August 12 addressed to Mrs. Oscar Pullen. I do not have a copy of the relevant provision of the Code concerning the infant care provisions. I would appreciate it if you would send me the applicable Code which requires exclusive fire exit and separation.

We also would like to be advised that if you do not have the authority to waive the fire separation provision as to whether or not the Budget and Control Board has the authority to waive this separation or would it take a legislative act to amend the Code for this to be accomplished.

I know that when the Day Care Center received their letter you advised me to appeal which, of course, naturally led me to believe that something could be accomplished in an appeal. Now I would appreciate your advising me as to whether or not the Code is so ironclad that not even the Budget and Control Board has any authority to waive the requirement of the fire separation between the infants and the other children at the center. If it cannot be waived, then the suggestion of appealing would be purely an exercise in futility as you well knew that the church's position was that no separation could be built without destroying the building for which it was primarily designed.

I would appreciate your answering these inquiries so that we will know the appropriate direction for us to travel. You offered to work with the church, but your statement now that there is no way to work with the church on this issue seems inconsistent. As previously stated, this Day Care Center is run not for profit and the building is designed to take care of the need of the church. The position from the outset was that they would close down the infant care rather than deface their property and make it unusable for the purposes intended by the church. Your offer of assistance in resolving the case is very kind, but in reality you are saying that you cannot be of assistance unless they build the separation wall which they cannot do.

I would appreciate your answering the above inquiries.

Very truly yours,


John A. Martin

JAM:wgm
CC: Mrs. Oscar Pullen

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RECEIVED JUL 31 1985

The State of South Carolina



EXHIBIT

AUG 27 1985 NO. 8

Office of the Attorney General

STATE BUDGET & CONTROL BOARD

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE 803-758-3970

July 30, 1985

Hettie Cross, Administrative Assistant
State Budget and Control Board
612 Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

Re: Nazarene Day Care Center

Dear Ms. Cross:

Enclosed please find a copy of the Budget and Control Board's Decision with the amendments as requested by you. We regret the delay in sending you the amended Decision as Mr. Woodington, who was attorney for the State Fire Marshal Appeal Panel in the above matter, has just returned from leave and the requested amendments could not have been done earlier.

Sincerely,

Naima M. Said
Naima M. Said
Paralegal

NMS:ymk

Enclosure

002653

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) DECISION BY SOUTH CAROLINA
STATE BUDGET AND CONTROL BOARD

DECISION RE: NAZARENE DAY CARE CENTER
Winnsboro, South Carolina 29180

Decision on Appeal from State Budget and Control Board Regulation 19-312 as a result of a Fire Marshal Inspection Order dated April 4, 1985.

The South Carolina State Budget and Control Board at its meeting held _____, 1985, reviewed the Findings and Recommendations of the South Carolina State Fire Marshal Appeal Panel in this matter.

The Board affirms the Findings and Recommendations of the Fire Marshal Appeal Panel and incorporates the recommendations as its Order as follows:

The Board recommends that the Fire Marshal Appeal Panel's recommendations dated July 11, 1985, be upheld and a one-hour fire partition be built separating the nursery from the rest of the facility including a twenty minute door and frame system. The Board also upholds the recommendation that emergency lights be installed in the front building and the gymnasium.

This Order should be complied with within the next sixty (60) days.

Let a copy of this Decision and a copy of the Findings and Recommendations of the Fire Marshal Appeal Panel be forwarded to Mr. John Martin, Attorney for the Appellant, Post Office Box 298, Winnsboro, South Carolina 29180.

SOUTH CAROLINA STATE BUDGET
AND CONTROL BOARD

BY: _____
William A. McInnis, Secretary

Columbia, South Carolina

_____, 1985.

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FINDINGS

1. Nazarene Day Care Center, located at Winnsboro, South Carolina, is operated by Nazarene Church. Its director is Mrs. Oscar Pullen, in charge of the day care's eleven employees.

2. The Nazarene Day Care Center accommodates about forty-five children during the hours between 6:30 a.m. and 7:00 p.m. At night and during weekends, the facility is used for various functions by its church members including wedding receptions, homecoming events, family reunions, etc. These various functions take place about four or five times a year.

3. The relevant State Fire Marshal Orders were drafted in a letter dated April 4, 1985.

4. The Appellants have:

(a) substantially complied with and is complying with the order to limit cooking to the warming of prepared food or foods being prepared within the oven.

(b) agreed to comply with the order that an exclusive exit must be installed for every ten infants with an outside stoop which complies with the Standard Building Code in accordance with the requirement of State Fire Marshal regulations R 19-310(B)(4)

(c) agreed to comply with the order that exit lights are to be installed at required exits other than infant care area.

5. There does not exist fire dampers or smoke activated ventilation shut-down protection in the infant area heating and air conditioning ducts. However, this area of the facility is equipped with smoke detectors. The dampers and ventilation

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND) DECISION BY SOUTH CAROLINA
STATE BUDGET AND CONTROL BOARD

DECISION RE: NAZARENE DAY CARE CENTER
Winnsboro, South Carolina 29180

Decision on Appeal from State Budget and Control Board Regulation 19-312 as a result of a Fire Marshal Inspection Order dated April 4, 1985.

The South Carolina State Budget and Control Board at its meeting held _____, 1985, reviewed the Findings and Recommendations of the South Carolina State Fire Marshal Appeal Panel in this matter.

The Board affirms the Findings and Recommendations of the Fire Marshal Appeal Panel and incorporates the recommendations as its Order as follows:

The Board recommends that the Fire Marshal Appeal Panel's recommendations dated July 11, 1985, be upheld and a one-hour fire partition be built separating the nursery from the rest of the facility including a twenty minute door and frame system. The Board also upholds the recommendation that emergency lights be installed in the front building and the gymnasium.

This Order should be complied with within the next sixty (60) days.

Let a copy of this Decision and a copy of the Findings and Recommendations of the Fire Marshal Appeal Panel be forwarded to Mr. John Martin, Attorney for the Appellant, Post Office Box 298, Winnsboro, South Carolina 29180.

SOUTH CAROLINA STATE BUDGET
AND CONTROL BOARD

BY: _____
William A. McInnis, Secretary

Columbia, South Carolina

_____, 1985.

223500

002654

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

BEFORE THE SOUTH CAROLINA
FIRE MARSHAL APPEAL PANEL

IN THE MATTER OF:)
NAZARENE DAY CARE CENTER)
APPELLANT.)

FINDINGS AND RECOMMENDATIONS

This matter is before the South Carolina Fire Marshal Appeal Panel (hereinafter referred to as the "Panel") for administrative review pursuant to the Administrative Procedures Act, South Carolina Code § 1-23-310 et seq. (1983, as amended), and pursuant to State Budget and Control Board Regulation 19-312 as a result of an order issued by the State Fire Marshal and a request by appellant for a review of that order.

PROCEDURAL HISTORY

By a letter dated April 4, 1985, an order signed by Richard S. Campbell, P.E., the State Fire Marshal, was issued regarding Nazarene Day Care Center, Appellant herein. Appellant timely appealed this Order to the Panel.

A hearing was held in this matter at 10:00 a.m. on July 16, 1985. Testifying were Richard S. Campbell, State Fire Marshal, and Clayburn West, Deputy Fire Marshal, on behalf of the State Fire Marshal and Mr. and Mrs. Oscar Pullen on behalf of Nazarene Day Care Center.

Upon hearing the testimony of all the witnesses and upon reviewing the exhibits presented by the parties thereto the Panel makes the following findings and recommendations.

628200

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FINDINGS

1. Nazarene Day Care Center, located at Winnsboro, South Carolina, is operated by Nazarene Church. Its director is Mrs. Oscar Pullen, in charge of the day care's eleven employees.

2. The Nazarene Day Care Center accommodates about forty-five children during the hours between 6:30 a.m. and 7:00 p.m. At night and during weekends, the facility is used for various functions by its church members including wedding receptions, homecoming events, family reunions, etc. These various functions take place about four or five times a year.

3. The relevant State Fire Marshal Orders were drafted in a letter dated April 4, 1985.

4. The Appellants have:

(a) substantially complied with and is complying with the order to limit cooking to the warming of prepared food or foods being prepared within the oven.

(b) agreed to comply with the order that an exclusive exit must be installed for every ten infants with an outside stoop which complies with the Standard Building Code in accordance with the requirement of State Fire Marshal regulations R 19-310(B)(4)

(c) agreed to comply with the order that exit lights are to be installed at required exits other than infant care area.

5. There does not exist fire dampers or smoke activated ventilation shut-down protection in the infant area heating and air conditioning ducts. However, this area of the facility is equipped with smoke detectors. The dampers and ventilation

shut-down protection will not be required if the nursery area is separated from the rest of the facility by one-hour fire separation partitions.

6. There are no emergency lights in the unit and in the gymnasium. There are four-foot windows on either side of the length of the gymnasium building. The day care facility uses the building from 7:00 a.m. to 6:00 p.m., which during some seasons means that it operates before dawn and after dark.

7. The day care building measures approximately fifty feet by fifty-two feet and has a door opening to a gymnasium in the rear part of the building which measures approximately fifty feet by ninety feet.

8. Of the part used as a day care facility, portable partitions measuring fifty-two inches high separate the nursery accommodating eight infants from the rest of the facility and measures fifteen feet by fifteen feet. There is no direct exit to the outside from the nursery area.

9. State Fire Marshal regulations R 19-310(b)(1) requires all facilities in South Carolina which provide for four or more children too young to be termed ambulatory and are unattended by a parent or guardian shall provide the following safeguards:

Room for infants shall have one-hour fire separation with a direct exit to the outside.

RECOMMENDATIONS

The Panel recommends that the State Fire Marshal's Order dated April 4, 1985, stand, i.e., the nursery area must be separated from the rest of the facility by one hour partitions,

including twenty minute door and frame system (5/8 inch fire rated sheetrock on wood studs) and emergency lights must be installed; one unit in the front part used as a day care facility and two in the gymnasium.

SOUTH CAROLINA FIRE MARSHAL
APPEAL PANEL

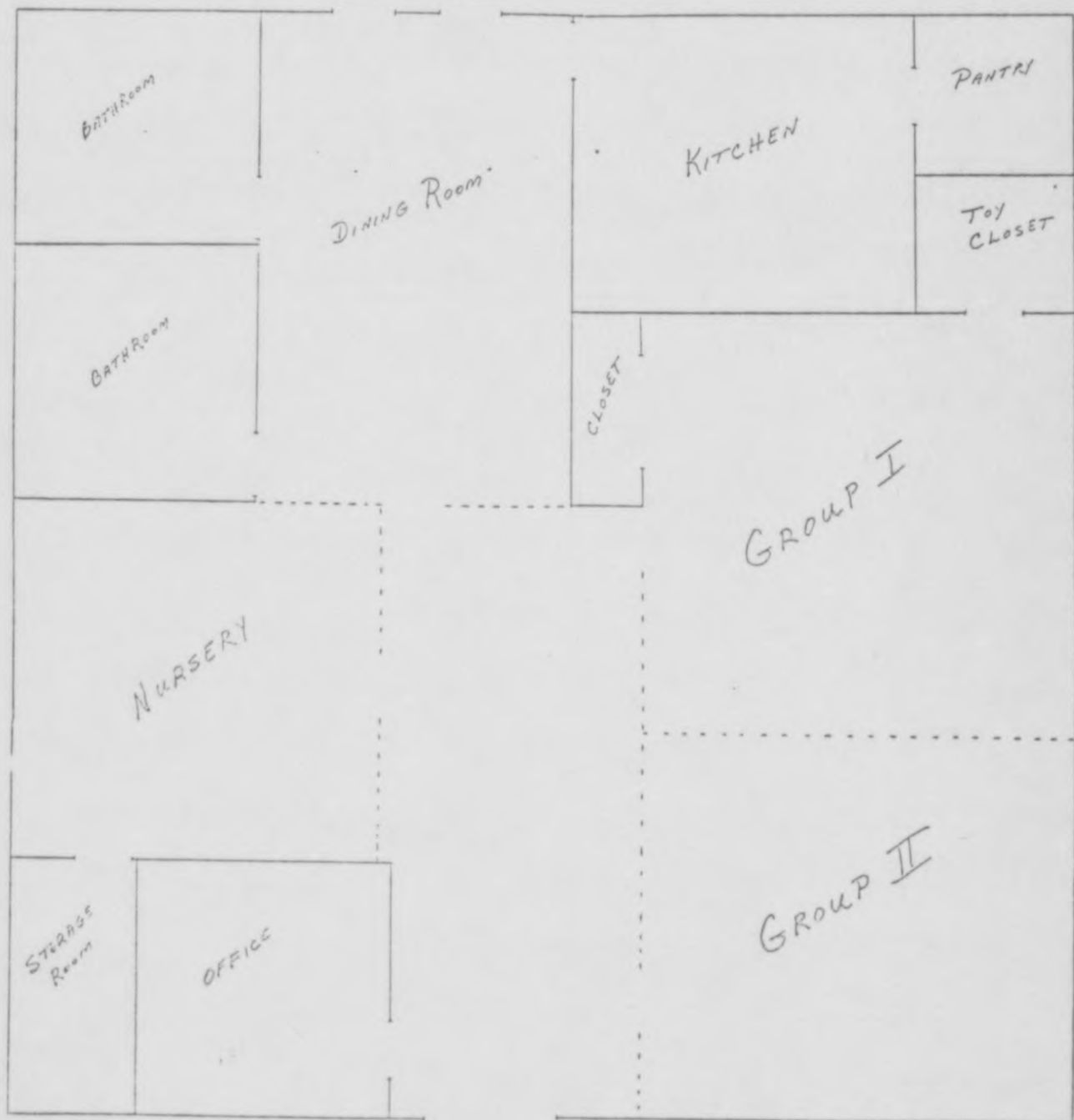
BY: H. Harold Tarleton, Jr.
H. HAROLD TARLETON, JR.,
Chairman

GREENVILLE, South Carolina

July 25, 1985.

GYM

Exhibit I



002659

002659

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

July 24, 1985

EXHIBIT

AUG 27 1985 NO. 8

Honorable John A. Martin
P. O. Box 298
Winnsboro, South Carolina 29180

STATE BUDGET & CONTROL BOARD

RE: Nazarene Day Care Center

Dear Senator Martin:

I have contacted the State Fire Marshal to discuss your attempt to have a waiver granted in respect to the requirement of separation of infants, 24 months and younger. Although the points in your letter are understood, I am informed that the granting of a waiver in this case is beyond the authority allowed the Fire Marshal in following the intent of the law. As a normal course of events, this item will be placed on the Budget and Control Board August 8th agenda.

At your request, I will be happy to ask the State Fire Marshal's Office and the Office of State Engineer to assist your constituents in any preliminary planning that is necessary to meet the intent of the Code.

If I can be of any further assistance on this matter or any other, please contact me. I am with all good wishes

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Charles H. Smith".

Charles H. Smith
Special Projects Administrator

CHS:hc

002660

EXHIBIT

AUG 27 1985

NO. 8

STATE BUDGET & CONTROL BOARD

principal and interest costs have been repaid.

SECTION 3

To Enable the State Fire Marshal to Allow Alternatives to Regulation 19-310(b) Until July 1, 1987.

The State Fire Marshal may allow alternatives to the requirements of Regulation 19-310(b) of the Division of State Fire Marshal of the State Budget and Control Board until July 1, 1987, if the intent of the regulation is satisfied.

SECTION 4

To Extend the Deadline for Making Written Application for Homestead Exemption to July Fifth for the Tax Year 1985 Only.

Notwithstanding the provisions of Section 12-37-250, Code of Laws of South Carolina, 1976, the deadline for making written application for homestead exemption is extended to July fifth for the tax year 1985 only.

SECTION 5

To Pay a Pharmacist an Incentive Payment for Substituting a Generic Drug When the Net Savings in the Cost of the Prescription is Two Dollars or More for Drugs Prescribed by a Licensed Practitioner for a Medicaid Recipient and to Provide an Exception; to Provide That the Health and Human Services Finance Commission Shall Make a Report to the General Assembly No Later Than June 30, 1986, Concerning the Fiscal Impact of the Provisions of This Section; and to Provide That the Provisions of This Section Shall Expire on June 30, 1986.

A. The Health and Human Services Finance Commission shall pay a pharmacist an incentive payment of fifty cents per prescription, in addition to any other compensation, for substituting a generic drug when authorized by law and when the net savings in the cost of the prescription is two dollars or more for drugs prescribed by a licensed practitioner for a Medicaid recipient. This generic incentive payment is not applicable in those instances where the prescriber writes a prescription for the product by its generic name.

B. The Health and Human Services Finance Commission shall make a report to the General Assembly no later than June 30, 1986, concerning the fiscal impact of the provisions of this section.

C. The provisions of this section expire on June 30, 1986.

End of Part IV

All Acts or parts of Acts inconsistent with any of the provisions of Part I, Part III or Part IV of this Act are

RECEIVED

AUG 1 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

JOHN A. MARTIN
WALTER B. BROWN, JR.
ATTORNEYS AT LAW
120 NORTH VANDERHORST STREET
WINNSBORO, SOUTH CAROLINA 29180

MAILING ADDRESS:
P. O. BOX 298

July 29, 1985

TELEPHONES: 803 635-4912
803 635-5222

Mr. Charles H. Smith
Special Projects Administrator
State Budget and Control Board
Box 12444
Columbia, South Carolina 29211

Re: Nazarene Day Care Center

Dear Charley:

I have your letter of July 24 stating that the Fire Marshall cannot grant us a waiver requested under the proviso in the Appropriation Bill. I do not understand whether or not he takes the position he can make no waivers or not. I can only say that I am extremely disappointed in him.

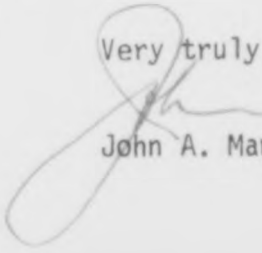
I do feel that this is an exceptional situation in that the Nazarene Day Care Center is not an operation for profit, and the building itself belongs to the church. It is not a matter of them not wanting to make the required change. It is a matter that it will desecrate the primary purpose of the building; therefore, the congregation who owns the building is not willing to have their building changed in a method that will make it not usable for its primary purpose and function in building it.

You state that in the normal course of events this item will be placed on the Budget and Control Board's agenda for August 8. At the present time I am scheduled to begin trying a case in federal court on August 6 which is scheduled for four days, and I will not be able to be personally present at that time; therefore, I would appreciate it being carried over from the agenda of August 8.

I would also by means of copy of this letter request an audience with the Budget and Control Board on this matter when it is reached on the agenda at such time as it is reached on the agenda. This is indeed a very serious matter with our constituents, for it is the only day care center in the county that comes anywhere near being a perfect place for children to be kept. Its impending closing would be a disaster to the community. In view of this urgency I do request a notification as to when the matter will be reached on the agenda and request a very small amount of time not to exceed fifteen minutes to explain the situation to the Budget and Control Board.

With best regards, I am

Very truly yours,


John A. Martin

JAM:wgm
CC: Mr. William T. Putnam
Mrs. Oscar Pullen

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JOHN A. MARTIN
WALTER B. BROWN, JR.
ATTORNEYS AT LAW
120 NORTH VANDERHORST STREET
WINNSBORO, SOUTH CAROLINA 29180

MAILING ADDRESS:
P. O. BOX 298

July 17, 1985

TELEPHONES: 803 635-4912
803 635-5222

RECEIVED

JUL 18 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Mr. Charlie Smith
Executive Offices
SC Budget and Control Board
P. O. Box 12444
Columbia, South Carolina 29211

RE: Nazarene Day Care application for waiver of Fire Marshall's Order

Dear Charlie:

I got your message that you would be tied up for a while, and I appreciate your calling.

It is my understanding from the Appeal Board that their recommendation would go to the Budget and Control Board for action. I am not anxious for it to be on the agenda until we can see what might be able to be done in the meantime.

The church is willing to do everything that the Fire Marshall said needed to be done except putting up a fire wall which will keep them from using this building for social functions in the church. It would be a shame for this facility to be closed and these children under two years of age being forced to go to some facility not approved in any fashion or to go to a private home where they would not be looked after for their general health as well as fire safety. This is an excellent facility with very fine staffing with the children being kept within fifteen to twenty feet of a door. They have smoke alarms, fire alarm system, fire extinguishers and to require a one hour fire proof wall will block off the access for the other staff to the area where they would need to get into if a fire broke out to assist in evacuating the children.

Another thing which would be detrimental to the overall care of the children would be if a wall was built only the staff inside the room could observe the children for suffocation, strangulation or other problems that they might have other than the fire hazard. These other problems are far more apt to happen than a fire which would require the one hour wall.

As long as I can keep it off the agenda and get back in touch with you when you are able to find out something, it will be appreciated.

Very truly yours,


John A. Martin

JAM:wgm

002663

File Copy

State of South Carolina
State Budget and Control Board

MAN



EDGEE MURPHY, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

MEMORANDUM

EXHIBIT

TO: Appeal Panel Members and Alternates
FROM: Lenora Quattlebaum, Administrative Assistant
DATE: June 7, 1985
SUBJECT: NAZARENE DAY CARE CENTER

AUG 27 1985 NO. 8
STATE BUDGET & CONTROL BOARD

This is to notify you that the appeal of the Nazarene Day Care Center has been re-scheduled for July 16, 1985 at 10:00 a.m., in Room 373 of the Edgar Brown Building, 1205 Pendleton Street, Capitol Complex, Columbia, South Carolina.

The primary members of the Panel are requested to notify this office (758-5606) in the event there is a conflict on this date, so that alternates may be notified to attend.

/lq

cc: Richard S. Campbell, State Fire Marshal
C. H. Jones, Jr., Attorney for Fire Marshal
Bill Gambrell, Attorney for Panel
Clayburn West, Deputy State Fire Marshal
Mrs. Oscar Pullen, Nazarene Day Care Center
Honorable John A. Martin, Attorney for Appellant

002664

THE TARLETON-TANKERSLEY ARCHITECTURAL GROUP, INC.



H. Harold Tarleton, Jr., FAIA
Ladson D. Tankersley, AIA
John A. Pinckney, Jr., AIA

EXHIBIT

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

Mr. John A. Martin
120 North Vanderhorst Street
Winnsboro, S.C. 29180

Re: Nazarene Day Care Center Appeal

Mr. Martin:

Thank you for the offer to submit sketch layouts of this facility. We do not want them submitted prior to the hearing; please bring them with you along with any other evidence or submittals you may want to present to the panel.

Sincerely,

H. Harold Tarleton, Jr., FAIA

cc: Mrs. Lenora Quattlebaum,
South Carolina Budget and Control Board

30 May 1985

lbj

002665

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLEE MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

May 23, 1985

REMBERT C. DENNIS

CHAIRMAN, SENATE FINANCE COMMITTEE

TOM G. MANGUM

CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM

EXECUTIVE DIRECTOR

EXHIBIT

AUG 27 1985

NO. 8

MEMORANDUM

STATE BUDGET & CONTROL BOARD

TO: Appeal Panel Members and Alternates

FROM: Lenora Quattlebaum, Administrative Assistant

SUBJECT: Scheduled Hearings - June 25, 1985

10:00am - NAZARENE DAY CARE CENTER
Winnsboro, SC 29180

2:00pm - MANNING HEADSTART CENTER
Manning, SC

The above named hearings have been scheduled for June 25, 1985, as indicated by the cover letters of the enclosed appeals. The hearings will be in Room 373 of the Edgar Brown Building, 1205 Pendleton Street, Capitol Complex, Columbia, South Carolina.

The primary members of the Panel are requested to notify this office (758-5606) in the event there is a conflict on this date, so that alternates may be notified to attend.

/q
Attachments

cc: Richard S. Campbell
C. H. Jones, Jr.
Charles W. Gambrell

002666

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

May 13, 1985

CERTIFIED MAIL

Honorable John A. Martin
Attorney At Law
P. O. Box 298
Winnsboro, South Carolina 29180

EXHIBIT

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

Dear Mr. Martin:

REF: Notice of Hearing
Nazarene Day Care Center

The State Fire Marshal Appeal Panel as designated by the State Budget and Control Board, Rule 19-312, Regulations, Budget and Control Board, Code of Laws, 1976, as amended, has scheduled a formal hearing at 10:00 a.m. on Tuesday, June 25, 1985, in Room 373 of the Edgar Brown Building, 1205 Pendleton Street, Capitol Complex, Columbia, South Carolina. The matter before the Appeal Panel as stated in the Appeal Request of April 24, 1985, is as follows:

S. C. Code Section: State Statute 23-9-40
Regulation: Standard Building Code & Fire Marshal's
Rules and Regulations

Facility is appealing: That certain items of inspection order be
exempted (see attachment to appeal
request).

This hearing will be conducted in accordance with procedures as set forth in ARTICLE 3 of the "Administrative Procedures Act," 1-23-320, et. seq., Code of Laws of South Carolina, 1976, as amended.

Please provide the undersigned with the names and addresses of any witnesses requiring subpoenas within ten days after your receipt of this letter in order that appropriate subpoenas may be issued. Any responsive

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EXHIBIT

John A. Martin
Page 2
May 13, 1985

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

pleadings, motions, or memoranda that you wish to submit for the Appeal Panel's consideration should be submitted to the undersigned by certified mail or hand delivered within 20 days after receipt of this notice.

Very truly yours,

FIRE MARSHAL APPEAL PANEL

H. Harold Tarleton, Jr.
H. Harold Tarleton, Jr., A.I.A.
Chairman
P. O. Box 5265
Greenville, South Carolina 29606

HHT:lq

cc: Clayburn West, Route 3, Box 145, Gaston, SC 290653
Richard S. Campbell, State Fire Marshal
Charles W. Gambrell, Attorney for Panel
C. H. Jones, Jr., Attorney for Fire Marshal
Mrs. Oscar Pullen, Nazarene Day Care Center
Members - Fire Marshal Appeal Panel

002668

EXHIBIT

State Fire Marshal Appeal Panel
P. O. Box 12444
Columbia, SC 29211

AUG 27 1985

NO. 8

NAZARENE DAY CARE CENTER
(name of facility)

Clayburn West STATE BUDGET & CONTROL BOARD
(name of inspector)

Winnsboro, SC 29180
(address)

1. Date of District Fire Marshal's Inspection Report: April 3, 1985
2. Description of Appeal: (S. C. Code Section: State Statute 23-9-40)
(Regulation: Standard Building Code & Fire Marshal's)
Rules and Regulations
VIOLATION/WAIVER REQUEST
That certain items of inspection order be exempted (see attachment to
Appeal Request
3. Fire Marshal's Review/Action: Items listed in inspection order are minimum
fire and life safety requirements and should be complied with

S/ Richard S. Campbell, P.E.

Date: April 30, 1985
(forwarded to Appeal Panel)

For the Appeal Panel:

Date Received: _____ Date of Hearing: _____

1. Recommendation of Appeal Panel: _____
2. Rationale of Recommendation: _____

S/ Lewis B. Lee, Chairman

Date: _____

Budget and Control Action: _____ Appeal Received: _____

Date of Board Action: _____

Board Decision: _____

S/ William A. McInnis, Secretary
Budget and Control Board

Distribution: Appellant
Appeal Panel
Fire Marshal's Office

Date: _____

002669

EXHIBIT

State of South Carolina
Division of State Fire Marshal
 Budget and Control Board

AUG 27 1985

NO. 8

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



800 DUTCH SQUARE BLVD., SUITE 201
 COLUMBIA, S.C. 29210
 (803) 758-6612

REMBERT C. DENNIS, CHAIRMAN
SENATE FINANCE COMMITTEE

TOM G. MANGUM, CHAIRMAN
WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

RICHARD S. CAMPBELL, P.E.
STATE FIRE MARSHAL

RECEIVED

APR 25 1985

**DIVISION OF
STATE FIRE MARSHAL**

APPEAL REQUEST

NAME OF FACILITY Nazarene Day Care Center

ADDRESS Winnsboro, SC 29180

FIRE CHIEF Tony Hill

FIRE DEPT. Fairfield Community Volunteer
Fire Department

DATE OF ORDER 4/1/85

BUILDING OFFICIAL Mrs. Oscar Pullen

NAME OF DEPUTY STATE FIRE MARSHAL Clayburn West - Richard S. Campbell

REQUEST FOR APPEAL

STATE SPECIFICALLY WHAT YOU ARE APPEALING: _____

(See Attached)

Nazarene Day Care
By: Oscar B. Pullen
 Signature of Appellant

April 24, 1985

Date

OFFICE USE ONLY:

DATE RECEIVED IN OFFICE

DATE SENT TO
EXECUTIVE DIRECTOR'S OFFICE

002670

EXHIBIT

Nazarene Day Care Center

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

Request for Appeal

1. Item 1 in the Order has been substantially complied with and is being complied with.
2. We are specifically appealing requirements set forth in Paragraph (2) in regard to one-hour partitions as stated in Item (2).
3. The facility will comply with Paragraph (3).
4. The facility would appeal from the requirement of Paragraph (4) by showing that at the present time there are located smoke alarms at the vents and also a thermostat located in the immediate area to manually perform the function proposed in Paragraph (4). If the smoke alarms and thermostat is not adequate, the facility would be able to comply with the requirement in Paragraph (4).
5. As to Paragraph (5), the facility will comply.
6. Paragraph (6) requires that emergency lights be installed with one in the front and two in the gym. It is felt that the requirement of two emergency lights in the gym stems from information that there are no skylights or windows in the gym. At the present time on two sides of the gymnasium for 90 feet in length, there are 4-foot windows running the entire length of the building, and the day care center is operated in day light hours. In the event the showing of the existing facility is not adequate, the facility would be amenable to comply with reasonable requirements in this regard.

002671

State of South Carolina
Division of State Fire Marshal
Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

800 DUTCH SQUARE BLVD., SUITE 201
COLUMBIA, S.C. 29210
(803) 758-6612

RICHARD S. CAMPBELL, P.E.
STATE FIRE MARSHAL

REMBERT C. DENNIS, CHAIRMAN
SENATE FINANCE COMMITTEE

TOM G. MANGUM, CHAIRMAN
WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

EXHIBIT

April 18, 1985

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

The Honorable John A. Martin
Attorney at Law
P. O. Box 298
Winnsboro, SC 29180

RE: Nazarene Day Care Center
Winnsboro, SC 29180

Dear Mr. Martin:

Your letter dated April 16, 1985, advises that you wish to appeal certain items of the April 4, 1985 inspection order of State Fire Marshal Richard S. Campbell.

In order for us to proceed with this request to get it before the Fire Marshal's Appeal Board, the enclosed form must be completed and returned to this office no later than May 20, 1985.

If we may be of further assistance in this matter, please feel free to give us a call.

Yours truly,

B. Harvey Scurry
B. Harvey Scurry
Assistant State Fire Marshal

BHS:m

cc: Richard S. Campbell
Clayburn West

enclosure

002672

JOHN A. MARTIN
WALTER B. BROWN, JR.
ATTORNEYS AT LAW
120 NORTH VANDERHORST STREET
WINNSBORO, SOUTH CAROLINA 29180

EXHIBIT

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

MAILING ADDRESS:
P. O. BOX 298

TELEPHONE: 803 635-4912
803 635-5222

April 16, 1985

RECEIVED

APR 17 1985

STATE FIRE MARSHAL

635-4912

Mr. Richard S. Campbell, P.E.
State Fire Marshal
800 Dutch Square Blvd., Suite 201
Columbia, SC 29210

RE: Nazarene Day Care Center
Winnsboro, SC 29180

Dear Mr. Campbell:

Responding to your letter of April 4, 1985 directed to Mrs. Oscar Pullen with the Nazarene Day Care Center, I would appreciate your accepting this letter on behalf of the Nazarene Day Care Center by me as representative of the Day Care facility.

First we would like to advise that the first item listed in your letter referring to cooking has been complied with.

Please accept this letter as our written request to appeal the other items listed in your letter.

By way of clarification, we primarily appeal the second item in your letter concerning the one-hour partitions.

We feel that we can make arrangements to comply with other objectionable matters set forth in the letter. We would like to point out that in regard to Item 6 concerning emergency lights, that the gymnasium presently has skylighting of approximately 720 square feet by having a 90 foot skylight 4 feet by 2 feet running along the top of the walls on both sides of the gym. We would also like to advise that there are 8 battery lights on walls in the front portion of the facility.

At the hearing of the appeal, we will make every effort to substantially and satisfactorily comply with the other items.

Thanking you for your past considerations and with best personal regards,
I am

Very truly yours,

John A. Martin
John A. Martin

JAM:wgm

cc: Mr. & Mrs. Oscar Pullen

002673

State of South Carolina
Division of State Fire Marshal
Budget and Control Board

file

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

800 DUTCH SQUARE BLVD., SUITE 201
COLUMBIA, S.C. 29210
(803) 758-6612

REMBERT C. DENNIS, CHAIRMAN
SENATE FINANCE COMMITTEE
TOM G. MANGUM, CHAIRMAN
WAYS AND MEANS COMMITTEE
WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

RICHARD S. CAMPBELL, P.E.
STATE FIRE MARSHAL

April 4, 1985

ORDER
Certified Mail

Mrs. Oscar Pullen
Nazarene Day Care Center
Winnsboro, SC 29180

Dear Mrs. Pullen:

Your cordial reception during meeting on April 3, 1985, was very much appreciated. In our discussion, I affirmed Deputy State Fire Marshal West's interpretation of infant care regulations.

In discussing your case with the Attorney General's Office, they have once again ruled that the State Fire Marshal does not have the authority to waive required regulations.

The State Fire Marshal's day care regulations for fifty or more children, which includes four or more infants, requires that:

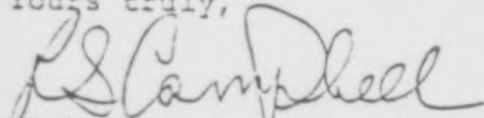
1. Cooking is limited to the warming of prepared foods or food being prepared within the oven. Range top frying is not permissible.
2. Infant care area must be separated from the rest of the facility by one-hour partitions, including 20 minute door and frame system (5/8-inch fire rated sheetrock on wood studs).
3. An exclusive exit must be installed for every ten infants with an outside stoop which complies with the Standard Building Code.
4. Infant area heating and air conditioning ducts must be protected with fire dampers or smoke actuated ventilation shut-down.
5. Exit lights are required at required exits other than infant care area.
6. Emergency lights must be installed; one unit in front and two in the gym.

002674

Your church should be complimented for supplying an extremely nice new facility, very adequately staffed, for community day care service. It is unfortunate that the designer, unknowingly, disregarded so many fire and life safety standards.

Please be advised that you are hereby ordered to correct the first item involving the cooking deficiency immediately and to notify this office in writing. All other listed deficiencies must be corrected by September 1, 1985. If you choose to appeal this order, please submit in writing your request to this office on or before May 10, 1985.

Yours truly,



Richard S. Campbell, P.E.
State Fire Marshal

RSC:m

cc: C. Havird Jones, Jr.
Harvey Scurry
Clayburn West

002675

JOHN A. MARTIN
SENATOR, CHEROKEE, CHESTER,
FAIRFIELD AND UNION COUNTIES
SENATORIAL DISTRICT NO. 17
HOME ADDRESS:
BOX 298
WINNSBORO, S.C. 29180



COMMITTEES:
BANKING AND INSURANCE
CORRECTIONS AND PENOLOGY
INTERSTATE COOPERATION
JUDICIARY
RULES, CHAIRMAN
TRANSPORTATION

April 1, 1985

6-157-5222

EXHIBIT

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

Mr. Richard S. Campbell
State Fire Marshall
800 Dutch Square Blvd., Suite 201
Columbia, South Carolina 29210

Dear Mr. Campbell:

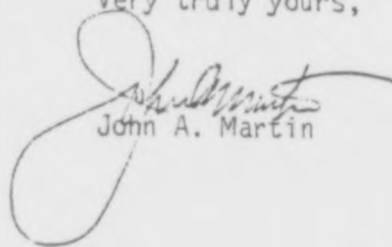
Thank you for advising my office that you were going to visit the Nazarene nursery this Tuesday afternoon.

I am delighted that you are going to take the time to make this visit, and I feel that you will be impressed with the operation and particularly the number of employees and the competency of the employees.

After you have had an opportunity to visit the premises, I will be glad to meet with you.

With best regards, I am

Very truly yours,


John A. Martin

JAM:cbr
CC: Mr. Oscar Pullen

002676

State of South Carolina
Division of State Fire Marshal
Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

800 DUTCH SQUARE BLVD., SUITE 201
COLUMBIA, S.C. 29210
(803) 758-6612

RICHARD S. CAMPBELL, P.E.
STATE FIRE MARSHAL

REMBERT C. DENNIS, CHAIRMAN
SENATE FINANCE COMMITTEE

TOM G. MANGUM, CHAIRMAN
WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

March 23, 1985

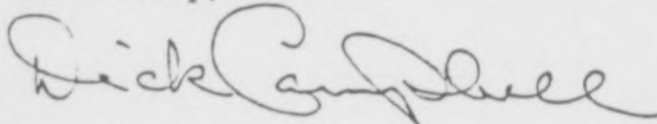
The Honorable John A. Martin
The Senate of South Carolina
311 Gressette Building
Columbia, SC 29201

Dear Mr. Martin:

In reply to your March 21, 1985 letter concerning the Nazarene Church infant care facility in Winnsboro, I plan to be at that site at 2:30 on Tuesday afternoon, April 2, to personally review the situation there. My findings will be reported to you.

Thank you for your interest in fire and life safety matters.

Yours truly,



Richard S. Campbell, P.E.
State Fire Marshal

RSC:m

002677

EXHIBIT

MEMORANDUM

AUG 27 1985

NO. 8

To: Mr. Campbell STATE BUDGET & CONTROL BOARD
From: W. Phyllis, W.D.
Subject: Traverse Church Day Care (Winnsboro)
Date: March 25, 1985
Message:

Mr. Campbell,

On March 6, 1985, at the request of Day Care Director Mrs. Pullen, I met with her and Pastor Ring to discuss new infant care regulations regarding day care centers. During the course of conversation I did explain said regulations in detail and how they could be accomplished by means of construction and safeguards as described therein.

The present room now housing infants is located near the front exit of the building but in no way meets the intent of these new regulations.

However, in concluding our conversation, Pastor Ring stated he thought this facility to be fire safe and had no intentions of making any modifications or changes to meet the new infant care regulations.

This meeting was also attended by Mr. Tony Hill, Fairfield County Fire Inspector.

Signed: W. Phyllis, W.D.

002678

Trepper 1/C S.C. Newton
512 South Vanderhorst St.
Winnsboro, S.C. 29130

March 29, 1985

Dear Senator Martin:

RECEIVED
MAY 3 1985
DIVISION OF FIRE MARSHALS

The purpose of this letter is to ask for your assistance concerning a matter that recently developed at the Nazarene Community Day Care Center in Winnsboro. This is concerning new fire regulations and policy's set up by the S.C. Fire Marshalls Office.

My wife and I moved to Fairfield County six years ago to begin our careers. We are both State employees who provide a service not only to Fairfield County but also to South Carolina as a whole. My wife serves this county as a public school teacher at Mt. Zion and I am a S.C. State Trepper. We have two children, one which is 3 1/2 years of age and the other 9 months old.

When our first child was born we looked very hard at what would be the best child care available in this county and we found the Nazarene Nursery which seemed to provide everything we had searched for. This nursery provides a Christian atmosphere to all the children enrolled and it is run and staffed by what I feel are the most efficient and quality people concerning child care available.

When our second child was born we also placed him at the Nazarene Day Care when he was eight weeks of age so that my wife may return to her job in the Fairfield County School system. The Nazarene Nursery provides a service to the people of this County that some of us cannot do without. It is my understanding that the Nazarene Church checked with the State Fire Marshall before building the existing nursery and that the building complied with all rules and regulations set forth. It seems to me that this building, which is relatively new, would fall under some type of Grandfather clause concerning new fire regulations.

It is my opinion that we are on the verge of losing a service that is very important to a lot of people in Fairfield County now and for years to come. In my particular family's case we have no relatives here to assist us with child care due to the fact we moved here for the advancement of our careers. It would be almost impossible to have someone come into our home to keep our children because I work swing shifts and weekends.

The Fire Marshall is defining an infant as under two years of age however I feel a better description of an infant is a child less than one year of age. Most children over a year can walk on their own and are well on their way with their vocabulary. After all, isn't that what the Fire Marshall is concerned about? That is, children who can walk on their own in case an emergency should arise.

The parents who utilize this nursery and are concerned about the quality care of their children reach out their hands for your help. A change in the law or requirements, an extension of some type, or a Grandfather type clause would help. Anything that could be done to help the working couples of this county with small children would be welcome and appreciated.

Sincerely Yours,

Craig Newton
S. Craig Newton

cc S.C. State Fire Marshall
Nazarene Day Care Center

002679

EXHIBIT

AUG 27 1985

NO. 8

STATE BUDGET & CONTROL BOARD



Exhibit #1

Bldg. #1

Outside view of
front door,

002680



Exhibit #2

Bldg. # 1 & 2

Outside View

002681

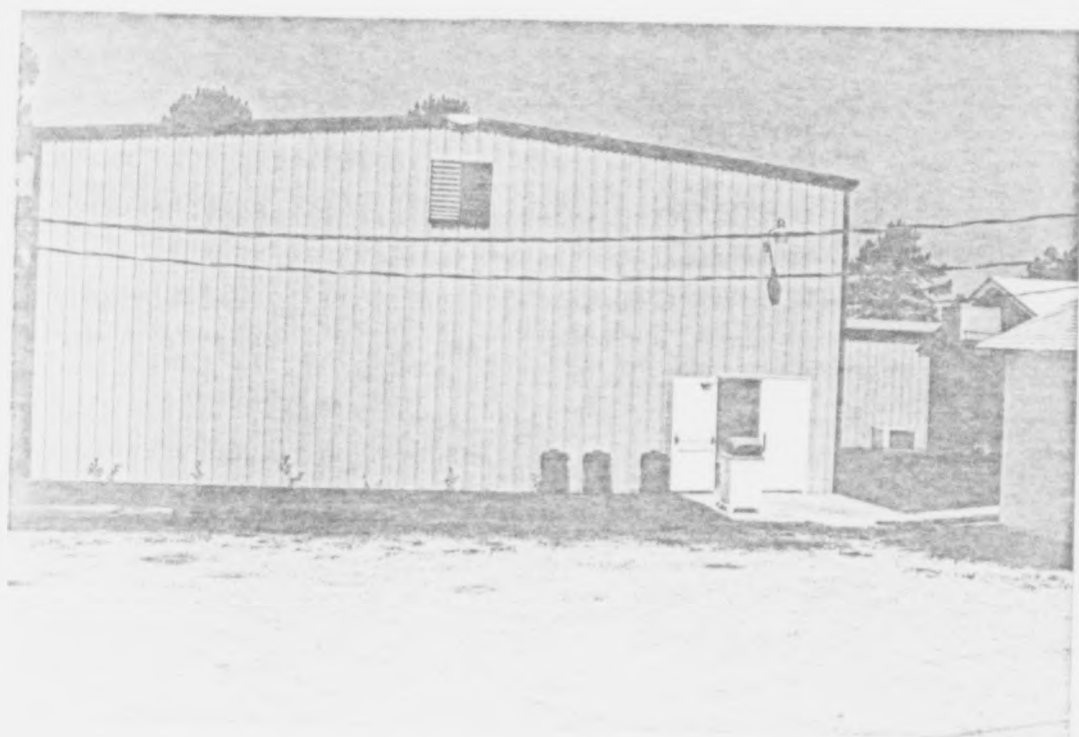


Exhibit #3

Plot #2

Outside View

002682

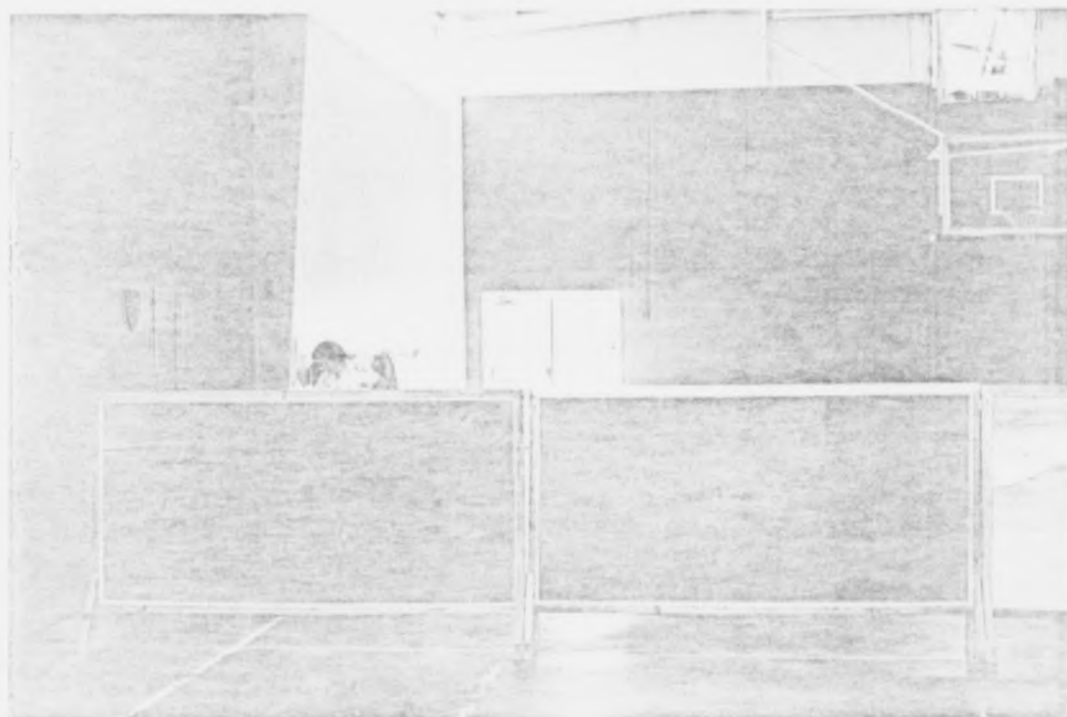


Exhibit # 4

Page # 2

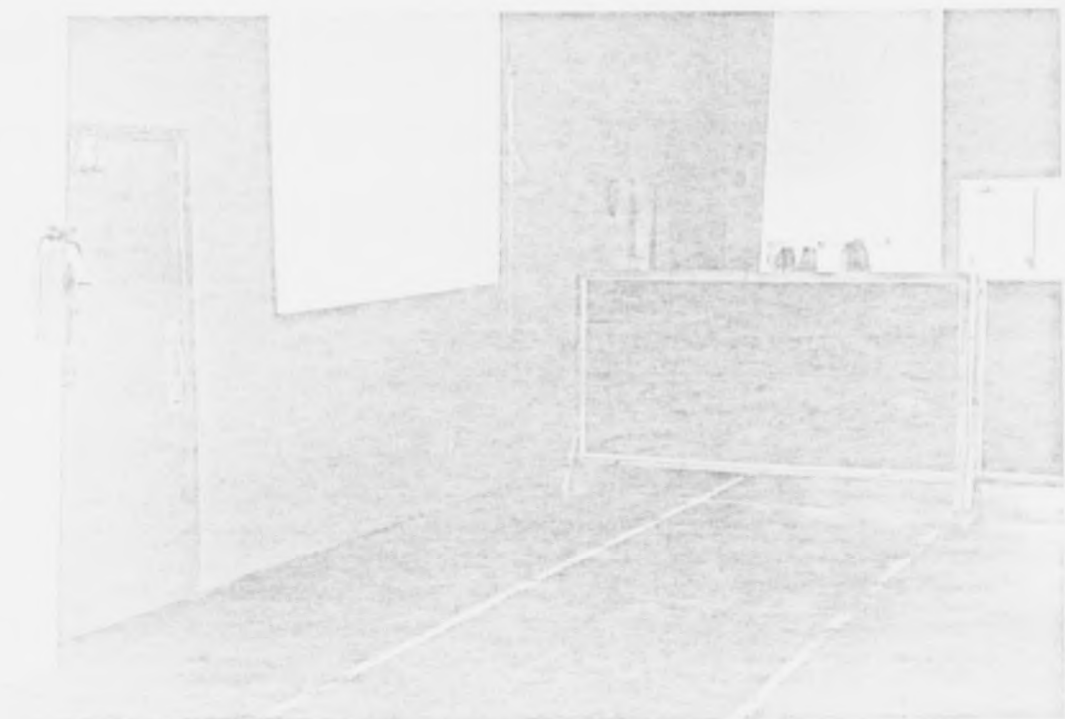
Exterior view
showing portable
partitions.

002683



Report #5
 1/2/72
 1/2/72
 1/2/72
 1/2/72

002684



002685

EXHIBIT

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD

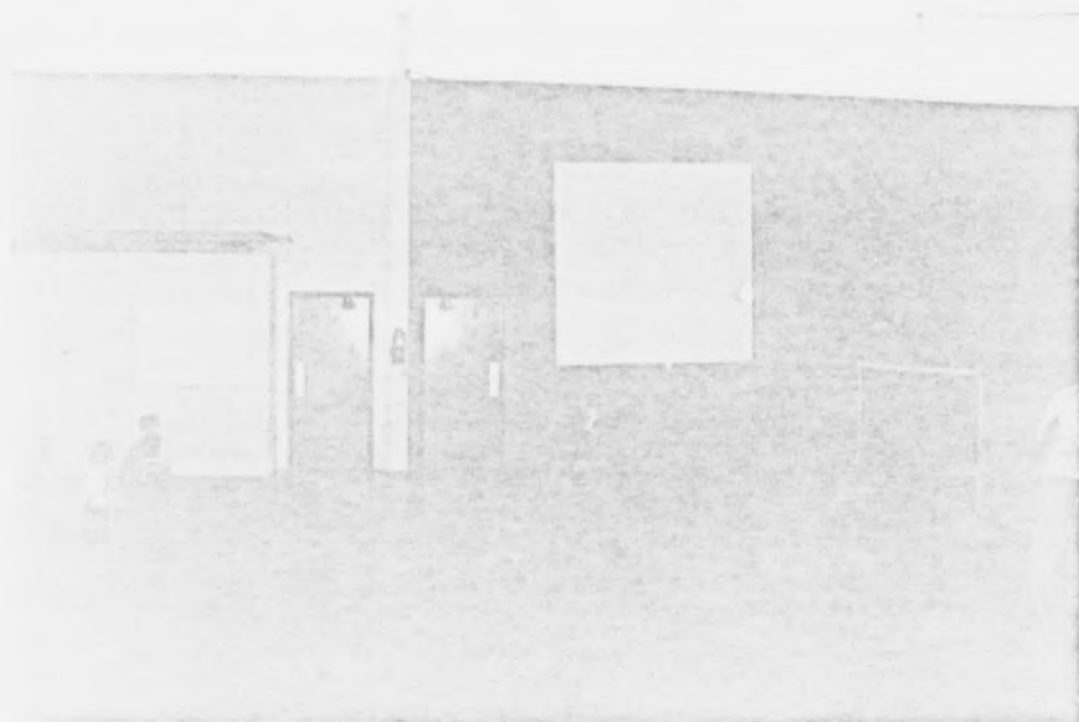


Exhibit # 8 Photo # 2

View from inside
showing exits

002686



Exhibit #3

1/1/2

1/1/2

1/1/2

002687



Exhibit #9

Photo 1

View of kitchen

10/25/77

002688



Exhibit # 10

Page # 1

W. J. L. L.

002689



2nd floor - 1st floor
1st floor - 1st floor
1st floor - 1st floor
1st floor - 1st floor

002690



Exhibit #12

Exhibit #13

Exhibit #14

002691



Rabbit #13

July 1

1 Pic area used
for keeping babies

002632

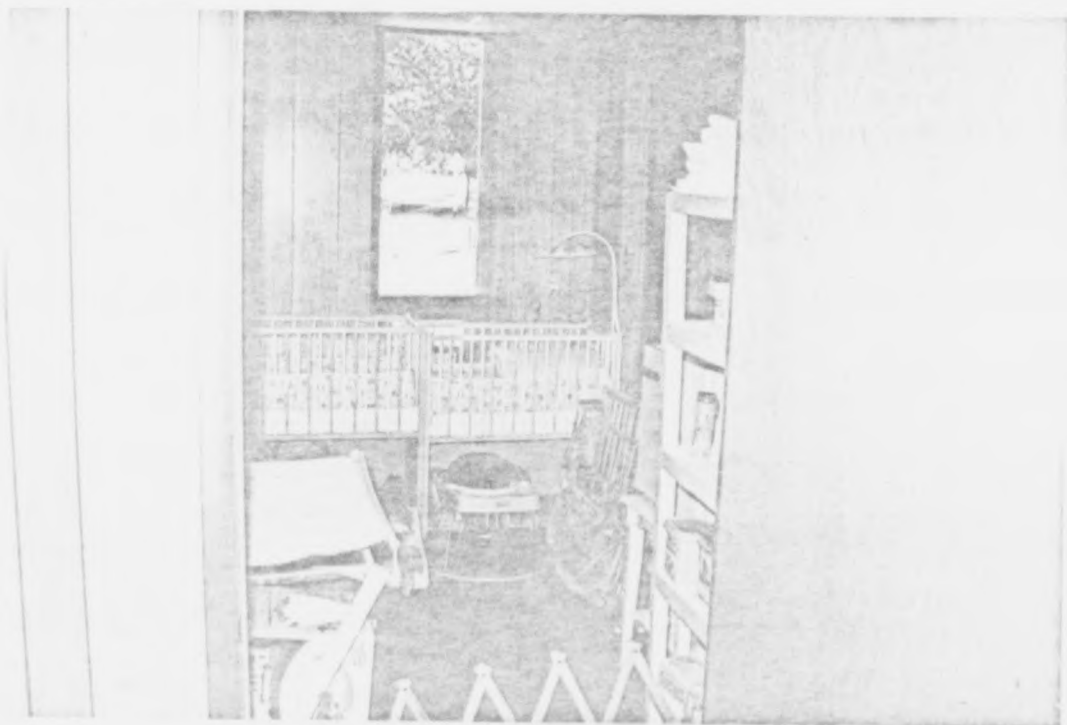


Exhibit #1

Page 1

View of room
where babies
are kept.

002693

EXHIBIT

AUG 27 1985 NO. 8

STATE BUDGET & CONTROL BOARD



Exhibit #13

Bldg. #1

View of portable
partitions.

002694



Prison #17 - 1st floor - 1st cell

002695



Exhibit #10

Exhibit #10
Exhibit #10

002696

EXHIBIT

AUG 27 1955 NO. 8

STATE BUDGET & CONTROL BOARD



Exhibit #15

Exhibit #1

Exhibit #2

Exhibit #3

Exhibit #4

002697

EXHIBIT

AUG 27 1985

NO. 9

STATE BUDGET AND CONTROL BOARD

MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD

REGULAR SESSION

ITEM NUMBER

5

AGENCY: Parks, Recreation and Tourism

SUBJECT: Wage and Hour Law Impact

Executive Director Brinkman will ask for emergency assistance to enable PRT to comply with the federal requirements and Board policy regarding the forty-hour work week and related matters.

Mr. Brinkman indicates that cutting back to a forty-hour average work week would require overtime pay that cannot be handled without additional funds for personnel and/or overtime pay or without drastic cutbacks in the levels of service and the periods of operations for some parks.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Brinkman August 2 and 14 letters to Putnam; Putnam August 6 letter to Brinkman.

002698



EXHIBIT

AUG 27 1985

NO. 9

STATE BUDGET & CONTROL BOARD

RECEIVED

AUG 14 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

Fred P. Brinkman
Executive Director
(803) 758-2566

August 14, 1985

Mr. William T. Putnam, Executive Director
South Carolina Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Dear Bill:

Please consider this as our official request to be included on the agenda of the next meeting of the State Budget and Control Board so as to present our request for emergency assistance to enable this Department to comply with the 40-hour work week law.

I would like to personally appear before the Board to advise the members about this very serious problem.

Very truly yours,

Fred P. Brinkman

FPB/drf

002639

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADYL PATTERSON, JR.
STATE TREASURER
EARLEF MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

August 6, 1985

EXHIBIT

AUG 27 1985 NO. 9

STATE BUDGET & CONTROL BOARD

Mr. Fred P. Brinkman, Executive Director
Department of Parks, Recreation & Tourism
Suite 110, Edgar Brown Building
Columbia, South Carolina

Dear Fred:

This will acknowledge receipt of your letter of August 2, 1985, pertaining to the problem which you anticipate in dealing with the new wage and hour laws as they affect the Department of Parks, Recreation and Tourism. We sympathize with your plight as our agency, to a lesser degree, is wrestling with some of the same problems.

The Budget and Control Board has discussed this matter on at least two occasions, but unfortunately has no immediate answer as funds to cover the additional costs can only be made available by the General Assembly. From a staff standpoint, we will be glad to assist you in any way possible, and will ask Jesse Coles to provide such budget assistance as he may be able to give to evaluate this situation.

I, along with the rest of our staff, will continue to give consideration to the problems created by the Federal Court ruling with respect to the application of the wage and hour laws, and will discuss with you any thoughts which we might have that may be of value.

Yours very truly,

Bill

William T. Putnam

WTP/nk

cc: Dr. Jesse A. Coles

002700

EXHIBIT

Mr. William T. Putnam
Page 2
August 2, 1985

AUG 27 1985 NO. 9

STATE BUDGET & CONTROL BOARD

We have concluded that more people (not overtime pay and not service cutbacks) represent the best answer to the crisis we face in the State Parks. A vast amount of data being collected from other state park systems (as well as national, local and private parks) dramatically reveal these facts:

- (1) We have fewer people staffing our State Parks than other comparable parks.
- (2) We are near the bottom of the list in State appropriated funds (and near the top of the list in self-sustaining revenues).
- (3) Our proportion of total state park budget money allocated for personnel is much lower than for other states' park systems.

The 1986-87 budget request adopted by our PRT Commission seeks (as Priority #1) \$1,533,045 in State funds for additional State Park personnel, including 67 A-1 personnel and 37 A-2 personnel to help comply with the 40-hour workweek law and state policy and minimize the impact of reduced services.

For 1985-86, we are finalizing a complete plan of action to comply with the 40-hour workweek law and state policy within existing resources by substantial reductions of service and closing periods and times for the State Parks. However, we do not believe that the public interest will best be served by this plan. Therefore, our PRT Commission and Department have agreed to seek emergency funding from the State or other source to alleviate some of the more drastic cutbacks and resulting negative impacts that will otherwise be necessary.

On the one hand, we must be fiscally responsible and comply with the law and state policy. Every day that passes brings increased potential liability as well as the accumulation of expenditures that will lead to more drastic decisions in service cutbacks in order to balance our 1985-86 Parks Division budget within the limits of available financial resources.

On the other hand, we anticipate that the immediate implementation of our present plan of action to comply with the law and state policy within existing financial resources will bring immediate negative responses from the public and unfavorable publicity and catch legislators and others by surprise. Therefore, we believe it is very important that you and members of the Budget and Control Board become fully acquainted with all aspects of the impact of the 40-hour workweek in our State Parks and our plans of action for dealing with this matter.

002702

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE F. MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

August 6, 1985

EXHIBIT

AUG 27 1985 NO. 9

STATE BUDGET & CONTROL BOARD

Mr. Fred P. Brinkman, Executive Director
Department of Parks, Recreation & Tourism
Suite 110, Edgar Brown Building
Columbia, South Carolina

Dear Fred:

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I, along with the rest of our staff, will continue to give consideration to the problems created by the Federal Court ruling with respect to the application of the wage and hour laws, and will discuss with you any thoughts which we might have that may be of value.

Yours very truly,

Bill

William T. Putnam

WTP/nk

cc: Dr. Jesse A. Coles

002700

RECEIVED

AUG 5 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR



Fred P. Brinkman
Executive Director
(803) 758-2566

August 2, 1985

Mr. William T. Putnam, Executive Director
South Carolina State Budget and Control Board
6th Floor, Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

Dear Bill:

PRT and our State Parks System face a very severe problem in complying with the new federal law and state policy adopted by the Budget and Control Board with regard to the 40-hour workweek and related matters.

The heart of the problem is the fact that the operation of 40 state parks with the levels of service and opening days that have been in effect for many years have been dependent on a 56-hour average workweek for the park employees. The cutback to 40 hours or variations that would require overtime pay cannot be accomplished without (1) infusion of money for additional personnel and/or overtime pay, (2) or without drastic cutbacks in levels of service and periods of non-operation for some parks. We do not believe that the latter options can realistically be accomplished without immediate negative public reactions and accompanying publicity and without more serious longer range disruptions of service to the public, depletion of the self-sustaining park revenue base, and degradation of millions of dollars worth of investments involving buildings, structures and infrastructure as well as natural and cultural resources.

Phyllis M. Mayes, very competent Director of your Human Resources Management Division, and her staff have been most helpful to our staff in providing information and guidance on the federal law and new state policy and in reviewing the unique situation of our State Parks. This week, Phyllis and Steve Osborne met with our PRT Commission Finance Committee and staff officials to review our State Parks situation and our 1985-86 and 1986-87 plans for dealing with the problem.

Phyllis advised me that she subsequently met with Dr. Jesse A. Coles, Jr., your Budget Division Director, to explain the problems and PRT's proposed solutions and to discuss other possible approaches for dealing with this problem.

002701

EXHIBIT

Mr. William T. Putnam
Page 2
August 2, 1985

AUG 27 1985 NO. 9

STATE BUDGET & CONTROL BOARD

We have concluded that more people (not overtime pay and not service cutbacks) represent the best answer to the crisis we face in the State Parks. A vast amount of data being collected from other state park systems (as well as national, local and private parks) dramatically reveal these facts:

- (1) We have fewer people staffing our State Parks than other comparable parks.
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The 1986-87 budget request adopted by our PRT Commission seeks (as Priority #1) \$1,533,045 in State funds for additional State Park personnel, including 67 A-1 personnel and 37 A-2 personnel to help comply with the 40-hour workweek law and state policy and minimize the impact of reduced services.

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On the one hand, we must be fiscally responsible and comply with the law and state policy. Every day that passes brings increased potential liability as well as the accumulation of expenditures that will lead to more drastic decisions in service cutbacks in order to balance our 1985-86 Parks Division budget within the limits of available financial resources.

On the other hand, we anticipate that the immediate implementation of our present plan of action to comply with the law and state policy within existing financial resources will bring immediate negative responses from the public and unfavorable publicity and catch legislators and others by surprise. Therefore, we believe it is very important that you and members of the Budget and Control Board become fully acquainted with all aspects of the impact of the 40-hour workweek in our State Parks and our plans of action for dealing with this matter.

002702

Mr. William T. Putnam

Page 3

August 2, 1985

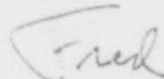
We also seek your Board's help as well as your professional guidance and that of your Finance Division and Human Resources Management Division in evaluating the plans our Commission and Department have developed. We want to make sure we have not overlooked any alternative solutions to the problem. The total knowledge, expertise and advice of your Budget and Control Board professional staff could be very helpful.

We realize that State money doesn't grow on trees and therefore we are prepared to help you and the Board find sources of money (not presently available to PRT) that could provide some emergency financing to replace or at least alleviate and modify the more drastic effects of actions needed by PRT to immediately comply with the 40-hour workweek law within 1985-86 financial resources now available to PRT.

Phyllis Mayes has suggested that an immediate course of action might be the assignment of a Budget and Control Board budget analyst to work with us on the State Parks problem. We respectfully request your consideration of the assignment of a budget analyst to this matter and other actions you may consider appropriate.

Meanwhile, members of our staff and I are ready to provide any briefings or additional information you and your Budget and Control Board officials may need.

Sincerely,



Fred P. Brinkman

FPB:pbs

cc: Ms. Phyllis M. Mayes, Director, Human Resources Management
Division, Budget and Control Board

Dr. Jesse A. Coles, Jr., Director, Budget Division, Budget
and Control Board

Members of the PRT Commission and Staff Officials

002703

307500

EXHIBIT

AUG 27 1985

NO. 10

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

ITEM NUMBER

6

AGENCY: Information Resource Management

SUBJECT: Financing of Acquisition of Telecommunications Systems

The Division asks that it be authorized to ask the State Treasurer's Office to proceed with a solicitation for financing this \$30 million acquisition.

The Division points out that, on December 31, 1984, the Board entered into a three-year term contract with AT&T Information Systems providing for the Board to procure all telecommunications systems of sixty or more lines and all systems in the greater Columbia and Charleston areas regardless of size.

The Division notes that, by purchasing these systems and then billing user agencies to cover debt service, insurance and maintenance, the Board abides by the legislative mandate to be solely responsible for the State government's telecommunications resource. It also makes possible the realization of relatively low interest rates, relatively low maintenance costs, statewide perspective, and control over an indebtedness which would have occurred even if the Board had not taken the initiative to centralize this procurement, according to the Division.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Agenda item worksheet.

002704

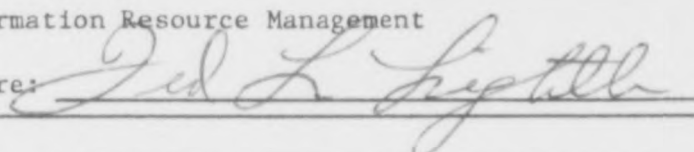
BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (12/84)

Meeting Scheduled for: August 27, 1985

Executive Session Agenda

1. Submitted By:

(a) Agency: Division of Information Resource Management

(b) Authorized Official Signature: 2. Subject:

Financing of Telecommunications Systems acquired under the Board's term contract with ATT/IS

3. Summary Background Information:

On December 31, 1984 the Budget and Control Board entered into a three year term contract with AT&T Information Systems. Under the terms of this agreement, the Board, acting as agent for the State, shall procure all telecommunications systems of sixty or more lines and all systems in the greater Columbia and Charleston areas regardless of size, from ATT/IS. Entry into the contract was predicated upon stabilizing approximately fifty (50) per cent of local service telecommunications cost over a seven year period (in essence halving the rate of annual cost escalation) and upon the substantial volume discounts offered by ATT/IS. Through these volume discounts, the State as a whole will experience substantial cost savings far greater than could have been obtained by any individual agency or institution. In addition, by acting through a common agent, (the Board) rather than piecemeal, the agencies of the State have furthered the principles of centralized accountability and management and economies of scale.

By purchasing all of the systems in question and then billing user agencies for the cost of debt service, insurance and maintenance, the Board would not only abide by its legislative mandate to be solely responsible for the telecommunications resource within State government, but would also allow the State to realize a number of significant benefits such as: 1) the lowest possible interest rate, 2) the lowest possible maintenance costs 3) the ability to optimize our use of this resource on a Statewide basis 4) the opportunity for small agencies with systems costing under \$30,000 to finance those systems over seven years 5) consolidation and control over an indebtedness which would have occurred regardless of whether or not the Board had taken the initiative to centralize procurement and realize volume discounts by means of a term contract.

As a result of these considerations, it is requested that DIRM be designated as the point of financial control for financing the approximately \$30,000,000 required to procure requested telecommunications systems.

EXHIBIT

AUG 27 1985 NO. 10

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Authorize DIRM to request that the Treasurer's office proceed with a solicitation for financing.

5. What is recommendation of Board Division involved?

That DIRM be authorized to request that the Treasurer's office proceed with a solicitation for financing.

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

(a) Authorized Signature: _____

(b) Division/Agency Name: _____

7. Supporting Documents:(a) List Those Attached:

Current Project Budget

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

002705

STATEWIDE TELECOMMUNICATIONS CAPITAL COST

COLUMBIA MAIN SYSTEM	12,406,284
CHARLESTON MAIN SYSTEM	6,812,800
BROAD RIVER ROAD	2,334,539
CRAFTS FALLOW	2,149,445
SC STATE COLLEGE	1,698,379
MANAGEMENT SYSTEM	650,000
MILLS BUILDING	516,498
OTHER COLUMBIA SYSTEMS	502,524
TRIDENT TEC	386,100
FRANCIS MARION	368,875
HORRY-GEORGETOWN TEC	318,384
LANDER	297,443
WHITTEN CENTER	283,389
BEAUFORT TEC	201,960
OTHER CHARLESTON SYSTEMS	175,824
SCHOOL FOR DEAF AND BLIND	148,500
SPARTANBURG TEC	148,500
DENMARK TEC	118,800
ORANGEBURG COUNTY HEALTH	82,230
TOTAL	29,600,474

EXHIBIT

AUG 27 1985 NO. 10

STATE BUDGET & CONTROL BOARD

002706

EXHIBIT

AUG 27 1985

NO. 11

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
REGULAR SESSION
ITEM NUMBER

7

AGENCY: Family Farm Development Authority

SUBJECT: Agricultural Development Bonds

The Family Farm Development Authority requests Board approval of the issuance of Agricultural Development Revenue Bonds for the following projects and asks that an allocation of a portion of the State Ceiling be made for each:

- (a) (1) Borrower: Billy Ray and Jane L. East
Principal Amount: \$250,000
Purpose: Purchase of farm land, equipment, irrigation system, berry farm and orchard
Maturity Schedule: Interest only at 15% per annum for first 6 months, thereafter 138 equal monthly payments
Bond Purchaser: Southern Bank and Trust Company, Columbia
- (2) Borrower: Lawrence W. Davis
Principal Amount: \$125,000
Purpose: Purchase of 353 acres farmland, equipment for truck operation and facilities
Maturity Schedule: 240 equal annual payments at 18% per annum
Bond Purchaser: Security Federal Savings & Loan Assn., Aiken
- (b) (3) Borrower: Tommy P. Riley
Principal Amount: \$325,000
Purpose: Construction of environmental poultry and facility egg operation
Maturity Schedule: 120 equal monthly payments at 9% per annum
Bond Purchaser: Bankers Trust, Newberry
- (c) (4) Borrower: Double H Hog Farm (partnership of J. Daniel Hutto, Jr., and R. Barry Hutto)
Principal Amount: \$25,000
Purpose: Construction of a swine finishing facility
Maturity Schedule: \$8,333 annual principal payment plus accrued interest at 7.75% per annum for a period of 3 years
Bond Purchaser: Farmers & Merchants Bank, Holly Hill

BOARD ACTION REQUESTED:

Adopt resolutions approving the issuance of Agricultural Development Revenue Bonds by the Family Farm Development Authority for the referenced projects; and allocate a portion of the state ceiling to each project.

ATTACHMENTS:

Referenced resolutions

002707

AUG 21 1985
12:53 P.M. - LL

MCNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

EIGHTEENTH FLOOR
BANKERS TRUST TOWER

POST OFFICE BOX 11390

COLUMBIA, SOUTH CAROLINA 29211

803-799-9800

ROBERT E. MCNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
D. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. "BOB" JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN JR.
DENNIS C. THELEN
JOHN H. LUMPKIN, JR.
JOHN W. CURRIE
SCOTT Y. BARNES
M. ELIZABETH CRUM
THEODORE J. HOPKINS, JR.
DANIEL R. McLEOD, JR.
WILLIAM S. ROSE, JR.
BERNARD J. WUNDER, JR.
FUEL D. ADAMS, JR.
H. CRAIG GARNER, JR.
IRENTON D. JEFFCOAT
ROBERT T. BOCKMAN
PETER L. MURPHY
C. ALAN RUNYAN
JOHN W. FOSTER
ELIZABETH VAN DOREN GRAY
WILMOT B. IRVIN
APRIL C. LUCAS
ROBERT E. STEPP

KATHLEEN CRUM MCKINNEY
E. RUSSELL JETER, JR.
EDWARD H. FORGOTSONTY
STEPHEN KORLANITZ
FRANKLIN G. POLK
CARL B. CARRUTH
JOHN W. HUNTER
JAMES P. FIELDS, JR.
LAWRENCE P. HIGGINS
W. STEPHEN CANNON
EDWIN W. JOHNSON II
BARBARA GEORGE BARTON
RICHARD J. MORGAN
J. SIMON FRASER
CHRISTOPHER MCGOWEN HOLMES
DOROTHY M. HELMS
PAUL B. NIX, JR.
NANCY PAGE
SANDRA L. RANDLEMAN
JANE W. TRIMBLEY
J. LYLES GLENN IV
CELESTE TILLER JONES
JOSEPH D. WALKER
NANCY R. JEFFERIS
ALISON RENEE LEE
MARTHA P. MCMILLIN
GREGORY D. DILOACH
ELIZABETH B. ANDERS
WILLIAM M. MUSSER

August 21, 1985

EXHIBIT

AUG 27 1985

NO. 11

STATE BUDGET & CONTROL BOARD

HAND DELIVERED

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

GREENVILLE OFFICE
SUITE 401
BANKERS TRUST PLAZA
7 NORTH LAURENS STREET
GREENVILLE, S.C. 29601
803-271-4940

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29928
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

*D.C. AND NEW YORK BARS ONLY
**D.C. AND OHIO BARS ONLY
***D.C. BAR ONLY
****MISSOURI BAR ONLY
*****CALIFORNIA, D.C. AND TEXAS BARS ONLY
*****MASSACHUSETTS BAR ONLY

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
Wade Hampton Office Building, Room 618
Columbia, South Carolina 29201

Re: South Carolina State Family Farm Development
Authority, Agricultural Development Bonds

Dear Mr. McInnis:

Enclosed are the original and two (2) copies of
respective Petitions of the Family Farm Development Authority
relating to the following bond issues:

1. \$250,000 Agricultural Development Revenue Bond
(Billy R. and Jane L. East Project);
2. \$125,000 Agricultural Development Revenue Bond
(Lawrence W. Davis Project);
3. \$325,000 Agricultural Development Revenue Bond
(Tommy P. Riley Project); and
4. \$25,000 Agricultural Development Revenue Bond
(Double H Hog Farm Project).

I request that this matter be placed on the agenda for
the meeting of the Budget and Control Board to be held on Tuesday,
August 27, 1985.

0027C8

Mr. William A. McInnis
August 21, 1985
Page 2

EXHIBIT

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

Also enclosed are the original and three (3) copies of respective Resolutions of the Board approving the issuance of each bond. Upon adoption of the Resolutions, I request that you attach the appropriate certificate to the three copies and return them to me at your earliest convenience. The original is for the Board's records.

Thank you for your cooperation. If there should be any questions, please contact me. With kind regards, I am

Yours very truly,

McNAIR GLENN KONDUROS CORLEY
SINGLETERY PORTER & DIBBLE, P.A.

Daniel R. McLeod, Jr.

By: Daniel R. McLeod, Jr.

DRM/sss
Enclosures
cc: The Honorable Horace C. Smith
w/enclosures
Mr. Clyde B. Livingston

002709

EXHIBIT

State of South Carolina

AUG 27 1985

NO. 11

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

August 27, 1985

C E R T I F I C A T E

[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$250,000 Family Farm Development Authority
Agricultural Development Revenue Bonds
(Billy Ray and Jane L. East, d/b/a Bohicket Berry Farm Project)

This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985, (the date the allocation was approved by the Board) if the bonds for which the allocation has been approved have not been issued.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Grady L. Patterson, Jr.

Attest:

William A. McInnis, Secretary

(a)

002710

EXHIBIT

AUG 27 1985

NO. 11

STATE OF SOUTH CAROLINA)

Bohicket Berry Farm

COUNTY OF RICHLAND)

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

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. Mangum, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

4

AGAINST MOTION

0

That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

002711

EXHIBIT

AUG 27 1985 NO. 11

A RESOLUTION

STATE BUDGET & CONTROL BOARD
OF THE STATE BUDGET AND CONTROL BOARD APPROVING THE ISSUANCE BY THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY OF A \$250,000 AGRICULTURAL DEVELOPMENT BOND (BILLY RAY AND JANE L. EAST, D/B/A BOHICKET BERRY FARM PROJECT), 1985.

WHEREAS, it is provided by the South Carolina State Family Farm Development Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1981, now codified as Chapter 47, Title 46 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"), that upon approval by the State Budget and Control Board (the "Board"), the South Carolina State Family Farm Development Authority (the "Authority") may borrow money through the issuance of its negotiable bonds in order to finance its programs; and

WHEREAS, the Authority has established a direct loan program (the "Direct Loan Program") as provided in Section 15 of the Act (now codified as section 46-47-90); and

WHEREAS, the Authority has submitted its petition (the "Petition") to the Board requesting approval by the Board of the issuance by the Authority pursuant to the Act of its \$250,000 Agricultural Development Bond (Billy Ray and Jane L. East, d/b/a Bohicket Berry Farm Project), 1985 (the "Bond"), which Bond has been authorized to be issued pursuant to Resolution No. 85-0019 adopted on August 16, 1985, by the Authority.

WHEREAS, the Bond shall be dated, shall mature, and shall bear interest at such rate payable at such times and shall otherwise contain such terms and conditions as shall be authorized by the Resolution of the Authority and shall be sold to Southern Bank and Trust Company, in Columbia, South Carolina; and

WHEREAS, the Authority has presented to the Board the Petition which, together with exhibits and schedule thereto attached, sets forth certain information with respect to the Direct Loan Program and the Bond.

WHEREAS, the Board has determined, based upon such information, that the funds estimated to thereafter be available for the repayment of the Bond will be sufficient to provide for the payment of the principal and interest on the Bond as they become due;

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD, AS FOLLOWS:

Section 1. It is found and determined that the facts set forth in the preambles to this Resolution and in the Petition are in all respects true and correct.

Section 2. The Petition filed by the Authority contain all matters required by the Act and the rules of the Board to be set forth therein.

Section 3. Approval is hereby granted by the Board to the issuance and sale by the Authority of its \$250,000 Agricultural Development Bond (Billy Ray and Jane L. East d/b/a Bohicket Berry Farm Project), 1985, in order to make a mortgage loan or secured loan to the Billy Ray and Jane L. East d/b/a Bohicket Berry Farm (the "Farmer"), including the interest rate thereon, to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by the Farmer.

The Bond shall be issued and secured as provided in the Resolution of the Authority.

Section 4. This Resolution shall take effect immediately upon its adoption.

Dated: August 27, 1985

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

TO: THE STATE BUDGET AND)
 CONTROL BOARD OF SOUTH)
 CAROLINA)
)

PETITION

This Petition of the South Carolina State Family Farm Development Authority (the "Authority") is submitted to the State Budget and Control Board of South Carolina (the "Board") pursuant to the South Carolina State Family Farm Development Authority Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of 1981, now codified as Chapter 47 of Title 46 of the Code of Laws of South Carolina, 1976, as amended (the "Act") and respectfully shows:

1. The Act, among other things, provides that following a determination made by the Authority that it is necessary to sell bonds to develop and implement one of the programs authorized by the Act and a finding that the revenues or other moneys estimated to thereafter be available therefor will provide moneys required for the payment of the principal and interest on the bond then proposed to be issued, upon obtaining the approval of the Board pursuant to the Act, the Authority is authorized to issue bonds for such purposes.

2. The Authority has developed its Direct Loan Program for Farmers of the Beneficiary Class.

3. Pursuant to the provisions of Act No. 512 of the Acts and Joint Resolutions for the General Assembly of the State of South Carolina for the year 1984, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling (the "State Ceiling") applicable to the State of South Carolina under Section 103(n) of the Internal Revenue Code of 1954, as amended.

4. By resolution duly adopted by the Authority on August 16, 1985 (certified copy of which is attached hereto as Exhibit A), the Authority has authorized the issuance of its \$250,000 Agricultural Development Bond (Billy Ray and Jane L. East, d/b/a Bohicket Berry Farm, Project) 1985 (the "Bond") being described on Exhibit B attached hereto.

5. The Bond shall be a special obligation of the Authority secured by and payable solely from the moneys, income and receipts of the Authority to be pledged under a Loan Agreement between the Authority and the Farmer.

6. Attached hereto as Schedule 1 and by reference incorporated herein in its entirety is a schedule showing the annual debt service requirements and the amount and source of revenues available for the payment thereof on all outstanding bonds of the Authority.

7. The information contained in this Petition provides the Board with all the information required by Section 15 of Act No. 179 (1981 Acts) (now codified as Section 46-47-140 of the 1976 Code of Laws of South Carolina, as amended) to be presented by the Authority in connection with the Bond.

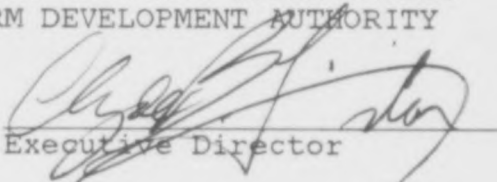
8. The Authority stands ready to produce any further information with respect to the Bond or other bonds of the Direct Loan Program required by the Board.

WHEREFORE, on the basis of the foregoing the Authority prays approval of the Board of the issuance and sale of the Authority's Bond in the principal amount and on the terms and conditions prescribed in the Resolution No. 85-0019 as described in this Petition and allocate \$250,000 of the State Ceiling for the Bond.

To the best of my knowledge the approval of the Billy Ray and Jane L. East, d/b/a Bohicket Berry Farm Project, is not made in consideration of any bribe, gift, gratuity, or direct or indirect contributions to any political campaign.

Respectfully submitted,

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By: 
Executive Director

(SEAL)

August 21, 1985

Copy of Petition also forwarded to Joint Bond Review Committee.

EXHIBIT

AUG 27 1985 NO. 11

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

CERTIFIED COPY OF RESOLUTION
No. 85-0019

I, the undersigned being the duly qualified and acting Executive Director of the South Carolina State Family Farm Development Authority (the "Authority"), do hereby certify that attached hereto is a copy of Resolution No. 85-0019 authorizing the issuance of a \$250,000 Agricultural Development Bond (Billy Ray and Jane L. East d/b/a Bohicket Berry Farm Project), 1985, adopted by the Authority at a meeting duly called and held on August 16, 1985, at which a quorum was present and acting throughout, which resolution has been compared by me with the original thereof, and that such resolution has been duly adopted and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof in the form attached hereto.

In witness whereof, I have hereunto set my hand and the official seal of the Authority this 16th day of August, 1985.

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By: [Signature]
Executive Director

(SEAL)

EXHIBIT

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

002716

RESOLUTION NO. 85-0019

AUTHORIZING THE ISSUANCE OF A \$250,000 AGRICULTURAL DEVELOPMENT BOND (BILLY RAY AND JANE L. EAST D/B/A BOHICKET BERRY FARM PROJECT), 1985, OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND LENDER LOAN AGREEMENT; APPROVING THE SUBMISSION OF A PETITION TO THE STATE BUDGET AND CONTROL BOARD; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY, AS FOLLOWS:

Section 1. Findings and Determinations. The Authority hereby finds and determines:

(a) Pursuant to the South Carolina State Family Farm Development Act as amended (the "Act"), the Authority is authorized and empowered to undertake programs which assist farmers of the beneficiary class in acquiring agricultural land, agricultural improvements and/or depreciable agricultural property for the purpose of farming.

(b) The Authority is authorized and has developed under the Act a direct loan program for farmers (the "Direct Loan Program") of the beneficiary class by making mortgage loans or secured loans to such farmers to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by such farmers.

(c) The Authority is further authorized to borrow money through the issuance of its negotiable bonds as provided in the Act in order to finance its Direct Loan Program.

(d) The Authority has received a request from Billy Ray and Jane L. East d/b/a Bohicket Berry Farm (the "Borrower") to issue its agricultural development bond for the purpose of facilitating the acquisition of agricultural land, agricultural improvements and/or depreciable agricultural property as more particularly described in the Borrower's Application heretofore submitted to the Authority (the "Project").

(e) In order to raise the sum of \$250,000 and loan such moneys to the Borrower under a Loan Agreement hereinafter described, the Authority finds it necessary and in its best interest to sell its agricultural development

bond to Southern Bank and Trust Company, in Columbia, South Carolina (the "Lender").

(f) The Authority further finds that:

(i) the Borrower receiving the mortgage loan or secured loan under the Direct Loan Program is a member of the "beneficiary class" as defined in the Act;

(ii) the Borrower satisfies the underwriting and credit standards as have been determined by the proposed regulations of the Authority so as to insure payment of the principal and interest on the Bond; and

(iii) the mortgage loan or secured loan authorized hereby is not otherwise available to the Borrower, wholly or in part, without the assistance of financing under the Direct Loan Program, upon reasonably equivalent terms and conditions.

(g) The Authority has caused to be prepared and presented to this meeting the following documents which the Authority proposes to enter into, execute and deliver:

(i) The form of Loan Agreement by and between the Authority and the Borrower including the form of promissory note of the Borrower;

(ii) The form of Lender Loan Agreement by and between the Authority and the Lender; and

(iii) The form of bond to be executed by the Authority.

It appears that each of the Agreements above referred to is in appropriate form and is an appropriate instrument to be executed and delivered by the Authority for the purposes intended.

(h) It is now necessary and in the best interest of the Authority to authorize the issuance of a \$250,000 Agricultural Development Bond, 1985 (Billy Ray and Jane L. East d/b/a Bohicket Berry Farm Project) in order to develop and implement its Direct Loan Program and to authorize the execution and delivery of the aforementioned Loan Agreement, Lender Loan Agreement and other documents relating to this transaction.

Section 2. Authorization. Pursuant to the Act and the Direct Loan Program in order to finance the Project, including financial, legal, administrative and other costs of the Authority and other fees, there is hereby authorized to be issued a \$250,000 Agricultural Development Bond, (Billy Ray and Jane L. East d/b/a Bohicket Berry Farm

Project) 1985, (the "Bond"), of the Authority. The revenues and other monies estimated to be available will provide monies required for the payment of the principal and interest on the Bond.

Neither the Commissioners of the Authority nor any persons executing the Bond shall be subject to personal liability on the Bond or accountability by reason of the issuance thereof.

The Bond shall be issued in the form submitted at this meeting of the Authority and shall be payable upon such terms and at such interest rate as specified therein with such variations, omissions and insertions as are permitted or required by this Bond Resolution, the Loan Agreement or the Lender Loan Agreement.

The Bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 3. Execution. The Bond shall be executed in the name of the Authority by the manual or facsimile signature of its Chairman or Vice Chairman, attested by the manual or facsimile signature of its Executive Director or any person duly designated by the Authority, or in such other manner as may be required by law; provided that at least one of such signatures shall be manual. In case any one or more of the members, officers or employees of the Authority who shall have signed the Bond or whose signature appears on the Bond shall cease to be such member, officer or employee before the Bond is actually delivered, the Bond may, nevertheless, be delivered as herein provided, and may be issued as if the persons who signed it or whose signatures appear thereon had remained in office or remained so employed.

Section 4. Tax Covenant. The Authority shall at all times do and perform all acts and things permitted by law and necessary or desirable in order to assure that interest paid by the Authority on the Bond shall be exempt from all Federal income taxation, particularly the requirements of Section 103 of the Internal Revenue Code of 1954, as amended (the "Code").

The Authority covenants and certifies to and for the benefit of the purchaser and holder of the Bond that so long as the Bond remains outstanding, the proceeds thereof will not be used in a manner which will cause the Bond to be classified as an "arbitrage bond" within the meaning of Section 103(c) of the Code. Pursuant to such covenant, the Authority obligates itself to comply throughout the term of the issue of the Bond with the requirements of Section

103(c) of the Code and any regulations promulgated thereunder.

Section 5. Approval of Loan Agreement and Lender Loan Agreement. The respective forms, terms and provisions of the Loan Agreement and Lender Loan Agreement presented to this meeting and filed with the records of the Authority be and hereby are approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such Agreements were set out in this Bond Resolution in their entirety. The Chairman, Secretary and Executive Director of the Authority be and are hereby authorized, empowered and directed to execute, acknowledge and deliver such Agreements in the name of and on behalf of the Authority, and thereupon to cause such Agreements to be delivered to the Borrower and the Lender. Such Agreements are to be in substantially the form now before this meeting and hereby approved by the officials of the Authority executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of such Agreements now before this meeting.

Section 6. Petition to State Budget and Control Board. The Executive Director of the Authority be and is hereby authorized and directed to submit, by petition, the information required under the Act to the State Budget and Control Board in the name of and on behalf of the Authority.

Section 7. Severability. If any provision of this Bond Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

Section 8. Applicable Provisions of Law. This Bond Resolution shall be governed by and construed in accordance with the laws of the State.

Section 9. No Recourse on Bond. No recourse shall be had for the payment of the principal of or the interest on the Bond or for any claim based thereon or on this Bond Resolution against any member or officer of the Authority or any person executing the Bond.

Section 10. Additional Documents. The Chairman, Secretary and Executive Director of the Authority or either of them, are hereby authorized to execute and deliver on behalf of the Authority the Loan Agreement, Lender Loan Agreement, Bond and such other documents and certificates as are required to accomplish the issuance of the Bond.

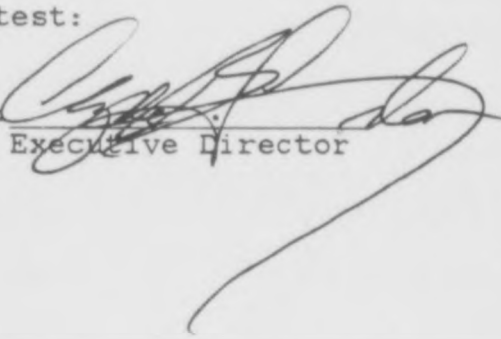
Section 11. This Bond Resolution shall be in full force and effect upon its adoption.

Adopted by the South Carolina State Family Farm Development Authority the 16th day of August, 1985.

(SEAL)

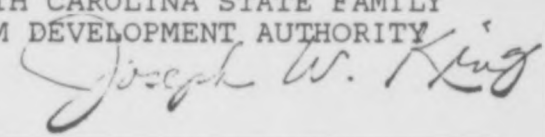
Attest:

By:


Executive Director

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By:


Chairman

EXHIBIT

AUG 27 1985

NO. 11

STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 27 1985

NO. 11

EXHIBIT B

<u>Resolution No.</u>	<u>Principal Amount</u>	<u>Name of Borrower</u>	<u>STATE BUDGET & CONTROL BOARD Purpose</u>	<u>Maturity Schedule</u>
85-0019	\$250,000	Billy Ray and Jane L. East d/b/a Bohicket Berry Farm	Purchase of Farm land, equipment, irrigation sys- tem, berry farm and orchard	Interest only at 15% per annum for first 6 months, thereafter 138 equally monthly payments.

Method of Sale

Negotiation

Purchaser

Southern Bank and Trust Company,
in Columbia, South Carolina

002722

EXHIBIT

AUG 27 1985

NO. 11

SCHEDULE 1

STATE BUDGET & CONTROL BOARD

OUTSTANDING AGRICULTURAL DEVELOPMENT BONDS OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY

<u>DATE</u>	<u>FARMER</u>	<u>PRINCIPAL AMOUNT</u>	<u>MATURITY SCHEDULE</u>	<u>AMOUNT & SOURCE OF REVENUES</u>
1. 5/3/85	James T. Moore	\$300,000	Interest (9 1/2%) only on 11/3/85, thereafter 120 equal monthly payments of \$3,882 each	Payments by the Farmer under a \$300,000 Promissory Note dated 5/3/85.
2. 7/24/85	T. Eugene Hall	\$ 15,000	Payable on 1/24/87 and 1/24/88 in two annual installments equal to one-half (1/2) of the principal. Interest (8%) payable monthly on the 24th day of each month, commencing 8/24/85.	Payments by the Farmer under a \$15,000 Promissory Note dated 7/24/85.
3. 7/24/85	Bruce Woods	\$ 43,000	Payable in equal quarterly payments of principal and interest in the amount of \$1,572 for a period of ten (10) years commencing 10/24/85.	Payments by the Farmer under a \$43,000 Promissory Note dated 7/24/85.

002723

EXHIBIT

State of South Carolina

State Budget and Control Board

AUG 27 1985

NO. 11

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

STATE BUDGET & CONTROL BOARD

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

September 4, 1985

Family Farm Development Authority
c/o Mr. Daniel R. McLeod, Jr.
Post Office Box 11390
Columbia, South Carolina 29211

Dear Mr. McLeod:

RE: Issue of \$250,000, Family Farm Development Authority, South Carolina
Agricultural Development Bond
(Billy R. and Jane Ledbetter East Project)

This will confirm that the referenced issue when issued and combined with the total amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

For your information, our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	198,000,000
1. Allocations Approved Through 08/27/85	8,540,000
2. Balance of Pool Available	189,460,000
3. Certified for Issue 09/04/85 (Including Referenced Issue)	7,088,000
B. Local Pool Amount	297,000,000
1. Allocations Approved Through 08/27/85	119,469,730
2. Balance of Pool Available	177,530,270
3. Certified for Issue 09/04/85	88,745,000

Sincerely,

William A. McInnis

William A. McInnis
Secretary

WAM:nl

002724

EXHIBIT

SEP - 4 1985
11:28 A.M. 10

AUG 27 1985
McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A. NO. 11

ATTORNEYS AND COUNSELORS AT LAW

EIGHTEENTH FLOOR
BANKERS TRUST TOWER

POST OFFICE BOX 11390
COLUMBIA, SOUTH CAROLINA 29211
803-799-9800

STATE BUDGET & CONTROL BOARD

ROBERT E. McNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN, JR.
DENNIS C. THELEN
JOHN H. LUMPKIN, JR.
JOHN W. CURRIE
SCOTT Y. BARNES
M. ELIZABETH CRUM
THEODORE J. HOPKINS, JR.
DANIEL R. McLEOD, JR.
WILLIAM S. ROSE, JR.
BERNARD J. WUNDER, JR.
HUEL D. ADAMS, JR.
M. CRAIG GARNER, JR.
BRENTON D. JEFFCOAT
ROBERT T. BOCKMAN
PETER L. MURPHY
C. ALAN RUNYAN
JOHN W. FOSTER
ELIZABETH VAN DOREN GRAY
WILMOT B. IRVIN
APRIL C. LUCAS
ROBERT E. STEPP

KATHLEEN CRUM McKINNEY
E. RUSSELL JETER, JR.
EDWARD H. FORGOTSON
STEPHEN KOPLANT
FRANKLIN G. POLK
CARL B. CARRUTH
JOHN W. HUNTER
JAMES P. FIELDS, JR.
LAWRENCE P. HIGGINS
EDWIN W. JOHNSON II
W. STEPHEN CANNON
BARBARA GEORGE BARTON
RICHARD J. MORGAN
J. SIMON FRASER
CHRISTOPHER MCGOWEN HOLMES
DOROTHY M. HELMS
PAUL B. NIX, JR.
NANCY PAGE
SANDRA L. RANDLEMAN
JANE W. TRINKLEY
J. LYLES GLENN IV
CELESTE TILLER JONES
JOSEPH D. WALKER
NANCY R. JEFFERS
ALISON RENEE LEE
MARTHA P. McMILLIN
GREGORY D. DILLOACH
ELIZABETH B. ANDERS
WILLIAM M. MUSSER

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

GREENVILLE OFFICE
SUITE 401
BANKERS TRUST PLAZA
7 NORTH LAURENS STREET
GREENVILLE, S.C. 29601
803-271-4940

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29936
803-785-5189

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

September 3, 1985

*D.C. AND NEW YORK BARS ONLY
*D.C. AND OHIO BARS ONLY
*D.C. BAR ONLY
*MISSOURI BAR ONLY
*CALIFORNIA, D.C. AND TEXAS BARS ONLY
*MASSACHUSETTS BAR ONLY

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

HAND DELIVERED

RE: South Carolina State Family Farm Development
Authority, Agricultural Development Bond (Billy R.
and Jane Ledbetter East Project), \$250,000, 1985
File No. 5464/1310

Dear Mr. McInnis:

Enclosed is a copy of Internal Revenue Service Form 8038 which has been executed by Clyde Livingston, Executive Director of the Family Farm Development Authority, relating to the above referenced bond of the Authority. The closing of this issue is scheduled for September 6. I request that you provide me an allocations certificate relating to the State Ceiling for this bond issue.

Thank you for your cooperation. With kind regards,
I am

Yours very truly,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Daniel R. McLeod, Jr.

By: Daniel R. McLeod, Jr.

DRM/sa

Enclosure

cc: Mr. Clyde B. Livingston

002725

Check box if Amended Return ►

Part II Type of Issue (Check box(es) that apply)

Face Amount

- EXHIBIT
- tion. Check box if you elect to rebate.
- AUG 27 1985 NO. 1

STATE BUDGET & CONTROL BOARD

- \$250,000

16 If issue is an advance refunding, enter the earliest call date

Form 8038 (Rev. 12-84)

Part V Description of Property Financed by Non-refunding Proceeds
(Do not complete for student loan bonds or mortgage bonds)**EXHIBIT****22 Type of Property Financed (or portion thereof financed by non-refunding proceeds)**

- a 3-yr. ACRS property
 b 5-yr. ACRS property
 c 10-yr. ACRS property
 d 15-yr. ACRS property
 e 18-yr. ACRS property
 f Cost of land
 g Cost of other property (see instructions)

AUG 27 1985

NO. 11

STATE BUDGET & CONTROL BOARD

247,300

23 Other use of non-refunding proceeds (subtract lines 22a-g from Part IV, line 21)(see instructions)**24 Standard industrial classification (SIC) of non-refunding proceeds for the financed project**

	SIC Code	Non-refunding proceeds \$		SIC Code	Non-refunding proceeds \$
a	0400	\$247,300	d		
b			e		
c			f		

25 Average weighted economic life of the project (complete only for IDBs) See Schedule A ☐ Not less than 12 years**Part VI Description of Initial Principal Users**

(Do not complete for student loan bonds or mortgage bonds)

26 Initial Principal Users

(A) User	(B) Name	(C) Address	(D) Employer identification number
(i)	Billy R. East	Rt. 2, Box 333G, Columbia, SC 29210	248-68-1316
(ii)	Jane Ledbetter East	Rt. 2, Box 333G, Columbia, SC 29210	250-74-0208
(iii)			
(iv)			
(v)			

27 Common parents (if any) of initial principal users listed above

(A) User (from above)	(B) Name	(C) Address	(D) Employer identification number

Part VII Approval of Issue (Complete only for IDBs)

- 28** Name of Governmental units approving issue ☐ South Carolina State Family Farm Development Authority;
 South Carolina State Budget and Control Board. See Schedule B
29 Names and positions of applicable elected representatives or date of referendum approving issue ☐ See Schedule C

Part VIII Volume Limitations for Qualified Mortgage or Veterans' Bonds

- 1** Issuer's volume limitation
2 Amount of volume limitation surrendered to other issues (e.g., under section 103A(g)(3)(B) or 25(c)(2)(A)(ii))
3 Amount of bonds previously issued
4 Unused volume limitation (subtract lines 2 and 3 from line 1)

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

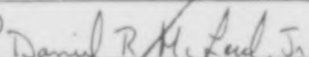


8/29/85

Executive Director

Paid Preparer's Use Only

Preparer's signature: See Schedule D

By: 
Firm's name for your, for the employed and addressMcNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.Check if self-employed ☐Preparer's social security no.
250-80-5675E.I. No. 57-0703244
ZIP code 29211P.O. Box 11390
Columbia, South Carolina

U.S. Government Printing Office: 1985-461-495/10055

002727

64

State of South Carolina

State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

Box 12444

Columbia
29211

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

December 17, 1985

TO: Family Farm Development Authority
Mr. Daniel R. McLeod, Jr.
c/o McNair Law Firm
Box 11390
Columbia, SC 29211

RE: Issue of \$375,000 Family Farm Development Authority
Agricultural Development Revenue Note
(Tommy P. Riley Project)
Issue Date Certified By Issuing Authority: December 18, 1985
Issue Amount Certificate Filed (Received by Board Secretary): 12/17/86

Based upon my receipt of the issue amount certificate required of the issuing authority by Regulation \$19-103.06 and \$19-103.07 not more than ten business days prior to the date of issue which, as certified by the issuing authority, is within the time period for the allocation of a portion of the State Ceiling established in the Deficit Reduction Act of 1984 approved previously on a tentative basis by the Budget and Control Board for the referenced project, I have determined that the allocation is now final in the amount indicated above.

I also have determined that the referenced issue when issued and combined with the amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

Our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	198,000,000
1. Allocations Approved Through 12/3/85	208,875,178
2. Balance of Pool Available	1,000,000
3. Certified for Issue 12/16/85 (including referenced issue)	16,667,000
B. Local Pool Amount	297,000,000
1. Allocations Approved Through 12/3/85	247,186,561
2. Balance of Pool Available	37,938,261
3. Certified for Issue 12/16/85	160,006,561

William A. McInnis
William A. McInnis, Secretary

002728

DEC 17 1985
11:48 A.M.
LS

MCNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

EIGHTEENTH FLOOR

BANKERS TRUST TOWER

POST OFFICE BOX 11390

COLUMBIA, SOUTH CAROLINA 29211

803-799-9800

December 17, 1985

ROBERT E. MCNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
D. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN, JR.
DENNIS G. THELEN
JOHN H. LUMPKIN, JR.
JOHN W. CURRIE
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M. ELIZABETH CRUM
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E. RUSSELL JETER, JR.
RALPH W. KITTLE**
EDWARD H. FORGOTSON**
STEPHEN KORLAN***
FRANKLIN G. POLK
M. WILLIAM YOUNGBLOOD
CARL B. CARRUTH
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WILLIAM ASHLEY JORDAN
ELIZABETH BOWE ANDERS
WILLIAM M. MUSSER

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

GREENVILLE OFFICE
SUITE 401
BANKERS TRUST PLAZA
7 NORTH LAURENS STREET
GREENVILLE, S.C. 29601
803-271-4940

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
POST OFFICE BOX 5914
HILTON HEAD ISLAND, S.C. 29928
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

HAND DELIVERED

*D.C. AND NEW YORK BARS ONLY
**D.C. AND OHIO BARS ONLY
***D.C. BAR ONLY
****MISSOURI BAR ONLY
*****CALIFORNIA, D.C. AND TEXAS BARS ONLY
*****MASSACHUSETTS BAR ONLY
*****NEW YORK BAR ONLY

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
618 Wade Hampton Office Building
Columbia, South Carolina 29211

Re: South Carolina State Family Farm Development
Authority, Agricultural Development Bond
(Tommy P. Riley Project), 1985, \$325,000
File No. 05464/01311

Dear Mr. McInnis:

Enclosed is a copy of the Internal Revenue Service Form 8038 which has been executed by Clyde Livingston, Executive Director of the Family Farm Development Authority. The closing of this issue is scheduled for December 18, 1985. I request that you provide me an allocations certificate relating to the State ceiling for this bond issue.

Thank you for your cooperation. With kind regards, I am

Yours very truly,

MCNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Daniel R. McLeod, Jr.

By: Daniel R. McLeod, Jr.

DRM/sss
Enclosures
cc: Mr. Clyde Livingston

002779

002730

Part V Description of Property Financed by Non-refunding Proceeds
(Do not complete for student loan bonds or mortgage bonds)**22 Type of Property Financed (or portion thereof financed by non-refunding proceeds)**

a	3-yr. ACRS property	
b	5-yr. ACRS property	
c	10-yr. ACRS property	
d	15-yr. ACRS property	\$321,650
e	18-yr. ACRS property	
f	Cost of land	
g	Cost of other property (see instructions)	

23 Other use of non-refunding proceeds (subtract lines 22a-g from Part IV, line 21)(see instructions)**24 Standard industrial classification (SIC) of non-refunding proceeds for the financed project.**

	SIC Code	Non-refunding proceeds \$		SIC Code	Non-refunding proceeds \$
a	0400	\$321,650	d		
b			e		
c			f		than 10½

25 Average weighted economic life of the project (complete only for IDBs) See Schedule A. ▶ Not less / years.**Part VI Description of Initial Principal Users**
(Do not complete for student loan bonds or mortgage bonds)**26 Initial Principal Users:**

(A) User	(B) Name	(C) Address	(D) Employer identification number
(i)	Tommy P. Riley	Rt.1, Box 475	249-66-5844
(ii)		Saluda, S.C. 29138	
(iii)			
(iv)			
(v)			

27 Common parents (if any) of initial principal users listed above

(A) User (from above)	(B) Name	(C) Address	(D) Employer identification number

Part VII Approval of Issue (Complete only for IDBs)**28 Name of Governmental units approving issue ▶** South Carolina State Family Farm Development Authority; South Carolina State Budget and Control Board-See Schedule B**29 Names and positions of applicable elected representatives or date of referenda approving issue ▶** See Schedule C**Part VIII Volume Limitations for Qualified Mortgage or Veterans' Bonds**

1	Issuer's volume limitation	
2	Amount of volume limitation surrendered to other issues (e.g., under section 103A(g)(3)(B) or 25(c)(2)(A)(ii))	
3	Amount of bonds previously issued	
4	Unused volume limitation (subtract lines 2 and 3 from line 1)	

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature of preparer: *[Signature]* Date: 12/17/85 Title: Executive Director

Paid Preparer's Use Only

Preparer's signature: See Schedule D Check if self-employed: ☐ Preparer's social security no.: 250-80-5675

Firm's name (or yours, if self-employed) and address: Daniel R. McLeod, Jr.
McNair Glenn Konduros Corley
Singletary, Porter & Drabble, P.A.
P.O. Box 11390
Columbia, South Carolina

E.I. No.: 57-0703244
ZIP code: 29211

002731

JAYE Y. CRAWFORD
Public Accountant
R-1, Box 103
Saluda, S. C. 29138
August 31, 1985

South Carolina State Family Farm
Development Authority
915 South Main Street
Columbia, South Carolina 29201

McNair Glenn Konduros Corley
Singletary Porter & Dibble, P. A.
Post Office Box 11390
Columbia, South Carolina 29211

Re: South Carolina State Family Farm Development
Authority, Agricultural Development Revenue
Bonds (Tommy P. Riley Project), 1985,
\$325,000

This letter is being given to you with regard to the \$325,000 South Carolina State Family Farm Development Authority, Agricultural Development Bond (Tommy P. Riley Project), 1985 (the "Bonds"). I have reviewed the description of the property to be financed with the proceeds of the Bond provided me by Tommy P. Riley which is set forth as Exhibit A hereto, and based upon that description I have made the following determination:

The average maturity of the Bond does not exceed 120% of the average reasonably expected economic life of the buildings, machinery, equipment, apparatus, office furnishings and any other items to be financed in whole or in part with the proceeds of the Bond as shown on Exhibit A attached hereto.

The economic useful life of each item has been derived in accordance with administrative guidelines established for the useful lives used for depreciation prior to the ACRS System.

Very truly yours,

Jaye Y. Crawford
Public Accountant

002732

Exhibit A

Description:

construction of environmental poultry and egg
operation facility

002733

Schedule B

SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY

Joseph W. King, Chairman
Steven P. Nivens
John E. Brown
Roy L. Graham, Jr.
Melvin L. Crum
Stanley E. Waskiewicz
James Foody

SOUTH CAROLINA STATE BUDGET AND CONTROL BOARD

Governor Richard W. Riley, Chairman
Grady L. Patterson, Jr., State Treasurer
Earle E. Morris, Jr., Comptroller General
James M. Waddell, Jr., Vice-Chairman, Senate Finance
Committee
Tom G. Mangum, Chairman, Ways and Means Committee

002734

Schedule C

The Honorable Richard W. Riley
Governor, State of South Carolina
Box 11450
Columbia, South Carolina 29211

002735

Schedule D

Prepared by:

McNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.
Post Office Box 11390
Columbia, South Carolina 29211

With Assistance from:

South Carolina State Family Farm
Development Authority
915 South Main Street
Columbia, South Carolina 29201

Tommy P. Riley
Route 1 Box 475
Saluda, South Carolina 29020

Faye Y. Crawford

Public Accountant
R-1, Box 103
Saluda, South Carolina 29138

002736

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

November 26, 1985

Family Farm Development Authority
c/o Mr. Daniel R. McLeod, Jr.
McNair Law Firm
Box 11390
Columbia, SC 29211

Dear Mr. McLeod:

Re: \$325,000 Family Farm Development Authority
Agricultural Development Revenue Bonds
(Tommy P. Riley Project)

By means of a certificate dated August 27, 1985, executed by State Treasurer Grady L. Patterson, Jr., and me, you were advised that an allocation of \$325,000 of the State Ceiling established in the Deficit Reduction Act of 1984 had been made available by the Budget and Control Board for the referenced project.

The life of this allocation has now elapsed and no evidence that the bonds were issued during that period has been supplied to us.

In accord with Regulation §19-103.08, this letter cancels the referenced certificate and its effect is to reduce the \$325,000 allocation to zero.

Sincerely,

William A. McInnis

William A. McInnis
Deputy Executive Director

WAM:dw
cc: Clyde Livingston

002737

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLEE MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

December 3, 1985

C E R T I F I C A T E

[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

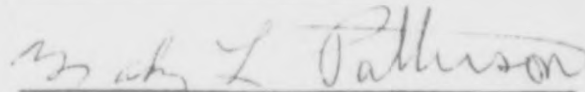
Re: \$325,000 Family Farm Development Authority
Agricultural Development Revenue Bonds
(Tommy P. Riley Project)

This will confirm that a tentative allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and it will expire at 12 p.m. on December 31, 1985, if the bonds for which the allocation has been approved have not been issued prior to that time.

The issuing authority is reminded that, before this tentative allocation becomes final, the Board's regulations on the allocation of the State Ceiling on private activity bonds require:

- (a) that the exact amount of the bonds being issued be certified **before** the issue is made to the Board's Secretary whose certificate in response makes the ceiling allocation final (see Regulation §19-103.06 and 19.103.07); and
- (b) that the Board's Secretary be advised of the status of the issuance within 60 days and again within 75 days of December 3, 1985 (the date the allocation was approved by the Board), if the certificate referenced in (a), above, has not been filed previously on this project (see Regulation §19-103.08).

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.


Grady L. Patterson, Jr.

Attest:

002728

EXHIBIT

State of South Carolina

AUG 27 1985

NO. 11

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

August 27, 1985

C E R T I F I C A T E

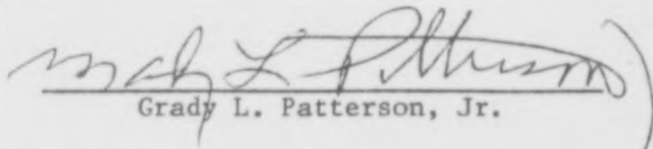
[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$325,000 Family Farm Development Authority
Agricultural Development Revenue Bonds
(Tommy P. Riley Project)

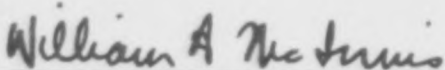
This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985, (the date the allocation was approved by the Board) if the bonds for which the allocation has been approved have not been issued.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.


Grady L. Patterson, Jr.

Attest:


William A. McInnis, Secretary

(b)

002739

EXHIBIT

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

Tommy P. Riley

AUG 27 1985

NO. 11

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

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. Mangum, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

4

AGAINST MOTION

0

That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

002740

EXHIBIT

AUG 27 1985

NO. 11

A RESOLUTION

STATE BUDGET & CONTROL BOARD

OF THE STATE BUDGET AND CONTROL BOARD APPROVING THE ISSUANCE BY THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY OF A \$325,000 AGRICULTURAL DEVELOPMENT BOND (TOMMY P. RILEY PROJECT), 1985.

WHEREAS, it is provided by the South Carolina State Family Farm Development Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1981, now codified as Chapter 47, Title 46 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"), that upon approval by the State Budget and Control Board (the "Board"), the South Carolina State Family Farm Development Authority (the "Authority") may borrow money through the issuance of its negotiable bonds in order to finance its programs; and

WHEREAS, the Authority has established a direct loan program (the "Direct Loan Program") as provided in Section 15 of the Act (now codified as section 46-47-90); and

WHEREAS, the Authority has submitted its petition (the "Petition") to the Board requesting approval by the Board of the issuance by the Authority pursuant to the Act of its \$325,000 Agricultural Development Bond (Tommy P. Riley Project), 1985 (the "Bond"), which Bond has been authorized to be issued pursuant to Resolution No. 85-0013 adopted on August 16, 1985, by the Authority.

WHEREAS, the Bond shall be dated, shall mature, and shall bear interest at such rate payable at such times and shall otherwise contain such terms and conditions as shall be authorized by the Resolution of the Authority and shall be sold to Bankers Trust of South Carolina, in Newberry, South Carolina; and

WHEREAS, the Authority has presented to the Board the Petition which, together with exhibits and schedule thereto attached, sets forth certain information with respect to the Direct Loan Program and the Bond.

WHEREAS, the Board has determined, based upon such information, that the funds estimated to thereafter be available for the repayment of the Bond will be sufficient to provide for the payment of the principal and interest on the Bond as they become due;

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD, AS FOLLOWS:

Section 1. It is found and determined that the facts set forth in the preambles to this Resolution and in the Petition are in all respects true and correct.

Section 2. The Petition filed by the Authority contain all matters required by the Act and the rules of the Board to be set forth therein.

Section 3. Approval is hereby granted by the Board to the issuance and sale by the Authority of its \$325,000 Agricultural Development Bond (Tommy P. Riley Project), 1985, in order to make a mortgage loan or secured loan to the Tommy P. Riley (the "Farmer"), including the interest rate thereon, to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by the Farmer.

The Bond shall be issued and secured as provided in the Resolution of the Authority.

Section 4. This Resolution shall take effect immediately upon its adoption.

EXHIBIT

Dated: August 27, 1985

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

002742

EXHIBIT

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

TO: THE STATE BUDGET AND)
CONTROL BOARD OF SOUTH)
CAROLINA)

PETITION

This Petition of the South Carolina State Family Farm Development Authority (the "Authority") is submitted to the State Budget and Control Board of South Carolina (the "Board") pursuant to the South Carolina State Family Farm Development Authority Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of 1981, now codified as Chapter 47 of Title 46 of the Code of Laws of South Carolina, 1976, as amended (the "Act") and respectfully shows:

1. The Act, among other things, provides that following a determination made by the Authority that it is necessary to sell bonds to develop and implement one of the programs authorized by the Act and a finding that the revenues or other moneys estimated to thereafter be available therefor will provide moneys required for the payment of the principal and interest on the bond then proposed to be issued, upon obtaining the approval of the Board pursuant to the Act, the Authority is authorized to issue bonds for such purposes.

2. The Authority has developed its Direct Loan Program for Farmers of the Beneficiary Class.

3. Pursuant to the provisions of Act No. 512 of the Acts and Joint Resolutions for the General Assembly of the State of South Carolina for the year 1984, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling (the "State Ceiling") applicable to the State of South Carolina under Section 103(n) of the Internal Revenue Code of 1954, as amended.

4. By resolution duly adopted by the Authority on August 16, 1985 (certified copy of which is attached hereto as Exhibit A), the Authority has authorized the issuance of its \$325,000 Agricultural Development Bond (Tommy P. Riley Project) 1985 (the "Bond") being described on Exhibit B attached hereto.

002743

5. The Bond shall be a special obligation of the Authority secured by and payable solely from the moneys, income and receipts of the Authority to be pledged under a Loan Agreement between the Authority and the Farmer.

6. Attached hereto as Schedule 1 and by reference incorporated herein in its entirety is a schedule showing the annual debt service requirements and the amount and source of revenues available for the payment thereof on all outstanding bonds of the Authority.

7. The information contained in this Petition provides the Board with all the information required by Section 15 of Act No. 179 (1981 Acts) (now codified as Section 46-47-140 of the 1976 Code of Laws of South Carolina, as amended) to be presented by the Authority in connection with the Bond.

8. The Authority stands ready to produce any further information with respect to the Bond or other bonds of the Direct Loan Program required by the Board.

WHEREFORE, on the basis of the foregoing the Authority prays approval of the Board of the issuance and sale of the Authority's Bond in the principal amount and on the terms and conditions prescribed in the Resolution No. 85-0013 as described in this Petition and allocate \$325,000 of the State Ceiling for the Bond.

To the best of my knowledge the approval of the Tommy P. Riley Project is not made in consideration of any bribe, gift, gratuity, or direct or indirect contributions to any political campaign.

Respectfully submitted,

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By: 

Executive Director

(SEAL)

August 21, 1985

Copy of Petition also forwarded to Joint Bond Review Committee.

C02744

EXHIBIT

AUG 27 1985

NO. 11

EXHIBIT A

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

CERTIFIED COPY OF RESOLUTION
NO. 85-0013

I, the undersigned being the duly qualified and acting Executive Director of the South Carolina State Family Farm Development Authority (the "Authority"), do hereby certify that attached hereto is a copy of Resolution No. 85-0013 authorizing the issuance of a \$325,000 Agricultural Development Bond (Tommy P. Riley Project), 1985, adopted by the Authority at a meeting duly called and held on August 16, 1985, at which a quorum was present and acting throughout, which resolution has been compared by me with the original thereof, and that such resolution has been duly adopted and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof in the form attached hereto.

In witness whereof, I have hereunto set my hand and the official seal of the Authority this 16th day of August, 1985.

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By: [Signature]
Executive Director

(SEAL)

EXHIBIT

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

002745

RESOLUTION NO. 85-0013

AUTHORIZING THE ISSUANCE OF A \$325,000 AGRICULTURAL DEVELOPMENT BOND (TOMMY P. RILEY PROJECT), 1985, OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND LENDER LOAN AGREEMENT; APPROVING THE SUBMISSION OF A PETITION TO THE STATE BUDGET AND CONTROL BOARD; AND OTHER MATTERS RELATING THERETO.

EXHIBIT

AUG 27 1985 NO. 111

STATE BUDGET & CONTROL BOARD

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY, AS FOLLOWS:

Section 1. Findings and Determinations. The Authority hereby finds and determines:

(a) Pursuant to the South Carolina State Family Farm Development Act as amended (the "Act"), the Authority is authorized and empowered to undertake programs which assist farmers of the beneficiary class in acquiring agricultural land, agricultural improvements and/or depreciable agricultural property for the purpose of farming.

(b) The Authority is authorized and has developed under the Act a direct loan program for farmers (the "Direct Loan Program") of the beneficiary class by making mortgage loans or secured loans to such farmers to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by such farmers.

(c) The Authority is further authorized to borrow money through the issuance of its negotiable bonds as provided in the Act in order to finance its Direct Loan Program.

(d) The Authority has received a request from Tommy P. Riley (the "Borrower") to issue its agricultural development bond for the purpose of facilitating the acquisition of agricultural land, agricultural improvements and/or depreciable agricultural property as more particularly described in the Borrower's Application heretofore submitted to the Authority (the "Project").

(e) In order to raise the sum of \$325,000 and loan such moneys to the Borrower under a Loan Agreement hereinafter described, the Authority finds it necessary and in its best interest to sell its agricultural development bond to Bankers Trust of South Carolina, in Newberry, South Carolina (the "Lender").

(f) The Authority further finds that:

(i) the Borrower receiving the mortgage loan or secured loan under the Direct Loan Program is a member of the "beneficiary class" as defined in the Act;

(ii) the Borrower satisfies the underwriting and credit standards as have been determined by the proposed regulations of the Authority so as to insure payment of the principal and interest on the Bond; and

(iii) the mortgage loan or secured loan authorized hereby is not otherwise available to the Borrower, wholly or in part, without the assistance of financing under the Direct Loan Program, upon reasonably equivalent terms and conditions.

(g) The Authority has caused to be prepared and presented to this meeting the following documents which the Authority proposes to enter into, execute and deliver:

(i) The form of Loan Agreement by and between the Authority and the Borrower including the form of promissory note of the Borrower;

(ii) The form of Lender Loan Agreement by and between the Authority and the Lender; and

(iii) The form of bond to be executed by the Authority.

It appears that each of the Agreements above referred to is in appropriate form and is an appropriate instrument to be executed and delivered by the Authority for the purposes intended.

(h) It is now necessary and in the best interest of the Authority to authorize the issuance of a \$325,000 Agricultural Development Bond, 1985 (Tommy P. Riley Project) in order to develop and implement its Direct Loan Program and to authorize the execution and delivery of the aforementioned Loan Agreement, Lender Loan Agreement and other documents relating to this transaction.

Section 2. Authorization. Pursuant to the Act and the Direct Loan Program in order to finance the Project, including financial, legal, administrative and other costs of the Authority and other fees, there is hereby authorized to be issued a \$325,000 Agricultural Development Bond, (Tommy P. Riley Project) 1985, (the "Bond"), of the Authority. The revenues and other monies estimated to be available will provide monies required for the payment of the principal and interest on the Bond.

Neither the Commissioners of the Authority nor any persons executing the Bond shall be subject to personal liability on the Bond or accountability by reason of the issuance thereof.

The Bond shall be issued in the form submitted at this meeting of the Authority and shall be payable upon such terms and at such interest rate as specified therein with such variations, omissions and insertions as are permitted or required by this Bond Resolution, the Loan Agreement or the Lender Loan Agreement.

The Bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 3. Execution. The Bond shall be executed in the name of the Authority by the manual or facsimile signature of its Chairman or Vice Chairman, attested by the manual or facsimile signature of its Executive Director or any person duly designated by the Authority, or in such other manner as may be required by law; provided that at least one of such signatures shall be manual. In case any one or more of the members, officers or employees of the Authority who shall have signed the Bond or whose signature appears on the Bond shall cease to be such member, officer or employee before the Bond is actually delivered, the Bond may, nevertheless, be delivered as herein provided, and may be issued as if the persons who signed it or whose signatures appear thereon had remained in office or remained so employed.

Section 4. Tax Covenant. The Authority shall at all times do and perform all acts and things permitted by law and necessary or desirable in order to assure that interest paid by the Authority on the Bond shall be exempt from all Federal income taxation, particularly the requirements of Section 103 of the Internal Revenue Code of 1954, as amended (the "Code").

The Authority covenants and certifies to and for the benefit of the purchaser and holder of the Bond that so long as the Bond remains outstanding, the proceeds thereof will not be used in a manner which will cause the Bond to be classified as an "arbitrage bond" within the meaning of Section 103(c) of the Code. Pursuant to such covenant, the Authority obligates itself to comply throughout the term of the issue of the Bond with the requirements of Section 103(c) of the Code and any regulations promulgated thereunder.

Section 5. Approval of Loan Agreement and Lender Loan Agreement. The respective forms, terms and provisions of the Loan Agreement and Lender Loan Agreement presented to

this meeting and filed with the records of the Authority be and hereby are approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such Agreements were set out in this Bond Resolution in their entirety. The Chairman, Secretary and Executive Director of the Authority be and are hereby authorized, empowered and directed to execute, acknowledge and deliver such Agreements in the name of and on behalf of the Authority, and thereupon to cause such Agreements to be delivered to the Borrower and the Lender. Such Agreements are to be in substantially the form now before this meeting and hereby approved by the officials of the Authority executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of such Agreements now before this meeting.

Section 6. Petition to State Budget and Control Board. The Executive Director of the Authority be and is hereby authorized and directed to submit, by petition, the information required under the Act to the State Budget and Control Board in the name of and on behalf of the Authority.

Section 7. Severability. If any provision of this Bond Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

Section 8. Applicable Provisions of Law. This Bond Resolution shall be governed by and construed in accordance with the laws of the State.

Section 9. No Recourse on Bond. No recourse shall be had for the payment of the principal of or the interest on the Bond or for any claim based thereon or on this Bond Resolution against any member or officer of the Authority or any person executing the Bond.

Section 10. Additional Documents. The Chairman, Secretary and Executive Director of the Authority or either of them, are hereby authorized to execute and deliver on behalf of the Authority the Loan Agreement, Lender Loan Agreement, Bond and such other documents and certificates as are required to accomplish the issuance of the Bond.

Section 11. This Bond Resolution shall be in full force and effect upon its adoption.

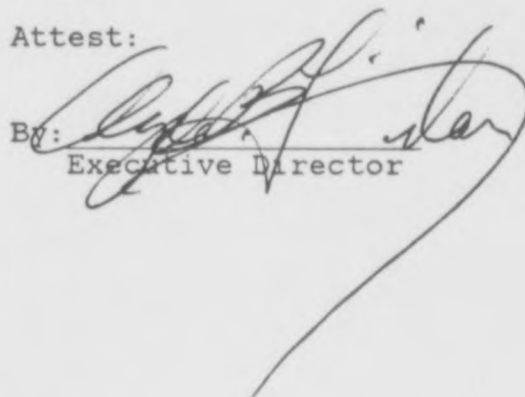
002749

Adopted by the South Carolina State Family Farm
Development Authority the 16th day of August, 1985.

(SEAL)

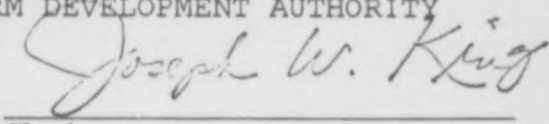
Attest:

By:


Executive Director

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By:


Chairman

EXHIBIT

AUG 27 1985

NO. 11

EXHIBIT B

STATE BUDGET & CONTROL BOARD

<u>Resolution No.</u>	<u>Principal Amount</u>	<u>Name of Borrower</u>	<u>Purpose</u>	<u>Maturity Schedule</u>
85-0013	\$325,000	Tommy P. Riley	Construction of environmen- tal poultry and facility egg operation	120 equal monthly payments at 9% per annum

Method of Sale

Negotiation

Purchaser

Bankers Trust of South Carolina,
in Newberry, South Carolina

002751

EXHIBIT

AUG 27 1985

NO. 11

SCHEDULE 1

STATE BUDGET & CONTROL BOARD
OUTSTANDING AGRICULTURAL DEVELOPMENT BONDS OF THE
SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY

	<u>DATE</u>	<u>FARMER</u>	<u>PRINCIPAL AMOUNT</u>	<u>MATURITY SCHEDULE</u>	<u>AMOUNT & SOURCE OF REVENUES</u>
1.	5/3/85	James T. Moore	\$300,000	Interest (9 1/2%) only on 11/3/85, thereafter 120 equal monthly payments of \$3,882 each	Payments by the Farmer under a \$300,000 Promissory Note dated 5/3/85.
2.	7/24/85	T. Eugene Hall	\$ 15,000	Payable on 1/24/87 and 1/24/88 in two annual installments equal to one-half (1/2) of the principal. Interest (8%) payable monthly on the 24th day of each month, commencing 8/24/85.	Payments by the Farmer under a \$15,000 Promissory Note dated 7/24/85.
3.	7/24/85	Bruce Woods	\$ 43,000	Payable in equal quarterly payments of principal and interest in the amount of \$1,572 for a period of ten (10) years commencing 10/24/85.	Payments by the Farmer under a \$43,000 Promissory Note dated 7/24/85.

002752

AUG 27 1985

NO. 11

State of South Carolina

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNORGRADY L. PATTERSON, JR.
STATE TREASUREREARLE E. MORRIS, JR.
COMPTROLLER GENERALBox 12444
Columbia
29211

August 27, 1985

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEEWILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

C E R T I F I C A T E

[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$25,000 Family Farm Development Authority
Agricultural Development Revenue Bonds
(Double H Hog Farm Project)

This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985, (the date the allocation was approved by the Board) if the bonds for which the allocation has been approved have not been issued.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Grady L. Patterson, Jr.

Attest:

William A. McInnis, Secretary

(c)

002753

EXHIBIT

STATE OF SOUTH CAROLINA)

Double H Hog Farm AUG 27 1985 NO. 11

COUNTY OF RICHLAND)

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

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. Mangum, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

4

AGAINST MOTION

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That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

002754

EXHIBIT

AUG 27 1985

NO. 11

A RESOLUTION

STATE BUDGET & CONTROL BOARD

OF THE STATE BUDGET AND CONTROL BOARD APPROVING THE ISSUANCE BY THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY OF A \$25,000 AGRICULTURAL DEVELOPMENT BOND (DOUBLE H HOG FARM, A PARTNERSHIP OF J. DANIEL HUTTO, JR. AND R. BARRY HUTTO PROJECT), 1985.

WHEREAS, it is provided by the South Carolina State Family Farm Development Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1981, now codified as Chapter 47, Title 46 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"), that upon approval by the State Budget and Control Board (the "Board"), the South Carolina State Family Farm Development Authority (the "Authority") may borrow money through the issuance of its negotiable bonds in order to finance its programs; and

WHEREAS, the Authority has established a direct loan program (the "Direct Loan Program") as provided in Section 15 of the Act (now codified as section 46-47-90); and

WHEREAS, the Authority has submitted its petition (the "Petition") to the Board requesting approval by the Board of the issuance by the Authority pursuant to the Act of its \$25,000 Agricultural Development Bond (Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto Project), 1985 (the "Bond"), which Bond has been authorized to be issued pursuant to Resolution No. 85-0018 adopted on August 16, 1985, by the Authority.

WHEREAS, the Bond shall be dated, shall mature, and shall bear interest at such rate payable at such times and shall otherwise contain such terms and conditions as shall be authorized by the Resolution of the Authority and shall be sold to Farmers & Merchants Bank, in Holly Hill, South Carolina; and

WHEREAS, the Authority has presented to the Board the Petition which, together with exhibits and schedule thereto attached, sets forth certain information with respect to the Direct Loan Program and the Bond.

WHEREAS, the Board has determined, based upon such information, that the funds estimated to thereafter be available for the repayment of the Bond will be sufficient to provide for the payment of the principal and interest on the Bond as they become due;

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD, AS FOLLOWS:

Section 1. It is found and determined that the facts set forth in the preambles to this Resolution and in the Petition are in all respects true and correct.

Section 2. The Petition filed by the Authority contain all matters required by the Act and the rules of the Board to be set forth therein.

Section 3. Approval is hereby granted by the Board to the issuance and sale by the Authority of its \$25,000 Agricultural Development Bond (Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto, Project), 1985, in order to make a mortgage loan or secured loan to the Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto (the "Farmer"), including the interest rate thereon, to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by the Farmer.

The Bond shall be issued and secured as provided in the Resolution of the Authority.

Section 4. This Resolution shall take effect immediately upon its adoption.

EXHIBIT

Dated: August 27, 1985

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

002756

EXHIBIT

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

TO: THE STATE BUDGET AND)
CONTROL BOARD OF SOUTH)
CAROLINA)

PETITION

This Petition of the South Carolina State Family Farm Development Authority (the "Authority") is submitted to the State Budget and Control Board of South Carolina (the "Board") pursuant to the South Carolina State Family Farm Development Authority Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of 1981, now codified as Chapter 47 of Title 46 of the Code of Laws of South Carolina, 1976, as amended (the "Act") and respectfully shows:

1. The Act, among other things, provides that following a determination made by the Authority that it is necessary to sell bonds to develop and implement one of the programs authorized by the Act and a finding that the revenues or other moneys estimated to thereafter be available therefor will provide moneys required for the payment of the principal and interest on the bond then proposed to be issued, upon obtaining the approval of the Board pursuant to the Act, the Authority is authorized to issue bonds for such purposes.

2. The Authority has developed its Direct Loan Program for Farmers of the Beneficiary Class.

3. Pursuant to the provisions of Act No. 512 of the Acts and Joint Resolutions for the General Assembly of the State of South Carolina for the year 1984, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling (the "State Ceiling") applicable to the State of South Carolina under Section 103(n) of the Internal Revenue Code of 1954, as amended.

4. By resolution duly adopted by the Authority on August 16, 1985 (certified copy of which is attached hereto as Exhibit A), the Authority has authorized the issuance of its \$25,000 Agricultural Development Bond (Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto Project) 1985 (the "Bond") being described on Exhibit B attached hereto.

5. The Bond shall be a special obligation of the Authority secured by and payable solely from the moneys, income and receipts of the Authority to be pledged under a Loan Agreement between the Authority and the Farmer.

6. Attached hereto as Schedule 1 and by reference incorporated herein in its entirety is a schedule showing the annual debt service requirements and the amount and source of revenues available for the payment thereof on all outstanding bonds of the Authority.

7. The information contained in this Petition provides the Board with all the information required by Section 15 of Act No. 179 (1981 Acts) (now codified as Section 46-47-140 of the 1976 Code of Laws of South Carolina, as amended) to be presented by the Authority in connection with the Bond.

8. The Authority stands ready to produce any further information with respect to the Bond or other bonds of the Direct Loan Program required by the Board.

WHEREFORE, on the basis of the foregoing the Authority prays approval of the Board of the issuance and sale of the Authority's Bond in the principal amount and on the terms and conditions prescribed in the Resolution No. 85-0018 as described in this Petition and allocate \$25,000 of the State Ceiling for the Bond.

To the best of my knowledge the approval of the Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto Project is not made in consideration of any bribe, gift, gratuity, or direct or indirect contributions to any political campaign.

Respectfully submitted,

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By: 
Executive Director

(SEAL)

August 21, 1985

Copy of Petition also forwarded to Joint Bond Review Committee.

EXHIBIT

AUG 27 1985

NO. 11

2

002758

STATE BUDGET & CONTROL BOARD

EXHIBIT A

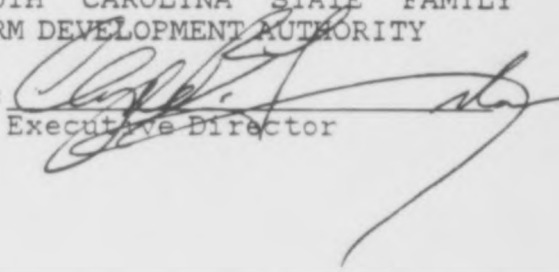
STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

CERTIFIED COPY OF RESOLUTION
NO. 85-0018

I, the undersigned being the duly qualified and acting Executive Director of the South Carolina State Family Farm Development Authority (the "Authority"), do hereby certify that attached hereto is a copy of Resolution No. 85-0018 authorizing the issuance of a \$25,000 Agricultural Development Bond (Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto Project), 1985, adopted by the Authority at a meeting duly called and held on August 16 1985, at which a quorum was present and acting throughout, which resolution has been compared by me with the original thereof, and that such resolution has been duly adopted and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof in the form attached hereto.

In witness whereof, I have hereunto set my hand and the official seal of the Authority this 16th day of August, 1985.

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By: 
Executive Director

(SEAL)

EXHIBIT

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

002759

EXHIBIT

AUG 27 1985

NO. 1 1

RESOLUTION NO. 85-0018

STATE BUDGET & CONTROL BOARD

AUTHORIZING THE ISSUANCE OF A \$25,000 AGRICULTURAL DEVELOPMENT BOND (DOUBLE H HOG FARM, A PARTNERSHIP OF J. DANIEL HUTTO, JR. AND R. BARRY HUTTO PROJECT), 1985, OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND LENDER LOAN AGREEMENT; APPROVING THE SUBMISSION OF A PETITION TO THE STATE BUDGET AND CONTROL BOARD; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY, AS FOLLOWS:

Section 1. Findings and Determinations. The Authority hereby finds and determines:

(a) Pursuant to the South Carolina State Family Farm Development Act as amended (the "Act"), the Authority is authorized and empowered to undertake programs which assist farmers of the beneficiary class in acquiring agricultural land, agricultural improvements and/or depreciable agricultural property for the purpose of farming.

(b) The Authority is authorized and has developed under the Act a direct loan program for farmers (the "Direct Loan Program") of the beneficiary class by making mortgage loans or secured loans to such farmers to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by such farmers.

(c) The Authority is further authorized to borrow money through the issuance of its negotiable bonds as provided in the Act in order to finance its Direct Loan Program.

(d) The Authority has received a request from Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto (the "Borrower") to issue its agricultural development bond for the purpose of facilitating the acquisition of agricultural land, agricultural improvements and/or depreciable agricultural property as more particularly described in the Borrower's Application heretofore submitted to the Authority (the "Project").

(e) In order to raise the sum of \$25,000 and loan such moneys to the Borrower under a Loan Agreement hereinafter described, the Authority finds it necessary and in its best interest to sell its agricultural development

bond to Farmers & Merchants Bank, in Holly Hill, South Carolina (the "Lender").

(f) The Authority further finds that:

(i) the Borrower receiving the mortgage loan or secured loan under the Direct Loan Program is a member of the "beneficiary class" as defined in the Act;

(ii) the Borrower satisfies the underwriting and credit standards as have been determined by the proposed regulations of the Authority so as to insure payment of the principal and interest on the Bond; and

(iii) the mortgage loan or secured loan authorized hereby is not otherwise available to the Borrower, wholly or in part, without the assistance of financing under the Direct Loan Program, upon reasonably equivalent terms and conditions.

(g) The Authority has caused to be prepared and presented to this meeting the following documents which the Authority proposes to enter into, execute and deliver:

(i) The form of Loan Agreement by and between the Authority and the Borrower including the form of promissory note of the Borrower;

(ii) The form of Lender Loan Agreement by and between the Authority and the Lender; and

(iii) The form of bond to be executed by the Authority.

It appears that each of the Agreements above referred to is in appropriate form and is an appropriate instrument to be executed and delivered by the Authority for the purposes intended.

(h) It is now necessary and in the best interest of the Authority to authorize the issuance of a \$25,000 Agricultural Development Bond, 1985 (Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto Project) in order to develop and implement its Direct Loan Program and to authorize the execution and delivery of the aforementioned Loan Agreement, Lender Loan Agreement and other documents relating to this transaction.

Section 2. Authorization. Pursuant to the Act and the Direct Loan Program in order to finance the Project, including financial, legal, administrative and other costs of the Authority and other fees, there is hereby authorized to be issued a \$25,000 Agricultural Development Bond, (Double H Hog Farm, a partnership of J. Daniel Hutto, Jr.

and R. Barry Hutto Project) 1985, (the "Bond"), of the Authority. The revenues and other monies estimated to be available will provide monies required for the payment of the principal and interest on the Bond.

Neither the Commissioners of the Authority nor any persons executing the Bond shall be subject to personal liability on the Bond or accountability by reason of the issuance thereof.

The Bond shall be issued in the form submitted at this meeting of the Authority and shall be payable upon such terms and at such interest rate as specified therein with such variations, omissions and insertions as are permitted or required by this Bond Resolution, the Loan Agreement or the Lender Loan Agreement.

The Bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 3. Execution. The Bond shall be executed in the name of the Authority by the manual or facsimile signature of its Chairman or Vice Chairman, attested by the manual or facsimile signature of its Executive Director or any person duly designated by the Authority, or in such other manner as may be required by law; provided that at least one of such signatures shall be manual. In case any one or more of the members, officers or employees of the Authority who shall have signed the Bond or whose signature appears on the Bond shall cease to be such member, officer or employee before the Bond is actually delivered, the Bond may, nevertheless, be delivered as herein provided, and may be issued as if the persons who signed it or whose signatures appear thereon had remained in office or remained so employed.

Section 4. Tax Covenant. The Authority shall at all times do and perform all acts and things permitted by law and necessary or desirable in order to assure that interest paid by the Authority on the Bond shall be exempt from all Federal income taxation, particularly the requirements of Section 103 of the Internal Revenue Code of 1954, as amended (the "Code").

The Authority covenants and certifies to and for the benefit of the purchaser and holder of the Bond that so long as the Bond remains outstanding, the proceeds thereof will not be used in a manner which will cause the Bond to be classified as an "arbitrage bond" within the meaning of Section 103(c) of the Code. Pursuant to such covenant, the Authority obligates itself to comply throughout the term of the issue of the Bond with the requirements of Section

103(c) of the Code and any regulations promulgated thereunder.

Section 5. Approval of Loan Agreement and Lender Loan Agreement. The respective forms, terms and provisions of the Loan Agreement and Lender Loan Agreement presented to this meeting and filed with the records of the Authority be and hereby are approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such Agreements were set out in this Bond Resolution in their entirety. The Chairman, Secretary and Executive Director of the Authority be and are hereby authorized, empowered and directed to execute, acknowledge and deliver such Agreements in the name of and on behalf of the Authority, and thereupon to cause such Agreements to be delivered to the Borrower and the Lender. Such Agreements are to be in substantially the form now before this meeting and hereby approved by the officials of the Authority executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of such Agreements now before this meeting.

Section 6. Petition to State Budget and Control Board. The Executive Director of the Authority be and is hereby authorized and directed to submit, by petition, the information required under the Act to the State Budget and Control Board in the name of and on behalf of the Authority.

Section 7. Severability. If any provision of this Bond Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

Section 8. Applicable Provisions of Law. This Bond Resolution shall be governed by and construed in accordance with the laws of the State.

Section 9. No Recourse on Bond. No recourse shall be had for the payment of the principal of or the interest on the Bond or for any claim based thereon or on this Bond Resolution against any member or officer of the Authority or any person executing the Bond.

Section 10. Additional Documents. The Chairman, Secretary and Executive Director of the Authority or either of them, are hereby authorized to execute and deliver on behalf of the Authority the Loan Agreement, Lender Loan Agreement, Bond and such other documents and certificates as are required to accomplish the issuance of the Bond.

Section 11. This Bond Resolution shall be in full force and effect upon its adoption.

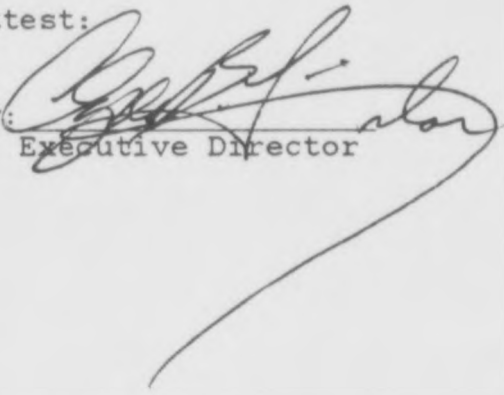
Adopted by the South Carolina State Family Farm Development Authority the 16th day of August, 1985.

(SEAL)

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

Attest:

By:


Executive Director

By:

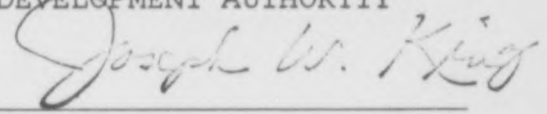

Chairman

EXHIBIT B

<u>Resolution No.</u>	<u>Principal Amount</u>	<u>Name of Borrower</u>	<u>Purpose</u>	<u>Maturity Schedule</u>
85-0018	\$25,000	Double H Hog Farm, a partnership of J. Daniel Hutto, Jr. and R. Barry Hutto	construction of a swine finishing facility	\$8,333 annual principal payment plus accrued interest at 7.75% per annum for a period of 3 years

Method of Sale

Negotiation

Purchaser

Farmers & Merchants Bank,
in Holly Hill, South Carolina

002765

EXHIBIT

AUG 27 1985

NO. 11

SCHEDULE 1

STATE BUDGET & CONTROL BOARD

OUTSTANDING AGRICULTURAL DEVELOPMENT BONDS OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY

<u>DATE</u>	<u>FARMER</u>	<u>PRINCIPAL AMOUNT</u>	<u>MATURITY SCHEDULE</u>	<u>AMOUNT & SOURCE OF REVENUES</u>
1. 5/3/85	James T. Moore	\$300,000	Interest (9 1/2%) only on 11/3/85, thereafter 120 equal monthly payments of \$3,882 each	Payments by the Farmer under a \$300,000 Promissory Note dated 5/3/85.
2. 7/24/85	T. Eugene Hall	\$ 15,000	Payable on 1/24/87 and 1/24/88 in two annual installments equal to one-half (1/2) of the principal. Interest (8%) payable monthly on the 24th day of each month, commencing 8/24/85.	Payments by the Farmer under a \$15,000 Promissory Note dated 7/24/85.
3. 7/24/85	Bruce Woods	\$ 43,000	Payable in equal quarterly payments of principal and interest in the amount of \$1,572 for a period of ten (10) years commencing 10/24/85.	Payments by the Farmer under a \$43,000 Promissory Note dated 7/24/85.

002766

EXHIBIT

State of South Carolina

AUG 27 1985

NO. 11

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

September 4, 1985

Family Farm Development Authority
c/o Mr. Daniel R. McLeod, Jr.
Post Office Box 11390
Columbia, South Carolina 29211

Dear Mr. McLeod:

RE: Issue of \$25,000, Family Farm Development Authority, South Carolina
Agricultural Development Bond
(Double H Hog Farm Project)

This will confirm that the referenced issue when issued and combined with the total amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

For your information, our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	198,000,000
1. Allocations Approved Through 08/27/85	8,540,000
2. Balance of Pool Available	189,460,000
3. Certified for Issue 09/04/85 (Including Referenced Issue)	6,838,000
B. Local Pool Amount	297,000,000
1. Allocations Approved Through 08/27/85	119,469,730
2. Balance of Pool Available	177,530,270
3. Certified for Issue 09/04/85	88,745,000

Sincerely,

William A. McInnis

William A. McInnis
Secretary

WAM:dw

002767

EXHIBIT

SEP - 4 1985

ADD.A.M. L.S.

McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

EIGHTEENTH FLOOR

BANKERS TRUST TOWER

POST OFFICE BOX 11390

COLUMBIA, SOUTH CAROLINA 29211

803-799-9800

AUG 27 1985

NO. 11

STATE BUDGET & CONTROL BOARD

ROBERT E. McNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN, JR.
DENNIS C. THELEN
JOHN H. LUMPKIN, JR.
JOHN W. CURRIE
SCOTT Y. BARNES
M. ELIZABETH CRUM
THEODORE J. HOPKINS, JR.
DANIEL R. McLEOD, JR.
WILLIAM S. ROSE, JR.
BERNARD J. WUNDER, JR.
HUEL D. ADAMS, JR.
M. CRAIG GARNER, JR.
BRENTON D. JEFFCOAT
ROBERT T. BOCKMAN
PETER L. MURPHY
C. ALAN RUNYAN
JOHN W. FOSTER
ELIZABETH VAN DOREN GRAY
WILMOT B. IRVIN
APRIL C. LUCAS
ROBERT E. STEPP

KATHLEEN CRUM McKINNEY
E. RUSSELL JETER, JR.
EDWARD H. FORGOTSON††
STEPHEN KOPLAN†††
FRANKLIN G. POLK
CARL B. CARRUTH
JOHN W. HUNTER**
JAMES P. FIELDS, JR.
LAWRENCE P. HIGGINS†
W. STEPHEN GANNON
EDWIN W. JOHNSON II
BARBARA GEORGE BARTON
RICHARD J. MORGAN
J. SIMON FRASER
CHRISTOPHER MCGOWEN HOLMES
DOROTHY M. HELMS
PAUL B. NIX, JR.
NANCY PAGE
SANDRA L. RANDLEMAN
JANE W. TRINKLEY
J. LYLES GLENN IV
CELESTE TILLER JONES
JOSEPH D. WALKER
NANCY R. JEFFERIS
ALISON RENEE LEE
MARTHA P. McMILLIN
GREGORY D. DeLOACH
ELIZABETH B. ANDERS
WILLIAM M. MUSSER

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

GREENVILLE OFFICE
SUITE 401
BANKERS TRUST PLAZA
7 NORTH LAURENS STREET
GREENVILLE, S.C. 29601
803-271-4940

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29928
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

September 3, 1985

*D.C. AND NEW YORK BARS ONLY
†D.C. AND OHIO BARS ONLY
**D.C. BAR ONLY
††MISSOURI BAR ONLY
†††CALIFORNIA, D.C. AND TEXAS BARS ONLY
††††MASSACHUSETTS BAR ONLY

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

HAND DELIVERED

RE: South Carolina State Family Farm Development
Authority, Agricultural Development Bond (Double
H Hog Farm Project), 1985, \$25,000

Dear Mr. McInnis:

Enclosed is a copy of Internal Revenue Service Form 8038 which has been executed by Clyde Livingston, Executive Director of the Family Farm Development Authority, relating to the above referenced bond of the Authority. The closing of this issue is scheduled for September 6. I request that you provide me an allocations certificate relating to the State Ceiling for this bond issue.

Thank you for your cooperation. With kind regards,
I am

Yours very truly,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Daniel R. McLeod, Jr.

By: Daniel R. McLeod, Jr.

DRM/sa

Enclosure

cc: Mr. Clyde B. Livingston

002768

Check box if Amended Return ►

69057001-212

7

September 6, 1985

Face Amount

10 ☐ Private exempt entity bond

\$25.000

k ☐ Facilities for the local furnishing of electric energy or gas (section 103(b)(4)(E))

16 If issue is an advance refunding, enter the earliest call date.

Form **8038** (Rev. 12-84)

002769

Part V Description of Property Financed by Non-refunding Proceeds
(Do not complete for student loan bonds or mortgage bonds)**22 Type of Property Financed (or portion thereof financed by non-refunding proceeds)**

- a 3-yr. ACRS property
b 5-yr. ACRS property
c 10-yr. ACRS property
d 15-yr. ACRS property
e 18-yr. ACRS property
f Cost of land
g Cost of other property (see instructions)

EXHIBIT

AUG 27 1985

NO. 11

\$24,650

STATE BUDGET & CONTROL BOARD

23 Other use of non-refunding proceeds (subtract lines 22a-g from Part IV, line 21)(see instructions)**24 Standard industrial classification (SIC) of non-refunding proceeds for the financed project**

	SIC Code	Non-refunding proceeds \$		SIC Code	Non-refunding proceeds \$
a	0400	\$24,650	d		
b			e		
c			f		

than 3

25 Average weighted economic life of the project (complete only for IDBs) See Schedule A . . . Not less / years**Part VI Description of Initial Principal Users**

(Do not complete for student loan bonds or mortgage bonds)

26 Initial Principal Users

(A) User	(B) Name	(C) Address	(D) Employer identification number
(i)	Double H Hog Farm, a	Rt. 1, Box 218J	
(ii)	partnership of J.	Holly Hill, SC 29059	249-96-7806
(iii)	Daniel Hutto, Jr. and		249-92-7077
	R. Barry Hutto		
(iv)			
(v)			

27 Common parents (if any) of initial principal users listed above

(A) User (from above)	(B) Name	(C) Address	(D) Employer identification number

Part VII Approval of Issue (Complete only for IDBs)**28 Name of Governmental units approving issue** ▶ South Carolina State Family Farm Development Authority; South Carolina State Budget and Control Board - See Schedule B**29 Names and positions of applicable elected representatives or date of referendum approving issue** ▶ See Schedule C**Part VIII Volume Limitations for Qualified Mortgage or Veterans' Bonds**

- 1 Issuer's volume limitation
2 Amount of volume limitation surrendered to other issues (e.g., under section 103A(g)(3)(B) or 25(c)(2)(A)(ii))
3 Amount of bonds previously issued
4 Unused volume limitation (subtract lines 2 and 3 from line 1)

Please
Sign
Here

Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.



Sept 3, 1985

Executive Director

Paid
Preparer's
Use OnlyPreparer's
signature

By:

Daniel R. McNair, Jr.

Check if
self-emp-
loyed ☐Preparer's social security no.
250-80-5675Firm's name (or
yourself if self-employed
and addressMcNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.E.I. No.
ZIP code57-0703244
29211P.O. Box 11390
Columbia, South Carolina

U.S. Government Printing Office: 1985-461-495/10095

002770

EXHIBIT

State of South Carolina

AUG 27 1985

NO. 11

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLEE MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

August 27, 1985

C E R T I F I C A T E

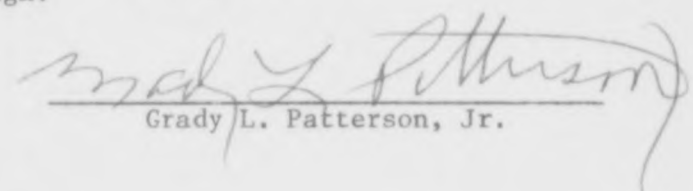
[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$125,000 Family Farm Development Authority
Agricultural Development Revenue Bonds
(Lawrence W. Davis Project)

This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985, (the date the allocation was approved by the Board) if the bonds for which the allocation has been approved have not been issued.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.


Grady L. Patterson, Jr.

Attest:


William A. McInnis, Secretary

002771

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

TO: THE STATE BUDGET AND)
CONTROL BOARD OF SOUTH)
CAROLINA)

PETITION

This Petition of the South Carolina State Family Farm Development Authority (the "Authority") is submitted to the State Budget and Control Board of South Carolina (the "Board") pursuant to the South Carolina State Family Farm Development Authority Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of 1981, now codified as Chapter 47 of Title 46 of the Code of Laws of South Carolina, 1976, as amended (the "Act") and respectfully shows:

1. The Act, among other things, provides that following a determination made by the Authority that it is necessary to sell bonds to develop and implement one of the programs authorized by the Act and a finding that the revenues or other moneys estimated to thereafter be available therefor will provide moneys required for the payment of the principal and interest on the bond then proposed to be issued, upon obtaining the approval of the Board pursuant to the Act, the Authority is authorized to issue bonds for such purposes.

2. The Authority has developed its Direct Loan Program for Farmers of the Beneficiary Class.

3. Pursuant to the provisions of Act No. 512 of the Acts and Joint Resolutions for the General Assembly of the State of South Carolina for the year 1984, the State Budget and Control Board and the Joint Bond Review Committee have been assigned certain responsibilities with respect to allocation of the private activity bond ceiling (the "State Ceiling") applicable to the State of South Carolina under Section 103(n) of the Internal Revenue Code of 1954, as amended.

4. By resolution duly adopted by the Authority on August 16, 1985 (certified copy of which is attached hereto as Exhibit A), the Authority has authorized the issuance of its \$125,000 Agricultural Development Bond (Lawrence W. Davis Project) 1985 (the "Bond") being described on Exhibit B attached hereto.

5. The Bond shall be a special obligation of the Authority secured by and payable solely from the moneys, income and receipts of the Authority to be pledged under a Loan Agreement between the Authority and the Farmer.

6. Attached hereto as Schedule 1 and by reference incorporated herein in its entirety is a schedule showing the annual debt service requirements and the amount and source of revenues available for the payment thereof on all outstanding bonds of the Authority.

7. The information contained in this Petition provides the Board with all the information required by Section 15 of Act No. 179 (1981 Acts) (now codified as Section 46-47-140 of the 1976 Code of Laws of South Carolina, as amended) to be presented by the Authority in connection with the Bond.

8. The Authority stands ready to produce any further information with respect to the Bond or other bonds of the Direct Loan Program required by the Board.

WHEREFORE, on the basis of the foregoing the Authority prays approval of the Board of the issuance and sale of the Authority's Bond in the principal amount and on the terms and conditions prescribed in the Resolution No. 85-0017 as described in this Petition and allocate \$125,000 of the State Ceiling for the Bond.

To the best of my knowledge the approval of the Lawrence W. Davis Project is not made in consideration of any bribe, gift, gratuity, or direct or indirect contributions to any political campaign.

Respectfully submitted,

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

By: 

Executive Director

(SEAL)

August 21, 1985

Copy of Petition also forwarded to Joint Bond Review Committee.

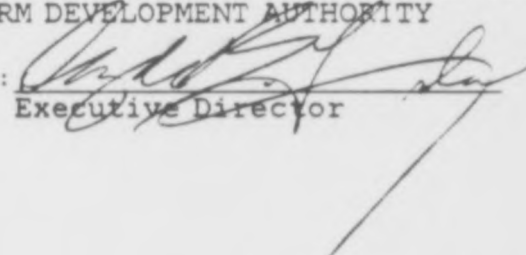
STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

CERTIFIED COPY OF RESOLUTION
NO. 85-0017

I, the undersigned being the duly qualified and acting Executive Director of the South Carolina State Family Farm Development Authority (the "Authority"), do hereby certify that attached hereto is a copy of Resolution No. 85-0017 authorizing the issuance of a \$125,000 Agricultural Development Bond (Lawrence W. Davis Project), 1985, adopted by the Authority at a meeting duly called and held on August 16, 1985, at which a quorum was present and acting throughout, which resolution has been compared by me with the original thereof, and that such resolution has been duly adopted and has not been modified, amended or repealed and is in full force and effect on and as of the date hereof in the form attached hereto.

In witness whereof, I have hereunto set my hand and the official seal of the Authority this 16th day of August, 1985.

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITYBy: 
Executive Director

(SEAL)

EXHIBIT

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

002774

RESOLUTION NO. 85-0017

AUTHORIZING THE ISSUANCE OF A \$125,000 AGRICULTURAL DEVELOPMENT BOND (LAWRENCE W. DAVIS PROJECT), 1985, OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AND LENDER LOAN AGREEMENT; APPROVING THE SUBMISSION OF A PETITION TO THE STATE BUDGET AND CONTROL BOARD; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY, AS FOLLOWS:

Section 1. Findings and Determinations. The Authority hereby finds and determines:

(a) Pursuant to the South Carolina State Family Farm Development Act as amended (the "Act"), the Authority is authorized and empowered to undertake programs which assist farmers of the beneficiary class in acquiring agricultural land, agricultural improvements and/or depreciable agricultural property for the purpose of farming.

(b) The Authority is authorized and has developed under the Act a direct loan program for farmers (the "Direct Loan Program") of the beneficiary class by making mortgage loans or secured loans to such farmers to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by such farmers.

(c) The Authority is further authorized to borrow money through the issuance of its negotiable bonds as provided in the Act in order to finance its Direct Loan Program.

(d) The Authority has received a request from Lawrence W. Davis (the "Borrower") to issue its agricultural development bond for the purpose of facilitating the acquisition of agricultural land, agricultural improvements and/or depreciable agricultural property as more particularly described in the Borrower's Application heretofore submitted to the Authority (the "Project").

(e) In order to raise the sum of \$125,000 and loan such moneys to the Borrower under a Loan Agreement hereinafter described, the Authority finds it necessary and in its best interest to sell its agricultural development bond to Security Federal Savings & Loan Association, in Aiken, South Carolina (the "Lender").

(f) The Authority further finds that:

(i) the Borrower receiving the mortgage loan or secured loan under the Direct Loan Program is a member of the "beneficiary class" as defined in the Act;

(ii) the Borrower satisfies the underwriting and credit standards as have been determined by the proposed regulations of the Authority so as to insure payment of the principal and interest on the Bond; and

(iii) the mortgage loan or secured loan authorized hereby is not otherwise available to the Borrower, wholly or in part, without the assistance of financing under the Direct Loan Program, upon reasonably equivalent terms and conditions.

(g) The Authority has caused to be prepared and presented to this meeting the following documents which the Authority proposes to enter into, execute and deliver:

(i) The form of Loan Agreement by and between the Authority and the Borrower including the form of promissory note of the Borrower;

(ii) The form of Lender Loan Agreement by and between the Authority and the Lender; and

(iii) The form of bond to be executed by the Authority.

It appears that each of the Agreements above referred to is in appropriate form and is an appropriate instrument to be executed and delivered by the Authority for the purposes intended.

(h) It is now necessary and in the best interest of the Authority to authorize the issuance of a \$125,000 Agricultural Development Bond, 1985 (Lawrence W. Davis Project) in order to develop and implement its Direct Loan Program and to authorize the execution and delivery of the aforementioned Loan Agreement, Lender Loan Agreement and other documents relating to this transaction.

Section 2. Authorization. Pursuant to the Act and the Direct Loan Program in order to finance the Project, including financial, legal, administrative and other costs of the Authority and other fees, there is hereby authorized to be issued a \$125,000 Agricultural Development Bond, (Lawrence W. Davis Project) 1985, (the "Bond"), of the Authority. The revenues and other monies estimated to be available will provide monies required for the payment of the principal and interest on the Bond.

Neither the Commissioners of the Authority nor any persons executing the Bond shall be subject to personal liability on the Bond or accountability by reason of the issuance thereof.

The Bond shall be issued in the form submitted at this meeting of the Authority and shall be payable upon such terms and at such interest rate as specified therein with such variations, omissions and insertions as are permitted or required by this Bond Resolution, the Loan Agreement or the Lender Loan Agreement.

The Bond shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

Section 3. Execution. The Bond shall be executed in the name of the Authority by the manual or facsimile signature of its Chairman or Vice Chairman, attested by the manual or facsimile signature of its Executive Director or any person duly designated by the Authority, or in such other manner as may be required by law; provided that at least one of such signatures shall be manual. In case any one or more of the members, officers or employees of the Authority who shall have signed the Bond or whose signature appears on the Bond shall cease to be such member, officer or employee before the Bond is actually delivered, the Bond may, nevertheless, be delivered as herein provided, and may be issued as if the persons who signed it or whose signatures appear thereon had remained in office or remained so employed.

Section 4. Tax Covenant. The Authority shall at all times do and perform all acts and things permitted by law and necessary or desirable in order to assure that interest paid by the Authority on the Bond shall be exempt from all Federal income taxation, particularly the requirements of Section 103 of the Internal Revenue Code of 1954, as amended (the "Code").

The Authority covenants and certifies to and for the benefit of the purchaser and holder of the Bond that so long as the Bond remains outstanding, the proceeds thereof will not be used in a manner which will cause the Bond to be classified as an "arbitrage bond" within the meaning of Section 103(c) of the Code. Pursuant to such covenant, the Authority obligates itself to comply throughout the term of the issue of the Bond with the requirements of Section 103(c) of the Code and any regulations promulgated thereunder.

Section 5. Approval of Loan Agreement and Lender Loan Agreement. The respective forms, terms and provisions of the Loan Agreement and Lender Loan Agreement presented to

EXHIBIT

this meeting and filed with the records of the Authority be and hereby are approved and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if such Agreements were set out in this Bond Resolution in their entirety. The Chairman, Secretary and Executive Director of the Authority be and are hereby authorized, empowered and directed to execute, acknowledge and deliver such Agreements in the name of and on behalf of the Authority, and thereupon to cause such Agreements to be delivered to the Borrower and the Lender. Such Agreements are to be in substantially the form now before this meeting and hereby approved by the officials of the Authority executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of such Agreements now before this meeting.

Section 6. Petition to State Budget and Control Board. The Executive Director of the Authority be and is hereby authorized and directed to submit, by petition, the information required under the Act to the State Budget and Control Board in the name of and on behalf of the Authority.

Section 7. Severability. If any provision of this Bond Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

Section 8. Applicable Provisions of Law. This Bond Resolution shall be governed by and construed in accordance with the laws of the State.

Section 9. No Recourse on Bond. No recourse shall be had for the payment of the principal of or the interest on the Bond or for any claim based thereon or on this Bond Resolution against any member or officer of the Authority or any person executing the Bond.

Section 10. Additional Documents. The Chairman, Secretary and Executive Director of the Authority or either of them, are hereby authorized to execute and deliver on behalf of the Authority the Loan Agreement, Lender Loan Agreement, Bond and such other documents and certificates as are required to accomplish the issuance of the Bond.

Section 11. This Bond Resolution shall be in full force and effect upon its adoption.

002778

Adopted by the South Carolina State Family Farm
Development Authority the 16th day of August, 1985.

(SEAL)

Attest:

By: 
Executive Director

SOUTH CAROLINA STATE FAMILY
FARM DEVELOPMENT AUTHORITY

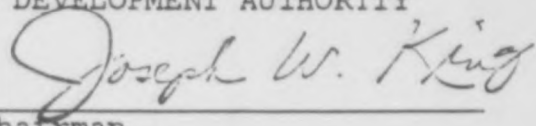
By: 
Chairman

EXHIBIT B

<u>Resolution No.</u>	<u>Principal Amount</u>	<u>Name of Borrower</u>	<u>Purpose</u>	<u>Maturity Schedule</u>
85-0017	\$125,000	Lawrence W. Davis	Purchase of 353 acres farmland, equipment for truck operation and facilities	240 equal annual pay- ments at 18% per annum

Method of Sale

Negotiation

Purchaser

Security Federal Savings & Loan
Association, Aiken, South Carolina

SCHEDULE 1

OUTSTANDING AGRICULTURAL DEVELOPMENT BONDS OF THE
SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY

	<u>DATE</u>	<u>FARMER</u>	<u>PRINCIPAL AMOUNT</u>	<u>MATURITY SCHEDULE</u>	<u>AMOUNT & SOURCE OF REVENUES</u>
1.	5/3/85	James T. Moore	\$300,000	Interest (9 1/2%) only on 11/3/85, thereafter 120 equal monthly payments of \$3,882 each	Payments by the Farmer under a \$300,000 Promissory Note dated 5/3/85.
2.	7/24/85	T. Eugene Hall	\$ 15,000	Payable on 1/24/87 and 1/24/88 in two annual installments equal to one-half (1/2) of the principal. Interest (8%) payable monthly on the 24th day of each month, commencing 8/24/85.	Payments by the Farmer under a \$15,000 Promissory Note dated 7/24/85.
3.	7/24/85	Bruce Woods	\$ 43,000	Payable in equal quarterly payments of principal and interest in the amount of \$1,572 for a period of ten (10) years commencing 10/24/85.	Payments by the Farmer under a \$43,000 Promissory Note dated 7/24/85.

002781

A RESOLUTION

OF THE STATE BUDGET AND CONTROL BOARD APPROVING THE ISSUANCE BY THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY OF A \$125,000 AGRICULTURAL DEVELOPMENT BOND (LAWRENCE W. DAVIS PROJECT), 1985.

WHEREAS, it is provided by the South Carolina State Family Farm Development Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1981, now codified as Chapter 47, Title 46 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"), that upon approval by the State Budget and Control Board (the "Board"), the South Carolina State Family Farm Development Authority (the "Authority") may borrow money through the issuance of its negotiable bonds in order to finance its programs; and

WHEREAS, the Authority has established a direct loan program (the "Direct Loan Program") as provided in Section 15 of the Act (now codified as section 46-47-90); and

WHEREAS, the Authority has submitted its petition (the "Petition") to the Board requesting approval by the Board of the issuance by the Authority pursuant to the Act of its \$125,000 Agricultural Development Bond (Lawrence W. Davis Project), 1985 (the "Bond"), which Bond has been authorized to be issued pursuant to Resolution No. 85-0017 adopted on August 16, 1985, by the Authority.

WHEREAS, the Bond shall be dated, shall mature, and shall bear interest at such rate payable at such times and shall otherwise contain such terms and conditions as shall be authorized by the Resolution of the Authority and shall be sold to Security Federal Savings & Loan Association, in Aiken, South Carolina; and

WHEREAS, the Authority has presented to the Board the Petition which, together with exhibits and schedule thereto attached, sets forth certain information with respect to the Direct Loan Program and the Bond.

WHEREAS, the Board has determined, based upon such information, that the funds estimated to thereafter be available for the repayment of the Bond will be sufficient to provide for the payment of the principal and interest on the Bond as they become due;

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD, AS FOLLOWS:

Section 1. It is found and determined that the facts set forth in the preambles to this Resolution and in the Petition are in all respects true and correct.

Section 2. The Petition filed by the Authority contain all matters required by the Act and the rules of the Board to be set forth therein.

Section 3. Approval is hereby granted by the Board to the issuance and sale by the Authority of its \$125,000 Agricultural Development Bond (Lawrence W. Davis Project), 1985, in order to make a mortgage loan or secured loan to the Lawrence W. Davis (the "Farmer"), including the interest rate thereon, to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by the Farmer.

The Bond shall be issued and secured as provided in the Resolution of the Authority.

Section 4. This Resolution shall take effect immediately upon its adoption.

Dated August 27, 1985

A RESOLUTION

OF THE STATE BUDGET AND CONTROL BOARD APPROVING THE ISSUANCE BY THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY OF A \$125,000 AGRICULTURAL DEVELOPMENT BOND (LAWRENCE W. DAVIS PROJECT), 1985.

WHEREAS, it is provided by the South Carolina State Family Farm Development Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1981, now codified as Chapter 47, Title 46 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"), that upon approval by the State Budget and Control Board (the "Board"), the South Carolina State Family Farm Development Authority (the "Authority") may borrow money through the issuance of its negotiable bonds in order to finance its programs; and

WHEREAS, the Authority has established a direct loan program (the "Direct Loan Program") as provided in Section 15 of the Act (now codified as section 46-47-90); and

WHEREAS, the Authority has submitted its petition (the "Petition") to the Board requesting approval by the Board of the issuance by the Authority pursuant to the Act of its \$125,000 Agricultural Development Bond (Lawrence W. Davis Project), 1985 (the "Bond"), which Bond has been authorized to be issued pursuant to Resolution No. 85-0017 adopted on August 16, 1985, by the Authority.

WHEREAS, the Bond shall be dated, shall mature, and shall bear interest at such rate payable at such times and shall otherwise contain such terms and conditions as shall be authorized by the Resolution of the Authority and shall be sold to Security Federal Savings & Loan Association, in Aiken, South Carolina; and

WHEREAS, the Authority has presented to the Board the Petition which, together with exhibits and schedule thereto attached, sets forth certain information with respect to the Direct Loan Program and the Bond.

WHEREAS, the Board has determined, based upon such information, that the funds estimated to thereafter be available for the repayment of the Bond will be sufficient to provide for the payment of the principal and interest on the Bond as they become due;

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD, AS FOLLOWS:

Section 1. It is found and determined that the facts set forth in the preambles to this Resolution and in the Petition are in all respects true and correct.

Section 2. The Petition filed by the Authority contain all matters required by the Act and the rules of the Board to be set forth therein.

Section 3. Approval is hereby granted by the Board to the issuance and sale by the Authority of its \$125,000 Agricultural Development Bond (Lawrence W. Davis Project), 1985, in order to make a mortgage loan or secured loan to the Lawrence W. Davis (the "Farmer"), including the interest rate thereon, to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by the Farmer.

The Bond shall be issued and secured as provided in the Resolution of the Authority.

Section 4. This Resolution shall take effect immediately upon its adoption.

Dated August 27, 1985

EXHIBIT

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

002785

A RESOLUTION

OF THE STATE BUDGET AND CONTROL BOARD APPROVING THE ISSUANCE BY THE SOUTH CAROLINA STATE FAMILY FARM DEVELOPMENT AUTHORITY OF A \$125,000 AGRICULTURAL DEVELOPMENT BOND (LAWRENCE W. DAVIS PROJECT), 1985.

WHEREAS, it is provided by the South Carolina State Family Farm Development Act, Section 15 of Act No. 179 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1981, now codified as Chapter 47, Title 46 of the Code of Laws of South Carolina, 1976, as amended, (the "Act"), that upon approval by the State Budget and Control Board (the "Board"), the South Carolina State Family Farm Development Authority (the "Authority") may borrow money through the issuance of its negotiable bonds in order to finance its programs; and

WHEREAS, the Authority has established a direct loan program (the "Direct Loan Program") as provided in Section 15 of the Act (now codified as section 46-47-90); and

WHEREAS, the Authority has submitted its petition (the "Petition") to the Board requesting approval by the Board of the issuance by the Authority pursuant to the Act of its \$125,000 Agricultural Development Bond (Lawrence W. Davis Project), 1985 (the "Bond"), which Bond has been authorized to be issued pursuant to Resolution No. 85-0017 adopted on August 16, 1985, by the Authority.

WHEREAS, the Bond shall be dated, shall mature, and shall bear interest at such rate payable at such times and shall otherwise contain such terms and conditions as shall be authorized by the Resolution of the Authority and shall be sold to Security Federal Savings & Loan Association, in Aiken, South Carolina; and

WHEREAS, the Authority has presented to the Board the Petition which, together with exhibits and schedule thereto attached, sets forth certain information with respect to the Direct Loan Program and the Bond.

WHEREAS, the Board has determined, based upon such information, that the funds estimated to thereafter be available for the repayment of the Bond will be sufficient to provide for the payment of the principal and interest on the Bond as they become due;

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD, AS FOLLOWS:

002786

Section 1. It is found and determined that the facts set forth in the preambles to this Resolution and in the Petition are in all respects true and correct.

Section 2. The Petition filed by the Authority contain all matters required by the Act and the rules of the Board to be set forth therein.

Section 3. Approval is hereby granted by the Board to the issuance and sale by the Authority of its \$125,000 Agricultural Development Bond (Lawrence W. Davis Project), 1985, in order to make a mortgage loan or secured loan to the Lawrence W. Davis (the "Farmer"), including the interest rate thereon, to facilitate the acquisition of agricultural land, agricultural improvements and depreciable agricultural property by the Farmer.

The Bond shall be issued and secured as provided in the Resolution of the Authority.

Section 4. This Resolution shall take effect immediately upon its adoption.

EXHIBIT

Dated August 27, 1985

AUG 27 1985 NO. 11

STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 27 1985

NO. 12

REGULAR SESSION

STATE BUDGET AND CONTROL BOARD

MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD NUMBER

8

AGENCY: Executive Director

SUBJECT: Private Activity Bonds; Allocation of State Ceiling

The required reviews on the following local government proposals to issue revenue bonds have not yet been completed. Staff will advise the Board on the results of these reviews at the meeting.

Each of the projects requires approval under State law. An allocation of a portion of the Ceiling is requested for each.

- (a) Local Government: Greenville County
 Amount of Issue: \$500,000
 Name of Project: Banker, Inc.
 Employment Impact: approximately 16
 Project Description: Processing ferrous and nonferrous waste metals
 State Law Approval: required Ceiling Allocation: required
- (b) Local Government: Town of Fountain Inn
 Amount of Issue: \$500,000
 Name of Project: GEN III, Inc.
 Employment Impact: approximately 5 additional
 Project Description: manufacture stainless steel food service equipment
 State Law Approval: required Ceiling Allocation: required
- (c) Local Government: Jasper County
 Amount of Issue: \$2,000,000
 Name of Project: Pearlstine Distributors Inc.
 Employment Impact: 65
 Project Description: Distribution facility
 State Law Approval: required Ceiling Allocation: required

The status report on the State Ceiling as of August 8, 1985, (year elapsed 60%) shows:

	<u>CY 1985 Ceiling</u>	<u>Allocated</u>	<u>(%)</u>	<u>Not Allocated</u>	<u>(%)</u>
State Pool	\$198,000,000	\$ 1,690,000	(1%)	\$196,310,000	(99%)
Local Pool	297,000,000	125,219,730	(42%)	171,780,270	(58%)
Total	\$495,000,000	\$126,909,730	(25%)	\$368,090,270	(75%)

BOARD ACTION REQUESTED:

Approve, on the condition that the required reviews are completed with satisfactory results, and allocate a portion of the State Ceiling each item.

ATTACHMENTS:

Referenced status report on State Ceiling.

002788

STATE CEILING AMOUNT AVAILABLE FOR ALLOCATION

Certified State Ceiling (01/08/85):	\$495,000,000
 A. State Agency and Exempt Facilities Pool (40%)	<u>198,000,000</u>
State Agency & Exempt Facilities Pool (40%) at 01/08/85	<u>198,000,000</u>
 B. Local Pool (60%)	<u>297,000,000</u>
Local Pool (60%) at 01/08/85	<u>297,000,000</u>

EXHIBIT

AUG 27 1985 NO. 1 2

STATE BUDGET & CONTROL BOARD

STATE CEILING AMOUNT AVAILABLE FOR ALLOCATION

Certified State Ceiling (01/08/85):	\$495,000,000
A. State Agency and Exempt Facilities Pool (40%)	<u>198,000,000</u>
State Agency & Exempt Facilities Pool (40%) at 01/08/85	<u>198,000,000</u>
B. Local Pool (60%)	<u>297,000,000</u>
Local Pool (60%) at 01/08/85	<u>297,000,000</u>

EXHIBIT

AUG 27 1985 NO. 12

STATE BUDGET & CONTROL BOARD

1985 STATE CEILING AMOUNT AVAILABLE FOR ALLOCATION
As of August 8, 1985, Budget and Control Board Meeting

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
01/08/85	STATE AGENCY AND EXEMPT FACILITIES POOL		<u>\$198,000,000</u>			
03/26/85	Family Farm Develop.	James T. Moore		-300,000		300,000
04/23/85	Family Farm Develop.	William E. Klein, Jr.		-625,000		
05/30/85	Family Farm Develop.	T. Eugene Hall		-15,000		15,000
05/30/85	Family Farm Develop.	W & W Farms		-35,000		
06/25/85	Family Farm Develop.	Bruce Wood		-43,000		43,000
06/25/85	Family Farm Develop.	R. Barry Hutto		-25,000		25,000
07/18/85	Family Farm Develop.	Dargan K. Etheredge		-17,000		
07/18/85	Family Farm Develop.	Neel's Poultry Farm, Inc.		-300,000		
07/18/85	Family Farm Develop.	Thomas L./Marilyn Doremus		-150,000		
07/18/85	Family Farm Develop.	John R. Bowen		-180,000		180,000
Total Allocated				<u>-1,690,000</u>		<u>563,000</u>
Total, State Agency and Exempt Facilities Pool			<u>\$198,000,000</u>	<u>-1,690,000</u>	<u>\$196,310,000</u>	<u>563,000</u>

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
01/08/85	LOCAL POOL		<u>\$297,000,000</u>			
01/08/85	Sumter County	Associated Textile Converters		-650,000		650,000
01/08/85	Bamberg, City of	Carl L. Kilgus		-550,000		550,000
01/11/85	York County	INA Bearing Company		-9,000,000		9,000,000
01/22/85	Sumter County	Southern Coatings, Inc.		-1,400,000		1,400,000
01/22/85	Charleston, City of	Sea Coast Partnership		-335,000		335,000
01/22/85	Aiken County	Builders Transport, Inc.		-1,700,000		1,700,000
02/14/85	Anderson County	Piedmont-Anderson-Warehouse		-1,000,000		1,000,000
02/14/85	Pickens County	Hasbro Bradley, Inc.		-1,300,000		1,300,000
02/14/85	Richland County	Robert M. Pachak and Grey Pachak		-500,000		500,000
02/14/85	Berkeley County	The Ceva Partnership		-540,000		540,000
02/14/85	Charleston County	Charles Towne Internatl. Sales		-580,000		580,000
02/28/85	Pickens County	Imperial Die Casting		-600,000		600,000
02/28/85	Anderson County	Nordson		-650,000		650,000
03/12/85	York County	International Aluminum Corporation		-5,000,000		5,000,000
03/12/85	Richland County	Wheel Trueing Tool Company		-3,000,000		3,000,000
03/12/85	Lexington County	Wellington Synthetic		-1,500,000		
03/12/85	Oconee County	Nacan		-500,000		500,000
03/12/85	Anderson County	Craft Bonded Warehouse		-1,000,000		1,000,000

EXHIBIT
AUG 27 1985 NO. 12
STATE BUDGET & CONTROL BOARD

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
03/26/85	Richland County	Standard Corporation		-1,000,000		1,000,000
03/26/85	Spartanburg County	Tailored Baby East/Amigo		-1,255,000		1,255,000
03/26/85	Lexington County	United Investments, Ltd.		-525,000		525,000
03/26/85	Laurens County	J. J. Newberry Co.		-9,000,000		9,000,000
04/09/85	Berkeley County	Montgomery Industries		-3,500,000		3,500,000
04/09/85	Richland County	William M. Gregg, II		-1,000,000		1,000,000
04/09/85	Richland County	1-26 Ballentine Partnership		-460,000		460,000
04/09/85	Richland County	Carolina Urocorp, Inc.		-1,700,000		1,700,000
04/09/85	Greenville County	Stewarts of America, Inc.		-275,000		275,000
04/09/85	Greenville County	William H. Richardson, Jr.		-800,000		800,000
04/09/85	Hampton County	Southland Exchange		-6,250,000		6,250,000
04/09/85	Laurens County	Dispoz-o Plastics, Inc.		-3,500,000		
04/23/85	Charleston, City of	PS Charleston Corp.		-2,500,000		2,500,000
04/23/85	Edgefield County	Martin		-400,000		400,000
04/23/85	Orangeburg County	Orangeburg Reg. Hosp. MOB		-2,800,000		2,800,000
04/23/85	Easley, City of	Woodside		-3,750,000		3,750,000
05/14/85	Newberry County	Thomas & Howard		-1,600,000		1,600,000
05/14/85	Berkeley County	David Maybank, Jr.		-4,750,000		4,750,000
05/14/85	Charleston County	J.G.A. Corporation		-750,000		
05/30/85	Travelers Rest, City	T&S Brass & Bronze Works		-1,200,000		1,200,000
05/30/85	Greenville County	Carey Moving & Storage		-500,000		500,000
05/30/85	Greenville County	Modern Storage Co., Inc.		-700,000		700,000
05/30/85	Williamsburg County	Phoenix Medical Technology		-3,500,000		3,500,000
06/11/85	Charleston County	Burris Chemical, Inc.		-1,000,000		1,000,000
06/11/85	Charleston County	Commercial Realty Ventures		-300,000		300,000
06/11/85	Richland County	Mills Partners		-5,600,000		
06/25/85	Greenville County	Merovan Center		-8,000,000		
06/25/85	Hilton Head Island	Kigre, Inc.		-1,000,000		1,000,000
06/25/85	York County	Perma-Flex (Southern) Inc.		-2,500,000		
06/25/85	Pickens County	Fluid Controls, Inc.		-1,800,000		
06/25/85	Spartanburg County	Wando Trade Center Limited		-425,000		425,000
06/25/85	Greenville County	RKK Development		-2,100,000		2,100,000
06/25/85	Bluffton, Town of	Bluffton Oyster Co.		-500,000		
07/18/85	Greenville County	Hartness International		-3,000,000		
07/18/85	Lexington County	Safety-Kleen Corp.		-3,000,000		3,000,000
07/18/85	Marion County	Quality Timber		-850,000		850,000
07/18/85	Fairfield County	Tanglewood		-1,564,730		
08/08/85	Charleston, City of	Southeastern Galleries		-310,000		
08/08/85	Oconee County	Piedmont Quilting Corp.		-1,100,000		
08/08/85	Richland County	Perry-Mann Electric Co.		-1,000,000		
08/08/85	Spartanburg County	Woodruff Healthcare Center		-2,400,000		
08/08/85	Calhoun County	Cablecraft, Inc.		-500,000		
08/08/85	Greenville County	Intex		-3,000,000		
08/08/85	Horry County	Lodge Assoc., Myrtle Beach		-3,750,000		
	Total Allocated			-125,219,730		84,445,000

EXHIBIT
AUG 27 1985 NO. 12
STATE BUDGET & CONTROL BOARD

002791

<u>Date of B&C Board Allocation</u>	<u>Governmental Unit</u>	<u>Name of Project</u>	<u>Pool Total</u>	<u>Amount of Pool Allocated</u>	<u>Balance of Pool Available</u>	<u>Amount Certified for Issue</u>
	Total, Local Pool		<u>\$297,000,000</u>	<u>-125,219,730</u>	<u>\$171,780,270</u>	<u>84,445,000</u>
	Total, State Agency and Exempt Facilities Pool		\$198,000,000	-1,690,000	\$196,310,000	563,000
	Total, Local Pool		<u>297,000,000</u>	<u>-125,219,730</u>	<u>171,780,270</u>	<u>84,445,000</u>
	GRAND TOTAL		<u>\$495,000,000</u>	<u>-126,909,730</u>	<u>\$368,090,270</u>	<u>85,008,000</u>

002792

Complete
8/16

8/27-A

Reviews
Complete
8/20

EXHIBIT

AUG 27 1985

NO. 12

STATE BUDGET & CONTROL BOARD

Greenville County

500,000

Baker, Inc

State law
& alloc

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Aud. ~~XX~~
AG - 8/19
IO - 8/19

002793

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 803-758-2072

EXHIBIT

AUG 27 1985

NO. 1 2

STATE BUDGET & CONTROL BOARD

August 20, 1985

Mr. William A. McInnis
Executive Deputy Director
State Budget and Control Board
Columbia, South Carolina 29201

Re: Not Exceeding \$500,000, Greenville County,
South Carolina, Industrial Revenue Bond
(Baker, Inc. Project)

Dear Mr. McInnis:

Regarding the above-referenced bond, we have reviewed the Petition and other documents submitted to the State Budget and Control Board for its approval pursuant to Sections 4-29-10 et seq., Code of Laws of South Carolina, 1976, as amended, and the same appear, in our opinion, to be in order.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "DCE", written over a horizontal line.

David C. Eckstrom
Assistant Attorney General

DCE/cr

Enclosures

002794

EXHIBIT

STATE OF SOUTH CAROLINA
STATE BUDGET AND CONTROL BOARD
Standard Form Investment Letter

AUG 27 1985

NO. 1 2

STATE BUDGET & CONTROL BOARD

TO: Secretary, State Budget and Control Board
P. O. Box 12444
Columbia, SC 29211

RE: Sale by Greenville County, South Carolina (the "Issuer")
Of its \$500,000 Industrial Development Revenue Note (the "Bonds")
On behalf of Baker, Inc. (the "Company")
Baker, Inc. Project (the "Project")
To Bankers Trust of South Carolina (the "Purchaser")

DATE:

In connection with the referenced sale of Bonds by the Issuer, the Purchaser makes the following representations and certifications:

1. The Purchaser has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of its prospective investment in the Bonds;
2. The Purchaser is financially able to bear the economic risk of its proposed investment in the Bonds for an indefinite period;
3. The Purchaser is familiar with the business affairs of the Company and has obtained and examined all financial and other information with respect to the Bonds, the Company and the officers and shareholders of the Company which it deems necessary in order to enable it to evaluate the merits and risks of its investment in the Bonds and to make an informed investment judgment in connection with the purchase of the Bonds;
4. The Purchaser has had the opportunity to ask questions of, and receive answers from, the Issuer and the Company concerning the terms and conditions of the offering and any other information which it has deemed relevant to the Bonds and its investment in the Bonds; and
5. The Bonds are being purchased for the account of the Purchaser and for the purpose of investment and not presently for resale, and the Purchaser has no present intention of offering the Bonds or any portion thereof for resale either currently or after the passage of a fixed period of time, or upon the occurrence or nonoccurrence of any predetermined event or circumstances.

SWORN to and subscribed
before me this 19 day
of July, 1985.

Margaret D. Smith
Notary Public

My Commission expires
May 6, 1991.

PURCHASER:

Name: Bankers Trust of South Carolina

Address: P.O. Box 608

Greenville, SC 29602

BY: Craig Robinson
Signature of Authorized Official

002795

EXHIBIT

STATE OF SOUTH CAROLINA)

Baker, Inc.

AUG 27 1985

NO. 12

COUNTY OF RICHLAND)

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

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 Dennis, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

4

AGAINST MOTION

0

That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

002796

EXHIBIT

AUG 27 1985

NO. 12

STATE OF SOUTH CAROLINA)

Baker, Inc.

COUNTY OF RICHLAND)

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

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 Dennis, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

4

AGAINST MOTION

0

That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

002796

EXHIBIT

AUG 27 1985

NO. 12

STATE BUDGET & CONTROL BOARD

A RESOLUTION APPROVING THE ISSUANCE BY GREENVILLE COUNTY, SOUTH CAROLINA, OF A NOT EXCEEDING \$500,000 PRINCIPAL AMOUNT INDUSTRIAL DEVELOPMENT REVENUE NOTE (BAKER, INC. PROJECT) 1985, PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED.

WHEREAS, the County Council of Greenville County, South Carolina (the "Governing Board"), has heretofore, by submitting a petition (the "Petition") under and pursuant to the provisions of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), requested the approval by the State Budget and Control Board of the issuance by Greenville County (the "County") pursuant to the Act of its Industrial Development Revenue Note (Baker, Inc. Project) in the aggregate principal amount of not exceeding \$500,000 (the "Note"); and

WHEREAS, the County proposes to issue the Note for the purpose of defraying the cost of acquiring, by construction and purchase, a building or buildings, other improvements, and certain machinery, apparatus, equipment, office facilities and furnishings (the "Project") to be used for the purpose of processing ferrous and non-ferrous waste metals; and

WHEREAS, the Project is to be made available to Baker, Inc. (the "Corporation") upon terms which require the Corporation to make payments to or for the account of the County in amounts sufficient to pay the principal and interest on the Note and which secure the obligation of the Corporation by a mortgage and security interest in the Project; and

WHEREAS, the Note will be payable from and secured by an assignment of the obligations of the Corporation and the mortgage and security interest in the Project; and

WHEREAS, the County has submitted a copy of a resolution and petition adopted by the County on August 6, 1985;

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

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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 4-29-140 of the Act; and

(c) The Project 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 defray the cost of acquiring the Project, to make the Project available to the Corporation, to finance the cost thereof and expenses incidental thereto by the execution and delivery of the Note, in substantially the form set forth in the Indenture, secured by an assignment of the revenues to be derived from the Mortgage and Financing Agreement, and a mortgage and security interest in the Project, 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 County Council and the Corporation, and do not make inaccurate, except as to dates and amounts, the summaries of the Mortgage and Financing Agreement and the Indenture and the description of the Project.

Section 3. Notice of the action taken by this Board in approving the above described undertaking of the County shall be published in The Greenville News, which is a newspaper having general circulation in Greenville 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. Approval of this undertaking is granted on the condition that a copy of Internal Revenue Service (IRS) Form 8038 relating to any bonds issued pursuant to this approval be filed with the Board's secretary at the same time such form is submitted to the IRS.

Section 6. This Resolution shall take effect immediately.

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EXHIBIT A

NOTICE PURSUANT TO THE PROVISIONS
OF SOUTH CAROLINA CODE ANNOTATED,
TITLE 4, CHAPTER 29
(1976), AS AMENDED

EXHIBIT

AUG 27 1985

NO. 12

STATE BUDGET & CONTROL BOARD

Notice is hereby given pursuant to the provisions and requirements of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (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 Greenville County, South Carolina, has given its approval to the following undertaking by Greenville County, South Carolina:

The issuance by Greenville County of its Industrial Development Revenue Note (Baker, Inc. Project) in the original principal amount of not exceeding \$500,000 (the "Note"), to defray the costs of acquiring, by construction and purchase, a building or buildings, other improvements, and certain machinery, apparatus, equipment, office facilities and furnishings by Baker, Inc., a South Carolina corporation, to be used as an industrial facility for the purpose of processing ferrous and non-ferrous waste metals (the "Project") to be located in Greenville County. The Project will be made available to Baker, Inc. which will unconditionally covenant to make payments sufficient to pay the principal and interest on the Note. The Note will be payable solely and exclusively out of payments to be made by Baker, Inc. for the use of the Project, and is to be additionally secured by a mortgage and security interest in the Project.

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 Note by Greenville County to finance the same, by action de novo instituted in the Circuit Court for Greenville County, South Carolina.

STATE BUDGET AND CONTROL BOARD

BY: WILLIAM A. McINNIS, Secretary

Dated: August 27, 1985.

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EXHIBIT

State of South Carolina

AUG 27 1985

NO. 12

State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

August 27, 1985

STATE BUDGET & CONTROL BOARD

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

C E R T I F I C A T E


[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$500,000 Greenville County, South Carolina
Industrial Development Revenue Bonds
(Baker, Inc., Project)

This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985 (the date the allocation was approved by the Board), if the bonds for which the allocation has been approved have not been issued.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.


Grady L. Patterson, Jr.

Attest:


William A. McInnis, Secretary

002800

ORIGINAL

EXHIBIT

STATE OF SOUTH CAROLINA)
GREENVILLE COUNTY)

AUG 27 1985 NO. 12

TO THE STATE BUDGET AND CONTROL
BOARD OF SOUTH CAROLINA

STATE BUDGET & CONTROL BOARD
P E T I T I O N

This Petition of Greenville County, South Carolina (the "County"), pursuant to South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), and specifically Section 4-29-140 thereof, respectfully shows:

1. The County Council of Greenville County (the "County Council") is the governing body of the County and as such is the "governing board" of the County referred to in the Act.

2. The Act, among other things, empowers the County, subject to obtaining the approval of the State Budget and Control Board, pursuant to Section 4-29-140 of the Act: (i) to acquire, and, in connection with such acquisition, to enlarge, improve and expand, whether by construction, purchase, gift or lease, one or more projects (as defined in the Act) which shall be located within the jurisdiction of the County; (ii) to make available to any industry or industries any or all of its projects for such payments and upon such terms and conditions as the governing board may deem advisable and as shall not conflict with the provisions of the Act; and (iii) to issue revenue bonds, as defined in the Act to include notes, for the purpose of defraying the cost of acquiring, by construction and purchase, and in connection with any such acquisition, to enlarge, improve and expand any project and to secure the payment of such bonds all as in the Act provided.

3. The County has agreed to assist Baker, Inc., a South Carolina corporation qualified to do business as a corporation in South Carolina (the "Corporation"), by issuing its revenue note for the purpose of defraying the cost of acquiring certain facilities located in the County (the "Project") more fully described in Exhibits A and B to the Mortgage and Financing Agreement and Indenture.

4. The County has been advised by the Corporation that the estimated cost of the Project will be not exceeding \$500,000 and it has requested the County to execute and deliver its Industrial Development Revenue Note (Baker, Inc. Project) (the "Note") in the principal amount of not exceeding \$500,000 to defray such costs.

5. Pursuant to Section 4-29-60 of the Act, the County Council has made the requisite findings that: (i) the Project will subserve the purposes of the Act; (ii) it is anticipated that the Project will benefit the general public welfare of the County by providing employment and other public benefits not otherwise provided locally; (iii) the Project will give rise to no pecuniary liability of the County or a charge against its general credit or taxing power; (iv) the principal amount of the Note required to finance the Project is expected to be not exceeding \$500,000; (v) the County does not deem it necessary to establish any reserve funds in connection with the retirement of the proposed Note and the maintenance of the Project; and (vi) the terms under which the Project is to be made available to the Corporation provide that the Corporation shall maintain the Project and carry all proper insurance with respect thereto, and as a part of the proceedings of the County, the County Council will make the requisite finding as to the amount necessary in each year to pay the principal and the interest on the Note proposed to be issued to defray the cost of the Project.

6. Pursuant to Section 4-29-140 of the Act, the County sets forth the following information:

(a) The Project, described in detail on Exhibits A and B to the Mortgage and Financing Agreement and the Indenture, consists of a building or buildings, other improvements and certain machinery, apparatus, equipment, office facilities and furnishings to be used for the purpose of processing ferrous and non-ferrous waste metals. It is anticipated that, upon completion, the Project will provide directly 16 additional full-time jobs in the County and neighboring areas and that the Project will provide stimulation to the economy of the County and neighboring areas thereto by increased payrolls, capital investment and tax revenues.

(b) It is estimated that the cost of the Project, including the items of cost authorized in the Act, will be not exceeding \$500,000.

(c) Copies of the Mortgage and Financing Agreement and the Indenture are available from the County. The following summary of terms is in no wise intended to affect or alter the actual terms of the documents themselves:

(i) The proposed Mortgage and Financing Agreement between the Corporation and the County provides in general:

(A) Proceeds derived from the placement of the Note, will be used and applied by the County upon request of the Corporation solely for the payment of the costs (as that term is defined in the Act) incident to the acquisition, by construction and purchase, of the Project.

(B) The Corporation obligates itself: to effect the completion of the Project if the proceeds derived from the placement of the Note prove insufficient therefor without diminution of any payments to the County required by the Mortgage and Financing Agreement; to meet the payments of principal and interest on the Note as the same become due; and to pay the cost of maintaining and insuring the Project to the extent and in the manner provided in the Mortgage and Financing Agreement.

(C) The County does not incur any pecuniary liability or charge upon its general credit or taxing powers.

(D) The County acquires a mortgage and security interest in the Project as security for the obligations of the Corporation under the Mortgage and Financing Agreement.

(ii) The proposed Indenture between the County and Bankers Trust of South Carolina, as Lender (the "Lender"), provides in general:

(A) An irrevocable pledge and assignment for the benefit of the Lender or its assigns as holder of the Note of the County's right, title and interest in and to the Mortgage and Financing Agreement and all payments, receipts and revenues which the County has a right to receive under the Mortgage and Financing Agreement or with respect to any security afforded thereunder or any other financing agreement with respect to the Project in favor of the County (except payments and rights to indemnification payments and administration expenses), and all the moneys and securities in funds created under the Indenture.

(B) The terms of the Note, the provisions for exchange and transfer of the Note, the prepayment provisions, the means of disbursement, default provisions and remedies

therefor and various other matters relating to the Note.

(C) The execution of the Indenture imposes no pecuniary liability on the County and does not create a charge upon the general credit or taxing power of the County.

7. Neither the approvals granted in connection with the Note nor the request for an allocation granted by the State Budget and Control Board have been made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the County 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, (iii) if it finds that the Project is intended to promote the purposes of the Act and may be reasonably anticipated to effect such result, that it approve the Project and the execution and delivery of the Note by the County pursuant to the Act to defray the cost of the Project (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the County), (iv) allocate to the Note such portion of the state ceiling as established by the Deficit Reduction Act of 1984 as is necessary for the issuance of the Note, and (v) give published notice of its approval in the manner set forth in Section 4-29-140 of the Act.

EXHIBIT

AUG 27 1985 NO. 12

STATE BUDGET & CONTROL BOARD

Respectfully submitted,

GREENVILLE COUNTY, SOUTH CAROLINA

By: Paul Greer
Paul Greer, Chairman, County
Council of Greenville County,
South Carolina

By: Joel R. Mashburn
Joel R. Mashburn, Administrator,
Greenville County, South Carolina

ATTEST:

Mary T. Turner
Mary T. Turner, Clerk,
County Council of
Greenville County,
South Carolina

Dated: August 6, 1985.

EXHIBIT

AUG 27 1985 NO. 12

STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 27 1985

NO. 12

11

STATE BUDGET & CONTROL BOARD RESOLUTION

A RESOLUTION MAKING APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE BY GREENVILLE COUNTY, SOUTH CAROLINA, OF ITS INDUSTRIAL DEVELOPMENT REVENUE NOTE (BAKER, INC. PROJECT) 1985, PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$500,000.

WHEREAS, Greenville County, South Carolina (the "County"), acting by and through its County Council is authorized and empowered under and pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), to acquire and cause to be acquired properties that are projects under the Act through which the industrial development of the State of South Carolina will be promoted and trade developed by inducing industrial enterprises to locate in and remain in the State of South Carolina and thus utilize and employ the manpower, agricultural products and natural resources of the State; and

WHEREAS, the County is further authorized by the Act to issue revenue bonds, as defined in the Act to include notes, payable solely from revenues and receipts from any financing agreement with respect to such project and secured by a pledge of said revenues and receipts and by an assignment of such financing agreement; and

WHEREAS, the County and Baker, Inc., a South Carolina corporation (the "Corporation"), entered into an Assistance Agreement (the "Assistance Agreement") executed by the Corporation on March 5, 1985, and executed by the County on March 5, 1985, pursuant to which and in order to implement the public purposes enumerated in the Act and in furtherance thereof to comply with the undertakings of the County pursuant to the Assistance Agreement, the County proposes to issue its Industrial Development Revenue Note (Baker, Inc. Project) in the principal amount of not exceeding \$500,000 (the "Note") under and pursuant to the Act to defray the costs of acquiring by construction and purchase a building or buildings, other improvements, and machinery, apparatus, equipment, office facilities and furnishings (the "Project") to be located in the jurisdiction of the County and, subject to the approval of the State Budget and Control Board of South Carolina, to make the Project available to the Corporation under and

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pursuant to the terms of a Mortgage and Financing Agreement (the "Agreement") to be entered into between the County and the Corporation; and

WHEREAS, it is now deemed advisable by the County Council to file with the State Budget and Control Board of South Carolina, in compliance with Section 4-29-140 of the Act, the Petition of the County requesting approval of the proposed financing by the State Budget and Control Board;

NOW, THEREFORE, BE IT RESOLVED by the County Council of Greenville County, South Carolina, as follows:

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

(a) The Project will constitute a "project" as said term is referred to and defined in Section 4-29-10 of the Act, and the issuance of the Note in the principal amount of not exceeding \$500,000 to defray the cost of the Project will subserve the purposes and in all respects conform to the provisions and requirements of the Act.

(b) It is anticipated that the Project will benefit the general public welfare of the County by providing employment for those engaged in construction of the Project, and by providing additional permanent employment for approximately 16 people from the County and adjacent areas when the Project is placed in full operation with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of industrial operations not otherwise provided locally.

(c) Neither the Project, the Note proposed to be issued by the County to defray the cost of the Project, nor any documents or agreements entered into by the County in connection therewith will constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing power.

(d) The issuance of the Note by the County in the principal amount of not exceeding \$500,000 will be required to defray the cost of the Project.

(e) Inasmuch as the Corporation is a corporation with established credit, the establishment of reserve funds in connection with the retirement of the Note and the maintenance of the Project is deemed unnecessary.

(f) The Project will be made available by the County to the Corporation upon terms which will require the Corporation, at its own expense, to maintain the Project in

good repair and to carry all proper insurance with respect thereto.

(g) The Project will consist of the items described in Exhibits A and B to the Agreement and the Indenture to be entered into between the County and Bankers Trust of South Carolina, as lender (the "Lender").

(h) A reasonable estimate of the cost of the Project including necessary expenses incident thereto is \$500,000.

(i) Neither the approvals granted in connection with the Note nor the request for an allocation granted by the State Budget and Control Board have been made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Section 2. There be and is hereby authorized and directed the submission on behalf of the County of a Petition requesting the approval of the proposal of the County to issue the Note by the State Budget and Control Board of South Carolina pursuant to the provisions of Section 4-29-140 of the Act, said Petition, which constitutes and is hereby made a part of this authorizing resolution, to be in substantially the form attached hereto.

Section 3. The Chairman of the County Council and the Administrator of the County be and are hereby authorized and directed to execute said Petition in the name and on behalf of the County; and the Clerk of the County Council be and is hereby authorized and directed to attest the same and thereafter to submit an executed copy of this resolution to the State Budget and Control Board in Columbia, South Carolina.

Section 4. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its passage and approval.

Passed and approved August 6, 1985.

GREENVILLE COUNTY, SOUTH CAROLINA

By:

Paul Greer

Paul Greer, Chairman, County
Council of Greenville County,
South Carolina

By:

Joel R. Mashburn

Joel R. Mashburn, Administrator,
Greenville County, South Carolina

ATTEST:

Mary T. Turner

Mary T. Turner, Clerk,
County Council of Greenville
County, South Carolina

EXHIBIT

AUG 27 1985

NO. 12

STATE BUDGET & CONTROL BOARD

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN ASSISTANCE AGREEMENT BY AND BETWEEN GREENVILLE COUNTY, SOUTH CAROLINA AND BAKER, INC., WHEREBY, UNDER CERTAIN CONDITIONS, GREENVILLE COUNTY WILL ISSUE NOT EXCEEDING FIVE HUNDRED THOUSAND DOLLARS (\$500,000) INDUSTRIAL DEVELOPMENT REVENUE BONDS OR NOTES.

EXHIBIT

AUG 27 1985 NO. 12

STATE BUDGET & CONTROL BOARD

WHEREAS, Greenville County, South Carolina (the "County"), acting by and through its County Council (the "County Council"), is authorized and empowered under and pursuant to the provisions of Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended (the "Act"), to acquire, or cause to be acquired, properties (which such properties constitute "projects" as defined in the Act) and to enter into agreements with any industry to construct, operate, maintain and improve such projects; to enter into financing agreements with respect to such projects; to issue revenue bonds to defray the costs of such projects; and to accept any grants for such projects through which powers the industrial development of the State of South Carolina will be promoted and trade developed by inducing manufacturing and commercial enterprises to locate and remain in the State of South Carolina and thus utilize and employ the manpower, agricultural products and natural resources of the State; and

WHEREAS, the County is authorized by the Act to issue revenue bonds, as defined in the Act to include notes, payable solely out of the revenues derived from a financing agreement with respect to such project and may further be secured by a pledge of said revenues, a trust indenture or indenture covering all or any part of such project, and a pledge of any financing agreement with respect to such project; and

WHEREAS, Baker, Inc., a South Carolina corporation (the "Corporation"), has requested the County to issue not exceeding \$500,000 of its Industrial Development Revenue Bonds or Notes (Baker, Inc. Project) pursuant to the Act for the purpose of defraying the cost of acquiring by construction and purchase a building or buildings, other improvements, and all machinery, apparatus, equipment, office facilities and furnishings to be installed therein for the purpose of processing ferrous and non-ferrous waste metals, constituting an industrial facility (the "Project"), all as more fully set forth in the Assistance Agreement attached hereto; and

WHEREAS, the County has determined on the basis of the information supplied to it by the Corporation that the

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Project would be a "project" as that term is defined in the Act and that the Project would subserve the purposes of the Act.

NOW, THEREFORE, BE IT RESOLVED, by the County Council as follows:

Section 1. Pursuant to the authority of the Act and subject to the approval by the State Budget and Control Board, and for the purpose of defraying a portion of the cost (as defined in the Act) of acquiring the Project there is hereby authorized to be issued revenue bonds or notes of the County in the principal amount of not exceeding Five Hundred Thousand Dollars (\$500,000) to be designated "Greenville County, South Carolina, Industrial Development Revenue Bonds or Notes (Baker, Inc. Project)" (the "Bonds").

Section 2. The provisions, terms and conditions of the financing agreement by and between the County and the Corporation, the provisions, terms and conditions of the trust indenture or indenture by and between the County and the Trustee or Bondholder, yet to be named, and the form, details, rate or rates of interest, maturity and redemption provisions, if any, of the Bonds shall be prescribed by subsequent resolution or ordinance of the County Council.

Section 3. The Chairman of the County Council and the Administrator of the County are hereby authorized and directed to execute the Assistance Agreement attached hereto in the name and on behalf of the County, and the Clerk of the County Council is hereby authorized and directed to attest the same; and the Chairman of the County Council and the Administrator of the County are hereby further authorized and directed to deliver said executed Assistance Agreement to the Corporation.

Section 4. Prior to the issuance of any Bonds, the County Council will comply with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances and resolutions.

Section 5. All orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This resolution shall take effect and be in full force from and after its passage by the County Council.

Section 6. It is the intention of the County Council that this resolution shall constitute an official action on the part of the County within the meaning of the applicable regulations of the United States Treasury Department relating to the issuance of industrial revenue bonds.

Done in meeting duly assembled this 5th day of
March, 1985.

GREENVILLE COUNTY, SOUTH CAROLINA

By: Paul Greer
Paul Greer, Chairman, County
Council of Greenville County,
South Carolina

(SEAL)

By: Joel R. Mashburn
Joel R. Mashburn, County
Administrator

ATTEST:

By: Mary T. Turner
Mary T. Turner, Clerk,
County Council of
Greenville County,
South Carolina

EXHIBIT

AUG 27 1985 NO. 12

STATE BUDGET & CONTROL BOARD

002812

EXHIBIT

AUG 16 1985
8:49 A.M. - LX

AUG 27 1985

NO. 12

TRANSMITTAL FORM, REVENUE BONDS

STATE BUDGET & CONTROL BOARD

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
McNair Glenn Konduros Corley

FROM: Singletary Porter & Dibble, P.A.

Name of Law Firm

Suite 401, Bankers Trust Plaza

Street

Greenville, South Carolina 29601

City, State, Zip Code

RE: Not Exceeding \$500,000 Greenville County
Amount of Issue, Local Government Issuer
Industrial Dev. Revenue Note

Type of Bonds/Notes

(Baker, Inc. Project)

Name of Project

Date: August 15, 1985

Telephone Area Code 803

Number: 271-4940

Submitted for BCB Meeting of:
August 27, 1985

Private Activity Bonds:
☒ YES ☐ NO

Projected Issue Date:
September 23, 1985

Project Description:

The project consists of an industrial facility for processing ferrous and
non-ferrous waste metals

Number of persons to be employed: approximately 16

Documents Enclosed:

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

- A. ☒ Petition (executed original and two copies)
- B. ☒ Resolution or ordinance (executed copy)
- C. ☒ Inducement Resolution or comparable preliminary approval (executed copy)
- D. ☒ Standard Form Investment Letter from purchaser of bonds (executed original)
(Purchaser: Bankers Trust of South Carolina) OR
Audited financial statements for three most recent years
- E. ☐ Department of Health and Environmental Control certificate
☐ Required ☒ Not Required
- F. ☒ Budget and Control Board Resolution and Public Notice
Original (and 4 copies for certification and return)
- G. ☒ Processing fee
Amount \$ 2,000 Check No. 6073
- Payor Baker, Inc.

Bond Counsel: Nancy Page
Typed Name

By: Nancy Page
Signature

002813

AUG 27 1985

NO. 12

McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW STATE BUDGET & CONTROL BOARD

SUITE 401

BANKERS TRUST PLAZA

7 NORTH LAURENS STREET

GREENVILLE, SOUTH CAROLINA 29601

803-271-4940

ROBERT E. McNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN, JR.
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NANCY R. JEFFERIS
ALISON RENEE LEE
MARTHA P. McMILLIN
GREGORY D. DeLOACH

*D.C. AND NEW YORK BARS ONLY
*D.C. AND OHIO BARS ONLY
*D.C. BAR ONLY
*MISSOURI BAR ONLY

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

COLUMBIA OFFICE
EIGHTEENTH FLOOR
BANKERS TRUST TOWER
POST OFFICE BOX 11390
COLUMBIA, S.C. 29211
803-799-9800

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29928
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

September 3, 1985

Mr. William A. McInnis
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

RE: \$500,000 Greenville County, South Carolina, Industrial
Development Revenue Note (Baker, Inc. Project) 1985

Dear Mr. McInnis:

In accordance with Board Regulation 19-102.05 I am enclosing an affidavit certifying that the notice of the Board's approval of the above-referenced bond issue was published in The Greenville News on August 28, 1985. The Board approved this issue at its meeting on August 27.

If you need anything further, please give me a call.

Sincerely,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Nancy Page
Nancy Page

NP/sb

002814

THE GREENVILLE NEWS—PIEDMONT COMPANY

POST OFFICE BOX 1688

GREENVILLE, SOUTH CAROLINA 29602

AFFIDAVIT

Allen Dedwyler, being duly sworn, says that he is the legal ad-

vertising representative of { THE GREENVILLE NEWS
GREENVILLE-PIEDMONT

newspaper printed and published in the City of Greenville, in

the State of South Carolina. That the attached advertisement

appearing in 5 1/2 inches in the issue

of August 28, 1985

Allen Dedwyler

Sworn to and subscribed before me

this 28th day of August 19 85

Matilda M. Shipman
Notary Public for State of S. C.

Total Due \$

EXHIBIT

NO. 12
AUG 27 1985

STATE BUDGET & CONTROL BOARD

GNP-81016-R-12/77

002815

NOTICE PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED.

Notice is hereby given pursuant to the provisions and requirements of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (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 Greenville County, South Carolina, has given its approval to the following undertaking by Greenville County, South Carolina:

The issuance by Greenville County of its Industrial Development Revenue Note (Baker, Inc. Project) in the original principal amount of not exceeding \$500,000 (the "Note"), to defray the costs of acquiring, by construction and purchase, a building or buildings, other improvements, and certain machinery, apparatus, equipment, office facilities and furnishings by Baker, Inc., a South Carolina corporation, to be used as an industrial facility for the purpose of processing ferrous and non-ferrous waste metals (the "Project") to be located in Greenville County. The Project will be made available to Baker, Inc. which will unconditionally covenant to make payments sufficient to pay the principal and interest on the Note. The Note will be payable solely and exclusively out of payments to be made by Baker, Inc. for the use of the Project, and is to be additionally secured by a mortgage and security interest in the Project.

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 Note by Greenville County to finance the same, by action de-
posed instituted in the Circuit Court for Greenville County, South Carolina.

STATE BUDGET AND CONTROL BOARD, BY: WILLIAM A. MCINNIS, Secretary.
Dated: August 27, 1985. 150913Z.

SEP 24 1985

MCNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 401

BANKERS TRUST PLAZA

7 NORTH LAURENS STREET

GREENVILLE, SOUTH CAROLINA 29601

803-271-4940

EXHIBIT

AUG 27 1985

NO. 12

STATE BUDGET & CONTROL BOARD

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

COLUMBIA OFFICE
EIGHTEENTH FLOOR
BANKERS TRUST TOWER
POST OFFICE BOX 11390
COLUMBIA, S.C. 29211
803-799-0800

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803-785-5169

WASHINGTON OFFICE
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WASHINGTON, D.C. 20005
202-659-3900

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MARTHA P. McMILLIN
GREGORY D. DeLOACH

*D.C. AND NEW YORK BARS ONLY
*D.C. AND OHIO BARS ONLY
**D.C. BAR ONLY
MISSOURI BAR ONLY

September 23, 1985

Mr. William A. McInnis
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Re: \$500,000 Greenville County, South Carolina, Industrial
Development Revenue Note (Baker, Inc. Project) 1985

Dear Mr. McInnis:

This is to confirm with you that the Baker, Inc. bond issue closed
on September 23, 1985 as scheduled.

Sincerely,

MCNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Nancy Page

Nancy Page

NP/fb

002816

EXHIBIT

State of South Carolina

AUG 27 1985

NO. 12

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

Box 12444

Columbia
29211

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

September 19, 1985

Anderson Armored Car

Greenville County
c/o Ms. Nancy Page
McNair Glenn Konduros Corley Singletary
Porter & Dibble, P.A.
401 Bankers Trust Plaza
Greenville, SC 29601

Dear Ms. Page:

Re: Issue of \$500,000 Greenville County, South Carolina
Industrial Development Revenue Note
(Baker, Inc., Project)

This will confirm that the referenced issue when issued and combined with the total amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

For your information, our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	198,000,000
1. Allocations Approved Through 9/12/85	8,865,000
2. Balance of Pool Available	189,135,000
3. Certified for Issue 9/18/85	7,213,000
B. Local Pool Amount	297,000,000
1. Allocations Approved Through 9/12/85	130,117,561
2. Balance of Pool Available	166,882,439
3. Certified for Issue 9/18/85 (including referenced issue)	93,755,000

Sincerely,

William A. McInnis

William A. McInnis
Secretary

002817

McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 401

BANKERS TRUST PLAZA

7 NORTH LAURENS STREET

GREENVILLE, SOUTH CAROLINA 29601

803-271-4940

EXHIBIT

AUG 27 1985

NO. 12

STATE BUDGET & CONTROL BOARD

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

COLUMBIA OFFICE
EIGHTEENTH FLOOR
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WASHINGTON OFFICE
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1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

September 16, 1985

ROBERT E. McNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
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NANCY R. JEFFERIS
ALISON RENEE LEE
MARTHA P. McMILLIN
GREGORY D. DeLOACH

VIA ANDERSON ARMORED CAR

Mr. William A. McInnis
State Budget and Control Board
Wade Hampton Office Building, Room 600
Columbia, South Carolina 29201

Re: \$500,000 Greenville County, South Carolina, Industrial
Development Revenue Note (Baker, Inc. Project) 1985

Dear Mr. McInnis:

In accordance with the regulations of the State Budget and Control Board, I am submitting on behalf of Greenville County and Baker, Inc. IRS Form 8038. Please confirm the allocation of \$500,000 of the State volume to the above-captioned issue. This issue is scheduled to close September 23, 1985.

Sincerely,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Nancy Page

Nancy Page

NP/fb
Enclosure

002818

Part V Description of Property Financed by Non-refunding Proceeds
(Do not complete for student loan bonds or mortgage bonds)

22 Type of Property Financed (or portion thereof financed by non-refunding proceeds)		
a	3-yr. ACRS property	7,000
b	5-yr. ACRS property	335,000
c	10-yr. ACRS property	
d	15-yr. ACRS property	133,000
e	18-yr. ACRS property	
f	Cost of land	
g	Cost of other property (see instructions)	
23 Other use of non-refunding proceeds (subtract lines 22a-g from Part IV, line 21)(see instructions)		
24 Standard industrial classification (SIC) of non-refunding proceeds for the financed project.		
	SIC Code	Non-refunding proceeds \$
a	3380	475,000
b		
c		
25 Average weighted economic life of the project (complete only for IDBs). See Exhibit B		18.8 years.

Part VI Description of Initial Principal Users
(Do not complete for student loan bonds or mortgage bonds)

26 Initial Principal Users:			
(A) User	(B) Name	(C) Address	(D) Employer identification number
(i)	Baker, Inc.	Route 4, White Horse Road Greenville, SC 29605	57-060 8553
(ii)			
(iii)			
(iv)			
(v)			
27 Common parents (if any) of initial principal users listed above:			
(A) User (from above)	(B) Name	(C) Address	(D) Employer identification number
	NONE		

Part VII Approval of Issue (Complete only for IDBs)

28 Name of Governmental units approving issue	Greenville County Council
29 Names and positions of applicable elected representatives or date of referenda approving issue	See Exhibit C

Part VIII Volume Limitations for Qualified Mortgage or Veterans' Bonds

1 Issuer's volume limitation	
2 Amount of volume limitation surrendered to other issues (e.g., under section 103A(g)(3)(B) or 25(c)(2)(A)(ii))	
3 Amount of bonds previously issued	
4 Unused volume limitation (subtract lines 2 and 3 from line 1)	

Please Sign Here	Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.		
	Signature of officer <i>Paul Green</i>	Date 9/23/85	Title Chairman
Paid Preparer's Use Only	Preparer's signature <i>McNair Glenn Konduros Corley</i>	Check if self-employed <input type="checkbox"/>	Preparer's social security no.
	Firm's name (or yours, if self-employed) and address McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.	E.I. No. 57-0703244	ZIP code See Exhibit D 29601

EXHIBIT A

The \$500,000 Greenville County, South Carolina, Industrial Development Revenue Note (Baker, Inc. Project) 1985 (the "Note"), bears interest from the date of its initial delivery until maturity at the rate per annum of seventy-five percent (75%) of the prime rate of Bankers Trust of South Carolina as such prime rate changes. Additional interest in the amount of \$5,000 shall be due and payable on the date of delivery of the Note to the initial holder. The interest rate on the Note shall be increased to the rate per annum of the prime rate plus one percent (1%) per annum upon a Determination of Taxability or upon an Event of Default. The interest rate is also subject to adjustment in the event the maximum Federal corporate income tax rate applicable to the registered owner, including the holder of any interest in the Note, whether by participation or otherwise, shall either be increased or reduced on or after the date of the initial delivery of the Note. The interest rate shall be adjusted to equal the product obtained by multiplying such interest rate by a fraction, the numerator of which shall be one minus the new Federal corporate income tax rate (expressed as a decimal) and the denominator of which shall be fifty-four hundredths (the "Adjusted Interest Rate"). The Adjusted Interest Rate shall be rounded to the nearest one-tenth of one percent. In no event shall the Adjusted Interest Rate exceed the Taxable Rate or be applicable with respect to any holder of the Note not subject to corporate income tax.

In the event of any change in law (other than a change in the Bank Tax Rate) which results, in the opinion of counsel to any registered owner of the Note, in the imposition of any tax (including, but not limited to, any preference tax imposed by Sections 55-58 of the IRC, an excess profits tax, a minimum tax or any other tax which increases the basis of taxation of the payments of interest on or principal of the Note to the registered owner or owners thereof) or which, in the opinion of counsel to any registered owner thereof, adversely affects the deductibility of any amount attributable, directly or indirectly, to the purchase and carrying of the Note, the interest rate shall be adjusted to that rate which will result in each holder of the Note realizing a net return on the principal amount of the Note outstanding while held by such holder, net of all taxes, charges, or disallowances of deductibility imposed with respect to the interest paid or to be paid on the Note or the principal amount hereof as a result of such change in law equal to a tax-exempt yield to such holder at the rate per annum of seventy-five percent (75%) of the Prime Rate.

002821

ACCOUNTANT'S CERTIFICATE
AS TO AVERAGE ECONOMIC LIFE

Greenville County
Courthouse Annex
Greenville, South Carolina 29601

McNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.
Suite 401, Bankers Trust Plaza
Greenville, South Carolina 29601

Re: Not Exceeding \$500,000 Greenville County, South
Carolina, Industrial Development Revenue Note
(Baker, Inc. Project) 1985

Gentlemen:

This letter is being given to you with regard to the Greenville County, South Carolina, Industrial Development Revenue Note (Baker, Inc. Project) 1985 (the "Note"). I have reviewed the description of the property to be financed with the proceeds of the Note provided me by Baker, Inc. which is set forth as Exhibit A hereto, and based upon that description have made the following determination:

1. The average reasonably expected economic life of the buildings, machinery, equipment, apparatus, and office furnishings to be financed with the proceeds of the Note is not less than 18.8 years as shown by Exhibit A attached hereto.

2. The average maturity of the Note does not exceed 120% of the average reasonably expected economic life of the buildings, machinery, equipment, apparatus, office furnishings and any other items to be financed in whole or in part with the proceeds of the Note as shown by Exhibit A attached hereto.

3. The economic useful life of each item has been derived in accordance with the administrative guidelines established for the useful lives used for depreciation prior to the ACRS system (i.e., the midpoint lives under the ADR system where applicable and the guideline lives under Rev. Proc. 62-21, 1962 C.B. 18, in case of structures).

Very truly yours,



Elsie L. Brown, P.A.
808 Pendleton Street
Greenville, South Carolina 29601

002822

EXHIBIT A

Items proposed to be financed:

<u>Description</u>	<u>Cost</u>	<u>Economic Life (in years)</u>	
Costs of Issuance	\$ 25,000	0 years	\$ -0-
Buildings	133,000	45 years	5,985,000
Machines	342,000	10 years	3,420,000
Total	<u>\$500,000</u>		<u>\$9,405,000</u>

Average Economic Life: 18.8 years

002823

EXHIBIT C

GREENVILLE COUNTY COUNCIL

1985

District #17	W. Mann Batson 203 Love Drive, Travelers Rest, SC 29690
District #18	Paul Greer (Chairman) 102 Howell Street, Greer, SC 29651
District #19	Mrs. Sally Crumley Rt. 1, Pemberton Dr., Greenville, SC 29611
District #20	Richard Herdklotz 424 Leyswood Drive, Greenville, SC 29609
District #21	Robert L. Leach P. O. Box 16148, Greenville, SC 29606
District #22	Paul B. Wickensimer 36 Lisa Drive, Greenville, SC 29615
District #23	Ennis M. Fant 137 Cleveirvine Ave., Greenville, SC 29607
District #24	Mrs. Gale B. Crawford 49 Chisholm Trail, Greenville, SC 29607
District #25	Rev. E. D. Dixon 915 Jacobs Road, Greenville, SC 29605
District #26	James B. Arrowood 6027 White Horse Rd., Greenville, SC 29611
District #27	George Bomar P. O. Box 889, Mauldin, SC 29662
District #28	W. B. Bennett Route 4, Box 410, Piedmont, SC 29673

Joel R. Mashburn, County Administrator
Mary T. Turner, Clerk to County Council

I.D. #57-600356

002824

EXHIBIT

EXHIBIT D

AUG 27 1985

NO. 12

STATE BUDGET & CONTROL BOARD

Prepared by:

McNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.
Suite 401, Bankers Trust Plaza
7 North Laurens Street
Greenville, South Carolina 29601
Attention: Kathleen E. Crum, Esquire

With advice of:

Elsie L. Brown
808 Pendleton Street
Greenville, South Carolina

002825

8/27-B

Complete
8/19

Reviews
Complete
8/20

EXHIBIT

AUG 27 1985

NO. 13

STATE BUDGET & CONTROL BOARD

Fountain Inn

500,000

GEN III, Inc

State law
+ alloc

Does to
Aud - XX
AG - 8/19
IO - 8/19

002826

EXHIBIT SEP 30 1985

AUG 27 1985

NO. 13

McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 401

BANKERS TRUST PLAZA

7 NORTH LAURENS STREET

GREENVILLE, SOUTH CAROLINA 29601

803-271-4940

STATE BUDGET & CONTROL BOARD

ROBERT E. McNAIR
TERRELL L. GLENN
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O. WAYNE CORLEY
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BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29938
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

September 26, 1985

*D.C. AND NEW YORK BARS ONLY
*D.C. AND OHIO BARS ONLY
**D.C. BAR ONLY
†MISSOURI BAR ONLY

Mr. William A. McInnis
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Re: \$500,000 Town of Fountain Inn, South Carolina, Industrial
Development Revenue Note (GEN III, Inc. Project) 1985

Dear Mr. McInnis:

This is to confirm with you that the GEN III, Inc. bond issue closed
on September 26, 1985 as scheduled.

Sincerely,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Nancy Page
Nancy Page

NP/fb

002827

The State of South Carolina



Office of the Attorney General

EXHIBIT

AUG 27 1985

NO. 13

STATE BUDGET & CONTROL BOARD

T. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE 803-758-2072

August 20, 1985

Mr. William A. McInnis
Executive Deputy Director
State Budget and Control Board
Columbia, South Carolina 29201

Re: Not Exceeding \$500,000, Town of Fountain Inn,
South Carolina, Industrial Revenue Bond
(GEN II, Inc. Project)

Dear Mr. McInnis:

Regarding the above-referenced bond, we have reviewed the Petition and other documents submitted to the State Budget and Control Board for its approval pursuant to Sections 4-29-10 et seq., Code of Laws of South Carolina, 1976, as amended, and the same appear, in our opinion, to be in order.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "D. Eckstrom".

David C. Eckstrom
Assistant Attorney General

DCE/cr

Enclosures

002828

EXHIBIT

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

GEN III, Inc.

AUG 27 1985

NO. 13

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

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 Dennis, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

4

AGAINST MOTION

0

That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

002829

A RESOLUTION APPROVING THE ISSUANCE BY THE TOWN OF FOUNTAIN INN, SOUTH CAROLINA, OF A NOT EXCEEDING \$500,000 PRINCIPAL AMOUNT INDUSTRIAL DEVELOPMENT REVENUE NOTE (GEN III, INC. PROJECT) 1985, PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED.

EXHIBIT

AUG 27 1985

NO. 13

STATE BUDGET & CONTROL BOARD

WHEREAS, the Town Council of the Town of Fountain Inn, South Carolina (the "Governing Board"), has heretofore, by submitting a petition (the "Petition"), under and pursuant to the provisions of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), requested the approval by the State Budget and Control Board of the issuance by the Town of Fountain Inn (the "Town") pursuant to the Act of its Industrial Development Revenue Note (GEN III, Inc. Project) 1985, in the aggregate principal amount of not exceeding \$500,000; and

WHEREAS, the Governing Board has heretofore submitted its petition dated August 8, 1985, under and pursuant to the provisions of the Act wherein the Governing Board requested the approval of and the State Budget and Control Board did approve the issuance of its Industrial Development Revenue Note (GEN III, Inc. Project) 1985 in the aggregate principal amount of not exceeding \$500,000; and

WHEREAS, Marion Road Enterprises, Ltd. (the "Obligor") has informed the Governing Board that the issuance of its Industrial Development Revenue Note (GEN III, Inc. Project) 1985 in the aggregate principal amount of not exceeding \$500,000 (the "Note") will be sufficient; and

WHEREAS, the Town proposes to issue the Note for the purpose of defraying the cost of expanding a building or buildings and of acquiring certain additional machinery, apparatus and equipment to be used for the purpose of manufacturing stainless steel food service equipment (the "Project"); and

WHEREAS, employment at and related to the Project will be increased to approximately 5 persons within one year after completion of the Project; and

WHEREAS, the Project is to be made available to the Obligor upon terms which require the Obligor to make payments to or for the account of the Town in amounts sufficient to pay the principal and interest on the Note and which secure the obligation of the Obligor by a mortgage and security interest in the Project; and

WHEREAS, the Note will be payable from and secured by an assignment of the obligations of the Obligor and the mortgage and security interest in the Project; and

WHEREAS, the Town has submitted with the Petition a copy of a resolution adopted by the Town on August 8, 1985, and this Board has reviewed and considered each of said documents;

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 4-29-140 of the Act; and

(c) The Project 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 Town to defray the cost of acquiring the Project, to make the Project available to the Obligor, to finance the cost thereof and expenses incidental thereto by the execution and delivery of the Note, in substantially the form set forth in the Indenture, as amended, secured by an assignment of the revenues to be derived from the Mortgage and Financing Agreement, as amended, and a mortgage and security interest in the Project, 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 Town so long as such changes do not impose a pecuniary liability upon the Town or its general credit or taxing power, are approved by the Town Council and the Obligor, and do not make inaccurate, except as to dates and amounts, the summaries of the Mortgage and Financing Agreement, as amended, and the Indenture, as amended, and the description of the Project.

Section 3. Notice of the action taken by this Board in approving the above described undertaking of the

Town shall be published in The Laurens Advertiser, which is a newspaper having general circulation in the Town.

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 SOUTH CAROLINA CODE ANNOTATED,
TITLE 4, CHAPTER 29
(1976), AS AMENDED

Notice is hereby given pursuant to the provisions and requirements of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), that the State Budget and Control Board of South Carolina, pursuant to a Petition filed by the Town Council of the Town of Fountain Inn, South Carolina, has given its approval to the following undertaking by the Town of Fountain Inn, South Carolina:

The issuance by the Town of Fountain Inn of its Industrial Development Revenue Note (GEN III, Inc. Project) 1985, in the principal amount of not exceeding \$500,000 (the "Note"), to defray the costs of expanding a building or buildings and of acquiring certain additional machinery, apparatus, equipment and furnishings by Marion Road Enterprises, Ltd., an Ohio limited partnership, to be used as an industrial facility for the purpose of manufacturing stainless steel food service equipment (the "Project") to be located in the Town of Fountain Inn. The Project will be made available to Marion Road Enterprises, Ltd. which will unconditionally covenant to make payments sufficient to pay the principal and interest on the Note. The Note will be payable solely and exclusively out of payments to be made by Marion Road Enterprises, Ltd. for the use of the Project, and is to be additionally secured by a mortgage and security interest in the Project.

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 Note by the Town of Fountain Inn to finance the same, by action de novo instituted in the Circuit Court for Laurens County, South Carolina.

STATE BUDGET AND CONTROL BOARD

By: WILLIAM A. McINNIS,
Secretary

Dated: August 27, 1985

EXHIBIT

AUG 27 1985 NO. 13

STATE BUDGET & CONTROL BOARD

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

August 27, 1985

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

EXHIBIT

AUG 27 1985 NO. 13

C E R T I F I C A T E

STATE BUDGET & CONTROL BOARD

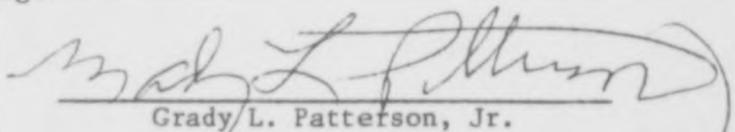
[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$500,000 Town of Fountain Inn, South Carolina
Industrial Development Revenue Bonds
(GEN III, Inc., Project)

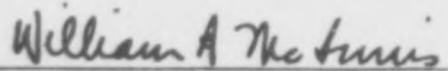
This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985, (the date the allocation was approved by the Board) if the bonds for which the allocation has been approved have not been issued.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.


Grady L. Patterson, Jr.

Attest:


William A. McInnis, Secretary

002834

EXHIBIT

AUG 27 1985

NO. 13

STATE OF SOUTH CAROLINA
STATE BUDGET AND CONTROL BOARD
Standard Form Investment Letter

STATE BUDGET & CONTROL BOARD

TO: Secretary, State Budget and Control Board
P. O. Box 12444
Columbia, SC 29211

RE: Sale by Town of Fountain Inn, South Carolina (the "Issuer")
Of its Not Exceeding \$500,000 Ind. Dev. Rev. Note (the "Bonds")
On behalf of GEN III, Inc. (the "Company")
(GEN III, Inc. Project) (the "Project")
To Southern Bank and Trust Company (the "Purchaser")

DATE: August 7, 1985

In connection with the referenced sale of Bonds by the Issuer, the Purchaser makes the following representations and certifications:

1. The Purchaser has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of its prospective investment in the Bonds;
2. The Purchaser is financially able to bear the economic risk of its proposed investment in the Bonds for an indefinite period;
3. The Purchaser is familiar with the business affairs of the Company and has obtained and examined all financial and other information with respect to the Bonds, the Company and the officers and shareholders of the Company which it deems necessary in order to enable it to evaluate the merits and risks of its investment in the Bonds and to make an informed investment judgment in connection with the purchase of the Bonds;
4. The Purchaser has had the opportunity to ask questions of, and receive answers from, the Issuer and the Company concerning the terms and conditions of the offering and any other information which it has deemed relevant to the Bonds and its investment in the Bonds; and
5. The Bonds are being purchased for the account of the Purchaser and for the purpose of investment and not presently for resale, and the Purchaser has no present intention of offering the Bonds or any portion thereof for resale either currently or after the passage of a fixed period of time, or upon the occurrence or nonoccurrence of any predetermined event or circumstances.

SWORN to and subscribed
before me this 9th day
of Aug., 1985.

Mita H. Stone
Notary Public

My Commission expires

1-27-91.

PURCHASER:

002835

Name: Southern Bank and Trust Company

Address: P.O. Box 1329

Greenville, South Carolina 29602

BY: Stan R. Wrenn SUP
Signature of Authorized Official

ORIGINAL

EXHIBIT

STATE OF SOUTH CAROLINA)
)
TOWN OF FOUNTAIN INN)

AUG 27 1985 NO. 13

TO THE STATE BUDGET AND CONTROL
BOARD OF SOUTH CAROLINA

) STATE BUDGET & CONTROL BOARD
)
) P E T I T I O N
)
)

This Petition of the Town of Fountain Inn, South Carolina (the "Town"), pursuant to South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), and specifically Section 4-29-140 thereof, respectfully shows:

1. The Town Council of the Town of Fountain Inn (the "Town Council"), is the governing body of the Town and as such is the "governing board" of the Town referred to in the Act.

2. The Act, among other things, empowers the Town, subject to obtaining the approval of the State Budget and Control Board, pursuant to Section 4-29-140 of the Act: (i) to acquire, and, in connection with such acquisition, to enlarge, improve and expand, whether by construction, purchase, gift or lease, one or more projects (as defined in the Act) which shall be located within the jurisdiction of the Town; (ii) to make available to any industry or industries any or all of its projects for such payments and upon such terms and conditions as the governing board may deem advisable and as shall not conflict with the provisions of the Act; and (iii) to issue revenue bonds, as defined in the Act to include notes, for the purpose of defraying the cost of acquiring, by construction and purchase, and in connection with any such acquisition, to enlarge, improve and expand any project and to secure the payment of such bonds all as in the Act provided.

3. The Town has heretofore issued a \$900,000 Town of Fountain Inn, South Carolina, Industrial Development Revenue Note (GEN III, Inc. Project) 1984, to assist Marion Road Enterprises, Ltd., an Ohio limited partnership (the "Obligor"), in locating an industrial facility for the purpose of manufacturing stainless steel food service equipment.

4. The Obligor has informed the Town Council that the demand for the products to be manufactured at the Project has increased and the Obligor desires to expand the Project and acquire additional machinery and equipment thereby increasing employment by an additional 5 employees

within one year after completion of the Project in addition to employment in the construction areas.

5. The Town has agreed to provide further assistance by issuing its revenue note for the purpose of defraying the cost of expanding the Project and acquiring certain additional machinery and equipment more fully described in Exhibit B to the First Amendatory Mortgage and Financing Agreement.

6. The Town has been advised by the Obligor that the estimated cost of the expansion of the Project will be not exceeding \$500,000 and it has requested the Town to execute and deliver its Industrial Development Revenue Note (GEN III, Inc. Project) 1985 (the "1985 Note") in the principal amount of not exceeding \$500,000 to defray such costs.

7. Pursuant to Section 4-29-60 of the Act, the Town Council has made the requisite findings that: (i) the Project will subserve the purposes of the Act; (ii) it is anticipated that the Project will benefit the general public welfare of the Town by providing employment and other public benefits not otherwise provided locally; (iii) the Project will give rise to no pecuniary liability of the Town or a charge against its general credit or taxing power; (iv) the principal amount of the 1985 Note required to finance the expansion of the Project is expected to be not exceeding \$500,000; (v) the Town does not deem it necessary to establish any reserve funds in connection with the retirement of the proposed 1985 Note and the maintenance of the Project; and (vi) the terms under which the Project is to be made available to the Obligor provide that the Obligor shall maintain the Project and carry all proper insurance with respect thereto, and as a part of the proceedings of the Town, the Town Council will make the requisite finding as to the amount necessary in each year to pay the principal and the interest on the 1985 Note proposed to be issued to defray the cost of the Project.

8. Pursuant to Section 4-29-140 of the Act, the Town sets forth the following information:

(a) The Project, described in detail on Exhibit B to the First Amendatory Mortgage and Financing Agreement and the First Amendatory Indenture, consists of the expansion of a building and the acquisition of certain machinery, apparatus, equipment, office facilities and furnishings to be used for the purpose of manufacturing stainless steel food service equipment. It is anticipated that, upon completion, the Project will provide directly 5 additional full-time jobs in the Town and neighboring areas not otherwise available and that the Project will provide

stimulation to the economy of the Town and neighboring areas thereto by increased payrolls, capital investment and tax revenues.

(b) It is estimated that the cost of the expansion of the Project, including the items of cost authorized in the Act, will be not exceeding \$500,000.

(c) Copies of the First Amendatory Mortgage and Financing Agreement and the First Amendatory Indenture are available from the Town. The following summary of terms is in no wise intended to affect or alter the actual terms of the documents themselves:

(i) The proposed Mortgage and Financing Agreement, as amended, between the Obligor and the Town provides in general:

(A) Proceeds derived from the placement of the 1985 Note will be used and applied by the Town upon request of the Obligor solely for the payment of the costs (as that term is defined in the Act) incident to the acquisition, by construction and purchase, of the Project.

(B) The Obligor obligates itself to effect the completion of the Project if the proceeds derived from the placement of the 1985 Note prove insufficient therefor without diminution of any payments to the Town required by the Mortgage and Financing Agreement, as amended; to meet the payments of principal and interest on the 1985 Note as the same become due; and to pay the cost of maintaining and insuring the Project in the manner provided in the Mortgage and Financing Agreement, as amended.

(C) The Town does not incur any pecuniary liability or charge upon its general credit or taxing powers.

(D) The Town acquires a security interest in the Project as security for the obligations of the Obligor under the Mortgage and Financing Agreement, as amended.

(ii) The proposed Indenture, as amended, between the Town and Southern Bank and Trust Company, as Lender (the "Lender"), provides in general:

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(A) An irrevocable pledge and assignment for the benefit of the Lender or its assigns as holder of the 1985 Note of the Town's right, title and interest in and to the Mortgage and Financing Agreement, as amended, and all payments, receipts and revenues which the Town has a right to receive under the Mortgage and Financing Agreement, as amended, or with respect to any security afforded thereunder or any other financing agreement with respect to the Project in favor of the Town (except payments and rights to indemnification payments and administration expenses), and all the moneys and securities in funds created under the Indenture, as amended.

(B) The terms of the 1985 Note, the provisions for exchange and transfer of the 1985 Note, the prepayment provisions, the means of disbursement of the proceeds thereof, default provisions and remedies therefor and various other matters relating to the 1985 Note.

(C) The execution of the Indenture, as amended, imposes no pecuniary liability on the Town and does not create a charge upon the general credit or taxing power of the Town.

9. Neither the approvals granted in connection with the Note nor the request for an allocation granted by the State Budget and Control Board have been made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the Town 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, (iii) if it finds that the Project is intended to promote the purposes of the Act and may be reasonably anticipated to effect such result, that it approve the Project and the execution and delivery of the 1985 Note by the Town pursuant to the Act to defray the cost of the Project (including changes in any details of the said financing as finally consummated which do not materially affect the undertaking of the Town), (iv) allocate to the Note such portion of the state ceiling as established by the Deficit Reduction Act of 1984 as is necessary for the issuance of the Note, and (v) give published notice of its approval in the manner set forth in Section 4-29-140 of the Act.

Respectfully submitted,

TOWN OF FOUNTAIN INN, SOUTH CAROLINA

By: Paul E. Gault
Paul E. Gault, Mayor, Town of
Fountain Inn, South Carolina

(SEAL)

ATTEST:

Barbara S. Brown
Barbara S. Brown, Clerk and
Treasurer, Town of Fountain
Inn, South Carolina

EXHIBIT

AUG 27 1985 NO. 13

STATE BUDGET & CONTROL BOARD

Dated: August 8, 1985

EXHIBIT

AUG 27 1985

NO. 13

RESOLUTION

STATE BUDGET & CONTROL BOARD

A RESOLUTION MAKING APPLICATION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR APPROVAL OF THE ISSUANCE BY THE TOWN OF FOUNTAIN INN, SOUTH CAROLINA, OF ITS INDUSTRIAL DEVELOPMENT REVENUE NOTE (GEN III, INC. PROJECT) 1985, PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, TITLE 4, CHAPTER 29 (1976), AS AMENDED, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$500,000.

WHEREAS, the Town of Fountain Inn, South Carolina (the "Town"), acting by and through its Town Council, is authorized and empowered under and pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), to acquire and cause to be acquired properties that are projects under the Act through which the industrial development of the State of South Carolina will be promoted and trade developed by inducing industrial enterprises to locate in and remain in the State of South Carolina and thus utilize and employ the manpower, agricultural products and natural resources of the State; and

WHEREAS, the Town is further authorized by the Act to issue revenue bonds, as defined in the Act to include notes, payable solely from revenues and receipts from any financing agreement with respect to such project and secured by a pledge of said revenues and receipts and by an assignment of such financing agreement; and

WHEREAS, the Town and Marion Road Enterprises, Ltd., an Ohio limited partnership (the "Obligor"), have entered into an amendment to an Assistance Agreement executed by the Obligor and by the Town on July 11, 1985 (the "Assistance Agreement"), pursuant to which and in order to implement the public purposes enumerated in the Act and in furtherance thereof to comply with the undertakings of the Town pursuant to the Assistance Agreement, as amended, the Town proposes to issue its Industrial Development Revenue Note (GEN III, Inc. Project) 1985, in the principal amount of not exceeding \$500,000 (the "1985 Note") under and pursuant to the Act to defray the costs of expanding a building or buildings and of acquiring certain machinery and equipment for the purpose of manufacturing stainless steel food service equipment (the "Project").

WHEREAS, the Project is to be located in the jurisdiction of the Town and, subject to the approval of the

State Budget and Control Board of South Carolina, the Project is to be made available to the Obligor under and pursuant to the terms of the First Amendatory Mortgage and Financing Agreement (the "Agreement") to be entered into between the County and the Obligor; and

WHEREAS, it is now deemed advisable by the Town Council to file with the State Budget and Control Board of South Carolina, in compliance with Section 4-29-140 of the Act, the Petition of the Town requesting approval of the proposed financing by the State Budget and Control Board;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Fountain Inn, South Carolina, as follows:

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

(a) The Project will constitute a "project" as said term is referred to and defined in Section 4-29-10 of the Act, and the issuance of the 1985 Note in the principal amount of not exceeding \$500,000 to defray the cost of the Project will subserve the purposes and in all respects conform to the provisions and requirements of the Act.

(b) It is anticipated that the Project will benefit the general public welfare of the Town by providing employment for those engaged in construction of the Project, by providing additional permanent employment within one year after completion of the Project for approximately 5 people from the Town and adjacent areas after the Project has been completed and placed in operation with a resulting alleviation of unemployment and a substantial increase in payrolls and other public benefits incident to the conduct of industrial operations not otherwise provided by the Town.

(c) The Project, the 1985 Note proposed to be issued by the Town to defray the cost of the Project, or any documents or agreements entered into by the Town in connection therewith will not constitute or give rise to a pecuniary liability of the Town or a charge against its general credit or taxing power.

(d) The issuance of the 1985 Note by the Town in the principal amount of not exceeding \$500,000 will be required to defray the cost of the Project.

(e) Inasmuch as the Obligor is a limited partnership with established credit, the establishment of reserve funds in connection with the retirement of the 1985 Note and the maintenance of the Project is deemed unnecessary.

(f) The Project will be made available by the Town to the Obligor upon terms which will require the Obligor, at its own expense, to maintain the Project in good repair and to carry all proper insurance with respect thereto.

(g) The Project will consist of the items described in Exhibit B to the Agreement to be entered into between the Town and Southern Bank and Trust Company, as Lender (the "Lender").

(h) A reasonable estimate of the cost of the Project including necessary expenses incident thereto is \$500,000.

(i) Neither the approvals granted in connection with the Note nor the request for an allocation granted by the State Budget and Control Board have been made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Section 2. There be and is hereby authorized and directed the submission on behalf of the Town, of a Petition requesting the approval of the proposal of the Town to issue the 1985 Note by the State Budget and Control Board of South Carolina pursuant to the provisions of Section 4-29-140 of the Act, said Petition, which constitutes and is hereby made a part of this authorizing resolution, to be in substantially the form attached hereto.

Section 3. The Mayor of the Town is hereby authorized and directed to execute said Petition in the name and on behalf of the Town; and the Clerk and Treasurer of the Town be and is hereby authorized and directed to affix the seal of the Town 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 in Columbia, South Carolina.

Section 4. All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force from and after its passage and approval.

002843

Passed and approved August 8, 1985.

TOWN OF FOUNTAIN INN,
SOUTH CAROLINA

By: Paul E. Gault
Paul E. Gault, Mayor, Town of
Fountain Inn, South Carolina

(SEAL)

ATTEST:

Barbara S. Brown
Barbara S. Brown, Clerk and
Treasurer, Town of Fountain
Inn, South Carolina

EXHIBIT

AUG 27 1985 NO. 13

STATE BUDGET & CONTROL BOARD

002844

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE ASSISTANCE AGREEMENT BY AND BETWEEN THE TOWN OF FOUNTAIN INN, SOUTH CAROLINA, AND MARION ROAD ENTERPRISES, LTD., WHEREBY, UNDER CERTAIN CONDITIONS, THE TOWN OF FOUNTAIN INN WILL ISSUE NOT EXCEEDING ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) INDUSTRIAL REVENUE BONDS OR NOTES.

EXHIBIT

AUG 27 1985 NO. 13

STATE BUDGET & CONTROL BOARD

WHEREAS, the Town of Fountain Inn, South Carolina (the "Town"), acting by and through its Town Council (the "Town Council"), adopted on January 31, 1984, a resolution authorizing the execution and delivery of an Assistance Agreement (the "Agreement") by and between the Town and GEN III, Inc., a South Carolina corporation, whereby, under certain conditions, the Town agreed to issue not exceeding \$1,000,000 Industrial Revenue Bonds or Notes of the Town; and

WHEREAS, GEN III, Inc. assigned to Marion Road Enterprises, Ltd., a limited partnership organized and existing under the laws of the State of Ohio (the "Obligor"), all its rights, title and interest in the Agreement and a \$900,000 Industrial Development Revenue Note was issued on April 18, 1984; and

WHEREAS, the Obligor has deemed it necessary to acquire additional machinery and equipment as part of its existing industrial facility to manufacture stainless steel food service equipment and to undertake an additional expansion of building and equipment which is expected to cost \$500,000 (the "Project"); and

WHEREAS, the Project when completed and in operation will provide additional permanent employment in the Town for approximately 5 people, as well as provide employment as a result of construction not otherwise available in the Town and surrounding areas;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council as follows:

Section 1. The Agreement is hereby amended so as to provide that the Town agrees to issue, subject to the terms and conditions of the Agreement, not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000) Industrial Revenue Bonds or Notes.

Section 2. Pursuant to the authority of the Act and subject to the approval by the State Budget and Control Board, and for the purpose of defraying a portion of the

002845

cost (as defined in the Act) of acquiring the Project, there is hereby authorized to be issued revenue bonds or notes of the Town in the aggregate principal amount of not exceeding One Million Five Hundred Thousand Dollars (\$1,500,000) to be designated "Town of Fountain Inn, South Carolina, Industrial Development Revenue Bonds or Notes (GEN III, Inc. Project)" (the "Bonds").

Section 3. The \$900,000 Town of Fountain Inn, South Carolina, Industrial Development Revenue Note (GEN III, Inc. Project) 1984 issued on April 18, 1984; and the \$500,000 Town of Fountain Inn, South Carolina, Industrial Development Revenue Note (GEN III, Inc. Project) 1985 proposed to be issued shall be included as part of the \$1,500,000 aggregate amount authorized to be issued by the Agreement, as amended.

Section 4. The provisions, terms and conditions of the financing agreement by and between the Town and the Obligor, the provisions, terms and conditions of the indenture, as amended, by and between the Town and the Trustee or Bondholder, yet to be named, and the form, details, rate or rates of interest, maturity and redemption provisions, if any, of the Bonds shall be prescribed by subsequent resolution or ordinance of the Town Council.

Section 5. Prior to the issuance of the Bonds, the Town Council will comply with the provisions of the Home Rule Act regarding the procedural requirements for adopting ordinances and resolutions.

Section 6. All orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed. This resolution shall take effect and be in full force from and after its passage by the Town Council.

Section 7. It is the intention of the Town Council that this resolution and the assistance agreement, as amended by this resolution, shall constitute an official action on the part of the Town within the meaning of the applicable regulations of the United States Treasury Department relating to the issuance of industrial revenue bonds.

Done in meeting duly assembled this 11th day of
July, 1985.

TOWN OF FOUNTAIN INN, SOUTH CAROLINA

By: Paul E. Gault
Paul E. Gault, Mayor, Town of
Fountain Inn, South Carolina

(SEAL)

ATTEST:

By: Barbara S. Brown
Barbara S. Brown, Clerk
and Treasurer, Town of
Fountain Inn,
South Carolina

EXHIBIT

AUG 27 1985

NO. 13

STATE BUDGET & CONTROL BOARD

002847

EXHIBIT

AUG 19 1985
9:26 AM - *AL*

AUG 27 1985

NO. 13

TRANSMITTAL FORM, REVENUE BONDS

STATE BUDGET & CONTROL BOARD

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: McNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.
Name of Law Firm
Suite 401, Bankers Trust Plaza
Street
Greenville, South Carolina 29601
City, State, Zip Code

RE: Not Exceeding \$500,000 Town of Fountain Inn
Amount of Issue, Local Government Issuer
Industrial Development Revenue Note
Type of Bonds/Notes
(GEN III, Inc. Project) 1985
Name of Project

Date: August 16, 1985

Telephone Area Code 803
Number: 271-4940

Submitted for BCB Meeting of:
August 27, 1985

Private Activity Bonds:
☒ YES ☐ NO

Projected Issue Date:
September 19, 1985

Project Description:

Proceeds will be used to expand an industrial facility for manufacturing
stainless steel food service equipment

Number of persons to be employed: approximately 5 additional employees

Documents Enclosed:

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

- A. ☒ Petition (executed original and two copies)
- B. ☒ Resolution or ordinance (executed copy)
- C. ☒ Inducement Resolution or comparable preliminary approval (executed copy)
- D. ☒ Standard Form Investment Letter from purchaser of bonds (executed original)
(Purchaser: Southern Bank and Trust Company) **OR**
☐ Audited financial statements for three most recent years
- E. ☐ Department of Health and Environmental Control certificate
☐ Required ☒ Not Required
- F. ☒ Budget and Control Board Resolution and Public Notice
Original (and 4 copies for certification and return)
- G. ☒ Processing fee
Amount \$ 2,000 Check No. 04111
Payor GEN III, Inc.

Bond Counsel: Nancy Page
Typed Name

By: *Nancy Page*
Signature
002848

EXHIBIT

SEP - 6 1985

AUG 27 1985

NO. 13

McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 401

BANKERS TRUST PLAZA

7 NORTH LAURENS STREET

GREENVILLE, SOUTH CAROLINA 29601

803-271-4940

STATE BUDGET & CONTROL BOARD

ROBERT E. McNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN, JR.
DENNIS C. THELEN
JOHN H. LUMPKIN, JR.
JOHN W. CURRIE
SCOTT V. BARNES
M. ELIZABETH CRUM
THEODORE J. HOPKINS, JR.
DANIEL R. McLEOD, JR.
WILLIAM S. ROSE, JR.
BERNARD J. WUNDER, JR.
M. CRAIG GARNER, JR.
BRENTON D. JEFFCOAT
ROBERT T. BOCKMAN
PETER L. MURPHY
C. ALAN RUNYAN
JOHN W. FOSTER
ELIZABETH VAN DOREN GRAY
*D.C. AND NEW YORK BARS ONLY
*D.C. AND OHIO BARS ONLY
*D.C. BAR ONLY
MISSOURI BAR ONLY

WILMOT B. IRVIN
APRIL C. LUCAS
ROBERT E. STEFF
KATHLEEN E. CRUM
FRANKLIN G. POLK
JOHN W. HUNTER
HUEL D. ADAMS, JR.
JAMES P. FIELDS, JR.
LAWRENCE P. HIGGINS
W. STEPHEN CANNON
BARBARA GEORGE BARTON
J. SIMON FRASER
E. RUSSELL JETER, JR.
DOROTHY M. HELMS
PAUL B. NIX, JR.
NANCY PAGE
SANDRA L. RANDLEMAN
JANE W. TRINKLEY
J. LYLES GLENN IV
CELESTE TILLER JONES
JOSEPH D. WALKER
NANCY R. JEFFERIS
ALISON RENEE LEE
MARTHA F. McMILLIN
GREGORY D. DeLOACH

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

COLUMBIA OFFICE
EIGHTEENTH FLOOR
BANKERS TRUST TOWER
POST OFFICE BOX 11390
COLUMBIA, S.C. 29211
803-799-9800

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29928
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

September 5, 1985

Mr. William A. McInnis
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

RE: \$500,000 Town of Fountain Inn, South Carolina, Industrial
Development Revenue Note (GEN III, Inc. Project) 1985

Dear Mr. McInnis:

In accordance with Board Regulation 19-102.05 I am enclosing an affidavit certifying that the notice of the Board's approval of the above-referenced bond issue was published in The Laurens Advertiser on August 28, 1985. The Board approved this issue at its meeting on August 27.

If you need anything further, please give me a call.

Sincerely,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Nancy Page
Nancy Page

NP/sb
Enclosure

002849

EXHIBIT

Affidavit of Publication

NO. 13

STATE BUDGET & CONTROL BOARD

The Laurens Advertiser

State of South Carolina

County of Laurens

Personally appeared before me, a Notary Public for the state above Nancy P. Lemmon, who being duly sworn deposes and says that (he) (she) is the Backhaus of The Laurens Advertiser, a newspaper published in the state and county aforesaid, and that an advertisement for _____

Notice

appeared in the said newspaper 1 times on the following

dates: August 28, 1985

a copy of which is herewith attached.

Nancy P. Lemmon

Sworn to before me this 29th day

of August, 1985

Betty C. Coats

Notary Public for South Carolina.

002850

MY COMMISSION EXPIRES
OCTOBER 19, 1989

or NOTICE PURSUANT TO
THE PROVISIONS OF
SOUTH CAROLINA CODE
ANNOTATED, TITLE 4,
CHAPTER 29 (1976), AS
AMENDED

Notice is hereby given pursuant to the provisions and requirements of Section 4-29-140 of South Carolina Code Annotated, Title 4, Chapter 29 (1976), as amended (the "Act"), that the State Budget and Control Board of South Carolina, pursuant to a Petition filed by the Town Council of the Town of Fountain Inn, South Carolina, has given its approval to the following undertaking by the Town of Fountain Inn, South Carolina.

The issuance by the Town of Fountain Inn of its Industrial Development Revenue Note (GEN III, Inc. Project) 1985, in the principal amount of not exceeding \$500,000 (the "Note"), to defray the costs of expanding a building or buildings and of acquiring certain additional machinery, ~~appears under 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 Note by the Town of Fountain Inn to finance the same, by action de novo instituted in the Circuit Court for Laurens County, South Carolina.

STATE BUDGET AND CONTROL BOARD, By: WILLIAM A. McINNIS, Secretary.

Dated: August 27, 1985
Aug 28c

Received
9/17/85

EXHIBIT

McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 401

BANKERS TRUST PLAZA

7 NORTH LAURENS STREET

GREENVILLE, SOUTH CAROLINA 29601

803-271-4940

AUG 27 1985

NO. 13

STATE BUDGET & CONTROL BOARD

ROBERT E. McNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
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VIA ANDERSON ARMORED CAR

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HILTON HEAD ISLAND OFFICE
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FIFTY-NINE POPE AVENUE
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803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

September 16, 1985

*D.C. AND NEW YORK BARS ONLY
†D.C. AND OHIO BARS ONLY
**D.C. BAR ONLY
†MISSOURI BAR ONLY

Mr. William A. McInnis
State Budget and Control Board
Wade Hampton Office Building, Room 600
Columbia, South Carolina 29201

Re: \$500,000 Town of Fountain Inn, South Carolina, Industrial
Development Revenue Note (GEN III, Inc. Project) 1985

Dear Mr. McInnis:

In accordance with the regulations of the State Budget and Control Board, I am submitting on behalf of the Town of Fountain Inn and GEN III, Inc. IRS Form 8038. Please confirm the allocation of \$500,000 of the State volume to the above-captioned issue. This issue is scheduled to close on September 26, 1985.

Sincerely,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Nancy Page
Nancy Page

NP/fb
Enclosure

002851

Information Return for Private Activity Bond Issues

Under Sections 103(l) and 103A

OMB No. 1545-0720

Expires 12/31/87

Part I Reporting Authority

EXHIBIT

Check box if Amended Return ☐

1 Issuer's name
Town of Fountain Inn

2 Issuer's employer identification number
57-60001034

3 Number and street
200 North Main Street

4 Issue number
1

5 City or town, State and ZIP code
Fountain Inn, South Carolina 29644

6 Date of issue
September 26, 1985

AUG 27 1985 NO. 13

STATE BUDGET & CONTROL BOARD

Part II Type of Issue (Check box(es) that apply)

Bonds other than Industrial Development Bonds (IDBs):

- 7 ☐ Student loan bond
- 8 ☐ Qualified mortgage bond; (attach copy of State certification) Check box if you elect to rebate arbitrage profits to the U.S. ☐
- 9 ☐ Qualified veterans' mortgage bond
- 10 ☐ Private exempt entity bond

Industrial Development Bonds:

- 11 ☐ Industrial park bond
- 12 ☒ Small issue IDB; Check box if \$10 million small issue election ☒

13 Exempt Activity Bond (check type(s) below):

- a ☐ Residential rental projects (section 103(b)(4)(A))
- b ☐ Sports facilities (section 103(b)(4)(B))
- c ☐ Convention facilities (section 103(b)(4)(C)); Check box if exempt from volume limitations ☐
- d ☐ Airports, docks, etc., (section 103(b)(4)(D)); Check box if exempt from volume limitations ☐
- e ☐ Sewage or waste disposal facilities (section 103(b)(4)(E))
- f ☐ Pollution control facilities (section 103(b)(4)(F))
- g ☐ Water furnishing facilities (section 103(b)(4)(G))
- h ☐ Hydroelectric generating facilities (section 103(b)(4)(H))
- i ☐ Mass commuting vehicles (section 103(b)(4)(I))
- j ☐ Local district heating or cooling facilities (section 103(b)(4)(J))
- k ☐ Facilities for the local furnishing of electric energy or gas (section 103(b)(4)(E))

Face Amount

\$500,000

Part III Description of Obligations

14	(A) Maturity date	(B) Face amount	(C) Stated interest rate	(D) Term (in years)
	11/1/87 - 10/31/88	\$38,460	See Exhibit A	3
	11/1/88 - 10/31/89	\$38,460	" " "	4
	11/1/89 - 10/31/90	\$38,460	" " "	5
	11/1/90 - 10/31/91	\$38,460	" " "	6
	11/1/91 - 10/31/92	\$38,460	" " "	7
	11/1/92 - 10/31/92	\$38,460	" " "	8
	11/1/93 - 10/31/94	\$38,460	" " "	9
	11/1/94 - 10/31/95	\$38,460	" " "	10
	11/1/95 - 10/31/96	\$38,460	" " "	11
	11/1/96 - 10/31/97	\$38,460	" " "	12
	11/1/97 - 10/31/98	\$38,460	" " "	13
	11/1/98 - 10/31/99	\$38,460	" " "	14
	11/1/99 - 10/31/2000	\$38,480	" " "	15

15 Weighted average maturity of the issue 9 years

16 If issue is an advance refunding, enter the earliest call date

Part IV Proceeds of Issue

17 Total purchase price (regs. section 1.103-13(d)(2)) \$500,000

18 Proceeds used for bond issuance costs 8,000

19 Proceeds allocated to reasonably required reserve or replacement fund -0-

20 Proceeds used to refund prior issues -0-

21 Non-refunding proceeds of the issue (subtract lines 18, 19, and 20 from line 17) 492,000

For Paperwork Reduction Act Notice, see page 1 of the instructions

Form **8038** (Rev. 12-84)

Part V Description of Property Financed by Non-refunding Proceeds
(Do not complete for student loan bonds or mortgage bonds)**22 Type of Property Financed (or portion thereof financed by non-refunding proceeds)**

- a 3-yr. ACRS property
 b 5-yr. ACRS property
 c 10-yr. ACRS property
 d 15-yr. ACRS property
 e 18-yr. ACRS property
 f Cost of land
 g Cost of other property (see instructions) small tools & improvements

465,000

10,000

17,000

23 Other use of non-refunding proceeds (subtract lines 22a-g from Part IV, line 21)(see instructions)**24 Standard industrial classification (SIC) of non-refunding proceeds for the financed project.**

	SIC Code	Non-refunding proceeds \$		SIC Code	Non-refunding proceeds \$
a	3444	492,000	d		
b			e		
c			f		

25 Average weighted economic life of the project (complete only for IDBs) See Exhibit B 12.06 years.**Part VI Description of Initial Principal Users**

(Do not complete for student loan bonds or mortgage bonds)

26 Initial Principal Users:

(A) User	(B) Name	(C) Address	(D) Employer identification number
(i)	Marion Road Enterprises, Ltd.	2300 Lockbourne Road Columbus, Ohio 43207	31-1049678
(ii)	GEN III, Inc.	Post Office Box 368 Fountain Inn, S.C. 29644	57-0772927
(iii)			
(iv)			
(v)			

27 Common parents (if any) of initial principal users listed above:

(A) User (from above)	(B) Name	(C) Address	(D) Employer identification number
(ii)	N. Wasserstrom & Sons, Inc.	2300 Lockbourne Road Columbus, Ohio 43207	31-4153760

Part VII Approval of Issue (Complete only for IDBs)**28 Name of Governmental units approving issue** Fountain Inn Town Council**29 Names and positions of applicable elected representatives or date of referenda approving issue** See Exhibit C**Part VIII Volume Limitations for Qualified Mortgage or Veterans' Bonds**

- 1 Issuer's volume limitation
 2 Amount of volume limitation surrendered to other issues (e.g., under section 103A(g)(3)(B) or 25(c)(2)(A)(ii)).
 3 Amount of bonds previously issued
 4 Unused volume limitation (subtract lines 2 and 3 from line 1)

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature of officer: *Paul C. Singletary* Date: 9/26/85 Title: Mayor

Paid Preparer's Use Only

Preparer's signature: *McNair Glenn Konduros Corley Singletary* Check if self-employed: ☐ Preparer's social security no.:
 Firm's name (or yours, if self-employed) and address: McNair Glenn Konduros Corley Singletary E.I. No. 57-0703244
 Porter & Dibble, P.A. See Exhibit D ZIP code 29601

EXHIBIT

AUG 27 1985

NO. 13

EXHIBIT A

STATE BUDGET & CONTROL BOARD

The \$500,000 Town of Fountain Inn, South Carolina, Industrial Development Revenue Note (GEN III, Inc. Project) 1985 (the "Note"), bears interest from the date of its initial delivery until maturity at the rate per annum of seventy-two percent (72%) of the prime rate of Southern Bank and Trust Company as such prime rate changes. The interest rate on the Note shall be increased to the rate per annum of the prime rate plus one and three-fourths percent (1-3/4%) per annum upon a Determination of Taxability and to the rate per annum of the prime rate plus one percent per annum upon an Event of Default. The interest rate is also subject to adjustment in the event the maximum Federal corporate income tax rate applicable to the registered owner, including the holder of any interest in the Note, whether by participation or otherwise, shall either be increased or reduced on or after the date of the initial delivery of the Note. The interest rate shall be adjusted to equal the product obtained by multiplying such interest rate by a fraction, the numerator of which shall be one minus the new Federal corporate income tax rate (expressed as a decimal) and the denominator of which shall be fifty-four hundredths (the "Adjusted Interest Rate"). The Adjusted Interest Rate shall be rounded to the nearest one-tenth of one percent. In no event shall the Adjusted Interest Rate exceed the Taxable Rate or be applicable with respect to any holder of the Note not subject to corporate income tax.

In the event of any change in law (other than a change in the Bank Tax Rate) which results, in the opinion of counsel to any registered owner hereof, in the imposition of any tax (including, but not limited to, any preference tax imposed by Sections 55-58 of the IRC, an excess profits tax, a minimum tax or any other tax which increases the basis of taxation of the payments of interest on or principal of this note to the registered owner or owners hereof) or which, in the opinion of counsel to any registered owner hereof, adversely affects the deductibility of any amount attributable, directly or indirectly, to the purchase and carrying of this note, the interest rate shall be adjusted to that rate which will result in each holder of this note realizing a net return on the principal amount of this note outstanding while held by such holder, net of all taxes, charges, or disallowances of deductibility imposed with respect to the interest paid or to be paid on this note or the principal amount hereof as a result of such change in law equal to a tax-exempt yield to such holder at the rate per annum of seventy-two percent (72%) of the Prime Rate.

002854

Coopers
& Lybrand

certified public accountants

Columbus Center
100 East Broad Street
Columbus, Ohio 43215

in principal areas of the world

telephone (614) 221-7471

September 10, 1985

EXHIBIT

AUG 27 1985 NO. 13

STATE BUDGET & CONTROL BOARD

Town of Fountain Inn
200 North Main Street
Fountain Inn, South Carolina 29644

McNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.
Suite 401, Bankers Trust Plaza
Greenville, South Carolina 29601

Re: \$500,000 Town of Fountain Inn, South Carolina, Industrial Development Revenue
Note (GEN III, Inc. Project) 1985

Gentlemen:

This letter is being given to you with regard to the Town of Fountain Inn, South Carolina, Industrial Development Revenue Note (GEN III, Inc. Project) 1985 (the "Note"). We have reviewed the description of the property to be financed with the proceeds of the Note provided us by Marion Road Enterprises Ltd. which is set forth as Exhibit A hereto, and based upon that description have made the following determination:

1. The average reasonably expected economic life (determined in accordance with paragraph 3 below) of the buildings, machinery, equipment, apparatus, and office furnishings to be financed with the proceeds of the Note is not less than 12.06 years as shown by Exhibit A attached hereto.

2. The average maturity of the Note does not exceed 120% of the average reasonably expected economic life of the buildings, machinery, equipment, apparatus, office furnishings, and any other items to be financed in whole or in part with the proceeds of the Note as shown by Exhibit A attached hereto.

3. The economic useful life of each item has been derived in accordance with administrative guidelines established by the Internal Revenue Service for useful lives used for depreciation prior to the enactment of the Accelerated Cost Recovery system (ACRS). The mid point lives under the Class Life System (ADR) were utilized in determining the economic useful lives for the equipment. Asset guideline class 34.0 with a mid point of 12 years was utilized for the fabricating equipment. The guideline life of 45 years contained in Reg. Proc. 62-21, 1962 C.B. 18 was utilized for the factory structure.

Very truly yours,

Coopers & Lybrand

AF:cl

Enclosure

002855

EXHIBIT

AUG 27 1985

NO. 13

EXHIBIT A

STATE BUDGET & CONTROL BOARD

Items proposed to be financed:

<u>Description</u>	<u>Cost</u>	<u>Economic Life* (in years)</u>	
Costs of Issuance	\$ 8,000	0 years	\$ 0
Land	-0-	0 years	0
Buildings	10,000	45 years	450,000
Equipment	465,000	12 years	5,580,000
Small tools and improvements	<u>17,000</u>	<u>0 years</u>	<u>0</u>
Total	<u>\$500,000</u>		<u>\$6,030,000</u>

Average Economic Life: 12.06 years

*Economic life has been determined based on assumptions contained in paragraph 3 of the accompanying letter.

002856

EXHIBIT C

TOWN COUNCIL OF FOUNTAIN INN

1985

Albert Ray Pettit
112 Woodvale Avenue
Fountain Inn, South Carolina 29644

Bruce Farrow
601 Gulliver Street
Fountain Inn, South Carolina 29644

B. Frank Holland
Post Office Box 372
Fountain Inn, South Carolina 29644

Earl Barbrey
200 Nash Street
Fountain Inn, South Carolina 29644

Berry Woods, Jr.
Post Office Box 125
Fountain Inn, South Carolina 29644

Edward C. Case
Post Office Box 583
Fountain Inn, South Carolina 29644

Paul E. Gault, Sr., Mayor
Barbara S. Brown, Town Clerk

I.D. #57-6001034

EXHIBIT

AUG 27 1985 NO. 13

STATE PURCHASER & CONTROL BOARD

002857

EXHIBIT D

Prepared by:

McNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.
Suite 401, Bankers Trust Plaza
7 North Laurens Street
Greenville, South Carolina 29601
Attention: Kathleen E. Crum, Esquire

With advice of:

Coopers & Lybrand
100 East Broad Street
Columbus, Ohio 43215
Attention: Al Friedman

002858

EXHIBIT

State of South Carolina

State Budget and Control Board

AUG 27 1985

NO. 13

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

STATE BUDGET & CONTROL BOARD

REMBERT C. DENNIS

CHAIRMAN, SENATE FINANCE COMMITTEE

TOM G. MANGUM

CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM

EXECUTIVE DIRECTOR

September 18, 1985

Town of Fountain Inn
c/o Ms. Nancy Page
McNair Glenn Konduros Corley Singletary
Porter & Dibble, P.A.
401 Bankers Trust Plaza
Greenville, SC 29601

Dear Ms. Page:

Re: Issue of \$500,000 Town of Fountain Inn, South Carolina
Industrial Development Revenue Note
(GEN III, Inc., Project)

This will confirm that the referenced issue when issued and combined with the total amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

For your information, our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	198,000,000
1. Allocations Approved Through 9/12/85	8,865,000
2. Balance of Pool Available	189,135,000
3. Certified for Issue 9/18/85	7,213,000
B. Local Pool Amount	297,000,000
1. Allocations Approved Through 9/12/85	130,117,561
2. Balance of Pool Available	166,882,439
3. Certified for Issue 9/18/85 (including referenced issue)	93,255,000

Sincerely,

William A. McInnis
William A. McInnis
Secretary

WAM:dw

002859

Complete
8/21

C. 8/27

EXHIBIT

AUG 27 1985 NO. 14

STATE BUDGET & CONTROL BOARD

Jasper County
\$ 2,000,000

Pearlstone Distributors

State Law
+ alloc

Does to
AG 8/21
Aud xx
IO 8/21

002860

8/27

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

December 23, 1985

TO: Jasper County
c/o Mr. F. Mitchell Johnson, Jr.
Sinkler Gibbs & Simons
Box 340
Charleston, SC 29402

RE: \$1,300,000 Jasper County, South Carolina
Industrial Development Revenue Bond
(Pearlstone Distributors, Inc., Project)
Issue Date Certified By Issuing Authority: December 23, 1985
Issue Amount Certificate Filed (Received by Board Secretary): 12/23/85

Based upon my receipt of the issue amount certificate required of the issuing authority by Regulation \$19-103.06 and \$19-103.07 not more than ten business days prior to the date of issue which, as certified by the issuing authority, is within the time period for the allocation of a portion of the State Ceiling established in the Deficit Reduction Act of 1984 approved previously on a tentative basis by the Budget and Control Board for the referenced project, I have determined that the allocation is now final in the amount indicated above.

I also have determined that the referenced issue when issued and combined with the amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

Our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	209,875,178
1. Allocations Approved Through 12/17/85	206,755,100
2. Balance of Pool Available	3,120,078
3. Certified for Issue 12/23/85	24,858,000
B. Local Pool Amount	285,124,822
1. Allocations Approved Through 12/17/85	253,576,561
2. Balance of Pool Available	31,548,261
3. Certified for Issue 12/23/85 (Including Referenced Issue)	203,656,561

William A. McInnis
William A. McInnis, Secretary

002861

DEC 23 1985
9:17 A.M.
2 of 3-AL

December 19, 1985

Mr. William A. McInnis, Secretary
State Budget and Control
Board of South Carolina
Post Office Box 12444
Columbia, South Carolina 29211

Re: \$1,300,000 Jasper County, South Carolina,
Industrial Revenue Note, Series 1985 (Pearlstone
Distributors, Inc. Project)

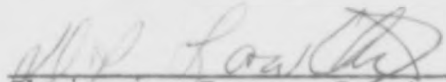
Dear Mr. McInnis:

This letter is for the purpose of certifying to the State Budget and Control Board of South Carolina (the "State Board") the principal amount and date of issue of obligations being issued pursuant to the approval granted by the State Board by resolution adopted December 17, 1985 in connection with the above-referenced Note. Pursuant to Section 6(a) of the Regulations on Allocation of State Ceiling on Issuance of Private Activity Bonds, I hereby certify that the exact amount of obligations be issued on or about December 23 pursuant to the aforesaid approval is \$1,300,000.

Please address your response pursuant to Section 6(b) of said Regulations to bond counsel for this issue at the following address:

F. Mitchell Johnson, Jr.
Sinkler Gibbs & Simons
Post Office Box 340
Charleston, South Carolina 29402

Yours very truly,


Chairman, Jasper County
Council

002862

8/27/85

DEC 27 1985
8:39 A.M.
3 of 5 - LL

12

December 23, 1985

Mr. William A. McInnis, Secretary
State Budget and Control
Board of South Carolina
Post Office Box 12444
Columbia, South Carolina 29211

Re: \$1,300,000 Jasper County, South Carolina,
Industrial Revenue Note, Series 1985 (Pearlstone
Distributors, Inc. Project)

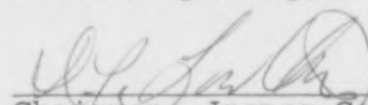
Dear Mr. McInnis:

In connection with the above-captioned Note, enclosed
herewith please find the following:

(1) Copy of Form 8038 filed with the United
States Treasury, Internal Revenue Service; and

(2) Publisher's affidavit with newspaper clipping
attached evidencing publication of notice of State
Budget and Control Board of South Carolina approval.

Yours very truly,



Chairman, Jasper County
Council

002863

Information Return for Private Activity Bond Issues

Under Sections 103(l) and 103A

OMB No. 1545-0720
Expires 12/31/87

Part I Reporting Authority

Check box if Amended Return ☐

1 Issuer's name
Jasper County, South Carolina

2 Issuer's employer identification number
57-6000366

3 Number and street
Route 3, Box 163

4 Issue number
1

5 City or town, State and ZIP code
Ridgeland, South Carolina 29936

6 Date of issue
December 23, 1985

Part II Type of Issue (Check box(es) that apply)

Bonds other than Industrial Development Bonds (IDBs):

- 7 ☐ Student loan bond
- 8 ☐ Qualified mortgage bond; (attach copy of State certification) Check box if you elect to rebate arbitrage profits to the U.S. ☐
- 9 ☐ Qualified veterans' mortgage bond
- 10 ☐ Private exempt entity bond

Face Amount

Industrial Development Bonds:

- 11 ☐ Industrial park bond
- 12 ☒ Small issue IDB; Check box if \$10 million small issue election ☐
- 13 Exempt Activity Bond (check type(s) below):
- a ☐ Residential rental projects (section 103(b)(4)(A))
 - b ☐ Sports facilities (section 103(b)(4)(B))
 - c ☐ Convention facilities (section 103(b)(4)(C)); Check box if exempt from volume limitations ☐
 - d ☐ Airports, docks, etc., (section 103(b)(4)(D)); Check box if exempt from volume limitations ☐
 - e ☐ Sewage or waste disposal facilities (section 103(b)(4)(E))
 - f ☐ Pollution control facilities (section 103(b)(4)(F))
 - g ☐ Water furnishing facilities (section 103(b)(4)(G))
 - h ☐ Hydroelectric generating facilities (section 103(b)(4)(H))
 - i ☐ Mass commuting vehicles (section 103(b)(4)(I))
 - j ☐ Local district heating or cooling facilities (section 103(b)(4)(J))
 - k ☐ Facilities for the local furnishing of electric energy or gas (section 103(b)(4)(E))

\$1,300,000

Part III Description of Obligations

14	(A) Maturity date	(B) Face amount	(C) Stated interest rate	(D) Term (in years)
	02/01/86	\$ 9,027.78	67% of the	0.11
	03/01/86	\$ 9,027.78	prime commer-	0.19
	04/01/86	\$ 9,027.78	cial lending	0.27
	05/01/86	\$ 9,027.78	rate of The	0.36
	06/01/86	\$ 9,027.78	Citizens and	0.44
	07/01/86	\$ 9,027.78	Southern	0.52
	08/01/86	\$ 9,027.78	National Bank	0.60
	09/01/86	\$ 9,027.78	of South	0.69
	10/01/86	\$ 9,027.78	Carolina	0.77
	11/01/86	\$ 9,027.78		0.86
	12/01/86	\$ 9,027.78		0.94
	01/01/87	\$ 9,027.78		1.02
	(see attached)			

15 Weighted average maturity of the issue **6.06 years.**

16 If issue is an advance refunding, enter the earliest call date

Part IV Proceeds of Issue

17 Total purchase price (regs. section 1.103-13(d)(2)) **\$1,300,000**

18 Proceeds used for bond issuance costs **\$ 0**

19 Proceeds allocated to reasonably required reserve or replacement fund **\$ 0**

20 Proceeds used to refund prior issues **\$ 0**

21 Non-refunding proceeds of the issue (subtract lines 18, 19, and 20 from line 17) **\$1,300,000**

For Paperwork Reduction Act Notice, see page 1 of the Instructions

Form **8038** (Rev. 12-84)

002864

2/85 page 749,933

Part V Description of Property Financed by Non-refunding Proceeds
(Do not complete for student loan bonds or mortgage bonds)**22 Type of Property Financed (or portion thereof financed by non-refunding proceeds)**

a	3-yr. ACRS property	
b	5-yr. ACRS property	\$ 139,200
c	10-yr. ACRS property	
d	15-yr. ACRS property	
e	18-yr. ACRS property	\$1,071,800
f	Cost of land	\$ 89,000
g	Cost of other property (see instructions)	

23 Other use of non-refunding proceeds (subtract lines 22a-g from Part IV, line 21)(see instructions)**24 Standard industrial classification (SIC) of non-refunding proceeds for the financed project.**

	SIC Code	Non-refunding proceeds \$		SIC Code	Non-refunding proceeds \$
a	5180	\$1,300,000	d		
b			e		
c			f		

25 Average weighted economic life of the project (complete only for IDBs) 27.54 years.**Part VI Description of Initial Principal Users**

(Do not complete for student loan bonds or mortgage bonds)

26 Initial Principal Users:

(A) User	(B) Name	(C) Address	(D) Employer identification number
(i)	Pearlstine Distributors, Inc.	4550 Gaynor Street, North Charleston, SC 29405	57-0540272
(ii)			
(iii)			
(iv)			
(v)			

27 Common parents (if any) of initial principal users listed above:

(A) User (from above)	(B) Name	(C) Address	(D) Employer identification number

Part VII Approval of Issue (Complete only for IDBs)**28 Name of Governmental units approving issue** Jasper County Council, State Budget and Control Board of South Carolina**29 Names and positions of applicable elected representatives or date of referendum approving issue** David P. Lowther, Chairman, Jasper County Council**Part VIII Volume Limitations for Qualified Mortgage or Veterans' Bonds**

- 1** Issuer's volume limitation
- 2** Amount of volume limitation surrendered to other issues (e.g., under section 103A(g)(3)(B) or 25(c)(2)(A)(ii)).
- 3** Amount of bonds previously issued
- 4** Unused volume limitation (subtract lines 2 and 3 from line 1).

Please Sign Here

Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

Signature of officer

12/23/85 Date

Chairman, Jasper County Council Title

Paid Preparer's Use Only

Preparer's signature J. Mitchell Johnson, Jr.

Check if self-employed ☐

Preparer's social security no.

Firm's name (or yours, if self-employed) and address

Sinkler Gibbs & Simons, P. A.
PO Box 340, Charleston, SC

E.I. No.

57-0295522

ZIP code

29402

U.S. Government Printing Office: 1985-461-493/10093

PART II DESCRIPTION OF OBLIGATIONS Cont'd

10	(A) Stated Maturity	(B) Face Amount	(C) Stated Interest Rate	(D) Term (in years)
	02/01/87	\$ 9,027.78		1.11
	03/01/87	\$ 9,027.78		1.19
	04/01/87	\$ 9,027.78		1.27
	05/01/87	\$ 9,027.78		1.36
	06/01/87	\$ 9,027.78		1.44
	07/01/87	\$ 9,027.78		1.52
	08/01/87	\$ 9,027.78		1.61
	09/01/87	\$ 9,027.78		1.69
	10/01/87	\$ 9,027.78		1.77
	11/01/87	\$ 9,027.78		1.86
	12/01/87	\$ 9,027.78		1.94
	01/01/88	\$ 9,027.78		2.02
	02/01/88	\$ 9,027.78		2.11
	03/01/88	\$ 9,027.78		2.19
	04/01/88	\$ 9,027.78		2.27
	05/01/88	\$ 9,027.78		2.36
	06/01/88	\$ 9,027.78		2.44
	07/01/88	\$ 9,027.78		2.52
	08/01/88	\$ 9,027.78		2.61
	09/01/88	\$ 9,027.78		2.69
	10/01/88	\$ 9,027.78		2.77
	11/01/88	\$ 9,027.78		2.86
	12/01/88	\$ 9,027.78		2.94
	01/01/89	\$ 9,027.78		3.02
	02/01/89	\$ 9,027.78		3.11
	03/01/89	\$ 9,027.78		3.19
	04/01/89	\$ 9,027.78		3.27
	05/01/89	\$ 9,027.78		3.36
	06/01/89	\$ 9,027.78		3.44
	07/01/89	\$ 9,027.78		3.52
	08/01/89	\$ 9,027.78		3.61
	09/01/89	\$ 9,027.78		3.69
	10/01/89	\$ 9,027.78		3.77
	11/01/89	\$ 9,027.78		3.86
	12/01/89	\$ 9,027.78		3.94
	01/01/90	\$ 9,027.78		4.02
	02/01/90	\$ 9,027.78		4.11
	03/01/90	\$ 9,027.78		4.19
	04/01/90	\$ 9,027.78		4.27
	05/01/90	\$ 9,027.78		4.36
	06/01/90	\$ 9,027.78		4.44
	07/01/90	\$ 9,027.78		4.52
	08/01/90	\$ 9,027.78		4.61
	09/01/90	\$ 9,027.78		4.69
	10/01/90	\$ 9,027.78		4.77
	11/01/90	\$ 9,027.78		4.86
	12/01/90	\$ 9,027.78		4.94
	01/01/91	\$ 9,027.78		5.02

002866

PART II DESCRIPTION OF OBLIGATIONS Cont'd

10	(A) Stated Maturity	(B) Face Amount	(C) Stated Interest Rate	(D) Term (in years)
	02/01/91	\$ 9,027.78		5.11
	03/01/91	\$ 9,027.78		5.19
	04/01/91	\$ 9,027.78		5.27
	05/01/91	\$ 9,027.78		5.36
	06/01/91	\$ 9,027.78		5.44
	07/01/91	\$ 9,027.78		5.52
	08/01/91	\$ 9,027.78		5.61
	09/01/91	\$ 9,027.78		5.69
	10/01/91	\$ 9,027.78		5.77
	11/01/91	\$ 9,027.78		5.86
	12/01/91	\$ 9,027.78		5.94
	01/01/92	\$ 9,027.78		6.02
	02/01/92	\$ 9,027.78		6.11
	03/01/92	\$ 9,027.78		6.19
	04/01/92	\$ 9,027.78		6.27
	05/01/92	\$ 9,027.78		6.36
	06/01/92	\$ 9,027.78		6.44
	07/01/92	\$ 9,027.78		6.52
	08/01/92	\$ 9,027.78		6.61
	09/01/92	\$ 9,027.78		6.69
	10/01/92	\$ 9,027.78		6.77
	11/01/92	\$ 9,027.78		6.86
	12/01/92	\$ 9,027.78		6.94
	01/01/93	\$ 9,027.78		7.02
	02/01/93	\$ 9,027.78		7.11
	03/01/93	\$ 9,027.78		7.19
	04/01/93	\$ 9,027.78		7.27
	05/01/93	\$ 9,027.78		7.36
	06/01/93	\$ 9,027.78		7.44
	06/01/93	\$ 9,027.78		7.52
	08/01/93	\$ 9,027.78		7.61
	09/01/93	\$ 9,027.78		7.69
	10/01/93	\$ 9,027.78		7.77
	11/01/93	\$ 9,027.78		7.86
	12/01/93	\$ 9,027.78		7.94
	01/01/94	\$ 9,027.78		8.02
	02/01/94	\$ 9,027.78		8.11
	03/01/94	\$ 9,027.78		8.19
	04/01/94	\$ 9,027.78		8.27
	05/01/94	\$ 9,027.78		8.36
	06/01/94	\$ 9,027.78		8.44
	07/01/94	\$ 9,027.78		8.52
	08/01/94	\$ 9,027.78		8.61
	09/01/94	\$ 9,027.78		8.69
	10/01/94	\$ 9,027.78		8.77
	11/01/94	\$ 9,027.78		8.86
	12/01/94	\$ 9,027.78		8.94
	01/01/95	\$ 9,027.78		9.02

002867

PART II DESCRIPTION OF OBLIGATIONS Cont'd

10	(A) Stated Maturity	(B) Face Amount	(C) Stated Interest Rate	(D) Term (in years)
	02/01/95	\$ 9,027.78		9.11
	03/01/95	\$ 9,027.78		9.19
	04/01/95	\$ 9,027.78		9.27
	05/01/95	\$ 9,027.78		9.36
	06/01/95	\$ 9,027.78		9.44
	07/01/95	\$ 9,027.78		9.52
	08/01/95	\$ 9,027.78		9.61
	09/01/95	\$ 9,027.78		9.69
	10/01/95	\$ 9,027.78		9.77
	11/01/95	\$ 9,027.78		9.86
	12/01/95	\$ 9,027.78		9.94
	01/01/96	\$ 9,027.78		10.02
	02/01/96	\$ 9,027.78		10.11
	03/01/96	\$ 9,027.78		10.19
	04/01/96	\$ 9,027.78		10.27
	05/01/96	\$ 9,027.78		10.36
	06/01/96	\$ 9,027.78		10.44
	07/01/96	\$ 9,027.78		10.52
	08/01/96	\$ 9,027.78		10.61
	09/01/96	\$ 9,027.78		10.69
	10/01/96	\$ 9,027.78		10.77
	11/01/96	\$ 9,027.78		10.86
	12/01/97	\$ 9,027.78		10.94
	01/01/97	\$ 9,027.78		11.02
	02/01/97	\$ 9,027.78		11.11
	03/01/97	\$ 9,027.78		11.19
	04/01/97	\$ 9,027.78		11.27
	05/01/97	\$ 9,027.78		11.36
	06/01/97	\$ 9,027.78		11.44
	07/01/97	\$ 9,027.78		11.52
	08/01/97	\$ 9,027.78		11.61
	09/01/97	\$ 9,027.78		11.69
	10/01/97	\$ 9,027.78		11.77
	11/01/97	\$ 9,027.78		11.86
	12/01/97	\$ 9,027.78		11.94
	01/01/98	\$ 9,027.46		12.02

002868

JASPER PRINTING COMPANY

RIDGELAND, SOUTH CAROLINA

NOTICE PURSUANT TO TITLE 4,
CHAPTER 29,
CODE OF LAWS OF
SOUTH CAROLINA 1976,
AS AMENDED

Notice is hereby given that following the filing of a Petition by Jasper County Council (the "County Board") to the State Budget and Control Board of South Carolina (the "State Board") approval has been given by the State Board to the following undertaking (the "Undertaking") (including changes in any details of the said financing as finally consummated which do not materially affect the said undertaking) viz.: the financing of the acquisition, construction and installation of certain land, buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space to be owned and operated by Pearlstine Distributors Inc. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina, and to be located on Highway 278 between Beaufort and Hilton Head in Jasper County, South Carolina (the "County").

To finance the acquisition, construction and installation of the Project, the County will issue a note exceeding \$2,000,000 Jasper County, South Carolina, Industrial Revenue Note, Series 1985 (Pearlstine Distributors, Inc. Project) (the "Note") pursuant to Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended. The Note will be payable by the County solely from the amounts to be paid to the County by the Company pursuant to a Loan Agreement (the "Loan Agreement") between the County and the Company.

The Company will irrevocably covenant and agree to pay when due all sums required to pay the principal of and interest on the Note, and the Note will be secured by an Assignment of Loan Agreement under which the County will assign to The Citizens and Southern National Bank of South Carolina (the "Bank") substantially all of its rights under the Loan Agreement, by a Mortgage and Security Agreement between the Company and the Bank pursuant to which the Company will grant a mortgage lien on, and security interest in, the Project to the Bank and by a Guaranty Agreement between Edwin S. Pearlstine (the "Guarantor") and the Bank pursuant to which the Guarantor will unconditionally guarantee payment of the Note. The Note will be issued pursuant to the Act and to an ordinance (the "Note Ordinance") to be adopted by the County Board.

The Project will provide employment for approximately sixty-five (65) persons.

Notice is further given that any interested party may at any time within twenty (20) days after the date of publication of this Notice, but not afterwards, challenge the validity of the action of the State Board in approving the undertaking of the County Board by action de novo instituted in the Court of Common Pleas for Jasper County.

The State Budget and Control Board
Of South Carolina
By: William A. Melanis

11c 8-29-85

STATE OF SOUTH CAROLINA.
COUNTY OF JASPER

Personally appeared before me, M. Geneva

Smith a Notary Public in

and for said State and County St. Julien G.

Rivers, who being duly sworn according to law, deposes and says that he is the publisher of The Jasper County News, a newspaper published each week in said County, and who further deposes that the Notice, a true copy of which is hereto affixed was published for 8-29-85

in

The Jasper County News in the issues dated

Subscribed and sworn to before me this 8-29-85

St. Julien G. Rivers
Publisher

M. Geneva Smith
Notary Public

MY COMMISSION EXPIRES MARCH 10, 1987

002869

8/27

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

December 17, 1985

Mr. F. Mitchell Johnson, Jr.
Sinkler Gibbs & Simons
Box 340
Charleston, SC 29402

Dear Mr. Johnson:

Re: \$1,300,000 Jasper County, South Carolina
Industrial Revenue Note
(Pearlstone Distributors, Inc., Project)

The Budget and Control Board, at its meeting on December 17, 1985, restored the \$1,300,000 State ceiling allocation for the referenced project and bonds for the remainder of calendar year 1985.

This action was taken in response to your December 10, 1985, letter to me in which you indicated that all of the documentation prepared and submitted to the Board for its consideration at the August 27, 1985, meeting at which time the State ceiling allocation was granted originally remains unchanged.

Sincerely,

William A. McInnis

William A. McInnis
Deputy Executive Director

WAM:dw

002870

September 20, 1985

Mr. William A. McInnis, Secretary
State Budget and Control
Board of South Carolina
Post Office Box 12444
Columbia, South Carolina 29211

Re: \$1,300,000 Jasper County, South Carolina,
Industrial Revenue Note, Series 1985 (Pearlstone
Distributors, Inc. Project)

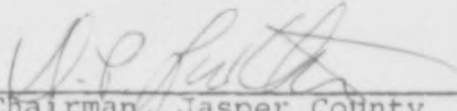
Dear Mr. McInnis:

This letter is for the purpose of certifying to the State Budget and Control Board of South Carolina (the "State Board") the principal amount of obligations being issued pursuant to the approval granted by the State Board by resolution adopted August 27, 1985 in connection with the above-referenced Note. Pursuant to Section 6(a) of the Regulations on Allocation of State Ceiling on Issuance of Private Activity Bonds, I hereby certify that the exact amount of obligations being issued pursuant to the aforesaid approval is \$1,300,000.

Please address your response pursuant to Section 6(b) of said Regulations to bond counsel for this issue at the following address:

F. Mitchell Johnson, Jr.
Sinkler Gibbs & Simons
Post Office Box 340
Charleston, South Carolina 29402

Yours very truly,



Chairman, Jasper County
Council

002871

The State of South Carolina



Office of the Attorney General

Y. TRAVIS MEDLOCK
ATTORNEY GENERAL

REMBERT C. DENNIS BUILDING
POST OFFICE BOX 11549
COLUMBIA, S.C. 29211
TELEPHONE 803-758-2072

EXHIBIT

AUG 27 1985 NO. 14

STATE BUDGET & CONTROL BOARD

September 3, 1985

Mr. William A. McInnis
Executive Deputy Director
State Budget and Control Board
Columbia, South Carolina 29201

Re: \$2,000,000, Jasper County, South
Carolina, Industrial Revenue Bond
(Pearlstone Distributors, Inc.)

Dear Mr. McInnis:

Regarding the above-referenced bond, we have reviewed the Petition and other documents submitted to the State Budget and Control Board for its approval pursuant to Sections 4-29-10 et seq., Code of Laws of South Carolina, 1976, as amended, and the same appear, in our opinion, to be in order.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "D. Eckstrom".

David C. Eckstrom
Assistant Attorney General

DCE/cr

Enclosures

002872

EXHIBIT

STATE OF SOUTH CAROLINA
STATE BUDGET AND CONTROL BOARD
Standard Form Investment Letter

AUG 27 1985 NO. 14

STATE BUDGET & CONTROL BOARD

TO: Secretary, State Budget and Control Board
P. O. Box 12444
Columbia, SC 29211

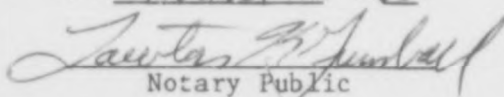
RE: Sale by Jasper County, South Carolina (the "Issuer")
Of its \$2,000,000 Industrial Revenue Note (the "Bonds")
On behalf of Pearlstine Distributors Inc. (the "Company")
Series 1985 (Pearlstine Distributors Inc. Project) (the "Project")
To The Citizens and Southern National Bank (the "Purchaser")
of South Carolina

DATE:

In connection with the referenced sale of Bonds by the Issuer, the Purchaser makes the following representations and certifications:

1. The Purchaser has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of its prospective investment in the Bonds;
2. The Purchaser is financially able to bear the economic risk of its proposed investment in the Bonds for an indefinite period;
3. The Purchaser is familiar with the business affairs of the Company and has obtained and examined all financial and other information with respect to the Bonds, the Company and the officers and shareholders of the Company which it deems necessary in order to enable it to evaluate the merits and risks of its investment in the Bonds and to make an informed investment judgment in connection with the purchase of the Bonds;
4. The Purchaser has had the opportunity to ask questions of, and receive answers from, the Issuer and the Company concerning the terms and conditions of the offering and any other information which it has deemed relevant to the Bonds and its investment in the Bonds; and
5. The Bonds are being purchased for the account of the Purchaser and for the purpose of investment and not presently for resale, and the Purchaser has no present intention of offering the Bonds or any portion thereof for resale either currently or after the passage of a fixed period of time, or upon the occurrence or nonoccurrence of any predetermined event or circumstances.

SWORN to and subscribed
before me this 14th day
of AUGUST, 1985.


Notary Public

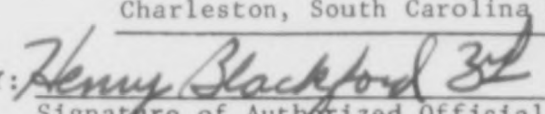
My Commission expires
January 22, 1991

PURCHASER:

THE CITIZENS AND SOUTHERN NATIONAL
Name: BANK OF SOUTH CAROLINA

Address: P. O. Box 10608

Charleston, South Carolina 29411

BY: 
Signature of Authorized Official
SENIOR VICE PRESIDENT

002873

EXHIBIT

AUG 27 1985

NO. 14

STATE OF SOUTH CAROLINA)

Pearlstine Distributors

COUNTY OF RICHLAND)

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

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 Dennis, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

AGAINST MOTION

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That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

September 5, 1985

William A. McInnis

002874

EXHIBIT

AUG 27 1985

NO. 14

E

A RESOLUTION STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA

WHEREAS, heretofore Jasper County Council (the "County Board") did, pursuant to Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act"), petition the State Budget and Control Board of South Carolina (the "State Board") seeking the approval of the State Board for an undertaking by the County Board pursuant to the Act; and

WHEREAS, the proposed undertaking (the "Undertaking") consists of the financing of the acquisition, construction and installation of certain buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space to be owned and operated by Pearlstine Distributors Inc. (the "Company") in Jasper County, South Carolina (the "County") by the issuance and delivery of a not exceeding \$2,000,000 Jasper County, South Carolina, Industrial Revenue Note, Series 1985 (Pearlstine Distributors Inc. Project) (the "Note") pursuant to the Act and to an ordinance (the "Note Ordinance") to be adopted by the County Board; and

WHEREAS, the Company will agree in a Loan Agreement (the "Loan Agreement") between the County and the Company to pay to the County amounts sufficient to provide for the payment of the Note and the costs and expenses resulting from the issuance thereof; and

WHEREAS, in order to finance the acquisition, construction and installation of the Project, the County Board proposes to provide for the issuance and delivery of the Note pursuant to the Act and to the Note Ordinance, payable by the County from the amounts derived from the Loan Agreement and secured by an Assignment of Loan Agreement (the "Assignment") from the County to The Citizens and Southern National Bank of South Carolina (the "Bank"), a Mortgage and Security Agreement (the "Mortgage") between the Company and the Bank and by a Guaranty Agreement (the "Guaranty Agreement") between Edwin S. Pearlstine and the Bank; and

WHEREAS, the form of the Loan Agreement, the Assignment, the Mortgage, the Guaranty Agreement, the Note Ordinance and the Note have been considered by the Board,

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA IN MEETING DULY ASSEMBLED:

1. It has been found and determined by the State Board:

002875

(a) That the statement of facts set forth in the recitals to this Resolution are in all respects true and correct;

(b) That the County Board has filed a proper petition with the State Board establishing a reasonable estimate of the cost of the Project and containing a general summary of the terms and conditions of the Loan Agreement, the Assignment, the Mortgage, the Guaranty Agreement, the Note Ordinance and the Note and a brief description of the Project;

(c) That the Project is expected to provide employment for approximately sixty-five (65) persons and, therefore, is expected to have a beneficial effect upon the general public welfare of the County and the areas adjacent thereto by providing employment not otherwise provided in the County;

(d) That the Undertaking is intended to promote the purposes of the Act and is reasonably anticipated to effect such purposes; and

(e) Pursuant to the Regulations on Allocation of State Ceiling on Issuance of Private Activity Bonds (the "Regulations") adopted by the State Board on October 9, 1984, County Council has submitted an Authorized Request (as defined in the Regulations) for an allocation of a portion of the State Ceiling (as defined in the Regulations) in the amount of not exceeding \$2,000,000 for the Note; a copy of such Authorized Request has been forwarded to the Joint Bond Review Committee of the South Carolina General Assembly in accordance with the Regulations.

2. On the basis of the foregoing findings, the proposed undertaking of the County Board to finance the cost of the acquisition, construction and installation of the Project through the issuance of a not exceeding \$2,000,000 Jasper County, South Carolina, Industrial Revenue Note, Series 1985 (Pearlstone Distributors Inc. Project) pursuant to the Note Ordinance to be payable from the revenues to be derived by the County from the Loan Agreement and to be secured by the Assignment, the Mortgage and the Guaranty Agreement, all pursuant to the Act (including changes in any details of the said financing as finally consummated which do not materially affect the said undertaking) be and the same is hereby approved.

3. Notice of the action taken by the State Board in giving approval to the Undertaking shall be published in JASPER COUNTY NEWS, a newspaper having general circulation in the County.

4. The Notice to be published shall be in form substantially as set forth as EXHIBIT "A" of this Resolution.

(a) That the statement of facts set forth in the recitals to this Resolution are in all respects true and correct;

(b) That the County Board has filed a proper petition with the State Board establishing a reasonable estimate of the cost of the Project and containing a general summary of the terms and conditions of the Loan Agreement, the Assignment, the Mortgage, the Guaranty Agreement, the Note Ordinance and the Note and a brief description of the Project;

(c) That the Project is expected to provide employment for approximately sixty-five (65) persons and, therefore, is expected to have a beneficial effect upon the general public welfare of the County and the areas adjacent thereto by providing employment not otherwise provided in the County;

(d) That the Undertaking is intended to promote the purposes of the Act and is reasonably anticipated to effect such purposes; and

(e) Pursuant to the Regulations on Allocation of State Ceiling on Issuance of Private Activity Bonds (the "Regulations") adopted by the State Board on October 9, 1984, County Council has submitted an Authorized Request (as defined in the Regulations) for an allocation of a portion of the State Ceiling (as defined in the Regulations) in the amount of not exceeding \$2,000,000 for the Note; a copy of such Authorized Request has been forwarded to the Joint Bond Review Committee of the South Carolina General Assembly in accordance with the Regulations.

2. On the basis of the foregoing findings, the proposed undertaking of the County Board to finance the cost of the acquisition, construction and installation of the Project through the issuance of a not exceeding \$2,000,000 Jasper County, South Carolina, Industrial Revenue Note, Series 1985 (Pearlstine Distributors Inc. Project) pursuant to the Note Ordinance to be payable from the revenues to be derived by the County from the Loan Agreement and to be secured by the Assignment, the Mortgage and the Guaranty Agreement, all pursuant to the Act (including changes in any details of the said financing as finally consummated which do not materially affect the said undertaking) be and the same is hereby approved.

3. Notice of the action taken by the State Board in giving approval to the Undertaking shall be published in JASPER COUNTY NEWS, a newspaper having general circulation in the County.

4. The Notice to be published shall be in form substantially as set forth as EXHIBIT "A" of this Resolution.

5. Approval of this undertaking is granted on the condition that a copy of Internal Revenue Service Form 8038 relating to any bonds issued pursuant to this approval be filed with the Board's Secretary at the same time such Form is submitted to the Internal Revenue Service.

6. The request of County Council that a portion of the State Ceiling in the amount of not exceeding \$2,000,000 be allocated to the Note is hereby approved and such amount of the State Ceiling is hereby allocated to the Note. This allocation of the State Ceiling shall be valid only for the current calendar year and shall expire automatically ninety (90) days following the adoption of this Resolution. This allocation is also subject to the condition that the Chairman of County Council or some other official of the County shall certify to the Secretary of the State Board the exact amount of the Note being issued; failure so to file a certificate of the amount of the Note issue shall cancel this allocation.

7. In compliance with the provisions of Section 103(n)(12) of the Internal Revenue Code of 1954, as amended, in voting on this Resolution each member of the State Board, the public body responsible for making the allocation of the State Ceiling, DOES HEREBY CERTIFY under penalty of perjury that the allocation of the State Ceiling granted in this Resolution was not made in consideration of any bribe, gift, gratuity or direct or indirect consideration to any political campaign.

EXHIBIT

AUG 27 1985

NO. 14

EXHIBIT "A"

STATE BUDGET & CONTROL BOARD
NOTICE PURSUANT TO TITLE 4, CHAPTER 29,
CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED

Notice is hereby given that following the filing of a Petition by Jasper County Council (the "County Board") to the State Budget and Control Board of South Carolina (the "State Board") approval has been given by the State Board to the following undertaking (the "Undertaking") (including changes in any details of the said financing as finally consummated which do not materially affect the said undertaking), viz.: the financing of the acquisition, construction and installation of certain land, buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space to be owned and operated by Pearlstine Distributors Inc. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina, and to be located on Highway 278 between Beaufort and Hilton Head in Jasper County, South Carolina (the "County").

To finance the acquisition, construction and installation of the Project, the County will issue a not exceeding \$2,000,000 Jasper County, South Carolina, Industrial Revenue Note, Series 1985 (Pearlstine Distributors Inc. Project) (the "Note") pursuant to Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended. The Note will be payable by the County solely from the amounts to be paid to the County by the Company pursuant to a Loan Agreement (the "Loan Agreement") between the County and the Company.

The Company will irrevocably covenant and agree to pay when due all sums required to pay the principal of and interest on the Note, and the Note will be secured by an Assignment of Loan Agreement under which the County will assign to The Citizens and Southern National Bank of South Carolina (the "Bank") substantially all of its rights under the Loan Agreement, by a Mortgage and Security Agreement between the Company and the Bank pursuant to which the Company will grant a mortgage lien on, and security interest in, the Project to the Bank and by a Guaranty Agreement between Edwin S. Pearlstine (the "Guarantor") and the Bank pursuant to which the Guarantor will unconditionally guarantee payment of the Note. The Note will be issued pursuant to the Act and to an ordinance (the "Note Ordinance") to be adopted by the County Board.

The Project will provide employment for approximately sixty-five (65) persons.

Notice is further given that any interested party may at any time within twenty (20) days after the date of

publication of this Notice, but not afterwards, challenge the validity of the action of the State Board in approving the undertaking of the County Board by action de novo instituted in the Court of Common Pleas for Jasper County.

THE STATE BUDGET AND CONTROL BOARD
OF SOUTH CAROLINA

By: William A. McInnis

PUBLICATION DATE:
August 29, 1985

EXHIBIT

State of South Carolina

AUG 27 1985

NO. 14

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



Box 12444
Columbia
29211

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

August 27, 1985

C E R T I F I C A T E

[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$2,000,000 Jasper County, South Carolina
Industrial Development Revenue Bonds
(Pearlstone Distributors, Inc., Project)

This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985, (the date the allocation was approved by the Board) if the bonds for which the allocation has been approved have not been issued.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Grady L. Patterson, Jr.

Attest:

William A. McInnis, Secretary

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EXHIBIT

STATE OF SOUTH CAROLINA

AUG 27 1985 NO. 14

COUNTY OF JASPER

STATE BUDGET & CONTROL BOARD

TO THE STATE BUDGET AND CONTROL

P E T I T I O N

BOARD OF SOUTH CAROLINA

The Petition of Jasper County Council ("County Council") respectfully shows:

1. County Council is the governing body of Jasper County, South Carolina (the "County") as established by law, and, as such, is the Governing Board referred to in Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act").

2. The Act authorizes and empowers the County, if it shall comply with the provisions set forth in the Act, to acquire or cause to be acquired buildings, equipment, machinery and other improvements deemed necessary, suitable and useful by any industrial enterprise and to finance the acquisition and installation of the same through the issuance of bonds or notes payable from and secured by a pledge of the revenues to be derived from a financing agreement relating to such buildings, equipment and machinery and other improvements.

3. County Council has agreed with Pearlstine Distributors Inc. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina, that the County will undertake to finance the acquisition, construction and installation of buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space in the County through the issuance and delivery of an Industrial Revenue Note pursuant to the Act. In this connection, County Council has agreed to issue a Two Million Dollar (\$2,000,000) Jasper County, South Carolina, Industrial Revenue Note, Series 1985 (Pearlstine Distributors Inc. Project) (the "Note") pursuant to the Act and to an ordinance (the "Note Ordinance") to be adopted by County Council.

4. County Council is advised by the Company that the cost of the Project will be approximately Two Million Dollars (\$2,000,000) and that, therefore, in order to finance the acquisition, construction and installation of the Project (the "Undertaking"), including the costs and charges incident to the issuance and delivery of the Note,

it is necessary that County Council issue and deliver the Note in that amount.

5. When completed, the Project will provide employment for approximately sixty-five (65) persons.

6. For the reasons above set forth and hereinafter disclosed, County Council has found that:

(a) the Undertaking will subserve the purposes of the Act;

(b) the Undertaking will have a beneficial effect upon the general public welfare of the County and the areas adjacent thereto by providing employment not otherwise provided in the County;

(c) by reason of the Undertaking, no pecuniary liability will result to the County nor will there be a charge against its general credit or taxing powers;

(d) the amount required to finance the acquisition, construction and installation of the Project is approximately \$2,000,000;

(e) the proposed Loan Agreement (the "Loan Agreement") between the County and the Company unconditionally obligates the Company to pay an amount adequate to provide for the payments of the principal of and interest on the Note which will be dated and will mature in the amounts and bear interest at the rates set forth in Article II of the Note Ordinance;

(f) in view of the well established credit of the Company and the Guarantor (hereinafter defined) and the successful arrangements to effect the issuance and delivery of the Note without the establishment of a reserve fund for the payment of the principal of and interest on the Note, no such reserve fund will be established; and

(g) the terms of the Loan Agreement require the Company to maintain the Project in good repair and to carry all proper insurance with respect thereto.

7. The Loan Agreement will provide, among other things, the following:

(a) to finance the cost of the acquisition, construction and installation of the Project the County will issue and deliver the Note. The Note will be secured by a pledge of substantially all of the amounts to be paid to the County by the Company, as authorized by the Act;

(b) the proceeds derived from the issuance and delivery of the Note will be used to pay the costs incident to the acquisition, construction and installation of the Project and the issuance of the Note; and

(c) the Loan Agreement contains no provision imposing any pecuniary liability upon the County or which would create a charge upon its general credit or taxing powers.

8. Pursuant to a proposed Assignment of Loan Agreement (the "Assignment"), the County will assign to The Citizens and Southern National Bank of South Carolina (the "Bank"), as security for the payment of the Note, substantially all of the right, title and interest of the County in and to the Loan Agreement except tax payments and certain payments to be made by way of indemnification.

9. Pursuant to a proposed Mortgage and Security Agreement (the "Mortgage"), the Company will grant a mortgage lien on, and security interest in, the Project to the Bank as additional security for the payment of the Note.

10. Pursuant to a proposed Guaranty Agreement (the "Guaranty Agreement"), Edwin S. Pearlstine (the "Guarantor") will unconditionally guarantee the payment of the Note.

11. The Note will be issued by the County pursuant to the proposed ordinance (the "Note Ordinance") which provides for the payment of the Note. The Note Ordinance imposes upon the Company the obligation to pay, in addition to the moneys required for the payment of the principal of and interest on the Note, all other costs and expenses resulting from the Note Ordinance and the issuance of the Note pursuant thereto and the transactions contemplated to take place in connection therewith.

12. The Loan Agreement, the Mortgage, the Assignment, the Guaranty Agreement, the Note Ordinance and the Note will be substantially in the form heretofore used in the issuance of Industrial Revenue Bonds or Notes pursuant to the Act. While changes may be made in the forms thereof, it is not expected that there will be any changes which will substantially affect the undertaking as now outlined therein.

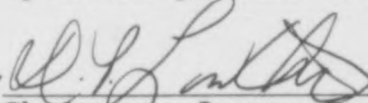
13. The undersigned certify, under penalty of perjury, that the County's petition to the State Board for an allocation of the State Ceiling was not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, County Council respectfully prays:

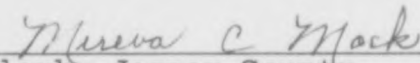
That the State Budget and Control Board of South Carolina (the "State Board") accept the filing of the Petition presented herewith; and that, thereafter and as soon as practicable, it make such independent investigation of the Undertaking and the terms and provisions of the Loan Agreement, the Mortgage, the Assignment, the Guaranty Agreement, the Note Ordinance and the Note as it deems advisable; that the State Board find that the proposed Undertaking is intended to promote the purposes of the Act and is reasonably anticipated to effect such result; and on the basis of such finding, that it approve the Undertaking, including changes in any details of the said financing as finally consummated which do not materially affect the Undertaking and give published notice of its approval in the manner set forth in the Act.

August 5, 1985.

Respectfully Submitted,

By 
Chairman, Jasper County
Council

Attest:

By 
Clerk, Jasper County
Council

EXHIBIT

AUG 27 1985 NO. 14

STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 27 1985

NO. 14

A RESOLUTION

STATE BUDGET & CONTROL BOARD^D

APPROVING THE FINANCING OF THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF BUILDINGS, FIXTURES, MACHINERY AND EQUIPMENT AT INDUSTRIAL FACILITIES IN JASPER COUNTY, SOUTH CAROLINA TO BE OWNED AND OPERATED BY PEARLSTINE DISTRIBUTORS INC. THROUGH THE ISSUANCE AND DELIVERY OF A \$2,000,000 JASPER COUNTY, SOUTH CAROLINA, INDUSTRIAL REVENUE NOTE, SERIES 1985 (PEARLSTINE DISTRIBUTORS INC. PROJECT) (THE "NOTE"); AUTHORIZING A PETITION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA FOR ITS APPROVAL OF SUCH UNDERTAKING PURSUANT TO TITLE 4, CHAPTER 29, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; PROVIDING FOR A PUBLIC HEARING TO BE HELD IN CONNECTION WITH THE ISSUANCE AND DELIVERY OF THE NOTE; AND PROVIDING FOR OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY JASPER COUNTY COUNCIL IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

SECTION 1.01

Incident to the adoption of this resolution, Jasper County Council ("County Council"), the governing body of Jasper County, South Carolina (the "County"), has made the following findings:

1. Pearlstine Distributors Inc. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina, has proposed that the County assist in financing the acquisition, construction and installation of certain buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space in the County at an estimated cost of \$2,000,000 through the issuance and delivery of an Industrial Revenue Note pursuant to the authorization of Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act").

2. The Company has advised County Council that its proposed industrial project would be aided by the assistance which the County might render through the issuance and delivery of an Industrial Revenue Note in the principal amount of \$2,000,000 (the "Note") pursuant to the Act and to a proposed ordinance (the "Note Ordinance") to be adopted by County Council.

3. County Council has agreed to finance the acquisition, construction and installation of the Project and adopts this Resolution to evidence its approval of the

002885

issuance and delivery of the Note as aforesaid, to authorize a Petition to the State Budget and Control Board of South Carolina (the "State Board") setting forth the facts required by the Act and to provide for a public hearing to be held in connection with the issuance and delivery of the Note.

4. County Council has determined that the financing of the acquisition, construction and installation of the Project (the "Undertaking") will subserve the purposes of the Act and that neither the Undertaking nor the Note will give rise to any pecuniary liability of the County or a charge against its general credit or taxing powers.

5. When completed, the Project will provide employment for approximately sixty-five (65) persons. It is therefore believed that the Undertaking will have a beneficial effect upon the economy of the County and areas adjacent thereto by providing employment not otherwise provided in the County.

6. The amount necessary to finance the acquisition, construction and installation of the Project is Two Million Dollars (\$2,000,000).

7. The Company has submitted to County Council a draft of a proposed Loan Agreement (the "Loan Agreement") pursuant to which the County will lend Two Million Dollars (\$2,000,000) to the Company and under which the Company will unconditionally agree:

(a) to pay the amounts necessary to provide the payments of principal of and interest on the Note which will be dated and will mature in the amounts and bear interest at the rates set forth in Article II of the Note Ordinance,

(b) to maintain the Project in good repair, and

(c) to carry all proper insurance with respect to the Project.

8. The Company has also submitted to County Council a draft of a proposed Assignment of Loan Agreement pursuant to which the County will assign substantially all of its rights in the Loan Agreement to The Citizens and Southern National Bank of South Carolina (the "Bank") as security for the payment of the Note.

9. The Company has also submitted to County Council a draft of a proposed Mortgage and Security Agreement pursuant to which the Company will grant a mortgage lien on, and security interest in, the Project to the Bank as additional security for the payment of the Note.

10. The Company has also submitted to County Council a draft of a proposed Guaranty Agreement pursuant to which Edwin S. Pearlstine (the "Guarantor") will unconditionally guarantee the payment of the Note.

11. The Company has arranged for the issuance and delivery of the Note to the Bank.

12. In view of the well established credit of the Company and the Guarantor and the successful arrangements to effect the issuance and delivery of the Note without the establishment of a reserve fund for the payment of the principal of and interest on the Note, no such reserve fund will be established.

ARTICLE II

SUBMISSION OF PETITION

SECTION 2.01

The Petition in form substantially as attached hereto as Exhibit "A" shall be presented to the State Board to seek the approval required by the Act; said Petition shall be duly executed by the Chairman of County Council and the same shall be attested by the Clerk of County Council.

ARTICLE III

PUBLIC HEARING AND NOTICE

SECTION 3.01

Pursuant to Section 103(k) of the Internal Revenue Code of 1954, as amended, a public hearing shall be held in connection with the issuance and delivery of the Note by the County. Such public hearing shall be held before final action by County Council authorizing the issuance and delivery of the Note.

SECTION 3.02

Not less than fourteen (14) days prior to the hearing provided for in Section 3.01 hereof, the Chairman shall cause notice of such hearing to be published in Jasper County News, a newspaper of general circulation in the County. Such notice shall be in substantially the form attached hereto as Exhibit "B".

EXHIBIT

AUG 27 1985

NO. 14

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

STATE BUDGET & CONTROL BOARD

I, the undersigned Clerk of Jasper County Council, do hereby certify that the foregoing is a true, correct and verbatim copy of a Resolution duly adopted by Jasper County Council having been read at a duly called meeting of County Council on August 5, 1985.

Witness my Hand, this 5th day of August, 1985.

Merna C Mocks
Clerk, Jasper County Council

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EXHIBIT

STATE OF SOUTH CAROLINA

AUG 27 1985 NO. 14

COUNTY OF JASPER

STATE BUDGET & CONTROL BOARD

TO THE STATE BUDGET AND CONTROL

BOARD OF SOUTH CAROLINA

P E T I T I O N

The Petition of Jasper County, South Carolina (the "County") respectfully shows:

1. The County is an "issuing authority" as such term is used in the Regulations on Allocation of State Ceiling on Issuance of Private Activity Bonds (the "Regulations") promulgated by the State Budget and Control Board of South Carolina (the "State Board").

2. The County has agreed with Pearlstine Distributors Inc. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina, that the County will undertake to finance the acquisition, construction and installation of buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space in the County through the issuance and delivery of Industrial Revenue Bonds or Notes pursuant to Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act"). In this connection, the County has agreed to issue its not exceeding \$2,000,000 Jasper County, South Carolina, Industrial Revenue Bonds or Notes (the "Note") pursuant to the Act and to an ordinance to be adopted by Jasper County Council.

3. The County is advised by the Company that the Project will provide employment for approximately sixty-five (65) persons.

4. The Regulations authorize the County to submit its request to the State Board that a portion of the State Ceiling established by Section 103(n) of the Internal Revenue Code of 1954, as amended (the "Code") be allocated to the Note.

5. This Petition constitutes an "Authorized Request" within the meaning of the Regulations and, as required by the Regulations, is accompanied by a copy of the Inducement Contract executed by the County and the Company.

002889

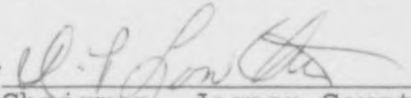
6. Pursuant to the Regulations, County Council hereby represents that it has not been requested to issue, nor is it considering the issuance of, any private activity bonds for the Project, or any other facilities located at or used as part of the Project, other than the Note.

7. In compliance with the provisions of Section 103(n)(12) of the Code, the undersigned hereby certifies, under penalty of perjury, that this Petition of the County to the State Board for an allocation of the South Carolina private activity bond ceiling was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the County respectfully prays that the State Board accept the filing of this Petition and that not exceeding \$2,000,000 of the State Ceiling be allocated to the Note.

July 15, 1985.

Respectfully Submitted,

By 
Chairman, Jasper County
Council

Attest:

By Mareva C. Mock
Clerk, Jasper County
Council

EXHIBIT

AUG 27 1985 NO. 14

STATE BUDGET & CONTROL BOARD

002890

EXHIBIT

AUG 27 1985

NO. 14

A RESOLUTION STATE BUDGET & CONTROL BOARD

AUTHORIZING AN INDUCEMENT CONTRACT BETWEEN JASPER COUNTY, SOUTH CAROLINA (THE "COUNTY") AND PEARLSTINE DISTRIBUTORS INC. RELATING TO THE ISSUANCE AND DELIVERY BY THE COUNTY OF INDUSTRIAL REVENUE BONDS OR NOTES (THE "NOTE") PURSUANT TO TITLE 4, CHAPTER 29, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; AND AUTHORIZING A PETITION TO THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA REQUESTING THAT A PORTION OF THE STATE CEILING ESTABLISHED BY THE DEFICIT REDUCTION ACT OF 1984 BE ALLOCATED TO THE NOTE.

WHEREAS, Pearlstine Distributors Inc. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina, has requested that Jasper County Council ("County Council") exercise the powers vested in it by Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act") and make provision for the issuance and delivery of Jasper County, South Carolina, Industrial Revenue Bonds or Notes (the "Note") the proceeds of which would be made available to the Company for the payment of costs and expenses relating to the acquisition, construction and installation of buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space in Jasper County, South Carolina (the "County") including the filing of a Petition with the State Budget and Control Board of South Carolina (the "State Board") requesting that a portion of the State Ceiling established by the Deficit Reduction Act of 1984 (the "State Ceiling") be allocated to the Note; and

WHEREAS, County Council is informed by the Company that upon completion the Project will provide employment for approximately sixty-five (65) persons; and

WHEREAS, after due consideration, County Council has determined to grant such assistance and to that end has agreed to enter into a contract with the Company making provision for the issuance and delivery of bonds or notes pursuant to the Act and to petition the State Board for allocation of a portion of the State Ceiling.

NOW, THEREFORE, BE IT RESOLVED by Jasper County Council in meeting duly assembled:

1. That the County shall issue the Note in the amount not exceeding Two Million Dollars (\$2,000,000) to finance the cost of the proposed undertaking of the Company.

2. That an agreement to implement the action to be taken pursuant to paragraph 1 above in substantially the form presented to this meeting and attached hereto (but with such changes, if any, as the officers herein authorized to

002891

execute the same shall approve, their approval to be evidenced by the execution thereof) shall be executed on behalf of the County by the Chairman of County Council and the same shall be attested by the Clerk of County Council.

3. That a Petition in form substantially as attached hereto as Exhibit "A" shall be presented to the State Board to request that a portion of the State Ceiling be allocated to the Note.

4. County Council and its duly elected officers, shall take any and all further action as may become necessary to effectuate the action herewith taken and the agreement herein authorized.

5. This Resolution shall take effect immediately.

INDUCEMENT CONTRACT

THIS CONTRACT made and entered into between JASPER COUNTY, SOUTH CAROLINA (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), and PEARLSTINE DISTRIBUTORS INC. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina,

WITNESSETH:

ARTICLE I

RECITATION OF FACTS

Section 1.01

As a means of setting forth the matters of mutual inducement which have resulted in the making and entering into of this Contract, the following statements of fact are herewith recited:

1. The County is a body politic and corporate and a political subdivision of the State and is authorized and empowered by the provisions of Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act") to acquire, enlarge, improve, expand, equip, furnish, own, lease and dispose of properties through which the industrial development of the State will be promoted and trade developed by inducing new industries to locate in the State and by encouraging industries now located in the State to expand their investments and thus utilize and employ manpower and other resources of the State.

2. The Company proposes to acquire, construct and install buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space in the County. The cost of this undertaking is estimated to be approximately Two Million Dollars (\$2,000,000). Upon completion, the Project will provide employment for approximately sixty-five (65) persons.

3. The Company has advised the County that its contemplated program would be aided by the availability of the assistance which the County might render through the sale of Jasper County, South Carolina, Industrial Revenue Bonds or Notes (the "Note") pursuant to the Act whereby the County would finance the acquisition, construction and installation of the Project.

002893

4. The County has given due consideration to all of the proposals and requests of the Company and has agreed to endeavor to effect the issuance and delivery pursuant to the Act of the Note at the time and on the terms and conditions hereafter set forth.

ARTICLE II

UNDERTAKINGS ON THE PART OF THE COUNTY

The County agrees as follows:

Section 2.01

That it will authorize the issuance of the Note in an amount not exceeding Two Million Dollars (\$2,000,000) at such time as the Company may request the County to do so.

Section 2.02

That it will enter into a financing agreement (the "Agreement") with the Company upon such terms and conditions as shall be mutually agreed upon between the County and the Company pursuant to which the proceeds of the Note will be made available to the Company to be applied to the cost of acquiring, constructing and installing the Project and to the expenses incident thereto including the costs of the financing.

Section 2.03

That it will permit the Company to arrange for the sale of the Note and if successful marketing arrangements can be made, it will adopt such proceedings as are necessary for the making of the Agreement and the issuance and delivery of the Note.

Section 2.04

That if the Note shall be sold, the Agreement will provide that the proceeds thereof shall be applied to the payment of the costs theretofore and thereafter to be incurred in connection with the issuance and delivery of the Note and the acquisition, construction and installation of the Project including the repayment of any funds advanced or loans incurred by the Company or any related entity for such purposes.

Section 2.05

That if requested by the Company prior to the issuance and delivery of the Note, it will enter into a trust indenture (the "Indenture") with a trustee bank to be selected by the Company pursuant to which the Note will be

issued. The Indenture, if entered into, will be substantially in the form used in connection with the issuance of Industrial Revenue Bonds or Notes in the State and may constitute a lien on the Project to secure the payment of the Note.

Section 2.06

That it will perform such other acts and adopt such further proceedings as may be required to faithfully implement its undertakings and to consummate the proposed financing.

ARTICLE III

UNDERTAKINGS ON THE PART OF THE COMPANY

The Company agrees as follows:

Section 3.01

That the County will have no obligation to find a purchaser of the Note, and the Company will endeavor to market the Note on behalf of the County to the extent required to finance the cost of issuing and delivering the Note and the cost of the acquisition, construction and installation of the Project.

Section 3.02

If the plan proceeds as contemplated, the Company further agrees as follows:

(a) to enter into the Agreement with the County, under the terms of which it will obligate itself to pay to the County sums sufficient to pay the principal of, prepayment penalty or premium, if any, and interest on the Note, as and when the same become due and payable, the Agreement to be in form and to contain such provisions as shall be satisfactory to the County and to the Company;

(b) to obligate itself to make the additional payments required by the Act including, but not limited to, payments in lieu of taxes;

(c) to hold the County harmless from all pecuniary liability and to reimburse it for all expenses to which it might be put in the fulfillment of its obligations under this Contract and in the implementation of its terms and provisions; and

(d) to perform such further acts and adopt such further proceedings as may be required to faithfully

implement its undertakings and consummate the proposed financing.

ARTICLE IV

GENERAL PROVISIONS

Section 4.01

All commitments of the County under Article II hereof are subject to all of the provisions of the Act and the condition that nothing contained in this Contract shall constitute or give rise to a pecuniary liability of the County or a charge against its general credit or taxing powers.

Section 4.02

The parties agree that the Company may proceed with the acquisition, construction and installation of the Project prior to the issuance and delivery of the Note.

Section 4.03

All commitments of the County and the Company hereunder are subject to the condition that the County and the Company do agree on mutually acceptable terms and conditions of all documents whose execution and delivery are contemplated by the provisions hereof.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this Contract as of the 1st day of July, 1985. ^{15th}

JASPER COUNTY, SOUTH CAROLINA

By [Signature]
Chairman, Jasper County
Council

Attest:

By Mervin C. Mack
Clerk, Jasper County
Council

PEARLSTINE DISTRIBUTORS INC.

By _____
Its _____

Attest:

By _____
Its _____

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

TO THE STATE BUDGET AND CONTROL)

BOARD OF SOUTH CAROLINA)

P E T I T I O N

The Petition of Jasper County, South Carolina (the "County") respectfully shows:

1. The County is an "issuing authority" as such term is used in the Regulations on Allocation of State Ceiling on Issuance of Private Activity Bonds (the "Regulations") promulgated by the State Budget and Control Board of South Carolina (the "State Board").

2. The County has agreed with Pearlstine Distributors Inc. (the "Company"), a corporation organized and existing under the laws of the State of South Carolina, that the County will undertake to finance the acquisition, construction and installation of buildings, fixtures, machinery and equipment (the "Project") to constitute a distribution facility of approximately 40,000 square feet consisting of warehouse, office and maintenance space in the County through the issuance and delivery of Industrial Revenue Bonds or Notes pursuant to Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended (the "Act"). In this connection, the County has agreed to issue its not exceeding \$2,000,000 Jasper County, South Carolina, Industrial Revenue Bonds or Notes (the "Note") pursuant to the Act and to an ordinance to be adopted by Jasper County Council.

3. The County is advised by the Company that the Project will provide employment for approximately sixty-five (65) persons.

4. The Regulations authorize the County to submit its request to the State Board that a portion of the State Ceiling established by Section 103(n) of the Internal Revenue Code of 1954, as amended (the "Code") be allocated to the Note.

5. This Petition constitutes an "Authorized Request" within the meaning of the Regulations and, as required by the Regulations, is accompanied by a copy of the Inducement Contract executed by the County and the Company.

6. Pursuant to the Regulations, County Council hereby represents that it has not been requested to issue, nor is it considering the issuance of, any private activity bonds for the Project, or any other facilities located at or used as part of the Project, other than the Note.

7. In compliance with the provisions of Section 103(n)(12) of the Code, the undersigned hereby certifies, under penalty of perjury, that this Petition of the County to the State Board for an allocation of the South Carolina private activity bond ceiling was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

Upon the basis of the foregoing, the County respectfully prays that the State Board accept the filing of this Petition and that not exceeding \$2,000,000 of the State Ceiling be allocated to the Note.

July 1, 1985.

Respectfully Submitted,

By (Exhibit)
Chairman, Jasper County
Council

Attest:

By (Exhibit)
Clerk, Jasper County
Council

002899

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

I, the undersigned, Clerk of Jasper County Council DO
HEREBY CERTIFY:

That the foregoing constitutes a true, correct and
verbatim copy of a resolution adopted by Jasper County
Council at a duly called and regularly held meeting on
July 15, 1985, at which all/a majority of the members of said
County Council were present, and voted unanimously in favor
of the adoption of said resolution.

That the original of said resolution is duly entered in
the permanent records of minutes of meetings of County
Council in my custody as Clerk.

^{15th} IN WITNESS WHEREOF, I have hereunto set my Hand this
1st day of July, 1985.

Meresa C. Mack
Clerk, Jasper County
Council

EXHIBIT

AUG 27 1985 NO. 14

STATE BUDGET & CONTROL BOARD

002900

AUG 21 1985
9:30 A.M. - LK

TRANSMITTAL FORM, REVENUE BONDS

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

Date: August 19, 1985

EXHIBIT

AUG 27 1985 NO. 14

FROM: Sinkler Gibbs & Simons
Name of Law Firm
160 East Bay Street
Street
Charleston, S.C. 29401
City, State, Zip Code

Telephone Area Code 803
STATE BUDGET & CONTROL BOARD
Number: 722-3366

Submitted for BCB Meeting of:
August 27, 1985

RE: \$2,000,000 Jasper County,
South Carolina
Amount of Issue, Local Government Issuer
Industrial Revenue
Type of Bonds/Notes
Pearlstone Distributors Inc.
Name of Project

Private Activity Bonds:
☒ Yes ☐ No

Projected Issue Date:
September 18, 1985

Project Description:

A distribution facility of approximately 40,000 square feet consisting of ware-
house, office and maintenance space

Number of persons to be employed: 65

Documents Enclosed:

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

- A. ☒ Petition (executed original and two copies)
B. ☒ Resolution or ordinance (executed copy)
C. ☒ Inducement Resolution or comparable preliminary approval (executed copy)
D. ☒ Standard Form Investment Letter from purchaser of bonds (executed original)
(Purchaser: The Citizens and Southern National Bank of South Carolina) OR
☐ Audited financial statements for three most recent years
E. ☐ Department of Health and Environmental Control certificate
☐ Required ☒ Not Required
F. ☒ Budget and Control Board Resolution and Public Notice
Original (and 10 copies for certification and return)
G. ☒ Processing fee
Amount \$3,000

Check No. 037383

Payor The Citizens and Southern National Bank of South Carolina

Bond Counsel: Sinkler Gibbs & Simons
Typed Name

By:

J. Mitchell Johnson, Jr.
Signature

002901

EXHIBIT

State of South Carolina

AUG 27 1985

NO. 14

State Budget and Control Board

STATE BUDGET & CONTROL BOARD

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

Box 12444
Columbia
29211

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

September 26, 1985

Jasper County
c/o Mr. F. Mitchell Johnson, Jr.
Sinkler Gibbs & Simons
Box 340
Charleston, SC 29402

Dear Mr. Johnson:

Re: Issue of \$1,300,000 Jasper County, South Carolina
Industrial Development Revenue Note
(Pearlstone Distributors, Inc., Project)

This will confirm that the referenced issue when issued and combined with the total amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

For your information, our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	198,000,000
1. Allocations Approved Through 9/25/85	8,402,000
2. Balance of Pool Available	189,598,000
3. Certified for Issue 9/26/85	7,213,000
B. Local Pool Amount	297,000,000
1. Allocations Approved Through 9/25/85	137,217,561
2. Balance of Pool Available	159,782,439
3. Certified for Issue 9/26/85 (including referenced issue)	95,055,000

Sincerely,

William A. McInnis
William A. McInnis
Secretary

WAM:dw

002902

EXHIBIT

State of South Carolina

State Budget and Control Board

AUG 27 1985

NO. 14

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLE E. MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

STATE BUDGET & CONTROL BOARD
REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

September 26, 1985

C E R T I F I C A T E

[Required by Section 103(n)(12)(A) of the Tax Reform Act of 1984
(which is Part A of the Deficit Reduction Act of 1984)]

Re: \$1,300,000 Jasper County, South Carolina
Industrial Development Revenue Bonds
(Pearlstone Distributors, Inc., Project)

This will confirm that an allocation of the State Ceiling established in the Deficit Reduction Act of 1984 has been made by the Budget and Control Board in the amount indicated for the referenced project. This allocation is valid for calendar year 1985 only and shall expire ninety (90) days from August 27, 1985 (the date the allocation was approved by the Board), if the bonds for which the allocation has been approved have not been issued.

This Certificate replaces the one dated August 27, 1985 which advised that an allocation of \$2,000,000 had been made by the Budget and Control Board for this project. The effect of this certificate is to reduce the \$2,000,000 allocation to \$1,300,000.

Section 19-103.08 of the Board's regulations on the allocation of the State Ceiling on private activity bonds requires the entity receiving an allocation to advise the Board's Secretary of the status of the issuance within 60 days and again within 75 days of the Board's approval date if the Internal Revenue Service Form 8038 has not been filed previously on this project.

I certify that, to the best of my knowledge, this allocation was not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.


Grady L. Patterson, Jr.

Attest:


William A. McInnis, Secretary

002903

EXHIBIT

AUG 27 1985

NO. 15

STATE BUDGET AND CONTROL BOARD STATE BUDGET & CONTROL BOARD REGULAR SESSION
MEETING OF August 27, 1985 ITEM NUMBER

9

AGENCY: Executive Director

SUBJECT: Ceiling Allocation Extensions

Bond counsel for the following two projects requests 60-day extensions of the life of the allocations previously approved by the Board:

- (1) Richland County, Mills Partners project, \$5,600,000 (to November 9); and
- (2) Lexington County, Wellington Synthetic project, \$1,500,000 (to November 9).

Both of these allocations will expire on September 9 unless extended.

BOARD ACTION REQUESTED:

Grant 60-day extensions (to November 9, 1985) to the life of the ceiling allocations granted for the County Mills Partners project and the County, Wellington Synthetic project.

ATTACHMENTS:

Howell August 22 letters to McInnis.

002904

AUG 22 1985

McKAY & GUÉRARD, P. A.

SIXTH FLOOR, SOUTH CAROLINA NATIONAL BANK BUILDING
POST OFFICE DRAWER 7157
COLUMBIA, SOUTH CAROLINA 29202
TELEPHONE 803 / 765-2396

Julius W. McKay
Theodore B. Guérard
W.E. Applegate, III
Sherwood M. Cleveland
Adele J. Pope
William C. Cleveland*
John Paul Trouche**
William P. Simpson
Samuel W. Howell, IV
Shawn D. Wallace
Deborah K. Neese

*Also Admitted in California

**Also Admitted in Georgia

Hand Delivery

August 22, 1985

Of Counsel
William J. Quirk, P. A.
Also Admitted in New York

125 CHURCH STREET
P.O. BOX 1119
CHARLESTON, S.C. 29402
(803) 722-7606

EXHIBIT

AUG 27 1985 NO. 15

STATE BUDGET & CONTROL BOARD

Mr. William A. McInnis, Secretary
S.C. State Budget and Control Board
Post Office Box 12444
Wade Hampton Office Building, 6th Floor
Columbia, South Carolina 29211

Re: \$5,600,000 Richland County, South Carolina,
Industrial Revenue Bonds
(Mills Partner Project)

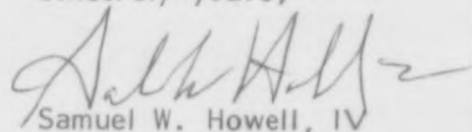
Dear Mr. McInnis:

On June 11, 1985, the Board allocated a portion of the State Ceiling for the above captioned bond issue. Although these bonds have not been issued as of this date, we do expect to close this bond issue in the near future. I respectfully request on behalf of Mills Partners an extension for this allocation through November 8, 1985.

I would appreciate your placing this item on the agenda for consideration at your August 27, 1985 meeting. Please let me know if there is anything further you need in connection with this matter.

With kindest regards, I am,

Sincerely yours,


Samuel W. Howell, IV

SWH/dp

002905

McKAY & GUÉRARD, P. A.
SIXTH FLOOR, SOUTH CAROLINA NATIONAL BANK BUILDING
POST OFFICE DRAWER 7157
COLUMBIA, SOUTH CAROLINA 29202
TELEPHONE 803 / 765-2396

AUG 22 1985

Julius W. McKay
Theodore B. Guérard
W.E. Applegate, III
Sherwood M. Cleveland
Adele J. Pope
William C. Cleveland*
John Paul Trouche**
William P. Simpson
Samuel W. Howell, IV
Shawn D. Wallace
Deborah K. Neese

*Also Admitted in California

**Also Admitted in Georgia

Hand Delivery

August 22, 1985

Of Counsel
William J. Quirk, P. A.
Also Admitted in New York

125 CHURCH STREET
P.O. Box 1119
CHARLESTON, S.C. 29402
(803) 722-7606

EXHIBIT

AUG 27 1985 NO. 15

STATE BUDGET & CONTROL BOARD

Mr. William A. McInnis, Secretary
S.C. State Budget and Control Board
Post Office Box 12444
Wade Hampton Office Building, 6th Floor
Columbia, South Carolina 29211

Re: \$5,600,000 Lexington County, South Carolina,
Industrial Revenue Bonds
(Wellington Synthetic Fibres, Inc., Project)

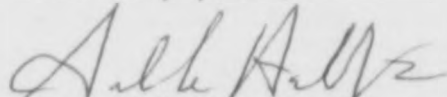
Dear Mr. McInnis:

On March 12, 1985, the Board allocated a portion of the State Ceiling for the above captioned bond issue. The Bond granted a 90-day extension for the allocation on June 11, 1985. Although these bonds have not been issued as of this date, my client is seeking financing with which to close this bond issue later this year. I respectfully request on behalf of Wellington Synthetic Fibres, Inc., an extension for this allocation through November 8, 1985.

I would appreciate your placing this item on the agenda for consideration at your August 27, 1985 meeting. Please let me know if there is anything further you need in connection with this matter.

With kindest regards, I am,

Sincerely yours,


Samuel W. Howell, IV

SWH/dp

002906

EXHIBIT

AUG 27 1985

NO. 16

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
ITEM NUMBER

10

AGENCY: Family Farm Development Authority

SUBJECT: Ceiling Allocation Extension

The Family Farm Development Authority requests a 60-day extension of the life of the \$35,000 ceiling allocation granted on May 30, 1985, to the W & W Farms project.

BOARD ACTION REQUESTED:

Grant a 60-day extension to the life of the \$35,000 ceiling allocation to the Family Farm Development Authority (W & W Farms project).

ATTACHMENTS:

McLeod August 20 letter to McInnis

002907

AUG 20 1985
4:08 P.M. - *LS*

McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

EIGHTEENTH FLOOR
BANKERS TRUST TOWER

POST OFFICE BOX 11390

COLUMBIA, SOUTH CAROLINA 29211

803-799-9800

EXHIBIT

AUG 27 1985

NO. 16

August 20, 1985

STATE BUDGET & CONTROL BOARD

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

GREENVILLE OFFICE
SUITE 401
BANKERS TRUST PLAZA
7 NORTH LAURENS STREET
GREENVILLE, S.C. 29601
803-271-4940

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29928
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

ROBERT E. MCNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN, JR.
DENNIS C. THELEN*
JOHN H. LUMPKIN, JR.
JOHN W. CURRIE
SCOTT Y. BARNES
M. ELIZABETH CRUM
THEODORE J. HOPKINS, JR.
DANIEL R. McLEOD, JR.
WILLIAM S. ROSE, JR.
BERNARD J. WUNDER, JR.
HUEL D. ADAMS, JR.
M. CRAIG GARNER, JR.
BRENTON D. JEFFCOAT
ROBERT T. BOCKMAN
PETER L. MURPHY
C. ALAN RUNYAN
JOHN W. FOSTER
ELIZABETH VAN DOREN GRAY
WILMOT B. IRVIN
APRIL C. LUCAS
ROBERT E. STEPP

KATHLEEN CRUM McKINNEY
E. RUSSELL JETER, JR.
EDWARD H. FORGOTSON††
STEPHEN KOPLANT††
FRANKLIN D. POLK*
CARL B. CARRUTH
JOHN W. HUNTER**
JAMES P. FIELDS, JR.
LAWRENCE P. HIGGINS†
W. STEPHEN CANNON
EDWIN W. JOHNSON ††
BARBARA GEORGE BARTON
RICHARD J. MORGAN
J. SIMON FRASER
CHRISTOPHER MCGOWEN HOLMES
DOROTHY M. HELMS
PAUL B. NIX, JR.
NANCY PAGE
SANDRA L. RANDLEMAN
JANE W. TRINKLEY
J. LYLES GLENN IV
CELESTE TILLER JONES
JOSEPH D. WALKER
NANCY R. JEFFERIS
ALISON RENEE LEE
MARTHA P. McMILLIN
GREGORY D. DeLOACH
ELIZABETH B. ANDERS
WILLIAM M. MUSSER

*D.C. AND NEW YORK BARS ONLY

**D.C. AND OHIO BARS ONLY

†D.C. BAR ONLY

††MISSOURI BAR ONLY

†††CALIFORNIA, D.C. AND TEXAS BARS ONLY

††††MASSACHUSETTS BAR ONLY

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board
618 Wade Hampton Building
Columbia, South Carolina 29201

HAND DELIVERED

RE: South Carolina State Family Farm Development
Authority, Agricultural Development Revenue
Bond (W & W Farms Project), 1985, \$35,000
File No. 5464/560

Dear Mr. McInnis:

On May 30, 1985, the Budget and Control Board approved the issuance of the above referenced bond and allocated \$35,000 of the "State Ceiling" for the bonds. The 90-day period prescribed by regulations of the Board expires on August 28. The obligor of the bonds and purchaser have experienced unexpected delays in scheduling the bond closing and have requested an extension of the 90-day period. Therefore, on behalf of the Family Farm Development Authority, I request that the Budget and Control Board approve a 60-day extension from August 28 for the allocation of the State Ceiling for the above referenced bond.

I request that this matter be placed on the agenda for the Budget and Control Board's meeting to be held on August 27. If there should be any questions please contact me or Clyde Livingston, Executive Director of the Authority.

002908

Mr. William A. McInnis
August 20, 1985
Page 2

Thank you for your assistance. With kind regards,
I am

Yours very truly,

McNAIR GLENN KONDUROS CORLEY
SINGLETERARY PORTER & DIBBLE, P.A.

Daniel R. McLeod, Jr.

By: Daniel R. McLeod, Jr.

DRM/sa

cc: Mr. Clyde B. Livingston

EXHIBIT

AUG 27 1985 NO. 16

STATE BUDGET & CONTROL BOARD

0029C9

EXHIBIT

AUG 27 1985

NO. 17

STATE BUDGET & CONTROL BOARD

Spartanburg Co.

\$2,400,000

*Woodruff Health Care
Center*

*see exhibit
8/8/85*

002910

EXHIBIT

AUG 27 1985

NO. 17

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
REGULAR SESSION
ITEM NUMBER

11

AGENCY: Spartanburg County

SUBJECT: Woodruff Health Care Center Project

Attorney Eric D. Amstutz, of the Wyche, Burgess, Freeman and Parham firm in Greenville advises that the resolution adopted by the Board at the August 8 meeting granting conditional approval to this project states that the issuer will secure payment of the bonds by the execution and delivery to a national banking association, as trustees for the holders of the bonds, of an indenture granting certain rights to the trustee. Attorney Amstutz now asks that the Board amend the August 8 resolution to permit a state bank to act as trustee with respect to these bonds.

A second part of this item relates to the review of the financial feasibility of the project conducted by the State Auditor's Office. That office reviewed a preliminary draft of a feasibility study for the project prepared by Pannell Kerr Forster, Certified Public Accountants, Atlanta. The Auditor's Office indicated that its review produced no indications that would cause it to dispute any of the assumptions, estimates or forecast information contained in the study but the State Auditor's Office does express the belief that there are several factors which cause this project to carry a higher element of risk. The principal one cited is that the project will not be eligible initially to serve patients under the Medicaid program because of the State's moratorium on the certification of Medicaid nursing home beds. This means that the project initially will use only 44 of the 88 available beds for skilled and intermediate care of nursing home patients. The remaining 44 beds are expected to be used as "community residential care facility beds" with estimated daily rates of about \$28 which are substantially less than the rates expected to be realized from the regular nursing home patients.

The State Auditor's Office concludes that, while the project appears to have a higher element of risk (and assuming that the final official statement will contain all disclosures appearing in the preliminary statement reviewed by the Auditor's Office), relying upon the assumptions, estimates and forecasts prepared by Pannell Kerr Forster in their feasibility study, the project will generate sufficient revenues to meet the debt service requirements of the proposed bond issue. The auditors do note that this conclusion is heavily reliant upon certain assumptions and estimates and that there is no assurance that the actual revenue will, in fact, equal the levels forecasted.

The auditors also take note of certain transactions among interested or related parties which are disclosed in the preliminary copy of the official statement on this project.

BOARD ACTION REQUESTED:

Adopt resolution amending the resolution adopted on August 8, 1985, relating to the Spartanburg County Woodruff Health Care Center project and receive as information the results of the review of the feasibility study on the project by the State Auditor's Office.

ATTACHMENTS:

Amstutz August 19 letter to McInnis plus referenced resolution; State Auditor's Office memorandum on review of feasibility study; preliminary Official Statement.

002911

AUG 21 1985
9:30 A.M. - JAL

ALFRED F. BURGESS
C. THOMAS WYCHE
DAVID L. FREEMAN
JAMES C. PARHAM, JR.
JAMES M. SHOEMAKER, JR.
WILLIAM W. KEHL
CHARLES W. WOFFORD
LARRY D. ESTRIDGE
D. ALLEN GRUMBINE
CARY H. HALL, JR.
CARL F. MULLER
HENRY L. PARR, JR.
BRADFORD W. WYCHE
ERIC B. AMSTUTZ
FRANK S. HOLLEMAN III
JODY A. GREENSTONE

C. GRANVILLE WYCHE
OF COUNSEL

WYCHE, BURGESS, FREEMAN & PARHAM, P. A.

ATTORNEYS AT LAW

POST OFFICE BOX 10207

GREENVILLE, SOUTH CAROLINA 29603

August 19, 1985

44 EAST CAMPERDOWN WAY
CABLE ADDRESS: JURAL

TELEPHONE 803-242-3131

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

Mr. William McInnis
State Budget & Control Board
600 Wade Hampton Office Building
Columbia, SC 29211

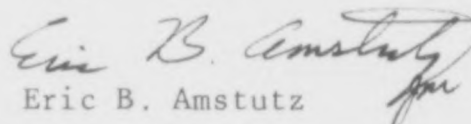
Re: \$2,400,000 Spartanburg County, South Carolina
Hospital Revenue Bond Act Revenue Bonds, Series 1985
(Woodruff Healthcare Center Project)

Dear Mr. McInnis:

As we discussed, we would request that the State Board adopt a resolution at its next meeting amending its prior resolution with respect to the above-described bond issue to permit the trustee bank to be a state bank, instead of a national bank, if desired by the corporation.

Please do not hesitate to contact me if you have any questions with regard to this matter.

Very truly yours,


Eric B. Amstutz

EBA:jm
Enclosure

C02912

EXHIBIT

STATE OF SOUTH CAROLINA)

Woodruff Health Care Center

AUG 27 1985

NO. 17

COUNTY OF RICHLAND)

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

That at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Senator Dennis, 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

4

AGAINST MOTION

0

That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

002913

RESOLUTION OF THE STATE BUDGET AND CONTROL BOARD
OF SOUTH CAROLINA, AMENDING RESOLUTION ADOPTED ON
AUGUST 8, 1985 RELATING TO SPARTANBURG COUNTY,
SOUTH CAROLINA HOSPITAL REVENUE BOND ACT REVENUE BONDS, SERIES 1985
(WOODRUFF HEALTHCARE CENTER PROJECT) TO PERMIT A STATE
BANK TO ACT AS TRUSTEE WITH RESPECT TO SUCH BONDS

WHEREAS, on August 8, 1985, the South Carolina State Budget and Control Board (the "State Board") adopted a resolution (the "Original Resolution") approving an undertaking by Spartanburg County, South Carolina (the "Issuer"), pursuant to Chapter 7 of Title 44, Section 44-7-1410 et seq. of the 1976 Code of Laws of South Carolina, as amended, to assist in financing the acquisition, construction, and equipping of a skilled and intermediate care nursing home and community residential care facility to be owned by Cathcart & Associates, Inc. through the issuance of its Spartanburg County, South Carolina, Hospital Revenue Bond Act Revenue Bonds, Series 1985 (Woodruff Healthcare Center Project) (the "Series 1985 Bonds") and allocating a portion of the private activity bond allotment for the State of South Carolina to such Project and such Bonds; and

WHEREAS, the Original Resolution states that the Issuer will secure payment of the Series 1985 Bonds by the execution and delivery to a national banking association, as trustee for the holders of the Series 1985 Bonds (the "Trustee"), of an Indenture of Trust (the "Indenture") granting to the Trustee substantially all of the Issuer's rights under the Loan Agreement relating to the Series 1985 Bonds and all of the Issuer's rights under the Mortgage and the Limited Guaranty relating to the Series 1985 Bonds; and

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

002914

WHEREAS, it has been determined that the Trustee may be a bank chartered under the laws of a state in the United States of America; and

WHEREAS, it is necessary to amend the Original Resolution to make clear that a state bank authorized to exercise trust powers may act as the Trustee with respect to the Series 1985 Bonds.

NOW, THEREFORE, be it resolved by the State Budget and Control Board of South Carolina, in meeting duly assembled:

1. That the Original Resolution is hereby amended to provide that the Trustee with respect to the Series 1985 Bonds may be a national banking association or a bank chartered under the laws of any state in the United States of America authorized to act as Trustee with respect to the Series 1985 Bonds.
2. That Exhibit A to the Original Resolution shall be amended to conform to the purpose and effect of this resolution.

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

AUG 15 1985

State of South Carolina

EXHIBIT

AUG 27 1985

NO. 17

STATE BUDGET & CONTROL BOARD

State Budget and Control Board

OFFICE OF THE STATE AUDITOR

P.O. BOX 11333

COLUMBIA

29211

(803) 758-8406

EDGAR A. VAUGHN, JR., CPA
STATE AUDITOR

MARGARET C. STILWELL, CPA
DEPUTY STATE AUDITOR

August 15, 1985

Mr. William A. McInnis
Deputy Executive Director
State Budget and Control Board

Re: Hospital Facilities Revenue Bonds - Spartanburg County -
Woodruff Healthcare Center (the Project) - \$2,400,000

1. The proposed bond issue is to finance the construction and provide funding for the purchase of equipment for an 88-bed nursing home facility. The facility will be owned and operated by Cathcart and Associates, Inc., a South Carolina corporation chartered on February 23, 1984. The company has no operating history and therefore there are no prior financial statements available. The capital stock of the corporation is owned 100% by Martha G. Cathcart, who is currently the administrator of Pinewood Nursing Home, Spartanburg, South Carolina. Mrs. Cathcart will be the administrator of the proposed facility and she will be assisted by her husband and two daughters, all of whom are directors of the corporation but are not shareholders.
2. We have reviewed a preliminary draft of a financial feasibility study for the project prepared by Pannell Kerr Forster, Certified Public Accountants, Atlanta, Georgia. Their conclusions are as follows:

"Based on the assumptions and estimates utilized for purposes of this study, the forecasted results indicate that the Project will be able to generate sufficient cash flow during the forecast period to meet its operating expenses and the debt service requirements of the contemplated \$2,400,000 Series 1985 Bonds, corresponding to such forecast period. Working capital will be provided by the Company's sole stockholder in terms of a loan.

Based on our review, we believe the accompanying forecast is presented in conformity with applicable guidelines for presentation of a financial forecast established by the American Institute of Certified Public Accountants. We believe that the underlying assumptions provide a reasonable basis for management's forecast. However, some assumptions inevitably will not materialize and unanticipated events and circumstances may occur; therefore, the actual results achieved during the forecast period will vary from the forecast and the variations may be material."

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RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER

STATE BUDGET & CONTROL BOARD

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL
REMBERT C. DENNIS
CHAIRMAN,
SENATE FINANCE COMMITTEE

TOM C. MANGUM
CHAIRMAN,
HOUSE WAYS AND MEANS COMMITTEE
WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

EXHIBIT

Mr. William A. McInnis
Page Two
August 15, 1985

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STATE BUDGET & CONTROL BOARD

3. We have also reviewed a preliminary copy of the official statement which will be issued in connection with the sale of the bonds to finance the proposed project. The statement discloses several pertinent facts concerning the project which we quote as follows:

a. Certificate of Need, Medicaid Eligibility and Licensure

// "Certificate of Need Number SC-F-747 was granted by the Department of Health and Environmental Control ("DHEC") of the State of South Carolina to the Corporation for the development of an 88 bed skilled and intermediate care nursing home. However, the State of South Carolina has placed a moratorium on the number of nursing home beds eligible to receive Medicaid Reimbursement. At the present time the Project will not be eligible to serve patients covered by the Medicaid program. The Corporation will apply for such eligibility as soon as the moratorium is lifted.

Because of the moratorium, the Project will begin operations with only 44 beds being used for nursing home patients. The remaining beds will be used as a community residential care facility. A license must be obtained from DHEC for both portions of the Project.

Under a recently enacted South Carolina Statute, the plans with respect to 'community residential care facilities (previously called adult residential care facilities)' must also be reviewed and approved and such facilities must be licensed by DHEC. A portion of the Project constitutes a 'community residential care facility.' Plans and specifications with respect to the Project will be submitted to DHEC prior to the closing of the bond issue. The Corporation anticipates that the Project will meet the licensure requirements of DHEC." //

b. Risk Factors

// "There are considerable risks associated with an investment in the Series 1985 Bonds which should be considered speculative securities. The Corporation has no operating history, has only a nominal net worth and is highly leveraged. Furthermore, the Project is being entirely financed by Series 1985 Bond proceeds.

In the event of a default in the repayment of the Series 1985 Bonds, the Corporation may not have assets to repay said Bonds.

The estimates of future revenues and expenses made in the Financial Feasibility Study are estimates only and may or may not be realized." //

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Mr. William A. McInnis
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STATE BUDGET & CONTROL BOARD

3. b. (continued)

"...it is evident that an investment in the Series 1985 Bonds involves considerable elements of risk and is speculative in nature. The relatively high interest rate borne by these tax exempt Bonds (as compared to prevailing interest rates on more secure tax exempt bonds such as those which constitute general obligations of fiscally sound municipalities or states) is intended to compensate the investor for assuming such risks."

c. Transactions Among Interested Or Related Parties

→ "C. Donald Stone is a principal and part owner of United Medical and Surgical Supply Corporation which has a contract with the Corporation to supply various furniture, fixtures and equipment. He is also a principal and part owner of UNICO Development Services, Inc. which is being paid a development fee out of Series 1985 Bond Proceeds.

On July 19, 1985, Mr. Stone and United Medical Surgical Supply Corporation were indicted by a federal grand jury in Columbia, South Carolina, on charges of allegedly fraudulent activities in obtaining loans from lending institutions during the years 1980 and 1981. Mr. Stone and United Medical & Surgical Supply Corporation have denied these charges and have stated that they intend to vigorously contest them.

→ The firm of Wyche, Burgess, Freeman & Parham, P.A., Bond Counsel, is also representing C. Donald Stone and entities relative to income taxes.

→ Robert M. Buchanan, Jr. is President and sole stockholder of Buchanan & Co., Inc., the Underwriter for the Series 1985 Bonds. See 'The Underwriter.' Mr. Buchanan is also President and a 25% stockholder of White Quik Print Company, which will receive a fee out of bond proceeds for printing the Preliminary Official Statement and the Official Statement. Mr. Buchanan's children are the remaining stockholders of White Quik Print Company."

They serve as
bond counsel
also

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EXHIBIT

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Page Four
August 15, 1985

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STATE BUDGET & CONTROL BOARD

4. Some key assumptions utilized by Pannell Kerr Forster in their feasibility study are:

	<u>First Year</u>	<u>Second Year</u>	<u>Third Year</u>	<u>Fourth Year</u>	<u>Fifth Year</u>
Patient Days					
Personal Care	6,205	5,840	3,285	365	-0-
Skilled and Intermediate	12,045	17,520	21,170	24,820	25,550
Occupancy Rates	57%	73%	76%	78%	80%
Debt Service					
Principal	\$ -0-	\$ 10,000	\$ 15,000	\$ 15,000	\$ 15,000
Interest	314,000	314,000	312,900	311,400	309,700
Ratio of Debt Service Coverage Per the Feasibility Study					
(1)	1.21	1.29	1.46		
(2)	1.07	1.15	1.32	1.56	1.67

(1) Before administrator's salary which is subordinated during first three years of operations

(2) After administrator's salary

5. The debt service assumptions listed above are predicated on the following loan details:

Amount of bond issue	\$2,400,000
Estimated interest rate	13.08%
Term of bond issue	30 years
Principal repayment period	28 years

6. The feasibility study indicates that in the project's initial operating year, it is contemplated that a working capital loan in the amount of \$100,000 will be provided by the stockholder (Mrs. Cathcart) with repayment of \$50,000 to be made during the initial year and additional repayments of \$25,000 in each of the next two ensuing years.

002919

EXHIBIT

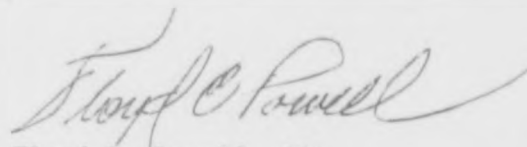
AUG 27 1985

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Mr. William A. McInnis
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August 15, 1985

STATE BUDGET & CONTROL BOARD

7. While our review of the feasibility study produced no indications that would cause us to dispute any of the assumptions, estimates or forecast information contained therein, we believe there are several factors which cause this project to carry a higher element of risk. As indicated in Section 3a., the project, at least initially, will not be eligible to serve patients under the Medicaid program because of the moratorium on certification of Medicaid nursing home beds. Therefore, the project plans to initially utilize only 44 of the 88 available beds for skilled and intermediate care of nursing home patients. The remaining 44 beds are expected to be utilized as "community residential care facility beds." Estimated daily rates of approximately \$28 per day are substantially less than the rates expected to be realized from the regular nursing home patients. However, since the level of care to be provided residential care patients is substantially less, expenses for care of these patients should also be reduced.
8. In summary, while the project appears to have a higher element of risk, as cited in Sections 3a., 3b., and 7 of this memo, and assuming that the final official statement will contain all disclosures appearing in the preliminary statement reviewed by us, and further, relying upon the assumptions, estimates and forecasts prepared by Pannell Kerr Forster and utilized in their feasibility study, we concur with their conclusion that the project will generate sufficient revenues to meet the debt service requirements of the proposed bond issue. It must be borne in mind, however, that this conclusion is heavily reliant upon certain assumptions and estimates and therefore there is no assurance that actual revenues will, in fact, equal the forecast levels or that actual expenses will not exceed forecast amounts, as projected by the feasibility study.



Floyd E. Powell, CPA
Director of Auditing Services
Office of the State Auditor

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EXHIBIT

AUG 27 1985

NO. 17

PRELIMINARY OFFICIAL STATEMENT DATED AUGUST , 1985

NEW ISSUE

In the opinion of Wyche, Burgess, Freeman & Parham, P.A., Bond Counsel, under existing laws, regulations, rulings and judicial decisions, interest on the Series 1985 Bonds will be exempt from all present federal income taxes and from all taxation under the laws of the State of South Carolina, except for inheritance, estate or transfer taxes, except under certain conditions stated under the captions "Federal Tax Exemption" and "State Taxation" herein.

\$2,400,000

SPARTANBURG COUNTY, SOUTH CAROLINA
HOSPITAL REVENUE BOND ACT REVENUE BONDS, SERIES 1985
(Woodruff Healthcare Center Project)

Dated: September 1, 1985

Due: September 1 as shown below

THE SERIES 1985 BONDS ARE SPECULATIVE BONDS. THE BONDOWNER'S DECISION TO PURCHASE SERIES 1985 BONDS SHOULD BE MADE ONLY AFTER A CAREFUL READING OF THE SECTION ENTITLED "RISK FACTORS" AND ALL OTHER PARTS OF THIS OFFICIAL STATEMENT INCLUDING THE APPENDICES.

The Bonds and the interest thereon do not constitute a pledge of the faith and credit or any taxing power of the County of Spartanburg or the State of South Carolina or any other political subdivision of said State, but are limited obligations of the Issuer as set forth below.

The Series 1985 Bonds are limited obligations of Spartanburg County, South Carolina (the "County" or the "Issuer") and are issued pursuant to the terms of a Bond Ordinance adopted by the Issuer on _____, 1985, and are payable (except to the extent payable from the proceeds of the sale of the Series 1985 Bonds, from temporary investments, and under certain circumstances, from the net proceeds of insurance or condemnation awards) as to principal, premium, if any, and interest, solely from the revenues and receipts to be derived by the Issuer under a Loan Agreement dated as of September 1, 1985 (the "Loan Agreement or "Agreement"), between the Issuer and Cathcart & Associates, Inc., a South Carolina corporation (the "Corporation"). Pursuant to the Agreement, the Issuer will lend the proceeds from the sale of the Series 1985 Bonds to the Corporation to acquire approximately 10 acres of land in Spartanburg County, South Carolina, outside of Woodruff, and construct and equip thereon a skilled and intermediate care nursing home with a capacity of 88 nursing home beds (the "Project"). It is contemplated that initially 44 nursing home beds will be utilized and 24 community residential care patients will occupy the remaining space, which will be operated by the Corporation under the name of Woodruff Healthcare Center.

1
002921

Pursuant to a Mortgage and Security Agreement dated as of September 1, 1985 (the "Mortgage"), the Corporation will grant to the Issuer a first mortgage lien on the Project subject to certain Permitted Encumbrances as defined in the Indenture, and will grant to the Issuer a security interest in all non-real estate portions of the Project. All of the interest of the Issuer in the Agreement and the Mortgage (except for certain rights to indemnification and expenses) will be assigned by the Issuer to The South Carolina National Bank, Columbia, South Carolina, as Trustee (the "Trustee") under an Indenture of Trust dated as of September 1, 1985 (the "Indenture") between the Issuer and the Trustee to secure the Series 1985 Bonds. Additionally, all basic payments of principal, interest and premium, if any, on the Series 1985 Bonds will be guaranteed for a limited period of ten years by Martha G. Cathcart, the owner of all of the stock of the Corporation (the "Limited Guarantor") pursuant to a Limited Guaranty Agreement dated as of September 1, 1985 (the "Limited Guaranty"). There is no assurance that the Limited Guarantor will have the ability to meet the obligations under the Limited Guaranty. See "Risk Factors."

The proceeds from the sale of the Series 1985 Bonds will be used to acquire, construct and equip the Project, to fund interest for approximately the first twelve months after issuance of the Series 1985 Bonds, to fund partially a Debt Service Reserve Fund and to pay the costs of issuing the Series 1985 Bonds.

The Series 1985 Bonds are dated September 1, 1985, and are issuable as fully registered bonds in the denomination of \$5,000, and any integral multiple thereof, except that a limited number of said Bonds will be issued in the denomination of \$1,000. Principal will be paid upon presentation of the Bond at the principal corporate trust office of the Trustee. Semi-annual interest (due September 1 and March 1 with the first such payment due on March 1, 1986) is payable by check or draft mailed by the Trustee to the registered owner.

MATURITY SCHEDULE

\$_____ Serial Bonds as follows:

<u>Amount</u>	<u>Interest Rate</u>	<u>Year (Sept.)</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year (Sept.)</u>
---------------	--------------------------	-------------------------	---------------	--------------------------	-------------------------

\$_____ Term Bonds % due September 1, 2002

\$_____ Term Bonds % due September 1, 2010

The Initial Offering Price of the Series 1985 Bonds is Par.

The Series 1985 Bonds are subject to mandatory, optional and extraordinary redemption or prepayment as more fully described herein. (See subsection "Redemption" under the caption "The Series 1985 Bonds").

Significant risks are associated with the purchase of the Series 1985 Bonds. (See "Risk Factors").

See "Estimated Sources and Uses of Funds" as to fees and expenses payable out of the proceeds of the sale of the Series 1985 Bonds and "The Underwriter" as to the underwriting discount on the Series 1985 Bonds and also managing underwriter's fees payable to Buchanan & Co., Inc., the Underwriter of the Series 1985 Bonds.

Buchanan & Co., Inc. Logo

The Series 1985 Bonds are offered when, as and if issued, received and accepted by the Underwriter and are subject to the approving opinion of Wyche, Burgess, Freeman & Parham, P.A., Bond Counsel. It is expected that the Series 1985 Bonds in definitive form will be available for delivery on or about _____, 1985.

Dated: _____

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The Table of Contents does not list all of the subjects contained in this Official Statement and in all instances, reference should be made to the complete Official Statement including the Appendices attached hereto to determine all of the subjects set forth herein.

This Official Statement does not constitute an offering of any security other than the Series 1985 Bonds specifically offered hereby. It does not constitute an offer to sell or the solicitation of an offer to buy the Series 1985 Bonds in any state or jurisdiction in which it is unlawful to make such offer, solicitation or sale. The information contained in "The County (The Issuer)" has been obtained from the Issuer, the information contained in "The Series 1985 Bonds", "Security for The Series 1985 Bonds", "Definitions of Certain Terms", "Summary of the Loan Agreement", "Summary of the Indenture", "Summary of the Mortgage", "Summary of the Limited Guaranty", "Federal Tax Exemption" and "State Tax Exemption" has been obtained from Bond Counsel. The remaining information in this Official Statement and the Appendices hereto has been obtained from the Corporation and other sources which are deemed reliable. NO DEALER, BROKER, SALESMAN OR OTHER PERSON HAS BEEN AUTHORIZED BY THE ISSUER OR THE UNDERWRITER TO GIVE ANY INFORMATION ON OR MAKE ANY REPRESENTATIONS OTHER THAN THOSE CONTAINED IN THIS OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING OF THE SERIES 1985 BONDS, AND IF GIVEN OR MADE, SUCH INFORMATION OR REPRESENTATION MUST NOT BE RELIED UPON. The delivery of this Official Statement at any time does not imply that the information herein is correct at any time subsequent to its date, nor that there has been no change in such information since the date of this Official Statement or the earliest date as of which certain information contained herein is given. If any change of a material fact occurs after the date of this Official Statement and prior to the initial sale and delivery of the Series 1985 Bonds, this Official Statement will be amended and supplemented to reflect such change. Although the information contained in this Official Statement is considered to be derived from reliable sources, the Underwriter, the Issuer and its agents have not made and will not make any warranty or guaranty with respect to the accuracy and completeness of such information.

In governmental matters with respect to filing or use of a "prospectus" in any state or jurisdiction, this Official Statement may be deemed to be such a prospectus to the extent that this Official Statement is applicable.

The Series 1985 Bonds will not be registered under the Securities Act of 1933, as amended, and the Indenture has not been qualified under the Trust Indenture Act of 1939, in reliance on exemptions contained in such Acts.

Neither the Issuer nor the Underwriter of the Series 1985 Bonds intends to list said Bonds on any securities exchange.

In connection with the offering of the Series 1985 Bonds, the Underwriter may overallocate or effect transactions which stabilize or maintain the market price of the Series 1985 Bonds at a level above that which might otherwise prevail in the open market. Such stabilizing, if commenced, may be discontinued at any time.

THESE SECURITIES HAVE NOT BEEN APPROVED OR DISAPPROVED BY THE SECURITIES AND EXCHANGE COMMISSION, NOR HAS THE COMMISSION PASSED UPON THE ACCURACY OR ADEQUACY OF THIS OFFICIAL STATEMENT. ANY REPRESENTATION TO THE CONTRARY IS A CRIMINAL OFFENSE.

PARTIES ASSOCIATED WITH THE FINANCING AND THE PROJECT

ISSUER OF THE BONDS..... Spartanburg County, South Carolina
THE CORPORATION..... Cathcart & Associates, Inc.
TRUSTEE FOR THE BONDHOLDERS..... The South Carolina National Bank
Columbia, South Carolina
FEASIBILITY CONSULTANT..... Pannell Kerr Forster
Atlanta, Georgia
PROJECT ARCHITECT..... Ard-Wood Architects, Inc.
Greenville, South Carolina
GENERAL CONTRACTOR..... Salem Construction Corporation, Inc.
Advance, North Carolina
DEVELOPER..... UNICO Development Services, Inc.
Greenville, South Carolina
COUNSEL TO THE ISSUER..... Roy McBee Smith
Spartanburg, South Carolina
BOND COUNSEL..... Wyche, Burgess, Freeman & Parham, P.A.
Greenville, South Carolina
COUNSEL TO THE CORPORATION..... Burts, Turner, Hammett, Harrison,
Rhodes & Thompson
Spartanburg, South Carolina
COUNSEL TO THE UNDERWRITER..... Low & Furby
Jackson, Mississippi
UNDERWRITER..... Buchanan & Co., Inc.
129 North State Street
P. O. Drawer 2131
Jackson, Mississippi 39205

EXHIBIT

AUG 27 1985

NO. 17

STATE BUDGET & CONTROL BOARD

SUMMARY

The County (The Issuer)

The County of Spartanburg, South Carolina (the "County" or the "Issuer") is a body politic and corporate and a political subdivision of the State of South Carolina. The County is authorized by Title 44, Chapter 7, Article 11, Code of Laws of South Carolina, 1976, as amended, and known as the Hospital Revenue Bond Act (the "Act") to borrow money by issuing its revenue bonds for the purposes provided in the Act including but not limited to loaning proceeds to any hospital agency, as defined in the Act, for the purpose of acquiring, constructing, improving, expanding and equipping any project constituting a hospital facility, as defined in the Act, which includes a facility such as the Project.

The Corporation

The Corporation is Cathcart & Associates, Inc., a South Carolina corporation incorporated on February 23, 1984.

The Corporation is highly leveraged and has a nominal net worth as shown in Appendix A.

The Project

The Project will consist of approximately 10 acres of land located just outside of the city limits of Woodruff, South Carolina, on which a skilled and intermediate care nursing home and community residential care facility containing 88 beds will be constructed and equipped.

The Trustee

The South Carolina National Bank, Columbia, South Carolina, will act as trustee under the Indenture and as paying agent, transfer agent and registrar for the Series 1985 Bonds.

The Loan Agreement

The Issuer will lend the proceeds of the Series 1985 Bonds to the Corporation pursuant to a Loan Agreement dated as of September 1, 1985 (the "Agreement" or "Loan Agreement") which provides for payments by the Corporation sufficient to pay the principal of, premium, if any, and the interest on the Series 1985 Bonds plus the Trustee's fees and other expenses and charges.

The Mortgage and Security Agreement

The Corporation will grant to the Issuer a first mortgage lien on the real property comprising the Project, subject to Permitted Encumbrances as defined in the Indenture, and will grant a security interest in all of the personal property comprising the Project, subject to Permitted Encumbrances, pursuant to a Mortgage and Security Agreement dated as of September 1, 1985 (the "Mortgage").

The Indenture

The Issuer and the Trustee will enter into an Indenture of Trust dated as of September 1, 1985 (the "Indenture") under which the Series 1985 Bonds will be issued.

The Limited Guaranty

All basic payments of principal, interest and premium, if any, on the Series 1985 Bonds will be guaranteed for a limited period of ten years by Martha G. Cathcart, the sole stockholder of the Corporation (the "Limited Guaranty") pursuant to a Limited Guaranty Agreement dated as of September 1, 1985 (the "Limited Guaranty"). Mrs. Cathcart has no prior bond guaranties.

Security for Bondholders

The Bonds will be secured by a pledge pursuant to the Indenture of the Issuer's rights under the Mortgage and the Loan Agreement, including the money and revenue derived by the Issuer therefrom, except for certain payments as described on the cover page hereof. Pursuant to the Mortgage, the Corporation, subject to Permitted Encumbrances, has granted a first mortgage lien on the Project and has granted to the Issuer a security interest in all non-real estate portions of the Project. The sum of \$238,500 of the proceeds of the Series 1985 Bonds will be deposited in a Debt Service Reserve Fund as security for payment of principal of, premium, if any, and interest on the Series 1985 Bonds. The sum of \$318,000 of the proceeds of the Series 1985 Bonds will be deposited in the Interest Account to pay interest on the Series 1985 Bonds during the anticipated construction period of the Project and for a reasonable time thereafter. Additionally, all basic payments of principal, interest and premium, if any, on the Series 1985 Bonds will be guaranteed for a limited period of ten years by Martha G. Cathcart, the owner of all of the stock of the Company, pursuant to a Limited Guaranty Agreement. Also, the salary of the Project Administrator will be subordinated to debt service payments for the first three years of operation. Insurance coverages of various types including fire and extended coverage are also required of the Corporation.

Financial Feasibility Study

A Financial Feasibility Study relating to the Project and the ability of the Corporation to generate sufficient revenues from the operation of the Project to meet its obligations under the Loan Agreement, has been prepared by Pannell Kerr Forster, independent certified public accountants, and is included as Appendix B to this Official Statement. The Financial Feasibility Study including all comments, assumptions, notes and exhibits which is Appendix B to this Official Statement must be read in its entirety.

Based on the assumptions and subject to the limitations set forth in the Financial Feasibility Study, the following is the Forecast Statement of Debt Service Coverage on the Series 1985 Bonds:

Debt Service Coverage for the years ending _____,

	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>
--	-------------	-------------	-------------	-------------	-------------

(1)

(2)

- (1) Debt Service Coverage prior to the Project Administrator's salary which is subordinated to debt service coverage for the first three years of the operation of the Project.
- (2) Debt service coverage after the Project Administrator's salary.

See "Debt Service Coverage" under "Risk Factors."

There can be no assurance that the assumptions contained in the Financial Feasibility Study will be accurate for the future years forecasted or that material changes may not occur in the future.

The relatively high interest rate borne by the Series 1985 Bonds (as compared to prevailing interest rates on more secure tax exempt bonds such as those which constitute general obligations of fiscally sound municipalities or states) is intended to compensate the investor for assuming this element of risk. Furthermore, the tax exempt feature of the Series 1985 Bonds is obviously more valuable to high income tax bracket investors than to investors who are in low income tax brackets, and so the value of the interest compensation to any particular investor will vary with his income tax rate. Each prospective investor should carefully examine this Official Statement (including the Appendices hereto) and his own financial condition in order to make a judgment as to whether the Series 1985 Bonds are a suitable investment for him.

Debt Service Source (Limited Obligations)

The Series 1985 Bonds are limited obligations of the Issuer payable solely from payments received by the Issuer from the Corporation under the Loan Agreement, from certain funds held by the Trustee, from insurance proceeds or condemnation awards, or from proceeds from the sale of the Project after foreclosure under the Indenture and the Mortgage. The Series 1985 Bonds are not and never will be secured by any obligation or pledge of any moneys raised by taxation. (See "Security for Series 1985 Bonds" and "Risk Factors").

Risk Factors

There are considerable risks associated with an investment in the Series 1985 Bonds. Included among these risks are dependence on private pay patients, Medicare reimbursement programs, and Veterans Administration patients, changing economic factors, competition from similar facilities and the lack of a guaranteed secondary market for the Series 1985 Bonds.

As stated in the above caption "Financial Feasibility Study" there can be no assurance that the assumptions contained in said Study will be accurate for the future years forecasted or that such forecasted results will actually occur. Future events may happen to upset such assumptions and forecasts with a subsequent diminution in revenues from the Project. In evaluating the security of the Series 1985 Bonds, a purchaser should take these possibilities into account. See "Risk Factors" including all the subdivisions thereunder.

Additional Information

Investors are invited to review any document relating to the Series 1985 Bonds at the offices of the Underwriter during normal business hours after reasonable notice. The Underwriter will provide copies of any documents relating to the Series 1985 Bonds for the cost of reproduction and delivery thereof. The officers and employees of the Underwriter will attempt to answer any questions from investors relating to the information contained in this Official Statement pertaining to the sale of the Series 1985 Bonds. Investors are invited to communicate with:

Buchanan & Co., Inc.
129 North State Street
P. O. Drawer 2131
Jackson, Mississippi 39205
(601) 948-4100

OFFICIAL STATEMENT

\$2,400,000
SPARTANBURG COUNTY, SOUTH CAROLINA
HOSPITAL REVENUE BOND ACT REVENUE BONDS, SERIES 1985
(Woodruff Healthcare Center Project)

INTRODUCTORY STATEMENT

This Official Statement, including the cover page, Summary and Appendices, is furnished in connection with the offering of \$2,400,000 principal amount of Hospital Revenue Bond Act Revenue Bonds, Series 1985 (Woodruff Healthcare Center Project) dated September 1, 1985 (the "Series 1985 Bonds") of the County of Spartanburg, South Carolina (the "County" or the "Issuer").

The Issuer is a body politic and corporate and a political subdivision of the State of South Carolina. The Issuer is authorized by Title 44, Chapter 7, Article 11, Code of Laws of South Carolina, 1976, as amended, and known as the Hospital Revenue Bond Act (the "Act") to borrow money by issuing its revenue bonds for the purposes provided in the Act including but not limited to loaning proceeds to any hospital agency, as defined in the Act, for the purpose of acquiring, constructing, improving, expanding and equipping any project constituting a hospital facility, as defined in the Act, which includes a facility such as the Project.

The proceeds of the Series 1985 Bonds will be loaned by the Issuer to Cathcart & Associates, Inc., a South Carolina corporation (the "Corporation") to construct and equip a skilled and intermediate care nursing home and community residential care facility consisting of 88 beds on approximately 10 acres just outside of the city limits of Woodruff, Spartanburg County, South Carolina (the "Project"), to fund certain funds and accounts established under the hereinafter described Indenture and to pay the costs of issuance of the Series 1985 Bonds. See the caption "The Project".

The Issuer and the Corporation will enter into a Loan Agreement dated as of September 1, 1985 (the "Loan Agreement" or the "Agreement"). The Corporation is required pursuant to the provisions of the Agreement to make payments sufficient to pay the principal of, premium, if any, and interest on the Series 1985 Bonds when due. The Series 1985 Bonds will be secured by a pledge and assignment by the Issuer to The South Carolina National Bank, Columbia, South Carolina, as Trustee (the "Trustee"), pursuant to an Indenture of Trust dated as of September 1, 1985 (the "Indenture"), of the Issuer's right, title and interest in the hereinafter described Mortgage and in the Agreement (except for certain rights to indemnification and

expenses). Pursuant to a Mortgage and Security Agreement dated as of September 1, 1985 (the "Mortgage"), the Corporation will grant to the Issuer a first mortgage lien on the Project subject to Permitted Encumbrances as defined in the Indenture and will grant to the Issuer a security interest in all non-real estate portions of the Project, subject to Permitted Encumbrances. The Series 1985 Bonds will be payable from the payments made by the Corporation pursuant to the Agreement (except to the extent payable out of proceeds of the Series 1985 Bonds or income from the investment thereof and, under certain circumstances, proceeds of insurance, sale and condemnation awards). Additionally, all basic payments of principal, interest and premium, if any, on the Series 1985 Bonds will be guaranteed for a limited period of ten years by Martha G. Cathcart, the owner of all of the stock of the Company (the "Limited Guarantor") pursuant to a Limited Guaranty Agreement dated as of September 1, 1985 (the "Limited Guaranty").

The Series 1985 Bonds are not general obligations of Spartanburg County or the State of South Carolina or any political subdivision thereof, and are not secured in any manner by their general credit or taxing powers.

This Official Statement contains descriptions or summaries of, among other matters, the Series 1985 Bonds, the Project, the Indenture, the Agreement, the Mortgage, the Limited Guaranty and the Corporation. Such descriptions and information do not purport to be comprehensive or definitive. Definitions of certain words and terms used in this Official Statement are set forth in this Official Statement, or otherwise have the meaning ascribed to such terms in the Agreement or the Indenture. All references herein to the Indenture, the Mortgage, the Limited Guaranty and the Agreement are qualified in their entirety by reference to such documents, and references herein to the Series 1985 Bonds are qualified in their entirety by reference to the forms thereof included in the Indenture. Until the issuance and delivery of the Series 1985 Bonds, copies of the Indenture, the Agreement, the Mortgage and other documents herein described may be obtained from Buchanan & Co., Inc. (the "Underwriter"). Copies of such documents will be available for inspection at the principal corporate trust office of the Trustee after delivery of the Series 1985 Bonds.

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

12

002932

THE COUNTY (THE ISSUER)

The County of Spartanburg, South Carolina (the "County" or the "Issuer") is a body politic and corporate and a political subdivision of the State of South Carolina. The County is authorized by Title 44, Chapter 7, Article 11, Code of Laws of South Carolina, 1976, as amended, and known as the Hospital Revenue Bond Act (the "Act") to borrow money by issuing its revenue bonds for the purposes provided in the Act including but not limited to loaning proceeds to any hospital agency, as defined in the Act, for the purpose of acquiring, constructing, improving, expanding and equipping any project constituting a hospital facility, as defined in the Act, which includes a facility such as the Project.

The County adopted an Inducement Resolution on _____, finding that the proposed bond financing would be of benefit to the health and welfare of the people of Spartanburg County and the surrounding area and inducing the Corporation to locate the Project in the County of Spartanburg. The issuance and sale of the Series 1985 Bonds was approved and authorized by a Bond Ordinance adopted by the County on _____, 1985, which also authorized the execution of the Agreement, the Indenture and such other and further documents as might be necessary to effectuate the purposes of the Bond Ordinance.

The members of the County Council of the County are elected on a county wide basis. The Council elects its officers annually to serve for a one year term.

The members of the County Council, their positions and terms of office are as follows:

<u>Name</u>	<u>Office</u>	<u>Expiration of Term</u>
Lachlan L. Hyatt	Chairman	1/87
Danny E. Allen	Vice Chairman	1/89
David G. Dennis		1/89
Sally S. Peake		1/87
Danny R. Smith		1/87

Ken Westmoreland is the County Administrator and C. P. Parris is the Clerk of the County Council.

THE PROJECT

The proposed Project, which will be operated by the Corporation under the name of Woodruff Healthcare Center, will be a skilled and intermediate care nursing home and community residential care facility containing 88 beds located on approximately 10 acres just outside of the city limits of Woodruff, South Carolina.

The Project Site

Approximately 10 acres of land located on State Road 50 approximately 1 mile from B. J. Workman Memorial Hospital just outside of Woodruff, South Carolina (the "Project Site") will be purchased by the Corporation for _____. The land will be purchased from Martha G. Cathcart, sole stockholder of the Corporation. The purchase price has been determined on the basis of an independent appraisal. No profit will be made by Mrs. Cathcart pursuant to the sale of the Project Site to the Corporation. See "Transactions Among Interested or Related Parties."

The Project is close to the central business district of Woodruff.

Description of Woodruff Healthcare Center

The project consists of a one story, brick veneer, slab on grade building designed to house 88 nursing home patients; it consists of 29,866 square feet, has a pitched, wood frame roof structure, and is roofed with Class A composition shingles.

The building contains 42 semi-private rooms with space for two beds and other required furnishings and 4 private rooms with space for one bed and other required furnishings. Each pair of semi-private as well as each pair of private rooms share a toilet room between them. Common bathing facilities are found in large bathrooms available to all patients. There are common meeting and recreation rooms, offices for visiting doctors, a beauty/barber shop, storage rooms, nurses stations, etc.

The Project will have paved drives and parking areas for staff, visitors and service. The site will be grassed and landscaped in an attractive manner.

Building design and construction will be in accordance with the requirements of the Standard Building Code and will meet the requirements for Type V, One Hour Protected and fully sprinklered construction. Building design and construction will also meet the requirements of the South Carolina Department of Health and Environmental Control and all other authorities having jurisdiction.

Certificate of Need, Medicaid Eligibility and Licensure

Certificate of Need Number SC-F-747 was granted by the Department of Health and Environmental Control ("DHEC") of the State of South Carolina to the Corporation for the development of an 88 bed skilled and intermediate care nursing home. However, the State of South Carolina has placed a moratorium on the number of nursing home beds eligible to receive Medicaid Reimbursement. At the present time the Project will not be eligible to serve patients covered by the Medicaid program. The Corporation will apply for such eligibility as soon as the moratorium is lifted.

Because of the moratorium, the Project will begin operations with only 44 beds being used for nursing home patients. The remaining beds will be used as a community residential care facility. A license must be obtained from DHEC for both portions of the Project.

Under a recently enacted South Carolina Statute, the plans with respect to "community residential care facilities (previously called adult residential care facilities)" must also be reviewed and approved and such facilities must be licensed by DHEC. A portion of the Project constitutes a "community residential care facility". Plans and specifications with respect to the Project will be submitted to DHEC prior to the closing of the bond issue. The Corporation anticipates that the Project will meet the licensure requirements of DHEC.

The Developer

UNICO Development Services, Inc. (the "Developer") is a South Carolina corporation, the principals of which are C. Donald Stone and James A. Stone. The Developer contracted with the Corporation for the following services:

- Project Concept
- Project Cost Analysis
- Market Concept
- Monthly Charges and Admittance Recommendations
- Project Layout
- Square Footage Requirements
- Assisting Architect with Total Project Concept

The Developer will be paid a fee of \$75,000 out of Bond Proceeds for these services.

The Developer is an experienced developer of health care projects as well as assisted living and retirement centers. Representative projects of the Developer are as follows:

Berne Retirement Village, New Bern, North Carolina - currently under construction

Berkeley Convalescent Center, Moncks Corner, South Carolina

Cooper Hall Retirement Center, Charleston, South Carolina

Countryside Manor, Easley, South Carolina, Retirement Facility

Rosewood Manor, Columbia, Tennessee - a congregate elderly facility currently under construction

Parkhurst Retirement Community, Morristown, Tennessee

C. Donald Stone, a principal of UNICO Development Services, Inc., and United Medical & Surgical Supply, supplier of furniture, fixtures and equipment for the Project, have been indicted by a federal grand jury in Columbia, South Carolina, for allegedly fraudulent activities in obtaining loans from financial institutions. Mr. Stone and United Medical & Surgical Supply have stated that they deny these charges and will vigorously contest them.

Project Architect

The Project Architect is Ard-Wood Architects, Inc. of Greenville, South Carolina. The Project Architect is licensed in South Carolina. The two principals of the Project Architect are Avery Wood, Jr. who received his Bachelor of Science Degree in Architecture from Clemson University in 1949 and Danny N. Ard who received his Bachelor of Architecture Degree from Clemson in 1974 and his Master's Degree from Clemson in 1976.

The Project Architect is also licensed in North Carolina, Georgia, Florida, West Virginia, Tennessee, Kentucky and New York.

Representative projects designed by the Project Architect include the following:

<u>Name and Location</u>	<u>Year of Completion</u>	<u>Actual or Estimated Cost</u>
Assisted Living Retirement Facility Florence, South Carolina	1985	\$3,650,000
Congregate Elderly Facility Columbia, Tennessee	1985	\$3,845,438
Congregate Elderly Retirement Center Sevierville, Tennessee	1984	\$3,600,000
Retirement Facility Mt. Pleasant, South Carolina	1985	\$5,500,000

Retirement Village
Springfield, Tennessee

1985

\$3,800,000

The Architect states that there is no relationship of any kind by blood, marriage or business between any officer, stockholder, director, or employee of the Architect and any partner, officer, director, or employee of the Corporation, the Issuer, the General Contractor or any party to the financing of the Series 1985 Bonds.

Contractor

The Contractor is Salem Construction Company, Inc., incorporated in the State of Kentucky in February, 1973, whose principal office is in Advance, North Carolina, and is licensed to do business in South Carolina. The Contractor has been active in the general construction field in North Carolina, Virginia, South Carolina, Tennessee, Georgia and Florida. The principal shareholders and officers of the Contractor are as follows:

<u>Name</u>	<u>Office</u>	<u>Percentage of stock ownership</u>
Dan J. Sullivan, Jr.	Chairman	55%
Jerry M. Ingle	President	39%
Robert A. Lawrence	Secretary/Treasurer	3%
William Sides	Vice President	
Michael A. Thorp		3%

The Contractor has been active in the nursing home and health care fields of construction in addition to general construction work. Some of the work recently completed or currently under construction by the Contractor are as follows:

<u>Description</u>	<u>Approximate Cost</u>
Winter Garden Health Care Center Winter Garden, Florida 120 Bed Nursing Center	\$1,475,000
Berkeley Country Health Care Center Moncks Corner, South Carolina 132 Bed Nursing Center	1,350,000
Town & Country Convalescent Center Tampa, Florida 120 Bed Nursing Center	1,475,000
Oconegee Geriatric Center Seneca, South Carolina	1,475,000

Regency Health Care Center
Banner Elk, North Carolina

1,300,000

The Construction Contract requires that the Contractor substantially complete the Project within 10 months of the notice to proceed. If the Project has not been completed liquidated damages will accrue at a rate equal to the daily interest rate on the Series 1985 Bonds. The Contractor will provide labor and materials payment and performance bonds in the full amount of the construction contract. The surety for the bonds will be Great American Insurance Company.

The contract was negotiated on an arms-length basis for a maximum guaranteed price of \$1,062,000. The Contractor anticipates making a reasonable profit including overhead.

There is no relationship of any kind by blood, marriage or business relationship between any stockholder, director, officer or employee of the Contractor and any stockholder, director, officer or employee of the Corporation or the Architect or the County other than the contract for Woodruff Healthcare Center.

Working Capital

The Corporation will provide a line of credit of up to \$100,000 as needed for working capital for the Project.

Anticipated Sources of Revenue

It is anticipated that there will be three major sources of revenue from the Project. These sources are as follows:

Private Pay Patients
Medicare Payments
Veterans Administration Patients

The Financial Feasibility Study projects that by the fifth year of operation of the Project, the revenues to be received from each of the above sources would be approximately as follows: Private Pay, ____%; Medicare, ____%; Veterans Administration, ____%.

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

THE CORPORATION

Cathcart Associates, Inc. (the "Corporation") is a South Carolina corporation formed on February 23, 1984. All of the stock in the Corporation is owned by Martha G. Cathcart.

The officers and directors of the Corporation are as follows:

Martha G. Cathcart - President, Treasurer and Director

Annette Cathcart Putman - Vice President and Director

Brenda Cathcart Cronk - Secretary and Director

Lawrence N. Cathcart - Director

The above named officers will operate and manage the Project. Biographies of these officers are as follows:

Martha G. Cathcart is a licensed nursing home administrator and has had extensive experience in the area of nursing home management. She received a degree from Western Kentucky University in Bowling Green, Kentucky. She is a Fellow in the American College of Nursing Home Administrators as well as a member of the South Carolina Health Care Association. Mrs. Cathcart is currently the Administrator of Pinewood Convalescent Center, a 95-bed facility, located in Rochelle, South Carolina.

Annette Cathcart Putman is a licensed nursing home administrator and has worked for many years in the health care industry. She has had experience in such areas as bookkeeping, inventory control, payroll and as an executive assistant. Since 1978, Mrs. Putman is holding the position of controller/assistant administrator of Pinewood Convalescent Center.

Brenda Cathcart Cronk is also a licensed nursing home administrator. She also works at the Pinewood Convalescent Center in the position of receptionist and secretary. She has had experience in the areas of patient fund records and accountings, patient admitting and employee insurance/workmen's compensation.

Mrs. Putman and Mrs. Cronk are the daughters of Lawrence N. and Martha G. Cathcart.

ESTIMATED SOURCES AND USES OF FUNDS

The proceeds from the sale of the Series 1985 Bonds (consisting of the principal amount thereof plus accrued interest to the date of delivery), will be deposited with the Trustee, who shall apply the funds in the manner set forth below:

SOURCES OF FUNDS:

Bonds	\$ 2,400,000
Estimated Interest Earned (1)	<u>83,500</u>
Total Source of Funds	\$2,483,500

APPLICATION OF FUNDS:

State Budget Control Board Fee	\$ 3,000
Acquisition of Land	50,000
Construction	1,062,000
Architectural & Engineering	75,000
Furniture, Fixtures & Equipment (2)	274,000
Development Fee (3)	75,000
Legal, Feasibility, Printing and Miscellaneous (4)	114,000
Contingency	34,000
Managing Underwriter's Fee (5)	120,000
Underwriting Discount (6)	120,000
Funded Interest During Construction (7)	318,000
Debt Service Reserve (8)	<u>238,500</u>
Total Application of Funds	\$2,483,500

1. Estimated interest on funds available for investment during the construction period, assuming 9% estimated interest rate.
2. These items will be supplied by United Medical and Surgical Supply Corporation. See "Transactions Among Interested or Related Parties."
3. The entire development fee will be paid to UNICO Development Services, Inc. at closing. See "Transactions Among Interested or Related Parties."
4. A portion of this amount will be paid to White Quik Print Company for the printing of the Preliminary Official Statement and the Official Statement. Robert M. Buchanan, Jr. is a 25% stockholder of White Quik Print Company and sole stockholder of Buchanan & Co., Inc., the Underwriter. See "Transactions Among Interested or Related Parties".
5. Buchanan & Co., Inc. will receive a Managing Underwriter's fee of 5% of the face amount of the Series 1985 Bonds. See "Transactions Among Interested or Related Parties".

6. Buchanan & Co., Inc., the Underwriter, will purchase the Series 1985 Bonds at an underwriting discount of 5% of the face amount of the Series 1985 Bonds. A portion of the underwriting discount may be shared with other broker/dealers. See "Transactions Among Interested or Related Parties".
7. This amount is to fund interest on the Series 1985 Bonds for approximately 12 months.
8. This amount represents approximately 72% of the maximum Debt Service Reserve Requirement of \$328,925.

THE SERIES 1985 BOND PRINCIPAL AND
INTEREST REQUIREMENTS

The following table sets forth for each bond year the amounts required in each year to make the payments of the principal of the Bonds at maturity, the mandatory redemption payments, and the interest on the Series 1985 Bonds.

<u>Year</u>	<u>Principal</u>	<u>Mandatory Redemption Requirements</u>	<u>Interest</u>	<u>Total Annual Debt Service</u>
1986				
1987				
1988				
1989				
1990				
1991				
1992				
1993				
1994				
1995				
1996				
1997				
1998				
1999				
2000				
2001				
2002				
2003				
2004				
2005				
2006				
2007				
2008				
2009				
2010				
TOTALS				

RISK FACTORS

The fundamental concept that must be understood by any prospective investor is that the Series 1985 Bonds are limited obligations of the Issuer. The Series 1985 Bonds are payable solely from revenues and receipts from the Project and are secured by security interests (subject to Permitted Encumbrances) in all fixtures and personal property of the Corporation located on the Project and by a first mortgage lien (subject to Permitted Encumbrances) on the Project and by the Loan Agreement and the Indenture. No representation or assurance can be made that revenues will be received by the Corporation from the Project in the amounts necessary to make the required loan repayments.

There are considerable risks associated with an investment in the Series 1985 Bonds which should be considered speculative securities. The Corporation has no operating history, has only a nominal net worth and is highly leveraged. Furthermore, the Project is being entirely financed by Series 1985 Bond proceeds.

In the event of a default in the repayment of the Series 1985 Bonds, the Corporation may not have assets to repay said Bonds.

The estimates of future revenues and expenses made in the Financial Feasibility Study are estimates only and may or may not be realized.

General

The Series 1985 Bonds are payable from certain funds held by the Trustee and from the following sources:

(1) Revenues and receipts received by the Corporation from the Project. The Corporation believes that, based on certain assumptions which it believes to be reasonable, the Corporation will be able to earn sufficient revenues from the Project to meet all its obligations including its obligations under the Loan Agreement. Future events may occur to upset the assumptions upon which these expectations are based, with a consequent diminution in revenues from the Project. In evaluating the security of the Series 1985 Bonds, a purchaser should look to the ability of the Project to earn sufficient revenues to make the repayments under the Loan Agreement. It should be noted that the Issuer is not obligated to make any payments under the Indenture or the Series 1985 Bonds except from revenues received from the Project or from funds held by the Trustee.

(2) Rentals received by the Trustee from leasing the Project to third parties following a default on the Series 1985 Bonds.

(3) Proceeds realized from the sale of the Project to a third party by the Trustee at or following foreclosure by the Trustee of the mortgage on the Project.

(4) Amounts payable pursuant to the Limited Guaranty Agreement.

With respect to sources (2), (3) and (4) above, it has been the experience of lenders in recent years that attempts to foreclose on commercial properties are frequently met with defensive measures such as protracted litigation and/or bankruptcy proceedings, and that such defensive measures can greatly increase the expense involved in achieving such realization. It is therefore apparent that prospects for uninterrupted payment of principal and interest on the Series 1985 Bonds in accordance with their terms are largely dependent upon source (1) above which in turn is dependent upon the success of the Corporation in operating the Project in a profitable manner.

The Trustee has on file a compilation of the financial statement of Martha G. Cathcart, the Limited Guarantor, which shows an aggregate fair market value net worth as of _____, 1985, of approximately \$250,000, the bulk of which is real estate. The unaudited financial statement of Mrs. Cathcart is a compilation statement prepared by Mrs. Cathcart and other persons who are not independent. The financial statement of the Limited Guarantor shows that a substantial part of the assets of the Limited Guarantor consists of assets which are not subject to precise appraisal or are secured by assets not subject to precise appraisal, and no representation can be made that such assets could be sold at prices equivalent to the values assigned to them on the aforesaid financial statements of the Limited Guarantor. A determination of fair market value presumes that a market does in fact exist and in the case of assets which are non-liquid, such as certain of the aforesaid assets of the Limited Guarantor, this may not be the case. Whereas a fair market value may theoretically be determined, the Trustee, if called upon to realize that value for the benefit of the owners of the Series 1985 Bonds, upon the sale of the Limited Guarantor's assets may find that the fair market value has changed or that despite the accuracy of its determination of fair market value no sale could be obtained at that price. Further, a sale or liquidation of any of said assets might result in federal or state income tax liability on the part of the Limited Guarantor which would reduce or limit the cash proceeds from any such sale that might be realized.

There is no assurance that the Limited Guarantor will have the ability to meet the obligations of the Limited Guaranty Agreement.

The Financial Feasibility Study prepared by Pannell Kerr Forster, independent certified public accountants, contains only forecasts, based on assumptions of future events that the

Corporation believes are reasonable but may or may not be realized, and could vary to a material extent. See the Financial Feasibility Study in full at Appendix B.

From what has been said above, it is evident that an investment in the Series 1985 Bonds involves considerable elements of risk and is speculative in nature. The relatively high interest rate borne by these tax exempt Bonds (as compared to prevailing interest rates on more secure tax exempt bonds such as those which constitute general obligations of fiscally sound municipalities or states) is intended to compensate the investor for assuming such risks. Furthermore, the tax exempt feature of the Bonds is obviously more valuable to high income tax bracket investors than to investors who are in low income tax brackets, and so the value of the interest compensation to any particular investor will vary with his income tax rate. Each prospective investor should carefully examine this Official Statement (including the appendices hereto) and his own financial condition in order to make a judgment as to whether the Series 1985 Bonds are a suitable investment for him.

Government Regulation.

(a) Dependence Upon the Medicaid and Medicare Programs.

The State of South Carolina has put a moratorium on Medicaid reimbursements so that the Project is not currently eligible to receive any Medicaid reimbursements; therefore, the Project must rely on private pay patients, Medicare, and Veterans Administration patients. However, the Developer and the Corporation have stated that they feel that said moratorium will be lifted by the time the Project begins operation and that the Project will be eligible for Medicaid. There can be no assurance that this Medicaid moratorium will be lifted; however, the following is a statement of the effects of various factors concerning both Medicaid and Medicare:

The profitable operation of the Project may become dependent on the South Carolina Medicaid cost reimbursement program. THERE CAN BE NO GUARANTEE THAT THE STATE OR FEDERAL GOVERNMENT WILL NOT SUBSTANTIALLY CURTAIL THE MEDICAID PROGRAM, AND SUCH A CHANGE COULD, AND ANY CURTAILMENT PROBABLY WOULD, HAVE A MATERIAL ADVERSE EFFECT UPON THE PROJECT.

The state administrators of the Medicaid program make provision for periodically auditing the reimbursable costs on which Medicaid reimbursements are based. While the Issuer and the Company believe that the rates to be charged are appropriately premised on allowable costs, no assurance can be given that certain costs will not be disallowed as a result of a Cost Report Audit with an attendant reduction in rate

reimbursement. Such an audit could result in the Company being required to refund Medicaid reimbursements previously received.

In order to obtain the necessary Medicaid reimbursement, the Project must be able to attract an adequate number of patients. Unexpected demographic changes or competition from other nursing homes could hamper the ability of the Project to obtain or maintain satisfactory occupancy ratios.

In order for South Carolina to continue to receive partial reimbursement for the cost of its Medicaid program from the federal government, it must administer its program in accordance with federal regulations. The federal government has on occasion threatened to cut off Medicaid funds to states which it felt were not in compliance with its regulations. Any such federal action taken with respect to the South Carolina Medicaid program would probably have an adverse effect upon the Project.

Profitable operation of the Project may become highly dependent on a cost related reimbursement program for the indigent which is administered by the State of South Carolina under the South Carolina medical assistance program (Medicaid). This program is funded by the State of South Carolina, which receives reimbursement for a substantial majority of its cost from the federal government, provided the state administered program meets federally imposed standards for reimbursement. While the Corporation anticipates a substantial number of private pay patients, it is unlikely that the Project could ever attract a sufficient number of private pay patients to become independent of government assisted programs.

Under the Medicaid (if the Project becomes eligible to receive it) and Medicare programs, the Corporation will be reimbursed for services to qualified patients on the basis of allowable costs. Under both programs, the amount of reimbursement is subject to certain ceilings. In addition, there are guidelines applied for determining the reasonableness of various allowable costs. During the year, charges for services to Medicare and Medicaid patients are based upon estimates of costs to be incurred. Allowable costs include interest, depreciation, amortized financing expenses and certain operating expenses. With respect to Medicare and Medicaid, the interest portion of the Corporation's debt service payments is fully reimbursable, subject to the South Carolina Capital Cost Component reimbursement limit. Although the principal portion of such debt service payments is not considered a reimbursable cost, a depreciation charge on the buildings and personal property and financing expenses are allowed as reimbursable costs which, when included with the return on equity ceiling and operational costs, are subject to an overall ceiling for reimbursement of all costs which is currently per intermediate care patient day, and per skilled care patient day. An inflation factor may be included in

the reimbursement rates for all facilities which have submitted a cost report covering at least six months of programs operations.

As mentioned above, the Corporation will not be reimbursed through Medicare or Medicaid for principal payments on the Series 1985 Bonds. Although the Series 1985 Bond issue provides for substantially level annual debt service, the portion of this debt service constituting principal rises from zero in the first year of operation to a very large proportion of total debt service in later years. Consequently, the Project will be incurring a steadily increasing cash expense each year for Bond principal payments, part of which will be allocable to beds occupied by Medicaid or Medicare patients, but will not be reimbursable through Medicaid or Medicare and which therefore must be covered by revenues earned from other sources. Such other sources include most importantly, revenues from private pay patients. Additional depreciation may be generated by purchases of new equipment, renovation or improvements which would provide for additional reimbursement.

In the event the Corporation experiences difficulty in paying the shortfall during the latter years of the Bond issue, it may use the Debt Service Reserve Fund or attempt to refinance the Project or simply sell it to a third party. Although the Corporation expects that with continued inflation and gradual retirement of the Bonds the value of the Project will substantially exceed the amount of Bonds outstanding by the time a shortfall becomes a problem, there are numerous other variables at work (including aging of the Project, possible changes in governmental reimbursement programs and competition from other facilities), and there can be no guarantee that such a sale or refinancing can be successfully consummated.

(b) State Regulation.

A license under South Carolina law governing the operation of nursing homes must be secured. It is anticipated that a license will be issued by the South Carolina Department of Health and Environmental Control ("DHEC") permitting the operation of the Project as a nursing home by the Corporation. The Project is being designed, constructed and equipped and the staff is being selected with due regard to the existing statutory and administrative requirements for issuance of the necessary license. These requirements relate to the facilities, the quality and adequacy of personnel, and the quality of medical care. Such requirements are, however, subject to change and there can be no guarantee that in the future the Corporation will be able to secure such license or that the Corporation will not be required to expend significant sums in order to obtain or maintain the necessary license.

Under a recently enacted South Carolina Statute, the plans with respect to "community residential care facilities (previously called adult residential care facilities)" must be

reviewed and approved and such facilities must also be licensed by DHEC. At least a portion of the Project constitutes a "community residential care facility". Plans and specifications with respect to the Project will be submitted to DHEC prior to the closing of the bond issue.

The requirements of DHEC may be subject to change and there can be no guarantee that in the future the Corporation will be able to retain such license if secured or that the Corporation will not be required to expend significant sums in order to obtain or maintain the necessary license.

In addition to the license noted above, various health and safety regulations and statutes apply to the Project and are enforced by various state agencies. Violation of certain health and safety standards could result in closure or requirements that compliance with such standards are to be immediately achieved. Such standards are also subject to change and there can be no guarantee that in the future the Project will meet those changed standards or that the Corporation will not be required to expend significant sums in order to comply with those changed standards.

(c) Economic Controls.

The rapidly rising cost of health care and the consequent drain on the federal budget through its participation in the Medicare and Medicaid programs has for some time been a major area of congressional concern. In the Tax Equity and Fiscal Responsibility Act of 1982, certain provisions were designed to curb the amount of federal expenditures in health care. In the area of Medicare, the Secretary of Health and Human Services was directed to promulgate regulations changing the reimbursement system from a retroactive system (i.e. based on reimbursement of actual costs incurred) to a prospective system (i.e. based on reimbursement of costs expected to be incurred). This change has not been implemented, and it is impossible to foresee its effect. It may be expected that there will be a continuing effort to achieve legislative reform of this type. For example, legislation enacted in Congress as a part of the Social Security amendments mandates prospective reimbursement for hospitals. Future legislation could be enacted to also mandate prospective reimbursement for nursing homes.

A number of states have adopted legislation to establish rate-setting agencies with control over nursing homes and nursing home rates.

Title XXI of the Omnibus Budget Reconciliation Act of 1981 reduces the amount of federal matching payments for Medicaid to which a state is otherwise entitled under the existing statutory formula by 3% in fiscal year 1982, 4% in fiscal year 1983, and 4.5% in fiscal year 1984, subject to lower reductions for states

that have unusually high unemployment, qualified hospital cost review programs, or documented cost savings through fraud and abuse control. Subsequent to the passage of the Omnibus Budget Reconciliation Act of 1981, the Tax Equity and Fiscal Responsibility Act of 1982 was passed making additional cuts in the total amount of funds available for federal matching Medicaid payments of \$275,000,000 in 1983, \$364,000,000 in 1984 and \$502,000,000 in 1985. These reductions in matching payments will be offset to the extent that a state's Medicaid expenditures for one of these fiscal years do not exceed federal performance standards. The fiscal year 1982 performance standard, for example, is 109% of the state's Medicaid expenditure estimate for fiscal year 1981. No assurance can be given that the scheduled reductions in federal funding of Medicaid will be offset by increased funding by the State of South Carolina and therefore no assurance can be given that such reductions will not have an adverse impact on the Project and the Corporation. This limitation of federal support for the Medicaid program may be expected to result in increasing cost consciousness on the part of the state administrators of the program and possible reduction in Medicaid reimbursement.

In 1982, President Reagan proposed that the federal government take over full funding and administration of the Medicaid program in return for the states' assuming the full burden of funding and administering welfare programs. Initial responses from the states and Congress were guarded, and it is impossible to determine what, if anything, will result from this proposal.

Members of Congress have proposed various forms of a national health insurance program and some form of national health insurance may be enacted in the future. It is impossible to foresee the effect of such coverage generally and what effect it might have directly on the Corporation's operation.

To summarize, fundamental changes are proposed in the federal programs upon which profitability of the Project is dependent, and the basic thrust of the proposed changes is to reduce the rate of inflation in the cost of health care. Presumably, if such changes are implemented, the profit margins of at least some health care providers will be squeezed between rate ceilings and rising costs. Furthermore, state implementation, regulation and participation in such programs is constantly changing. Consequently, investors may not simply rely on projections of operating results based on existing reimbursement programs (which is essentially the approach followed in the financial feasibility study), they must also form a judgment (which at best can only be an educated guess) as to the future commitment by the federal government and the State of South Carolina to provide reasonable levels of reimbursement to nursing home operators for costs incurred by them in caring for persons who are unable to pay for such care themselves.

Moreover, there can be no assurance that some form of mandatory wage and price controls with both civil and criminal sanctions will not be imposed in the future. It is likely, if high inflation in the health care area continues, that governmental efforts to limit price and wage increases will escalate and such efforts could adversely affect the profitability of the Corporation.

Competition.

The business engaged in by the Corporation can be highly competitive, although the Project is providing a specialized service.

The principal competitive factors in the nursing home and community care facility industry include but are not necessarily limited to location, condition of the facility, rate charges and services available in relation to patients' needs. The Corporation believes that the Project will enable it to compete effectively; however, there can be no guarantee that in the future the Project will be able to compete with other such facilities (i) designed and built with the benefit of advanced technology not available at this time, or (ii) which are able to significantly reduce their costs through economies of scale or other methods not available to the Corporation.

Malpractice Insurance.

Malpractice insurance insures medical facilities and physicians against patient malpractice claims. In recent years, the number of malpractice lawsuits and dollar amount of patient recoveries have increased nationwide, resulting in increases in insurance premiums. In addition, in some areas of the country, malpractice insurance may not continue to be available, or it may only be available at such great costs as to render it economically unavailable. Changes in the availability or cost of malpractice insurance could directly or indirectly adversely influence the operating results of the Project. Accordingly, although the Corporation is required to maintain sufficient malpractice insurance, there can be no guarantee that the Corporation will, at any or all times during the life of the Series 1985 Bonds, be adequately insured. In the event coverage proves to be inadequate, this could and probably would adversely affect the income coverage on the Series 1985 Bonds, and consequently the Corporation's ability to honor its obligations under the Loan Agreement.

Labor Union Activity.

The Corporation does not contemplate that any of the Project's staff will belong to or be affiliated with any labor union. Unionization of its employees could have an adverse effect on the Project's financial condition.

Normal Risks Attending Any Investment in Real Estate.

There are many diverse risks attending any investment in real estate, not within the Corporation's control, which may have a substantial bearing on the profitability of the Project. Such risks include possible adverse use of adjoining land, fires or other casualty, condemnation, increased taxes, changes in demand for such facilities, decline in the neighborhood and general economic conditions.

Specialized Operation.

It should also be noted a portion of the Project will be operated as a community residential care facility. There is only a limited history of such an operation and no assurance can be given that it will be successful.

Market for the Bonds.

It is the present practice of Buchanan & Co., Inc. (the "Underwriter") to make a secondary market in bond issues which it offers. Occasionally, because of general market conditions or because of adverse history or economic prospects connected with a particular bond offering, secondary marketing practices in connection with a particular issue are suspended or terminated. Additionally, prices of issues for which a market is being made will depend upon the then prevailing circumstances. Such prices could be substantially different from the original purchase price. There can be no guarantee that there will be a secondary market for the Series 1985 Bonds or, if a secondary market exists, that the Series 1985 Bonds can be sold for any particular price. Accordingly, a purchaser of the Series 1985 Bonds should be prepared to have his funds committed for an indefinite period of time, perhaps until the Series 1985 Bonds mature or are redeemed.

No Rating for the Bonds.

No recognized credit ratings for the Series 1985 Bonds have been applied for nor is it anticipated that any such ratings will be applied for.

Federal Tax Exemption.

If, as a result of any pending or future legislation, regardless of the effective date thereof, the interest on the Series 1985 Bonds or any part thereof becomes subject to federal income taxation, there will be no increase in the interest rate on any Series 1985 Bond nor will such event cause a redemption of any such Bonds.

Construction Risks

It is anticipated that approximately \$1,062,000 of the Series 1985 Bond proceeds will be used to construct the facility. The Corporation will obtain all permits and licenses necessary to the construction of the Project, as needed, prior to and during construction, which has not yet begun.

The Corporation anticipates that the proceeds from the sale of the Series 1985 Bonds will be sufficient to complete the acquisition, construction and equipping of the Project. However, in the present inflationary economic environment, experience in the construction industry has demonstrated that cost overruns are not uncommon. Strikes, fires, bad weather or breach of contract by the contractor or one or more subcontractors could delay and increase the cost of completing the Project. The Corporation has endeavored to protect itself against these risks insofar as possible through selection of a contractor which will furnish performance and payment bonds from a reputable surety company in the full amount of the contract price. However, cost overruns are common in the construction industry and the Corporation may not have sufficient funds to pay for such overruns. Furthermore, no assurances can be given that any action on the payment and performance bonds will not be met with defensive measures by the surety of the payment and performance bonds.

The ability of the Corporation to make payments to the County under the Loan Agreement sufficient to pay the principal of, premium, if any, and interest on the Series 1985 Bonds, when due, is dependent upon completion of the Project with available resources and without delays due to problems in obtaining construction permits, strikes, shortages of materials and adverse weather conditions, as well as other factors.

If the Project cannot be acquired, constructed and equipped for the anticipated cost, the Corporation is obligated to construct and equip the same at its own expense, through the issuance of Additional Bonds of the County or with financing obtained from other sources. The Corporation's financial resources are extremely limited, so there is no guarantee that the financial resources of the Corporation will be sufficient to meet cost overruns and the issuance of Additional Bonds will be subject to various conditions which may or may not be met. Accordingly, there can be no guarantee that the Project will be completed if cost overruns are experienced.

TRANSACTIONS AMONG INTERESTED OR RELATED PARTIES

C. Donald Stone is a principal and part owner of United Medical and Surgical Supply Corporation which has a contract with the Corporation to supply various furniture, fixtures and equipment. He is also a principal and part owner of UNICO Development Services, Inc. which is being paid a development fee out of Series 1985 Bond proceeds.

On July 19, 1985, Mr. Stone and United Medical Surgical Supply Corporation were indicted by a federal grand jury in Columbia, South Carolina, on charges of allegedly fraudulent activities in obtaining loans from lending institutions during the years 1980 and 1981. Mr. Stone and United Medical & Surgical Supply Corporation have denied these charges and have stated that they intend to vigorously contest them.

The firm of Wyche, Burgess, Freeman & Parham, P.A., Bond Counsel, is also representing C. Donald Stone and entities related to him in various civil matters relative to income taxes.

Annette Cathcart Putman, Vice President and Director of the Corporation, and Brenda Cathcart Cronk, Secretary and Director of the Corporation, are the daughters of Martha G. Cathcart, sole stockholder, President, Treasurer and Director of the Corporation. Lawrence N. Cathcart, a Director of the Corporation, is Mrs. Cathcart's husband.

Robert M. Buchanan, Jr. is President and sole stockholder of Buchanan & Co., Inc., the Underwriter for the Series 1985 Bonds. See "The Underwriter". Mr. Buchanan is also President and a 25% stockholder of White Quik Print Company, which will receive a fee out of bond proceeds for printing the Preliminary Official Statement and the Official Statement. Mr. Buchanan's children are the remaining stockholders of White Quik Print Company.

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THE UNDERWRITER

Buchanan & Co., Inc. of Jackson, Mississippi, (the "Underwriter") is the Underwriter of the Series 1985 Bond issue and has agreed, pursuant to a Bond Purchase Agreement to purchase the Series 1985 Bonds at a price equal to 95% of their par value plus accrued interest to date of delivery for a discount of 5% or \$120,000. It should be noted that, in addition, at the closing the Issuer will pay to the Underwriter out of Bond proceeds a Managing Underwriter's fee of 5% of the face amount of the Series 1985 Bonds or \$120,000. See the caption "Estimated Sources and Uses of Funds." The Underwriter is obligated to take and pay for all the Series 1985 Bonds if any Series 1985 Bonds are so purchased. The obligation of the Underwriter to accept delivery of the Series 1985 Bonds is subject to various conditions contained in the Bond Purchase Agreement.

The Underwriter intends to offer the Series 1985 Bonds to the public at a price of par, but the Underwriter may subsequently change the price at which the Series 1985 Bonds are offered without requirement for prior notice. The Underwriter may join with other dealers and underwriters in offering the Series 1985 Bonds to the public, and may allot to other dealers and underwriters such portion of its underwriting discount as it may choose. The Underwriter may offer and sell Series 1985 Bonds to certain dealers at prices lower than the public offering price or otherwise allow concessions to such dealers who may reallow concessions to other dealers.

The Series 1985 Bonds will be issued at the closing contemplated to occur on or about the closing date set forth on the cover page. The Series 1985 Bonds will not be available for delivery to purchasers until after such closing.

EXPERTS

The Financial Statement of the Corporation included herein as Appendix A has been examined by _____, certified public accountant, and has been included in reliance upon reports of said accountant, which reports are given upon the authority of said accountant as an expert in accounting.

The Financial Feasibility Study included herein as Appendix B has been prepared by Pannell Kerr Forster, independent certified public accountants, and is so included in reliance on such firm being an expert in performing reviews of forecasts of the type contained in the Financial Feasibility Study.

LEGAL MATTERS

Legal matters incident to the authorization and issuance of the Series 1985 Bonds are subject to the approving opinion of Wyche, Burgess, Freeman & Parham, P.A., Greenville, South Carolina, Bond Counsel.

Certain legal matters will be passed on for the Issuer by its counsel, Roy McBee Smith, Spartanburg, South Carolina, for the Corporation by its counsel, Burts, Turner, Hammett, Harrison, Rhodes & Thompson and for the Underwriter by its counsel, Low & Furby, Jackson, Mississippi. Neither Bond Counsel nor any of said other counsel will express any opinion regarding the financial information contained in the Appendices. Copies of the approving opinion of Bond Counsel will be printed on the Series 1985 Bonds.

ENFORCEMENT OF REMEDIES

The enforcement of remedies under the Loan Agreement, the Mortgage and the Indenture is subject to the provisions of the Bankruptcy Code of 1978, as amended by the Bankruptcy Amendments and Federal Judgeship Act of 1984. Among other provisions, the Bankruptcy Code of 1978 invalidates clauses and agreements which permit termination in the event of bankruptcy. Because of the lack of judicial interpretation of the Bankruptcy Code of 1978 and the Bankruptcy Amendments and Federal Judgeship Act of 1984, it is impossible to predict the effects of such Code on the enforcement of remedies.

ABSENCE OF MATERIAL LITIGATION

At the time of the closing of the Series 1985 Bonds the Issuer and the Corporation will deliver to the Underwriter a certificate stating that there is no litigation pending or threatened seeking to restrain or enjoin the issuance or delivery of the Series 1985 Bonds or questioning or affecting the legality of the Series 1985 Bonds or the proceedings or authority under which the Series 1985 Bonds are to be issued.

MISCELLANEOUS

At the closing the Corporation will deliver to the Underwriter a certificate stating that this Official Statement does not contain any misrepresentation of a material fact and does not omit to state any material fact necessary to make the statements herein contained, in the light in which they were made, not misleading.

The information under the caption "The County (the Issuer)" has been furnished by the Issuer and Issuer's counsel; the Issuer assumes no responsibility for any other information contained in this Official Statement.

The Corporation and the Developer have furnished the information relating to themselves, the Estimated Sources and Uses of Funds, the Project, Risk Factors and Appendix A to this Official Statement. Bond Counsel has prepared and reviewed the captions "The Series 1985 Bonds", "Security for the Series 1985 Bonds", "Definitions of Certain Terms", "Summary of the Loan Agreement", "Summary of the Indenture", "Summary of the Mortgage", "Summary of the Limited Guaranty", "Federal Tax Exemption" and "State Taxation". The Underwriter has furnished the information contained in this Official Statement under the heading "The Underwriter" and has furnished information with respect to the public offering prices of the Series 1985 Bonds contained on the cover page of this Official Statement and has caused the assembling of this Official Statement.

All other information in this Official Statement has been obtained from sources which the Corporation believes to be reliable; however, all such information is subject in all respects to the complete body of information contained in the original sources thereof, and no guaranty, warranty or other representation is made by the Underwriter or the Issuer or any representatives, counsel or agents of either respecting the accuracy and completeness of information. All opinions, estimates and assumptions, whether or not expressly identified as such, are not intended to be representations of fact. No representation or warranty is made by the Underwriter with respect to the accuracy or completeness of information contained in this Official Statement especially under the captions Risk Factors and the Appendices. Furthermore, no review of any kind was made by the Underwriter of the financial statements contained as Appendix A.

The execution and delivery of this Official Statement has been duly authorized by the Issuer and the Corporation.

DATED this ____ day of _____, 1985.

THE COUNTY OF SPARTANBURG, SOUTH CAROLINA

By: _____

ATTEST:

CATHCART & ASSOCIATES, INC.

By: _____

ATTEST:

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 27 1985

NO. 17

STATE OF SOUTH CAROLINA)

STATE BUDGET & CONTROL BOARD
Woodruff Healthcare Center

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 a.m., on Thursday, August 8, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting.

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 Dennis, and upon the vote being taken and recorded it appeared that the following votes were cast:

FOR MOTION

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AGAINST MOTION

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That the Chairman thereupon declared the Resolution unanimously 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.

That any and all conditions attached to the referenced Board action except that relating to the submission of IRS Form 8038 have been satisfied as of the date of this certificate.

August 27, 1985

William A. McInnis

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EXHIBIT

AUG 27 1985

NO. 17

RESOLUTION
OF
THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA

STATE BUDGET & CONTROL BOARD

APPROVING AN UNDERTAKING BY SPARTANBURG COUNTY, SOUTH CAROLINA, PURSUANT TO CHAPTER 7 OF TITLE 44, SECTION 44-7-1410 ET SEQ. OF THE 1976 CODE OF LAWS OF SOUTH CAROLINA, AS AMENDED, TO ASSIST IN FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A SKILLED AND INTERMEDIATE CARE NURSING HOME AND COMMUNITY RESIDENTIAL CARE FACILITY TO BE OWNED BY CATHCART & ASSOCIATES, INC. THROUGH THE ISSUANCE OF ITS SPARTANBURG COUNTY, SOUTH CAROLINA, HOSPITAL REVENUE BOND ACT REVENUE BONDS, SERIES 1985 (WOODRUFF HEALTHCARE CENTER PROJECT) AND ALLOCATING A PORTION OF THE PRIVATE ACTIVITY BOND ALLOTMENT FOR THE STATE OF SOUTH CAROLINA TO SUCH PROJECT AND SUCH BONDS.

WHEREAS, the County Council (the "County Council") of Spartanburg County, South Carolina (the "Issuer") pursuant to Chapter 7 of Title 44, Section 44-7-1410 et seq. of the 1976 Code of Laws of South Carolina, as amended (the "Act"), has petitioned the South Carolina State Budget and Control Board (the "State Board") seeking approval from the State Board of a financial undertaking proposed by the Issuer; and

WHEREAS, the undertaking provides for the issuance, sale and delivery of Spartanburg County, South Carolina Hospital Revenue Bond Act Revenue Bonds, Series 1985 (Woodruff Healthcare Center Project) (the "Series 1985 Bonds") in an aggregate principal amount not to exceed \$2,400,000 pursuant to the Act, the proceeds of which will be used to finance the costs of the acquisition, construction and equipping of land, buildings and other property to constitute a skilled and intermediate care nursing home and community residential care facility in Spartanburg County, South Carolina, containing approximately 88 beds (the "Project") to be owned by Cathcart & Associates, Inc., a South Carolina corporation (the "Corporation"), and the costs of such financing; and

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WHEREAS, the Project will constitute a "hospital facility" within the meaning of the Act, and the Corporation constitutes a "hospital agency" within the meaning of the Act; and

WHEREAS, it is expected that the Series 1985 Bonds will be issued and sold to or through Buchanan & Co., Inc.; and

WHEREAS, the proceeds of the Series 1985 Bonds will be loaned by the Issuer to the Corporation in exchange for the Corporation's agreement under a Loan Agreement (the "Loan Agreement") to pay amounts to the Issuer sufficient to pay the principal of, premium, if any, and interest on the Series 1985 Bonds; and

WHEREAS, the Corporation will own the Project and will secure payments to be made by it under the Loan Agreement by the grant to the Issuer pursuant to a Mortgage and Security Agreement (the "Mortgage") of a mortgage lien and a security interest in the Project and certain other appropriate property; and

WHEREAS, it is expected that Martha G. Cathcart will guaranty the payment by the Corporation of certain amounts payable by the Corporation under the Loan Agreement pursuant to a Limited Guaranty Agreement (the "Limited Guaranty"); and

WHEREAS, the Issuer will secure payment of the Series 1985 Bonds by the execution and delivery to a national banking association, as trustee for the holders of the Series 1985 Bonds (the "Trustee"), of an Indenture of Trust (the "Indenture") granting to the Trustee substantially all of the Issuer's rights under the Loan Agreement and all of the Issuer's rights under the Mortgage and the Limited Guaranty; and

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

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WHEREAS, the proposed financing will be materially assisted if the State Board permits proceeds of the Series 1985 Bonds to be used to pay interest on those Bonds for such period (up to 6 months) after the estimated date of completion of construction of the Project (currently estimated to occur 10 months following issuance of the Series 1985 Bonds) as is deemed advisable by the Corporation; and

WHEREAS, the State Board has made such independent investigation and study as it has deemed advisable.

NOW, THEREFORE, BE IT RESOLVED BY THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA IN MEETING DULY ASSEMBLED:

1. That it has been found and determined by the State Board as follows:

(a) The statements of fact set forth in the recitals of this Resolution are in all respects true and correct;

(b) The County Council has filed with the State Board pursuant to the Act a proper Petition reciting facts which are in all respects true and correct;

(c) The amount which will be needed to finance the costs of and related to the Project is currently estimated to be approximately \$2,500,000;

(d) The Project will promote the public health and welfare by constituting a "hospital facility" within the meaning of the Act, which Project will serve the people of the State of South Carolina and of Spartanburg County, South Carolina and make

accessible to them modern and efficient "hospital facilities" within the meaning of the Act;

(e) When completed and fully staffed the Project will provide employment for approximately 50 persons;

(f) The Project is intended to promote the purposes of the Act and is reasonably anticipated to effect this result;

(g) The proposed financing is economically feasible;

(h) Such approval of the Project and the Series 1985 Bonds as is required from the Department of Health and Environmental control by Article 3, Chapter 7, Title 44 and by Section 44-7-1490 of the 1976 Code of Laws of South Carolina, as amended, has been obtained; and

(i) The approval and allocation described in this Resolution were not made in consideration of any bribe, gift, gratuity or direct or indirect contribution to any political campaign.

2. That on the basis of the foregoing findings the proposed Project and the proposed undertaking of the Issuer to finance the Project through the issuance of the Series 1985 Bonds pursuant to the Act (including changes in any details of the consummated financing which do not materially affect the undertaking) are hereby approved and \$2,400,000 of the private activity bond allotment for the State of South Carolina under Section 103 of the Internal Revenue Code of 1954, as amended, is hereby allocated to the Project and the Series 1985 Bonds.

3. That the State Board hereby finds advisable and permits proceeds of the Series 1985 Bonds to be used to pay interest on

those Bonds for such period (up to 6 months) after the estimated date of completion of construction of the Project (currently estimated to occur 10 months following issuance of the Series 1985 Bonds) as is deemed advisable by the Corporation.

4. That notice of this action taken by the State Board in giving its approval to the undertaking of the Issuer, shall be published in The Spartanburg Herald Journal, which is a newspaper published in Spartanburg, South Carolina and having general circulation in Spartanburg County, South Carolina.

5. That notice to be published shall be in the form substantially as set forth as Exhibit "A" of this Resolution.

6. That approval of the proposed undertaking of the Issuer is granted on the condition that a copy of Internal Revenue Service Form 8038 relating to the Bonds issued pursuant to this approval be filed with the State Board's Secretary at the same time as such Form is submitted to the Internal Revenue Service.

EXHIBIT

AUG 27 1985

NO. 17

STATE BUDGET & CONTROL BOARD

Exhibit A

NOTICE OF APPROVAL OF PROJECT AND FINANCING BY THE STATE BUDGET AND CONTROL BOARD OF SOUTH CAROLINA

Notice is hereby given that the State Budget and Control Board of South Carolina (the "State Board") has approved the financing by Spartanburg County, South Carolina (the "County") of the acquisition, construction and equipping of land, buildings and other property to constitute a skilled and intermediate care nursing home and community residential care facility containing approximately 88 beds (the "Project") to be owned by Cathcart & Associates, Inc., a South Carolina corporation (the "Corporation"), and to be located in Spartanburg County, South Carolina, through the issuance of Spartanburg County, South Carolina Hospital Revenue Bond Act Revenue Bonds, Series 1985 (Woodruff Healthcare Center Project) (the "Series 1985 Bonds") in a principal amount not to exceed \$2,400,000, pursuant to the provisions of Chapter 7 of Title 44, Section 44-7-1410 et seq. of the 1976 Code of Laws of South Carolina, as amended, and has allocated to the Project and the Series 1985 Bonds \$2,400,000 of the private activity bond allotment for the State of South Carolina under Section 103 of the Internal Revenue Code.

The proceeds of the Series 1985 Bonds will be loaned by the County to the Corporation in exchange for the Corporation's agreement under a loan agreement (the "Loan Agreement") to pay amounts to the County sufficient to meet the payment schedule on the Series 1985 Bonds. The Corporation will own the Project and will secure payments to be made by it under the Loan Agreement by

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the grant to the County pursuant to a mortgage and security agreement (the "Mortgage") of a mortgage lien and security interest in the Project and other appropriate property. Martha G. Cathcart (the "Limited Guarantor") will guaranty the payment by the Corporation of certain amounts payable under the Loan Agreement pursuant to a Limited Guaranty Agreement (the "Limited Guaranty"). The County will secure payment of the Series 1985 Bonds by the execution and delivery to The South Carolina National Bank, as trustee for the holders of the Series 1985 Bonds (the "Trustee"), of an indenture of trust (the "Indenture") granting to the Trustee substantially all of the County's rights under the Loan Agreement and all of the County's rights under the Mortgage and the Limited Guaranty.

The Series 1985 Bonds will be payable by the County solely from payments received by the County from the Corporation or the Limited Guarantor under or in connection with the Loan Agreement, the Mortgage and the Limited Guaranty. Neither the Project nor the Series 1985 Bonds, nor any charges in connection with the Project or the Series 1985 Bonds, 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.

By resolution dated July 10, 1985, the County Council found that there is a need for the Project in Spartanburg County, South Carolina, that the Corporation is financially responsible and is capable of fulfilling whatever obligations may be imposed upon it by the financing arrangement worked out in connection therewith, including obligations to make the payments required thereunder, to

operate, repair and maintain at its own expense the Project and to discharge such other responsibilities as may be imposed on it by the Loan Agreement, that payments to the County by the Corporation shall be sufficient to allow the County to meet the payment schedule on the Series 1985 Bonds, that the Corporation shall be obligated at its own expense to pay the costs of operating and maintaining the Project in good repair and the costs of keeping it properly insured, and that utilities and public services necessary for the Project are or will be made available.

The South Carolina Department of Health and Environmental Control has granted a Certificate of Need dated October 8, 1984 with respect to the Project.

Notice is hereby given that any interested party may at any time within twenty (20) days after the date of publication of this notice, but not afterwards, challenge the validity of the action of the State Board in approving this undertaking of the County, the action of the County Council, or the action of the Department of Health and Environmental Control by action de novo instituted in the Court of Common Pleas in the County.

STATE BUDGET AND CONTROL BOARD
OF SOUTH CAROLINA

By: /s/ William A. McInnis
Secretary

EXHIBIT

AUG 27 1985 NO. 17

STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 27 1985

NO. 18

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

BOARD
ITEM NUMBER

12

AGENCY: Executive Director

SUBJECT: Ceiling Allocation Pool Shift

On April 9, 1985, the Board approved an allocation of \$6,250,000 for the Hampton County Southland Exchange project. That amount was considered to have been allocated from the local pool. The allocation was considered to have been made from the Local Pool because, at that time, it was not made clear that the solid waste disposal facility to be constructed is an "exempt facility" as defined in Section 103(b)(4)(E) of the Internal Revenue Code, as amended.

Because it is an "exempt facility" as defined in the Internal Revenue Code, the allocation should have been made from the State Agency and Exempt Facilities Pool.

This request, therefore, is for Board approval to restore the \$6,250,000 deducted from the Local Pool for this project and to decrease the State Pool by a like amount so as to reflect the allocation in the appropriate pool.

BOARD ACTION REQUESTED:

Authorize staff to restore \$6,250,000 of the State Ceiling to the Local Pool and to allocate \$6,250,000 from the State Agency and Exempt Facilities Pool for the Hampton County Southland Exchange project approved initially on April 9, 1985.

ATTACHMENTS:

McInnis August 19 letter to Hampton County; McNair law firm August 17 letter to McInnis.

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McNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 401

BANKERS TRUST PLAZA

7 NORTH LAURENS STREET

GREENVILLE, SOUTH CAROLINA 29601

803-271-4940

ROBERT E. McNAIR
TERRELL L. GLENN
JAMES S. KONDUROS
O. WAYNE CORLEY
E. McLEOD SINGLETARY
CHARLES PORTER
ROBERT W. DIBBLE, JR.
RICHARD S. WOODS
RICHARD L. C. SULLIVAN
M. JOHN BOWEN, JR.
DENNIS C. THELEN
JOHN H. LUMPKIN, JR.
JOHN W. CURRIE
SCOTT Y. BARNES
M. ELIZABETH CRUM
THEODORE J. HOPKINS, JR.
DANIEL R. McLEOD, JR.
WILLIAM S. ROSE, JR.
BERNARD J. WUNDER, JR.
M. CRAIG GARNER, JR.
BRENTON D. JEFFCOAT
ROBERT T. BOCKMAN
PETER L. MURPHY
C. ALAN RUNYAN
JOHN W. FOSTER
ELIZABETH VAN DOREN GRAY

WILMOT B. IRVIN
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FRANKLIN G. POLK
JOHN W. HUNTER
HUEL D. ADAMS, JR.
JAMES P. FIELDS, JR.
LAWRENCE P. HIGGINS
W. STEPHEN CANNON
BARBARA GEORGE BARTON
J. SIMON FRASER
E. RUSSELL JETER, JR.
DOROTHY M. HELMS
PAUL B. NIX, JR.
NANCY PAGE
SANDRA L. RANDLEMAN
JANE W. TRINKLEY
J. LYLES GLENN, IV
CELESTE TILLER JONES
JOSEPH D. WALKER
NANCY R. JEFFERIS
ALISON RENEE LEE
MARTHA F. McMILLIN
GREGORY D. DeLOACH

*D.C. AND NEW YORK BARS ONLY
*D.C. AND OHIO BARS ONLY
*D.C. BAR ONLY
*MISSOURI BAR ONLY

JAMES E. CARR
JOHN H. LUMPKIN, SR.
OF COUNSEL

COLUMBIA OFFICE
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POST OFFICE BOX 11390
COLUMBIA, S.C. 29211
803-799-9800

HILTON HEAD ISLAND OFFICE
BANKERS TRUST BUILDING
FIFTY-NINE POPE AVENUE
HILTON HEAD ISLAND, S.C. 29928
803-785-5169

WASHINGTON OFFICE
SUITE 710
MADISON OFFICE BUILDING
1155 15TH STREET, N.W.
WASHINGTON, D.C. 20005
202-659-3900

August 17, 1985

EXHIBIT

AUG 27 1985

NO. 18

STATE BUDGET & CONTROL BOARD

Mr. William A. McInnis
State Budget and Control Board
Room 600, Wade Hampton Office Building
P. O. Box 12444
Columbia, South Carolina 29211

Re: \$6,250,000 Hampton County Solid Waste Disposal
Facility Revenue Bonds (Southland-Exchange Joint
Venture Project), Series 1985

Dear Mr. McInnis:

The above captioned bond issue is to be used to construct a solid waste disposal facility which is an "exempt facility" as described in Section 103(b)(4)(E) of the Internal Revenue Code of 1954, as amended.

Sincerely,

McNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Kathy
Kathleen E. Crum

KEC/ac

002368

State of South Carolina
State Budget and Control Board

RICHARD W. RILEY, CHAIRMAN
GOVERNOR
GRADY L. PATTERSON, JR.
STATE TREASURER
EARLEE MORRIS, JR.
COMPTROLLER GENERAL

Box 12444
Columbia
29211

August 19, 1985

REMBERT C. DENNIS
CHAIRMAN, SENATE FINANCE COMMITTEE
TOM G. MANGUM
CHAIRMAN, WAYS AND MEANS COMMITTEE

WILLIAM T. PUTNAM
EXECUTIVE DIRECTOR

EXHIBIT

AUG 27 1985 NO. 18

STATE BUDGET & CONTROL BOARD

Hampton County
c/o Ms. Kathleen E. Crum
McNair Glenn Konduros Corley Singletary
Porter & Dibble, P.A.
401 Bankers Trust Plaza
Greenville, SC 29601

Dear Ms. Crum:

Re: Issue of \$6,250,000 Hampton County, South Carolina
Industrial Revenue Bonds
(Southland-Exchange Joint Venture Project)

This will confirm that the referenced issue when issued and combined with the total amount of private activity bonds and notes certified to me previously by South Carolina issuing authorities as having been issued or which are to be issued in 1985 will not exceed the 1985 State Ceiling for South Carolina.

For your information, our records as of this date indicate the following:

Certified State Ceiling:	\$495,000,000
A. State Agency and Exempt Facilities Pool Amount	198,000,000
1. Allocations Approved Through 8/8/85	1,690,000
2. Balance of Pool Available	196,310,000
3. Certified for Issue 8/19/85	583,000
B. Local Pool Amount	297,000,000
1. Allocations Approved Through 8/8/85	125,219,730
2. Balance of Pool Available	171,780,270
3. Certified for Issue 8/19/85 (including referenced issue)	84,445,000

Sincerely,

William A. McInnis

William A. McInnis
Secretary

WAM:dw

002969

AUG 19 1985
10:56 A.M. - 22

MCNAIR GLENN KONDUROS CORLEY SINGLETARY PORTER & DIBBLE, P.A.

ATTORNEYS AND COUNSELORS AT LAW

SUITE 401

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WASHINGTON, D.C. 20005
202-659-9900

August 17, 1985

EXHIBIT

AUG 27 1985 NO. 18

STATE BUDGET & CONTROL BOARD

HAND DELIVERED

Mr. William A. McInnis
State Budget and Control Board
Room 600, Wade Hampton Office Building
P. O. Box 12444
Columbia, South Carolina 29211

Re: \$6,250,000 Hampton County Solid Waste
Disposal Facility Revenue Bonds
(Southland-Exchange Joint Venture
Project) Series 1985

Dear Mr. McInnis:

Please confirm allocation of the State Ceiling for the above issue. This bond issue is for a solid waste disposal facility which is an exempt facility. I have enclosed Form 8038 and our bond opinion as to this facility being an exempt facility.

Please confirm allocation of the State Ceiling by Wednesday. This issue is scheduled to close on August 22. If you will hold the certificate in your office, I will arrange for our Columbia office to collect the certificate.

Sincerely,

MCNAIR GLENN KONDUROS CORLEY
SINGLETARY PORTER & DIBBLE, P.A.

Kathleen E. Crum
Kathleen E. Crum

KEC/ac

Enclosures

002970

Part V Description of Property Financed by Non-refunding Proceeds
(Do not complete for student loan bonds or mortgage bonds)

22 Type of Property Financed (or portion thereof financed by non-refunding proceeds)		
a 3-yr. ACRS property		
b 5-yr. ACRS property		4,762,627
c 10-yr. ACRS property		
d 15-yr. ACRS property		
e 18-yr. ACRS property		775,311
f Cost of land		47,800
g Cost of other property (see instructions)		
23 Other use of non-refunding proceeds (subtract lines 22a-g from Part IV, line 21)(see instructions)		0
24 Standard industrial classification (SIC) of non-refunding proceeds for the financed project.		
	SIC Code	Non-refunding proceeds \$
a	4691	\$6,250,000
b		
c		
25 Average weighted economic life of the project (complete only for IDBs). See Exhibit B		10 years.

Part VI Description of Initial Principal Users
(Do not complete for student loan bonds or mortgage bonds)

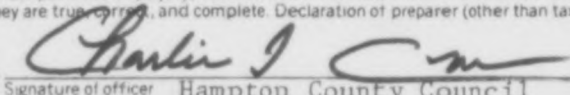
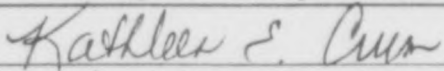
26 Initial Principal Users:			
(A) User	(B) Name	(C) Address	(D) Employer identification number
(i)	Southland-Exchange Joint Venture (Owner)	P.O. Box 693 Hampton, SC 29924	57-0802995
(ii)	Westinghouse Electric Corp. (Micarta Division)	P.O. Box 248 Hampton, SC 29924	25-0877540
(iii)	(Steam Purchaser)		
(iv)			
(v)			
<div style="display: flex; justify-content: space-around;"> <div>EXHIBIT</div> <div>AUG 27 1985</div> <div>NO. 18</div> </div>			
27 Common parents (if any) of initial principal users listed above:			
(A) User (from above)	(B) Name	(C) Address	(D) Employer identification number

Part VII Approval of Issue (Complete only for IDBs)

28	Name of Governmental units approving issue	Hampton County Council
29	Names and positions of applicable elected representatives or date of referendum approving issue	See Exhibit C

Part VIII Volume Limitations for Qualified Mortgage or Veterans' Bonds

1	Issuer's volume limitation	
2	Amount of volume limitation surrendered to other issues (e.g., under section 103A(g)(3)(B) or 25(c)(2)(A)(ii))	
3	Amount of bonds previously issued	
4	Unused volume limitation (subtract lines 2 and 3 from line 1)	

Please Sign Here	Under penalties of perjury, I declare that I have examined this return, and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.		
	<div style="display: flex; justify-content: space-between;"> <div>  Signature of officer Hampton County Council </div> <div> Date 8/22/85 </div> <div> Chairman, County Council of Hampton County </div> </div>		
Paid Preparer's Use Only	<div style="display: flex; justify-content: space-between;"> <div> Preparer's signature  Firm's name (or yours, if self-employed) and address McNair Glenn Konduros Corley Singletary Porter & Dibble, P.A. </div> <div> Check if self-employed <input type="checkbox"/> E.I. No. 57-0703244 ZIP code 29601 </div> <div> Preparer's social security no. </div> </div>		

See Exhibit D

EXHIBIT A

The \$6,250,000 Hampton County, South Carolina, Solid Waste Disposal Facility Revenue Bonds, Series 1985 (Southland-Exchange Joint Venture Project) (the "Bonds"), bear interest from and including the date thereof (such being August 22, 1985) until payment of the principal or redemption price thereof shall have been made or provided for in accordance with the provisions hereof, whether at maturity, upon redemption or otherwise. Interest accrued on the Bonds during each Rate Period shall be paid on each Interest Payment Date and computed on the basis of a year of 365 or 366 days, as appropriate, for the actual number of days elapsed so long as the Variable Market Rate is in effect and on the basis of a 360-day year so long as the Fixed Interest Rate is in effect.

From the date of first delivery of fully executed and authenticated Bonds to and including the day next preceding the first Interest Payment Date, the Bonds shall bear interest at a rate determined by the Remarketing Agent to be that rate which would, in its judgment, having due regard for then prevailing financial market conditions, be the lowest interest rate necessary to enable the Remarketing Agent to sell all of the Bonds on the date of initial delivery thereof at 100% of the principal amount thereof; provided, however, that the interest rate so determined shall not exceed 110% of the most recently announced Interest Index in effect on the date of initial delivery of the Bonds. Thereafter, unless the interest rate on the Bonds shall have been established at the Fixed Interest Rate, the Variable Market Rate borne by the Bonds during each Rate Period shall be determined as follows:

(i) if any Bonds shall have been delivered to the Remarketing Agent for purchase pursuant to Section 305(a) of the Indenture and if any or all of such Bonds shall have been sold by the Remarketing Agent pursuant to Section 309(a) of the Indenture, the interest rate borne by all Bonds shall be a rate determined by the Remarketing Agent, in its discretion, to be that rate which, if borne by the Bonds, would in its judgment, having due regard to prevailing financial market conditions, be the interest rate necessary, but which would not exceed the interest rate necessary, to enable the Remarketing Agent to sell all of the Bonds so delivered to it at 100% of the principal amount thereof; provided, however, that the interest rate so determined shall not be more than one hundred ten

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percent (110%), nor less than ninety percent (90%), of the Interest Index for such Rate Period.

(ii) if any Bonds shall have been delivered to the Remarketing Agent for purchase pursuant to Section 305(a) of the Indenture and if none of such Bonds shall have been sold by the Remarketing Agent pursuant to Section 309(a) of the Indenture, the interest rate borne by all Bonds shall be a percentage per annum equal to one hundred ten percent (110%) of the Interest Index for such Rate Period; and

(iii) if no Bonds shall have been delivered to the Remarketing Agent for purchase pursuant to Section 305(a) of the Indenture, the interest rate borne by all Bonds shall be a percentage per annum equal to the Interest Index for such Interest Period.

In no event will the interest rate borne by the Bonds exceed the Maximum Rate which is 15% per annum.

For each Interest Period for which there is not a Fixed Interest Rate, the Interest Index shall be computed by the Indexing Agent, as of, and made available by telephone (promptly confirmed in writing) on the fourth Business Day next preceding the first day of such Interest Period, to the Remarketing Agent, the Trustee, the Bank, the Paying Agent and the Company. The Interest Index computed by the Indexing Agent shall be that rate of interest equal to (but not more than) the rate required to be borne by the Bonds for such Rate Period to produce a bid for the purchase of the Bonds on such Interest Payment Date at a price equal to the principal amount thereof. In making such determination, the Indexing Agent shall make reference to offers of and bids for bonds or other obligations of comparable maturity, credit, and rate provisions to or by not fewer than five (5) persons known to the Indexing Agent to be active purchasers of such obligations.

In the event that the Indexing Agent no longer computes, or fails to compute, the Interest Index and no other qualified municipal securities evaluation service or commercial bank is appointed by the Company, the Interest Index during each Rate Period will be 60% of the interest rate applicable to 13-week United States Treasury bills determined by the Remarketing Agent on the basis of the average per annum discount rate at which such 13-week Treasury bills shall have been sold at the most recent Treasury auction during the next preceding Rate Period, or, if no such auction shall have been conducted during the next preceding Rate Period, or if the Remarketing Agent shall fail or refuse to determine the Interest Index, the Interest Index during such Rate Period will be the same as for such preceding Interest Period.

Overdue principal of and (to the extent legally enforceable) interest on the Bonds shall bear interest at the rate then borne by the Bonds, as such rate may change from time to time.

If the Fixed Rate Date is to occur pursuant to Section 8.1(b) or 8.1(c) of the Loan Agreement, then the interest rate borne by the Bonds shall, at the election of the Company and upon the fulfillment of the conditions and subject to the limitations set forth in this Section, be established at a Fixed Interest Rate not to exceed the Maximum Rate which is 15% per annum. The Fixed Interest Rate shall be the rate necessary to remarket the Bonds at par on such date, provided that such rate may not be less than 90% nor more than 110% of the Fixed Interest Index computed by the Remarketing Agent not more than 20 days nor less than 10 days next preceding the effective date of such Fixed Interest Rate and provided that the Fixed Interest Rate shall not exceed the Maximum Rate. The determination of the Fixed Interest Rate by the Remarketing Agent shall be binding for all purposes on the Company, the Bank, the Trustee, the Paying Agent and all holders of Bonds.

The Fixed Interest Index shall be based upon yield evaluations on the basis of "Full coupon" securities trading at par with a term equal to the time remaining until the maturity of the Bonds of not less than ten (10) component issues selected by the Indexing Agent which shall include, without limitation, issues of general obligation bonds, industrial development revenue bonds, hospital revenue bonds and other limited or special obligation bonds, the interest on which is exempt from federal income taxation. Upon determination of the Fixed Interest Rate, the Indexing Agent shall give prompt written notice of the Fixed Interest Rate to the Trustee and the Trustee shall give notice of conversion to the Fixed Interest Rate in accordance with Section 310 herein.

If for any reason the interest rate to be borne by the Bonds on and after the Fixed Rate Date cannot be determined on the basis of the Fixed Interest Index, or such method of determination is held to be invalid or unenforceable by a court of law, the Fixed Interest Index shall be determined by the Remarketing Agent and shall be the rate per annum equal to ninety percentum (90%) of a yield evaluation at par (on the basis of a term equal, as nearly as practicable, to the time remaining until the maturity of the Bonds) of United States Treasury bonds. If the Fixed Interest Index is other than a multiple of 1/8 of one percent, it shall be increased to the next higher multiple of 1/8 of one percent.

002975

EXHIBIT B

The average reasonably expected economic life of the buildings, machinery, equipment, apparatus, office furnishings and any other items financed in whole or in part with the proceeds of the Note is not less than 10 years. The economic useful life of each item has been derived in accordance with the administrative guidelines established for the useful lives used for depreciation prior to the ACRS system (i.e., the midpoint lives under the ADR system where applicable and the guidelines under Rev. Proc. 62-21, 1962-2 C.B. 418, in the case of structures).

002976

EXHIBIT C

The members of the County Council of Hampton County, South Carolina are as follows:

1. Charlie I. Crews, Chairman
2. W.V. Bowers, Jr., Vice Chairman
3. E.R. Bullard
4. Willingham Cohen, Sr.
5. Louise G. Hopkins

002977

EXHIBIT D

Prepared by:

McNair Glenn Konduros Corley
Singletary Porter & Dibble, P.A.
Suite 401, Bankers Trust Plaza
7 North Laurens Street
Greenville, South Carolina 29601
Attention: Kathleen E. Crum, Esquire

With advice of:

Mr. Robert R. Hoppe, CPA
Coopers & Lybrand
1310 Lady Street
Suite 1000
Columbia, South Carolina 29211

EXHIBIT
AUG 27 1985 NO. 18
STATE BUDGET & CONTROL BOARD

002978

EXHIBIT

AUG 27 1985

NO. 19

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
REGULAR SESSION
ITEM NUMBER

13

AGENCY: Governor's Office

SUBJECT: Civil Contingent Fund Allocation

The Governor's Office requests an allocation of \$18,500 from the Civil Contingent Fund for an economic development booklet.

Last year, the Governor's Office commissioned Chernoff-Silver and Associates to prepare an economic development booklet designed to cast a new image of South Carolina.

At the time the project was commissioned, the cost was estimated at \$25,000. Additional costs of approximately \$10,000 resulted from hiring professional photographers and from design decisions. Approximately \$16,500 has been raised from agencies associated with the development of the booklet.

The Governor's Offices requests an allocation for the remaining \$18,500 so the project can be completed in time for the Governor's foreign trade mission in September and so that Chernoff-Silver can be reimbursed for expenses incurred.

BOARD ACTION REQUESTED:

Allocate \$18,500 from the Civil Contingent Fund to the Governor's Office for the preparation of an economic development booklet.

ATTACHMENTS:

Prince memorandum to Hinson

002979



EXHIBIT

AUG 27 1985 NO. 19

STATE BUDGET & CONTROL BOARD

State of South Carolina

Office of the Governor

RICHARD W. RILEY
GOVERNOR

Post Office Box 11450
COLUMBIA 29211

MEMORANDUM

TO: Kitty Hepfer

FROM: Don Hinson

SUBJECT: Funds for Governor's Economic Development Document

As you know, last year the Governor's Office commissioned Chernoff-Silver and Associates to prepare an economic development booklet. This book was designed to cast a new image of South Carolina that we think people in business would be interested in - changes that point to a new direction and brighter future for our state. The document attempts to show evidence of South Carolina's progress in the areas of our workforce, education, government, transportation, recreation, tourism and the arts and their roles in promoting our state's economic growth.

At the time the project was commissioned, we estimated the cost at around \$25,000. That estimate was premised on the assumption we would be able to procure all the photography from various agencies, departments and other sources around the state. We found that the photography available was not of sufficient quality to accomplish what we wanted. Therefore, we incurred additional costs to hire professional photographers.

In addition, because we wanted to produce something not currently existing in our state, we made some design decisions that also added to the costs.

The net result is that the cost of this document has been approximately \$10,000 more than originally estimated. We have raised \$16,500 from agencies who were associated with the development of this document. It is impossible to raise any more through agencies.

I would request that we ask the Budget and Control Board to allocate \$18,500 from the civil contingency fund so we may complete this project in time for the Governor's foreign trade mission in September and reimburse Chernoff-Silver for expenses already incurred by them. I will be glad to provide any other information to the Board or staff.

002980

Budget & Control Board, Office of Executive Director
CIVIL CONTINGENT FUND FY 85-86

Fund Status Report at August 27, 1985

Appropriations:

General \$ \$494,624.00

Transfers:

Development Board/International Trade Conference 25,000.00 \$25,000.00

Direct Expenditures:

B & C Board Meetings 457.92
 Productivity Council 284.55
 Governor's Youth Advisory Council Meetings 169.74 \$912.21

Encumbrances:

B & C Board Meetings 3,542.08
 B & C Board, OED, Microfilming 2,000.00
 Palmetto State Games, Inc. 5,000.00
 Vietnam Veterans Assoc/Greenville Memorial 10,000.00
 SC State 4-H Fund/Fire Safety 10,000.00
 Board of Economic Advisors 2,600.00
 Productivity Council 715.45
 PSC Merit Selection Panel 7,000.00
 PreRetirement Advisory Council 200.00
 Governor's Youth Advisory Council 3,830.26
 Construction Advisory Council Meetings 600.00
 B & C Board, OED, SC & the Sea 15,000.00
 Charleston County Economic Opportunity Comm 5,000.00
 Environmental Study/Pinewood 100,000.00
 JEDA/Executive Search 12,666.00
 Attorney General Ofc/Catawba Indian Suit 120,000.00 \$298,153.79

Total Transfers, Expenditures and Encumbrances: \$324,066.00

Total Available: \$170,558.00

Cash available at 08/27/85 is: \$468,711.79

EXHIBIT
 AUG 27 1985 NO. 19
 STATE BUDGET & CONTROL BOARD

002981

EXHIBIT

AUG 27 1985

NO. 20

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

14

AGENCY: Governor's Office

SUBJECT: Civil Contingent Fund Request

The Governor's Office Division of Employment and Training requests an allocation of \$21,500 from the Civil Contingent Fund for an audit exception.

The total costs questioned under three contracts (South Carolina Commission for Farmworkers, Inc.) was \$124,728. As a result of a hearing before the administrative law judge on October 28, 1982, that amount was reduced to \$38,846. Division attorneys and Department of Labor representatives have agreed that \$21,500 is to be repaid.

BOARD ACTION REQUESTED:

Allocate \$21,500 from the Civil Contingent Fund to the Governor's Office, Division of Employment and Training, for an audit exception.

ATTACHMENTS:

Whitney August 21 memo to Riley plus attachments

002982

OUTSTANDING AUDITS

	<u>Costs Questioned</u>	<u>Allowed</u>	<u>Disallowed</u>	<u>Expected Results*</u>	<u>Negotiated Payment</u>
1. SC Commission For Farmworkers	\$ 124,728	\$ 85,882	\$ 38,846	\$ 21,500s	\$21,500
2. SC Resources Development Corp.	201,991	126,945	75,046	75,046s	
3. Richland County Council	1,594,900	1,574,584	20,316	20,316r	
4. Friendship College 81-033	92,439		92,439	92,439s	
5. Friendship College 81-034	11,303		11,303	11,303s	
6. Private Employment Consortium	109,908	9,600	100,308	95,308s	
7. Association For Employment Opp.	229,810	168,810	116,470	-0- a	
8. Marion County	62,919	59,170	3,749	-0- a	
9. Town Of Eastover	55,221	34,708	20,513	20,513s	
10. Greenwood County	249,823	81,823	168,000	-0- a	
TOTALS	<u>\$2,733,042</u>	<u>\$2,086,052</u>	<u>\$646,990</u>	<u>\$336,425</u>	<u>\$21,500</u>



*s- State Liable
r-Richland County Liable
a-Audit Resolution

EXHIBIT
AUG 27 1985 NO. 20
STATE BUDGET & CONTROL BOARD

002983

OUTSTANDING AUDITS

	<u>Costs Questioned</u>	<u>Allowed</u>	<u>Disallowed</u>	<u>Expected Results*</u>	<u>Negotiated Payment</u>
1. SC Commission For Farmworkers	\$ 124,728	\$ 85,882	\$ 38,846	\$ 21,500s	\$21,500
2. SC Resources Development Corp.	201,991	126,945	75,046	75,046s	
3. Richland County Council	1,594,900	1,574,584	20,316	20,316r	
4. Friendship College 81-033	92,439		92,439	92,439s	
5. Friendship College 81-034	11,303		11,303	11,303s	
6. Private Employment Consortium	109,908	9,600	100,308	95,308s	
7. Association For Employment Opp.	229,810	168,810	116,470	-0- a	
8. Marion County	62,919	59,170	3,749	-0- a	
9. Town Of Eastover	55,221	34,708	20,513	20,513s	
10. Greenwood County	249,823	81,823	168,000	-0- a	
TOTALS	<u>\$2,733,042</u>	<u>\$2,086,052</u>	<u>\$646,990</u>	<u>\$336,425</u>	<u>\$21,500</u>

*s- State Liable
r-Richland County Liable
a-Audit Resolution



EXHIBIT

AUG 27 1985 NO. 20

STATE BUDGET & CONTROL BOARD

002983



EXHIBIT

AUG 27 1985

NO. 20

State of South Carolina

STATE BUDGET & CONTROL BOARD

Office of the Governor

RICHARD W. RILEY
GOVERNOR

MEMORANDUM

OFFICE OF EXECUTIVE
POLICY AND PROGRAMS

TO: Richard W. Riley
Governor

THROUGH: Don Hinson

FROM: William B. Whitney

Bill

DATE: August 21, 1985

SUBJECT: Status of Outstanding Audit Liabilities

Attached is the status of unresolved audits that we have outstanding for the period 1976 to the present. I look forward to discussing these with you at your earliest convenience.

WBW/rsm

Attachment

EXHIBIT

AUG 27 1985

NO. 20

1. South Carolina Commission for Farmworkers, Inc.

STATE BUDGET & CONTROL BOARD

Total costs questioned under three (3) contracts \$124,728; however, as the result of a hearing before the Administrative Law Judge on October 28, 1982, this amount was reduced to \$38,846. The attorneys for the Division met with the Department of Labor representatives and an agreement was reached to pay \$21,500, therefore, considering the debt paid in full.

2. South Carolina Resources Development Corporation

Total costs questioned were \$201,991; however, we submitted documentation to support approximately \$83,600 of the amount questioned. Therefore, the amount in question at the time of the ruling from the Administrative Law Judge was approximately \$118,391. The Administrative Law Judge allowed \$43,345 and disallowed \$75,046 that is now in the appeal process. The state will probably have to repay the \$75,046.

3. Richland County - \$20,316

Initially costs questioned per the audit report were \$1,594,900. These costs were resolved through our normal audit resolution process. However, the Department of Labor representatives disagreed with our resolution of \$20,316 which represents costs questioned for leased equipment. We have appealed the Department of Labor decision and this case is now before the Administrative Law Judge. Costs rests with Richland County.

4. Friendship College - 81-033 = \$ 92,439

5. Friendship College - 81-034 = 11,303

Totals \$103,742

Total costs questioned in these audits totalled \$103,742 which also represents the amounts disallowed.

Prior to our being able to resolve the items questioned, the school filed for bankruptcy; therefore, the records or persons involved were not available. Consequently, limited action was taken in the resolution of this report.

Our office terminated contracts and the Independent Monitoring Unit performed an investigation of operations. We filed an Incident Report with the Office of the Inspector General. The President of Friendship College was eventually convicted in Federal Court. However, these audits were recently reviewed by the Department of Labor Auditors. Once this report has been issued, the costs disallowed most probably will be recommended for restoration to the United States Department of Labor. It has been our experience that even though a person has been convicted of mispending federal funds that the funds involved are still to be refunded to the United States Department of Labor.

6. Private Employment Consortium - \$100,308

The draft audit questioned \$109,908. As a result of our response to that audit, the final audit contains \$100,308 in questionable costs. The signatory official

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of the Private Employment Consortium has been convicted in Federal Court for similar exceptions noted in this report. The Attorney General's Office has been requested to seek restitution of these funds. Also this individual's Probation Officer is following up on this audit. We have \$5,000 on hand as a result of his conviction.

7. Association for Employment Opportunities - \$116,470

This contractor has been out of business since 1984. The bulk of costs disallowed are for unauditable records per the Association for Employment Opportunities' subcontractors. The audit resolution process will be renewed, therefore, this amount should be decreased substationally.

8. Marion County - \$3,749

Initially costs questioned per the audit report were \$62,919. These costs were resolved completely. The Department of Labor auditors disagreed with our resolution of \$3,749. We will continue with audit resolution process to resolve the amount disagreed with.

9. Town of Eastover - \$20,513

Through our normal audit resolution process, \$20,513 was disallowed due to nepotism violations and overreported costs. The contractor has not repaid these disallowed costs because of financial difficulty. The audit was recently reviewed by Department of Labor auditors. Once this report has been issued, these costs will be recommended for restoration the the Department of Labor.

10. Greenwood County - \$168,000

Initially costs questioned per the audit report were \$249,823. These costs were allowed through our normal resolution procedures in August 1979. The Department of Labor auditors disagreed with our resolution of \$168,000 which represents overreported costs. We will continue audit resolution process to resolve the amount disagreed with.

EXHIBIT

AUG 27 1985 NO. 20

STATE BUDGET & CONTROL BOARD

002386

EXHIBIT

AUG 27 1985

NO. 21

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

15

AGENCY: Governor's Office

SUBJECT: Energy Efficiency Standard

The Governor's Office Energy Division proposes that the Board adopt the attached Resolution directing the development of an energy efficiency standard for certain government buildings.

BOARD ACTION REQUESTED:

Adopt a resolution authorizing the Energy Office (now a part of the Public Service Authority) to develop an energy efficiency standard for certain government buildings in coordination with the Governor's Office Division of Energy and Environment, the Joint Legislative Committee on Energy, the Department of Education, and the Division of General Services, with the proposed standards to be submitted to the Board as proposed regulations.

ATTACHMENTS:

Referenced proposed policy

002987

EXHIBIT

AUG 27 1985

NO. 21

STATE BUDGET & CONTROL BOARD

Resolution

Whereas, total funds appropriated to state agencies for light, power and heat are estimated to be more than \$62.9 million; and

Whereas, the Budget and Control Board recognizes that state government expenditures for energy are rising at a rapid rate; and

Whereas, the energy costs resulting from a building's design and its heating, lighting, cooling and ventilation equipment are significant costs during the life of a building; and

Whereas, rising energy costs, inefficient building design and inefficient heating, lighting, cooling and ventilation equipment waste state money and erode efforts by state government to meet the legitimate needs of the state; and

Whereas, properly designed buildings and energy efficient heating, lighting, cooling and ventilation equipment greatly reduce energy consumption, often with substantial money savings over the life of the building;

Now, Therefore, Be It Resolved by the South Carolina Budget and Control Board that the South Carolina Energy Office is hereby requested to develop a proposed "Energy Efficiency Standard for State Government Buildings" in coordination with the Governor's Division of Energy and Environment, the Joint Legislative Committee on Energy, the Department of Education and the Division of General Services' Office of Energy Management.

Upon completion of the proposed standards, they shall be submitted to the Budget and Control Board for its consideration as proposed regulations.

002988

REQUEST FOR BUDGET AND CONTROL BOARD TO CONSIDER UPGRADING ENERGY EFFICIENCY STANDARDS FOR STATE OWNED BUILDINGS.

EXHIBIT

AUG 27 1985 NO. 21

STATE BUDGET & CONTROL BOARD

Total state funds appropriated for light, power and heating/cooling are estimated to be \$62,930,000 for FY 85-86. Energy costs are predicted to increase at a rate higher than the costs of other goods and services. Using a real cost increase rate of 5% for light, power and heating/cooling the costs for the same buildings 15 years from now will be \$124,597,000, a 98% increase.

The table below shows the estimated current and projected energy costs for light, power and heating/cooling of state owned and leased buildings.

<u>FY 1985-86</u>		<u>FY 2000-2001</u>
\$46,217,000	Direct Appropriations	\$91,506,000
14,749,000	USC School System (est.)	29,202,000
1,964,000	Leased Space (est.)	3,889,000
<u>\$62,930,000</u>		<u>\$124,597,000</u>

In addition to these current and projected costs, the costs for energy for buildings in the local school system are estimated to total approximately \$50 million for FY 86 and nearby \$100 million 15 years from now.

The vast majority of all buildings - including offices, schools, residential housing and commercial buildings - were constructed prior to 1973-74 without regard to energy efficiency. Only since that time, with the sudden and substantial increase in energy costs, has energy efficiency been extensively considered in building thermal design, lighting, ventilation and air conditioning systems. Even though designs adopted since 1979 have greatly improved on energy use, energy efficient designs and energy use are constantly changing with the development of new and improved conservation techniques.

South Carolina adopted its present building code standard, the Model Energy Code, in 1979, as did numerous other states. By adopting these standards, much improvement has been made over previous construction standards. Since 1979, however, twenty-nine states and the Federal Government have adopted state or building specific standards that require increased energy efficiency performance beyond the requirements of the Model Energy Code.

The State of California, for example, reports that after the adoption of its 1975 energy efficiency standards for office buildings, new buildings used 25% less energy than similar pre-1975 buildings. California is improving those standards with help from the construction, real estate and development industry because of new energy efficiency products and knowledge. These new standards will further reduce the energy consumption by 40-50% and are said to also

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reduce initial construction costs. A typical office building to be built in 1987 will, because of these standards, require 62% - 70% less energy than required by its similar pre-1975 predecessors.

The President, by Executive Order, ordered the federal government agencies to attempt to reduce energy consumption by 45% in all new government owned buildings. The General Services Administration and the Postal Service report reductions of 28% and 39% respectively.

The State Budget and Control Board Office of Energy Management is currently working to identify opportunities for greater energy efficiency in existing buildings.

As a complement to that program it is proposed today that the Board direct the establishment of new energy efficiency standards for (1) new state owned and leased buildings and (2) major renovations of existing buildings. The standards would basically set maximum acceptable levels for heat loss/gain through the building "envelope" and energy use by lighting and other equipment.

EXHIBIT

AUG 27 1985 NO. 21

STATE BUDGET & CONTROL BOARD

602990

EXHIBIT

AUG 27 1985

NO. 22

STATE BUDGET AND CONTROL BOARD STATE BUDGET & CONTROL BOARD REGULAR SESSION

MEETING OF August 27, 1985

ITEM NUMBER

16

AGENCY: Budget Division

SUBJECT: Health & Human Services Finance Commission Program Restructure

The State Health and Human Services Finance Commission requests authorization to restructure its programs as follows:

1. Combine Contracted Day Care with the other Social Services Block Grant Contractual Services;
2. Merge Medically Needy, AFDC Expansion, AFDC Unemployed Parent & Inpatient Hospital Prospective Payments into the Regular Medicaid Program; and
3. Combine Community Long Term Care (CLTC) Expanded Eligibility with CLTC-Home and Community Based Services.

The Budget Division recommends approval.

BOARD ACTION REQUESTED:

Authorize the Health and Human Services Finance Commission to restructure its programs as follows:

1. Combine Contracted Day Care with the other Social Services Block Grant Contractual Services;
2. Merge Medically Needy, AFDC Expansion, AFDC Unemployed Parent & Inpatient Hospital Prospective Payments into the Regular Medicaid Program; and
3. Combine Community Long Term Care (CLTC) Expanded Eligibility with CLTC-Home and Community Based Services.

ATTACHMENTS:

Agenda item worksheet and attachments

002991

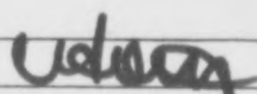
BUDGET AND CONTROL BOARD AGENDA ITEM WORKSHEET (Revised 8/84)

For meeting scheduled for:

August 27, 1985

Blue Agendax Regular Session AgendaExecutive Session Agenda

1. Submitted By:

(a) Agency: State Budget Division(b) Authorized Official Signature: 2. Subject: Health & Human Services Finance Commission requests Program Restructure

3. Summary Background Information:

The State Health & Human Services Finance Commission requests permission to restructure its programs as follows:

1. Combine Contracted Day Care with the Other Social Services Block Grant Contractual Services;
2. Merge Medically Needy, AFDC Expansion, AFDC Unemployed Parent & Inpatient Hospital Prospective Payments into the Regular Medicaid Program, and;
3. Combine Community Long Term Care (CLTC) Expanded Eligibility with CLTC-Home and Community Based Services.

EXHIBIT

AUG 27 1985

NO. 22

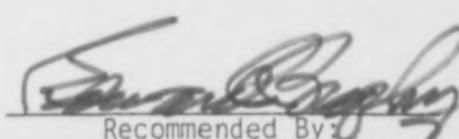
STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Authorize the Health and Human Services Finance Commission's programs restructure.

5. What is recommendation of the Board Division involved?

Staff Recommends Approval


 Recommended By:

6. Recommendation of other office (as required)?

(a) Office Name _____ Authorized
 (b) Signature _____

7. Supporting Documents:

List Those AttachedList Those Not Attached But Available
from Submitter

1. Agency Letter

002992

EXHIBIT

AUG 27 1985

NO. 22

State of South Carolina State Health And Human Services Finance Commission

STATE BUDGET & CONTROL BOARD

Bernard A. Daetwyler, Chairman

DISTRICT 1
Elise Davis - McFarland, Ph. D.

DISTRICT 2
Edward C. Roberts

DISTRICT 3
T. Ree McCoy, Jr.



Dennis Caldwell, Executive Director

DISTRICT 4
Robert E. Roberts, MD

DISTRICT 5
Billy F. Pigg

DISTRICT 6
James L. Pasley, Jr.

P. O. Box 8206, Columbia, South Carolina 29202-8206

August 1, 1985

Dr. Jesse A. Coles, Jr., Director
State Budget Division
Budget and Control Board
406 Wade Hampton Office Building
Columbia, South Carolina 29201

Dear Dr. Coles:

The State Health and Human Services Finance Commission requests the following program structure changes for FY 1986-87, and implementation in FY 1985-86.

- 1) Combine Contracted Day Care into Contract Services of Human Services (program 10050000 to 10100000).

The Social Services Block Grant (SSBG) Program provides twenty-three services which include such high profile services as Adult and Child Protective Services, Foster Care, and Adoption. Contracted Day Care services are part of SSBG contracted services; it is inappropriate to display this program separately, as it is a service just as the twenty-two other services funded by SSBG.

- 2) Merge the appropriations for Medically Needy, AFDC Expansion, AFDC Unemployed Parent and Inpatient Hospital Prospective Payments into the regular Medicaid Program (Combine programs 20100000, 20301005, 20301010 and 20301015 into 20050000 with its various subprograms).

These Medicaid Programs are interrelated. Consolidating these programs will benefit analysis and decision making. From an administrative perspective, it will also simplify the monitoring, budgeting and reporting process.

The Medically Needy Program will be impacted by the AFDC Expansion in that eligibility will be transferred from one category to the other. The AFDC Expansion, once implemented, will be indistinguishable from the existing Medicaid Program. The AFDC Unemployed Parent Program, is similar in composition to the existing and expanded AFDC Programs. The Inpatient Hospital Prospective Payment allocation applies to all of the above new initiatives as well as to the existing Medicaid Program.

1801 Main Street / Telephone Number (803) 758-3175

002993

EXHIBIT

Dr. Jesse A. Coles, Jr.
Page Two
August 1, 1985

AUG 27 1985 NO. 22

STATE BUDGET & CONTROL BOARD

- 3) Combine Community Long Term Care (CLTC) Expanded Eligibility (program 20201500) with CLTC - Home and Community Based Services (program 20201000).

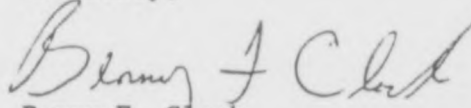
The target population and service categories for the CLTC programs are homogeneous and therefore should be combined, facilitating uniform decision making.

The Finance Commission's accounting system will allow independent reporting for each of the programs except the AFDC Expansion and the Inpatient Hospital Prospective Payment allocation. Statistics will be available on the growth in eligibles, utilization and expenditures in the AFDC Program.

Consolidating these appropriations allows more efficient program planning without diminishing accountability.

Your consideration of the requested program structure changes are appreciated. If you have any questions please contact Carol D. Waldo at 758-0309.

Sincerely,


Benny F. Clark
Deputy Executive Director

BFC:uwf

cc: Mr. Edward P. Brophy
Mr. John D. Middlebrook
Ms. Gwen Power
Ms. Betty V. Carnes

002994

EXHIBIT

AUG 27 1985 NO. 22

State of South Carolina
STATE BUDGET & CONTROL BOARD
State Health And Human Services Finance Commission

Bernard A. Daetwyler, Chairman

DISTRICT 1
Elise Davis - McFarland, Ph. D.

DISTRICT 2
Edward C. Roberts

DISTRICT 3
T. Ree McCoy, Jr.



Dennis Caldwell, Executive Director

DISTRICT 4
Robert E. Robards, MD

DISTRICT 5
Billy F. Pigg

DISTRICT 6
James L. Pasley, Jr.

P. O. Box 8206, Columbia, South Carolina 29202-8206

August 20, 1985

Dr. Jesse A. Coles, Jr., Director
State Budget Division
Budget and Control Board
406 Wade Hampton Office Building
Columbia, South Carolina 29201

Dear Dr. Coles:

The State Health and Human Services Finance Commission has requested in its letter of August 1, 1985 that program structure changes be approved to:

- 1) Combine Contracted Day Care with Contract Services within the Human Services Program;
- 2) Combine Medically Needy, AFDC Expansion, AFDC Unemployed Parent, and Inpatient Hospital Prospective Payments with regular Medicaid Assistance Payments;
- 3) Combine CLTC Expanded Eligibility with CLTC - Home & Community Based Services.

As requested, additional justifications for items (2) & (3) are attached. If you have any questions regarding the Commission's request, please contact me at 758-3175.

Sincerely,

Benny F. Clark
Benny F. Clark

BFC:wwd

Attachments

Attachment 1
8/20/85

EXHIBIT

Item 2

AUG 27 1985

NO. 22

Recommendation:

STATE BUDGET & CONTROL BOARD

Consolidate the Appropriations for Medically Needy, Medically Indigent (AFDC Expansion, AFDC Unemployed Parent and Prospective Payment System) with the regular Medicaid Program Assistance Payments.

Background:

The Regular Medicaid Program basically has two main eligible populations: (1) Aid to Families with Dependent Children (AFDC) and (2) Supplemental Security Income (SSI). The Appropriation Act currently funds the Regular Medicaid program by service category e.g. Inpatient Hospital, Nursing Homes, and Drugs.

The Medically Needy Program expanded Medicaid service eligibility to pregnant women and children under 18 living with intact families (2 parents).

The Medically Indigent Act enacted in FY 1985-86 in a more comprehensive way, adds to the Medicaid eligible population and provides funding for a prospective payment system for Inpatient Hospital services. (It also provides for a Medically Indigent Fund - but this will not be consolidated into the Medicaid program). The Medically Indigent Act, AFDC expansion, qualifies another segment of the population for Medicaid by increasing the AFDC income criteria. The AFDC-Unemployed Parent component qualifies another population segment for AFDC, and therefore Medicaid, by permitting the family to stay together and still meet AFDC eligibility requirements.

Although the eligibility criteria as herein stated is oversimplified, essentially all of these eligible clients have one thing in common - they are all qualified for Medicaid services.

The Prospective Payment System funding should be added to the regular Medicaid Inpatient Hospital line because it benefits all Medicaid eligible recipients for that particular service category.

The appropriation structure for the Medically Needy and Medically Indigent Programs will be improved by displaying service categories as the Regular Medicaid appropriation does. The Commission feels that the consolidation will provide a much more meaningful display of appropriations, i.e., by service category. The capability to report expenditures by client eligibility category will be retained.

Consolidating these programs will simplify the monitoring, budgeting, and reporting processes as well as the ability to compile and analyze data for planning and evaluating the Medicaid Program and its many components.

Please refer to the attached table for the proposed allocation of these funds to individual Medicaid service lines. Also attached is an explanation of the methodology* for distribution of the the appropriations to specific line items.

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EXHIBIT

AUG 27 1985

NO. 22

Attachment 3
8/20/85

STATE BUDGET & CONTROL BOARD

STATE HEALTH AND HUMAN SERVICES FINANCE COMMISSION

Methodology for Distributing Medically Indigent and Medically Needy Appropriation

The lump sum allocations for the Medically Needy, AFDC Expansion and AFDC Unemployed Parent Programs should be distributed to the line items in the existing Medicaid budget based on historic experience. The client population eligible for Medicaid under these new programs is the same in age, sex and race as those utilizing the existing AFDC Program, except their income level is slightly higher. Therefore, using historical data on expenditures for AFDC clients has been used to develop a trial budget for the new programs. The HCFA 2082 Report for Federal fiscal year 1983-84 (the most recent period available for complete data) was used as the source for historical data.

A percentage of total expenditures was calculated for each service line and then applied to the FY 1985-86 Appropriated funds for the new programs. Line item allocations can be further refined after one year of experience of operating with a consolidated budget. At that time, actual expenditures can be compared to original projections and appropriate adjustments made.

The appropriation for the Prospective Payment System applies specifically to Inpatient Hospital services and therefore should be allocated to that budget line item.

002997

ITEM 3

AUG 27 1985

NO. 22

STATE BUDGET & CONTROL BOARD

RECOMMENDATION:

Consolidate the appropriations for Community Long Term Care (CLTC) Home and Community-Based Services Medical Assistance Payments and CLTC Expanded Eligibility Medical Assistance Payments.

BACKGROUND

Home and Community-Based Medical Assistance Payments are payments for waived services which are: Medical Day Care, Personal Care Aide, Respite Care, Medical Social Services, Physical Therapy, Speech Therapy, Occupational Therapy and Home Delivered Meals.

Expanded Eligibility Medical Assistance Payments are payments for all other Medicaid expenditures for CLTC clients eligible for Medicaid because of the CLTC waiver (through community Medical Assistance Only (MAO) eligibility).

Combining the two lines currently displayed in the appropriation will permit more flexibility. CLTC does not have control over regular Medicaid expenditures for the expanded eligibility clients. When a client receives a Medicaid card, (s)he is eligible for all available services of the Medicaid program.

CLTC does have control over expenditures for waived home and community-based services as they are approved only by CLTC staff by prior authorization. There are several expenditure constraints in the regulations for 2176 waiver. These require (in Section 441.302) that:

- 1) "The agency's actual total expenditures for home and community-based services under the waiver and its claims for FFP in expenditure for the services will not exceed the agency's approved estimates for these services" as expressed in the waiver.
- 2) "The average per capita fiscal year expenditures under the waiver will not exceed the average per capita expenditures for the level of care provided in an SNF or ICF under the state plan..."
- 3) "The agency's actual total expenditures for home and community-based and other Medicaid services provided to individuals under the waiver will not, in any year of the waiver period, exceed the amount that would be incurred by Medicaid for the individuals in an SNF or ICF."

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EXHIBIT

AUG 27 1985

NO. 22

STATE BUDGET & CONTROL BOARD

Since CLTC has control over waived services, these funds can be adjusted as necessary to assure that cost constraints as outlined in the regulations are met, should the expenditures for other Medicaid services exceed expectations. Flexibility in budgeting would allow these funds to be utilized as necessary. Records will continue to be maintained which reflect the actual expenditures in each category by client and service.

002999

State Health and Human Services Finance Commission

Budget Division
8/20/85 10:27

Analysis of Proposed Distribution of Medically Needy & Medically Indigent Appropriations

	Regular Medicaid		Medically Needy		AFDC Expansion & Unemployed Parent		Prospective Payment System		FY1985-86 Adjusted Base	
	Total	General	Total	General	Total	General	Total	General	Total	General
SHHSFC Assistance Payments:										
Hospital Inpatient	75,561,118	19,068,581	7,547,645	2,260,507	11,981,229	1,293,876	13,000,000	26,000	108,089,992	22,448,964
Hospital Outpatient	9,859,572	2,631,662	1,316,544	359,526	2,090,533	570,716			13,267,049	3,621,904
Nursing Home-Providers	98,848,871	26,985,742							98,848,871	26,985,742
Nursing Home-Extended Care-Ext. Care										
A.	1,508,088	411,708							1,508,088	411,708
Nursing Home Babcock Ctr.	1,789,196	488,450							1,789,196	488,450
Physicians Services	27,529,930	7,515,670	2,364,834	645,600	3,753,969	1,024,834			33,648,733	9,186,104
Dental Services	5,774,645	1,576,477	693,874	189,428	1,101,464	300,700			7,569,983	2,066,605
Drugs	23,023,598	6,285,442	778,838	212,623	1,236,337	337,520			25,038,773	6,835,585
Drugs - Dispensing Fee	6,608,114	1,804,014							6,608,114	1,804,014
Supply & DME	2,972,269	811,430	169,928	46,390	269,746	73,641			3,411,943	931,461
Home Health	2,819,786	763,802	42,482	11,598	67,437	18,410			2,929,705	799,810
AFDC Screening	1,743,812	476,260	226,571	61,854	359,662	98,188			2,330,045	636,102
Optometrist	832,192	227,190	84,964	23,195	134,873	36,820			1,052,029	287,205
Podiatrist	141,273	38,568	14,161	3,666	22,479	6,137			177,913	48,571
Transportation - Ambulance	4,163,151	1,136,540	552,267	150,769	876,675	239,332			5,597,843	1,526,641
Family Planning	2,028,560	202,856	368,178	36,818	584,450	58,445				
SMI Regular	10,722,339	2,927,199								
SMI - MAO	1,653,509	1,653,509	63,693	63,693	101,108	101,108				
Total Case Services/Public Assist. Payment	277,580,023	75,070,900	14,224,379	3,865,867	22,579,962	4,159,727	13,000,000	26,000		

METHODOLOGY:

The distributions shown on this worksheet reflect FY1985-86 appropriations adjusted for annualization and match rate change. The columns showing distribution for Medically Indigent (AFDC Expansion and AFDC Unemployed Parent) are distributed based on historic AFDC expenditure distribution. The client population eligible for programs is the same in age, sex, and race as those utilizing the existing AFDC, except that their income level is slightly higher. The HCFA report 2082 for federal source for historical date. The appropriation for the Prospective Payment System has been applied totally to Inpatient Hospital.

003000

EXHIBIT
AUG 27 1985 NO. 22
STATE BUDGET & CONTROL BOARD

EXHIBIT

AUG 27 1985

NO. 23

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

17

AGENCY: Human Resource Management

SUBJECT: Unclassified Employees Salary (Clemson)

The Division advises that Clemson is requesting authorization to hire Hugh Joseph Clausen in a position of Assistant to the President at a salary of \$62,000 annually. The Division advises that the proposed salary is 10.85% above the midpoint of the Executive Compensation System position salary range (which is \$44,745 to \$67,118).

The Division notes that Mr. Clausen retired from the Army as a Major General and that he has an extensive legal and management background. The Division further notes that the requested salary is in line with similar management positions at Clemson University and is considered warranted.

The Division recommends approval of the request.

This item was carried over at the August 8 meeting.

BOARD ACTION REQUESTED:

Authorize Clemson University to employ Hugh Joseph Clausen as Assistant to the President and to pay him initially \$62,000 annually.

ATTACHMENTS:

Agenda item worksheet plus attachments.

003001

RECEIVED JUL 30 1985

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

For meeting scheduled for:

August 8, 1985

Blue AgendaRegular Session AgendaX Executive Session Agenda

1. Submitted By:

(a) Agency: Division of Human Resource Management

(b) Authorized Official Signature:

Phyllis M. Mays

2. Subject:

Unemployment Salary For Unclassified Employee - Clemson University

3. Summary Background Information:

Clemson University is requesting authorization to hire Hugh Joseph Clausen in the position, Assistant to the President at \$62,000 per year. The proposed salary is 10.85% above the midpoint of the Executive Compensation System position salary range (\$44,745-\$67,118). Mr. Clausen retired from the U.S. Army as a Major General and has an extensive legal and management background. The requested salary is in line with similar management positions at Clemson University and is considered warranted.

EXHIBIT

AUG 27 1985

NO. 23

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Authorize Clemson University to hire Hugh Joseph Clausen at \$62,000 per year.

5. What is recommendation of the Board Division involved?

Approve the request.

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

- a. Memorandum of July 8, 1985,
Ray L. Thompson to R. Kenneth
Harrill with attachments.

003002

000000



CLEMSON
UNIVERSITY

BUSINESS AND FINANCE
Personnel Division

July 8, 1985

MEMORANDUM

TO: R. Kenneth Harrill
Director of Classification and Compensation

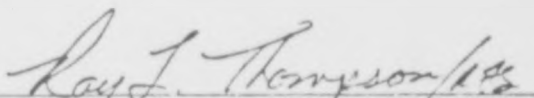
SUBJECT: Request to Hire Above the Midpoint

In accordance with Mrs. Fran Massey's telephone conversation today with Mrs. Loretta Kistler on your staff, Clemson University wishes to hire Major General Hugh Clausen in the position of Assistant to the President (9502-0002) at \$62,000 per year. This annual salary is approximately 10.85 percent above the midpoint.

The filling of the position with the most qualified person is very important to the administrative structure of Clemson University. Attached you will find a copy of General Clausen's resume' which defines his experience.

It is our understanding that the Budget and Control Board will meet on August 1, 1985, and we would be very appreciative if they could consider our request at that time.

Thank you very much for your assistance.


Ray L. Thompson, Personnel Director

cc: George Ropp
Fran Massey

Attachment

000000

003003

EXHIBIT

RESUME OF SERVICE CAREER

AUG 27 1985

NO. 23

of

STATE BUDGET & CONTROL BOARD

HUGH JOSEPH CLAUSEN, Major General

DATE AND PLACE OF BIRTH 25 December 1926, Mobile, Alabama

YEARS OF ACTIVE COMMISSIONED SERVICE Over 30

PRESENT ASSIGNMENT The Judge Advocate General, United States Army,
Washington, DC 20310, since July 1981

MILITARY SCHOOLS ATTENDED

The Judge Advocate General's School, Basic and Advanced Courses
United States Army Command and General Staff College
United States Army War College

EDUCATIONAL DEGREES

University of Alabama - LLB Degree
Harvard University - Advanced Management Program

RECENT MAJOR DUTY ASSIGNMENTS

<u>FROM</u>	<u>TO</u>	<u>ASSIGNMENT</u>
Jul 68	Jun 69	Staff Judge Advocate, 1st Infantry Division, Vietnam
Jun 69	Aug 71	Staff Officer, Plans and Operations Division, later Chief, Legislative Division, Office, Chief of Legislative Liaison, Office, Secretary of the Army, Washington, DC
Aug 71	May 72	Chief, Military Justice Division, Office of The Judge Advocate General, United States Army, Washington, DC
May 72	Jun 73	Executive, Office of The Judge Advocate General, United States Army, Washington, DC
Jun 73	Mar 76	Staff Judge Advocate, III Corps and Fort Hood, Texas
Mar 76	Sep 78	Commander, United States Army Legal Services Agency/Chief Judge, United States Army Court of Military Review, Falls Church, Virginia
Sep 78	Jul 79	Assistant Judge Advocate General for Military Law, United States Army, Washington, DC
Jul 79	Jul 81	The Assistant Judge Advocate General, United States Army, Washington, DC

003004

HUGH JOSEPH CLAUSEN, Major General

PROMOTIONS

DATES OF APPOINTMENT

Temporary

Permanent

2LT		
1LT	7 Mar 51	19 Jul 50
CPT	6 Jul 54	29 Oct 54
MAJ	21 Nov 61	5 Mar 62
LTC	28 Dec 65	5 Mar 69
COL	9 Nov 70	12 Mar 73
BG	17 Mar 76	
MG	1 Jul 79	1 Jul 79

US DECORATIONS AND BADGES

Legion of Merit (with Oak Leaf Cluster)
Bronze Star Medal (with 3 Oak Leaf Clusters)
Meritorious Service Medal
Air Medals
Army Commendation Medal (with Oak Leaf Cluster)

SOURCE OF COMMISSION Direct Appointment

As of 31 July 1981

100000

003605

EXHIBIT

AUG 27 1985

NO. 23

STATE BUDGET & CONTROL BOARD

MAJOR GENERAL HUGH JOSEPH CLAUSEN

THE JUDGE ADVOCATE GENERAL, UNITED STATES ARMY

Major General Clausen was born in Mobile, Alabama, on 25 December 1926. He served an enlisted tour in the Navy, then returned to college upon his discharge in June 1946. He attended Spring Hill College, the University of Louisville and the University of Alabama School of Law. He received his LL.B. in 1950 and was commissioned in the US Army Reserve as an officer in the Judge Advocate General's Corps. He was then called to active duty in March 1951.

General Clausen completed the Advanced Management Program in the Graduate School of Business Administration of Harvard University in 1970; the Nonresident Course of the US Army War College; US Army Command and General Staff College; the US Army Language School; and the Advanced Class at The Judge Advocate General's School.

General Clausen was appointed The Judge Advocate General, United States Army, on 31 July 1981. His prior assignments include service as The Assistant Judge Advocate General (July 1979-July 1981); Assistant Judge Advocate General for Military Law (September 1978-July 1979); Commander, United States Army Legal Services Agency (May 1976-August 1978); Staff Judge Advocate, III Corps and Fort Hood (June 1973-May 1976); Executive to The Judge Advocate General (May 1972-June 1973); Chief, Military Justice Division, Office of The Judge Advocate General (August 1971-May 1972); Staff Officer, Plans and Operations Division, and Chief, Legislative Division, Office, Chief of Legislative Liaison, Office, Secretary of the Army (June 1969-August 1971); Staff Judge Advocate, 1st Infantry Division, US Army Pacific-Vietnam (July 1968-June 1969); Author-Instructor, Department of Command, US Army Command and General Staff College (June 1966-July 1968).

General Clausen's awards include the Legion of Merit with Oak Leaf Cluster, Bronze Star Medal with three Oak Leaf Clusters, Meritorious Service Medal, Air Medal with Oak Leaf Cluster, and Army Commendation Medal with Oak Leaf Cluster.

General and Mrs. Clausen, the former Betty Sue Richards of Tuscaloosa, Alabama, reside in Alexandria, Virginia. They have two children, Joseph G. Clausen of Houston, Texas, and Mrs. John K. Branthoover of Cincinnati, Ohio.

003006

003006

References

Dean Wayne E. Alley, University of Oklahoma Law Center, Norman,
Oklahoma 73069

Major General Wilton B. Persons, Jr., U.S. Army Retired, 16 Chatuachee Crossing,
Savannah, Georgia 41311

Honorable Robinson O. Everett, Chief Judge, U.S. Court of Military Appeals,
Washington, D. C. 20442

Honorable James F. Clawson, Jr., Judge, 819 North Eleventh Street,
Temple, Texas 76501

200600

003007

RESUME OF
HUGH J. CLAUSEN
MAJOR GENERAL, USA

85 JUN 31 A8: 59

EXHIBIT

AUG 27 1985 NO. 23

Civilian Education

Springfield College, Mobile, Alabama - 1944
University of Louisville, Kentucky - 1946
University of Alabama, Mobile, Alabama - LL.B. - 1950
Harvard Business School, Advanced Management Program,
Cambridge, Massachusetts - 1970

STATE BUDGET & CONTROL BOARD

Military Education

The Judge Advocate General's School, U.S. Army, Basic and Advanced Courses
- 1951 and 1959
United States Army Command and General Staff College - 1965
United States Army Language School, California - 1962
United States Army War College - 1970

Career Positions

The Judge Advocate General, U.S. Army (1981 to present)

- o Legal Advisor to the Chief of Staff, the Secretary of the Army, and the Army Staff.
- o Supervises 1,820 U.S. Army military attorneys in execution of legal responsibilities worldwide.
- o Establishes U.S. Army Courts of Military Review for the appellate review of courts-martial cases.
- o Certifies officers to perform the duties of military judge, trial counsel, and defense counsel of general and special courts-martial.
- o Appoints appellate counsel for the U.S. Army Courts of Military Review and the U.S. Court of Military Appeals.
- o Makes frequent inspections in supervising the administration of military justice in Army units and installations throughout the world.
- o Provides counsel and supervises Army litigation in Federal Courts.
- o Manages administration, control, and coordination of all patent, copyright, trademark, and other intellectual property activities.

003008

Clemson University
EMPLOYEE SALARIES

DEAN's

Average Salary: \$62,982

Vice Provosts

\$57,917

\$65,391

Vice President

\$72,981

\$72,000

\$70,352

Asst to President

\$64,236 (Retired 6/30)

Above salaries do not include the general
increase for 1985-86.

000000

003009

EXHIBIT

AUG 27 1985

NO. 23

STATE BUDGET & CONTROL BOARD

- o Provides legal advice on contract law matters including policies and procedures in the field of appropriated and nonappropriated fund acquisitions and allied matters.
- o Provides Army representation before Federal and State regulatory bodies.
- o Recruits members and manages the careers of the members of the Judge Advocate General's Corps.
- o Exercises technical supervision of active and reserve officers of the Judge Advocate General's Corps and Department of the Army civilian attorneys.
- o Holds membership in several National bar groups.

Assistant Judge Advocate General, U.S. Army (1979-1981)

- o Exercised oversight and monitoring responsibility for approximately 108 legal offices worldwide.
- o Supervised the Judge Advocate General's School on the campus of the University of Virginia, with an annual operating budget of nearly \$3,000,000, and a staff of 94 attorneys and support personnel.
- o Supervised the U.S. Army Claims Service which has an annual budget of \$1,500,000 and a staff of 85 attorneys and support personnel.
- o Supervised the U.S. Army Legal Services Agency with responsibilities for legal services worldwide.

Assistant Judge Advocate General for Military Law (1978-1979)

- o Supervised and managed 72 military and civilian attorneys in the practice of criminal law, international law, administrative law, and legal aid.
- o Supervised the administration of military justice.
- o Developed and coordinated Army policy in the above areas within the Secretariat of the Army and the Army General Staff.
- o Managed and coordinated Congressional changes to the Uniform Code of Military Justice and Presidential changes to the Manual for Courts-Martial.
- o Provided staff advice on foreign, comparative, and international law and the law of war.
- o Served as President of the Judge Advocate General's Selection Board.

110100

003010

Commander, U.S. Army Legal Services Agency (1976-1978)

- o Planned, coordinated, managed, and executed \$2,500,000 annual budget.
- o Provided administrative, personnel, supply, and resource management for over 500 lawyers and administrative personnel located around the world, including trial judges, trial defense counsel, appellate Government counsel, appellate defense counsel, contract appeals attorneys and regulated industries attorneys.

Chief Judge, U.S. Army Court of Military Review (1976-1978)

- o Presided over a 16-judge appellate court.
- o Served as Senior Judge of a three-member panel.
- o Supervised Clerk of Court's office and Court administrative staff.
- o Developed court rules and standard operating procedures for the appellate court.
- o Supervised and managed 52 trial judges.

Awards and Honors

Legion of Merit
Bronze Star Medal (3 awards)
Meritorious Service Medal
Air Medal
Army Commendation Medal

Bar Memberships

The Supreme Court of the United States
The Supreme Court of Alabama
United States Court of Military Appeals
United States Army Court of Military Review
Alabama Bar Association
American Bar Association
District of Columbia Bar Association

EXHIBIT

AUG 27 1985

NO. 24

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

18

AGENCY: Human Resource Management

SUBJECT: Housing Authority Agency Head Salary

The Division advises that the Board of Commissioners of the State Housing Authority has recommended a salary of \$46,670 for Mr. Linwood H. Ransom, Jr., upon his appointment as Executive Director, effective August 1, 1985.

The Division indicates that Mr. Ransom's qualifications and experience exceed the minimum requirements for the position and that the salary range is \$39,669 minimum, midpoint \$46,670, and maximum \$53,670. Mr. Ransom's current salary is \$39,190.

The line-item appropriation for the position for 1985-86 is \$48,064.

The Division recommends approval of the request.

BOARD ACTION REQUESTED:

Approve \$46,670 as the annual salary for the new agency director for the State Housing Authority.

ATTACHMENTS:

Agenda item worksheet; Felder July 30 letter to Harrill

003012

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

For meeting scheduled for:

August 27, 1985

Blue Agenda

Regular Session Agenda

X Executive Session Agenda

1. Submitted By:

(a) Agency: Division of Human Resource Management

(b) Authorized Official Signature: Phyllis M. Mayes

2. Subject:

New Agency Head Salary - State Housing Authority

3. Summary Background Information:

In accordance with the proviso contained in Section 16 of the 1985-86 General Appropriation Act, the Board of Commissioners for the State Housing Authority is recommending a salary of \$46,670 for Mr. Linwood H. Ransom, Jr., upon his appointment as Executive Director, State Housing Authority effective August 1, 1985. Mr. Ransom's qualifications and experience exceed the minimum requirements for the position. The salary range for this position is: minimum \$39,669, midpoint \$46,670, maximum \$53,670. Mr. Ransom's current salary is \$39,190.

EXHIBIT

AUG 27 1985

NO. 24

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Approve an annual salary of \$46,670 for the new agency director for the State Housing Authority.

5. What is recommendation of the Board Division involved?

Approve the request.

6. Recommendation of other office (as required)?

(a) Office Name _____

Authorized

(b) Signature _____

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

a. Letter of July 30, 1985,
Thomas E. Felder to Kenneth
Harrill.

003013



EX OFFICIO
COMMISSIONERS
Hon. Richard W. Riley
Governor of South Carolina
Dr. Robert S. Jackson
Commissioner, DHEC
Hon. John C. Lindsay
State Senator
Hon. A. Victor Rawl
State Representative

APPOINTED
COMMISSIONERS
Thomas E. Felder, Chairman
Columbia
H. P. Stephenson, Vice Chairman
Columbia
Nathaniel W. Rosenfeld
Florence
Rebecca K. Swindell
Bamberg
Harold I. Sherman
Charleston
Dec A. Smith
Greenville

SOUTH CAROLINA STATE HOUSING AUTHORITY

1710 GERVAIS STREET • SUITE 100 • COLUMBIA, SOUTH CAROLINA 29201 • (803) 758-2844

EXHIBIT

AUG 27 1985 NO. 24

STATE BUDGET & CONTROL BOARD

July 30, 1985

Mr. Kenneth Harril
Compensation Director
Division of Human Resource Management
P.O. Box 12547
Columbia, SC 29211

Dear Mr. Harril:

The Board of Commissioners, in a Special Meeting conducted on July 29, 1985, appointed Linwood H. Ransom, Jr., to the vacant position of Executive Director effective August 1, 1985. Mr. Ransom's qualifications exceeded the minimum required by the position description. The Commissioners, based on his housing experience, approved a salary of \$46,670.

Please submit this information to the Budget and Control Board for approval. If additional information is required, please do not hesitate to contact me at 733-8100.

Yours truly,

Thomas E. Felder
Chairman

TEF/lha

cc J. Dais

003014

EXHIBIT

AUG 27 1985

NO. 25

STATE BUDGET AND CONTROL BOARD REGULAR SESSION
MEETING OF August 27, 1985 ITEM NUMBER

19

AGENCY: Human Resource Management

SUBJECT: On-call Pay, Medical University

The Medical University requests approval of the addition of the following two additional classes to its on-call pay policy approved by the Board on December 2, 1982: Cardiovascular Technician (4956); and Cardiovascular Technician Supervisor (4957).

MUSC feels that these are needed to assist in handling the consistent and growing requirement for emergency catheterizations in Pediatric Cardiology.

The Division of Human Resource Management recommends approval.

BOARD ACTION REQUESTED:

Authorize the addition of the following two classes to the Medical University on-call pay policy: Cardiovascular Technician and Cardiovascular Technician Supervisor.

ATTACHMENTS:

Agenda item worksheet and attachments

003015

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

For meeting scheduled for:

August 27, 1985

Blue Agenda

Regular Session Agenda

X Executive Session Agenda

1. Submitted By:

(a) Agency:

Division of Human Resource Management

(b) Authorized Official Signature:

Phyllis M. Mayes

2. Subject:

On-Call Pay - Medical University of South Carolina

3. Summary Background Information:

The Medical University of South Carolina is requesting approval to add two (2) additional classes to their on-call pay policy that was approved by the Budget and Control Board on December 2, 1982. The new classes to be added are Cardiovascular Technician (4956) and Cardiovascular Technician Supervisor (4957). These additions are needed to assist in handling the consistent and growing requirement for emergency catheterizations in Pediatric Cardiology.

EXHIBIT

AUG 27 1985

NO. 25

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Authorize the following classes to be added to the approved list of eligible classes for on-call pay: Cardiovascular Technician (4956) and Cardiovascular Technician Supervisor (4957).

5. What is recommendation of the Board Division involved?

Approve request.

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

a. Letter of July 22, 1985 from
Dr. Edward Kaylor to Kenneth
Harrill.

b. List of classes currently
authorized on-call pay at
MUSC.

003016

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT
Office of the Director (803) 792-2121
Employment (803) 792-2071
Classification (803) 792-2683
Compensation & Benefits (803) 792-2607



July 22, 1985

MEDICAL UNIVERSITY OF SOUTH CAROLINA
171 Ashley Avenue
Charleston, South Carolina 29425-1055

EXHIBIT

AUG 27 1985 NO. 25

STATE BUDGET & CONTROL BOARD

Mr. R. Kenneth Harrill
Director
Compensation Section
State Division of Human Resource Mgmt.
1205 Pendleton Street
Columbia, South Carolina 29211

Dear Mr. Harrill:

It is requested that the following two classifications be added to the list of classes presently authorized on-call pay:

<u>Class Code</u>	<u>Title</u>	<u>No. Positions</u>
4956	Cardiovascular Technician	3
4957	Cardiovascular Technician Supervisor	2

The MUSC Medical Center is experiencing a consistent and growing requirement in the performance of emergency catheterizations in Pediatric Cardiology. The nature of these procedures is usually a balloon septostomy which may be life-saving for the infant involved. In these situations, the Division Director, Dr. Paul Gillette, is asking these Technicians to be available and in fact remain in an on-call status during certain non-duty hours for which they have not been compensated. Since the duties involved are directly patient-related and personnel are requested to be available when scheduled and called, it is believed that the payment of on-call pay (\$1.00 per hour) is fully justified for these classifications. The additional costs will be minimal when considering the valuable service these technicians provide when assisting emergency catheterization procedures. Enclosed for your information is the list of classes currently authorized on-call pay.

Your support is requested to present this request to the Budget and Control Board at the earliest possible time.

Sincerely,

C. Edward Kaylor, Jr. Ph.D.
Acting Director

CEK/mh

Enclosure:

603017

MEDICAL UNIVERSITY OF SOUTH CAROLINA

ON-CALL PAY CLASSES

EXHIBIT

AUG 27 1985

NO. 25

STATE BUDGET & CONTROL BOARD

CLASS CODE & TITLE

* 0512 Administrative Specialist B
4013 Staff Nurse
4041 Head Nurse
4015 Asst. Head Nurse
4042 Nurse Clinician
4314 Respiratory Therapist I
4315 Respiratory Therapist II
4316 Respiratory Therapist Supervisor
4320 Radiation Therapist Technologist
4321 Senior Radiation Therapist Technologist
4412 X-Ray Technologist
4413 X-Ray Technologist II
4414 X-Ray Technologist Supervisor I
4416 Autopsy Technician
4417 Sr. Autopsy Technician
4418 Mortuary Caretaker
4429 Surgical Technician
4458 Nuclear Medicine Technologist
4473 Respiratory Therapy Technician
4522 Transplant Technologist
4538 Biomedical Equip. Tech. I
4539 Biomedical Equip. Tech. II
4841 Chemist I

003018

MEDICAL UNIVERSITY OF SOUTH CAROLINA

ON-CALL PAY CLASSES

EXHIBIT

AUG 27 1985

NO. 25

STATE BUDGET & CONTROL BOARD

Class Code & Title

4842 Chemist II

4921 Medical Technologist I

4922 Medical Technologist II

4923 Medical Technologist III

*Coordinator of Cadaveric Kidney donor call only

003019

EXHIBIT

AUG 27 1985

NO. 25

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

20

AGENCY: Human Resource Management

SUBJECT: On-call Pay, Department of Mental Health

The Department of Mental Health requests that the following 12 additional classes be added to their on-call pay policy which was approved by the Board on October 19, 1984:

Addiction Specialist I	(5311)
Addiction Specialist II	(5312)
Addiction Specialist III	(5313)
Psychologist I	(5531)
Psychologist II	(5532)
Psychologist III	(5533)
Psychologist IV	(5534)
Clinical Chaplain I	(5361)
Clinical Chaplain II	(5362)
Clinical Laboratory Technician I	(4926)
Nurse Clinician	(4024)
Clinical Nurse Specialist	(4072)

Of these classes, the following are to be eligible for on-call pay in the Community Mental Health Services only:

Addiction Specialist I	(5311)
Addiction Specialist II	(5312)
Addiction Specialist III	(5313)
Psychologist I	(5531)
Psychologist II	(5532)
Psychologist III	(5533)
Psychologist IV	(5534)
Clinical Chaplain I	(5361)
Clinical Chaplain II	(5362)

The Division of Human Resource Management recommends approval.

BOARD ACTION REQUESTED:

Approve the addition of the following 12 classes to the on-call pay policy of the Department of Mental Health: Addiction Specialist I, II, III; Psychologist I, II, III, IV; Clinical Chaplain I, II; Clinical Laboratory Technician I; Nurse Clinician; and Clinical Nurse Specialist; with the following classes to be eligible for on-call pay in the Community Mental Health Services only: Addiction Specialist I, II, III; Psychologist I, II, III, IV; Clinical Chaplain I, II.

ATTACHMENTS:

Agenda item worksheet and attachments

003020

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

For meeting scheduled for:

August 27, 1985

Blue Agenda

Regular Session Agenda

X Executive Session Agenda

1. Submitted By:

(a) Agency: Division of Human Resource Management

(b) Authorized Official Signature: Phyllis M. Mayes

2. Subject:

On-Call Pay - Department of Mental Health

3. Summary Background Information:

The Department of Mental Health is requesting approval to add twelve (12) additional classes to their on-call pay policy that was approved by the Budget and Control Board on October 19, 1984. Of the requested classes, the following are to be eligible for on-call pay in the Community Mental Health Services only: Addiction Specialist I, II, III (5311, 5312, 5313); Psychologist I, II, III, IV (5531, 5532, 5533, 5534); Clinical Chaplain I, II, (5361, 5362).

EXHIBIT

AUG 27 1985

NO. 25

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Authorize the following classes to be added to the approved list of eligible classes for on-call pay: Addiction Specialist I, II, III (5311, 5312, 5313); Psychologist I, II, III, IV (5531, 5532, 5533, 5534); Clinical Chaplain I, II (5361, 5362); Clinical Laboratory Technician I (4926); Nurse Clinician (4024); Clinical Nurse Specialist (4072).

5. What is recommendation of the Board Division involved?

Approve request.

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

a. Letter of July 23, 1985
William R. Noyes to
Phyllis M. Mayes.

003021



South Carolina Department of Mental Health

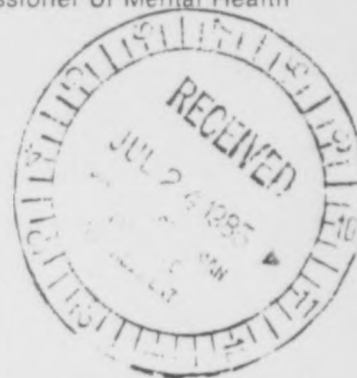
An Equal Opportunity Employer

P.O. Box 485 / 2414 Bull Street / Columbia, South Carolina 29202

William S. Hall, M.D. / State Commissioner of Mental Health

Racine D. Brown, Ph.D. / Assistant State Commissioner of Mental Health

July 23, 1985



rec'd
8/5/85
LH

Phyllis M. Mayes, Director
Division of Human Resource Management
Post Office Box 12547
Columbia, South Carolina 29211

Dear Ms. Mayes:

The Department of Mental Health respectfully requests Budget and Control Board approval for the following classes to be eligible for on-call pay.

Division of Community Mental Health Services Only

<u>Classification</u>	<u>Class Code</u>
Addiction Specialist I	5311
Addiction Specialist II	5312
Addiction Specialist III	5313
Psychologist I	5531
Psychologist II	5532
Psychologist III	5533
Psychologist IV	5534
Clinical Chaplain I	5361
Clinical Chaplain II	5362

EXHIBIT

AUG 27 1985

NO. 25

STATE BUDGET & CONTROL BOARD

As utilized by Community Mental Health Services, these classes can provide a 24 hour a day counseling service to clients in all areas of the state. This service is similar to that provided by Mental Health Counselors, classes for which on-call pay has already been approved. Additionally, all of the above listed classes have been designated as Health Care Professionals and Medicaid will pay for medical services which are medically necessary.

All Departmental Facilities

<u>Classification</u>	<u>Class Code</u>
Clinical Laboratory Technician I	4926
Nurse Clinician	4024
Clinical Nurse Specialist	4072

003022

EXHIBIT

Approval On-Call Pay - Continued
Page 2
July 23, 1985


AUG 27 1985 NO. 25

STATE BUDGET & CONTROL BOARD

These positions are essential to provide adequate direct patient care.

If additional information is needed, please let us know.

Yours very truly,



William R. Noyes
Director, Human Resource Services

WRN/pah

003023

EXHIBIT

AUG 27 1985

NO. 26

STATE BUDGET AND CONTROL BOARD

STATE BUDGET & CONTROL BOARD

REGULAR SESSION

MEETING OF August 72, 1985

ITEM NUMBER

21

AGENCY: Human Resource Management

SUBJECT: Salary Schedules and Increases for Unclassified Teachers

The Education Improvement Act provides for each State agency having certified instructional personnel to receive an allocation based on the following formula:

Each State agency shall receive such funds as are required to adjust the pay of all certified instructional personnel to the appropriate salary provided by the salary schedules of the surrounding school districts.

The Division of Human Resource Management recommends approval of the following salary schedules for unclassified teachers for the 1985-86 school year, and recommends that each teacher be placed on the salary schedules commensurate with number of years of teaching experience:

- a. School for the Deaf and the Blind: 7% increase (located in Spartanburg District 7; proposed schedule coincides with Spartanburg District 7 schedule)
- b. Wil Lou Gray Opportunity School: average 7% increase (located in Lexington District 2 and surrounded by Lexington Districts 1, 4, and 5 and Richland District 1)

c. John de la Howe School

BOARD ACTION REQUESTED:

Approve the following salary schedules for unclassified teachers for the 1985-86 school year, and authorize placement of each teacher on the salary schedules commensurate with number of years of teaching experience:

- a. School for the Deaf and the Blind: 7% increase
- b. Wil Lou Gray Opportunity School: average 7% increase

c. John de la Howe School

ATTACHMENTS:

Agenda item worksheet, proposed salary schedules and attachments

003024

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

EXHIBIT

For meeting scheduled for:

August 27, 1985

AUG 27 1985

NO. 26

☐ Blue Agenda☐ Regular Session Agenda☒ Executive Session Agenda

1. Submitted By: STATE BUDGET & CONTROL BOARD
 (a) Agency: Division of Human Resource Management

(b) Authorized Official Signature:

Phyllis M. Mayes

2. Subject: Salary Schedules and Increases for Unclassified Teachers- Various State Agencies

3. Summary Background Information:

The Education Improvement Act provides for each state agency having certified instructional personnel to receive an allocation based on the following formula: Each state agency shall receive such funds as are required to adjust the pay of all certified instructional personnel to the appropriate salary provided by the salary schedules of the surrounding school districts.

- a. The School for the Deaf and Blind: The school is located in Spartanburg District 7. The proposed salary schedule coincides with the schedule used by Spartanburg District 7 and reflects a 7% increase over the 1984-85 schedule.
- b. Wil Lou Gray Opportunity School: The school is located in Lexington District 2 and surrounded by Lexington Districts 1, 4 and 5 and Richland District 1. The proposed salary schedule represents an average increase of 7% over the 1984-85 schedule.

4. What is Board asked to do?

- a. Approve the salary schedules for Unclassified Teachers for the 1985-86 school year. and,
- b. Authorize each teacher to be placed on the salary schedules commensurate with their number years of teaching experience.

5. What is recommendation of the Board Division involved?

Approve the salary schedules and the proposed salary increases.

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those AttachedList Those Not Attached But Available from Submitter

- a. Salary schedules and cover letters from the agencies.

003025

Budget & Control Board Agenda Item

Scheduled For: August 27, 1985

Subject: Salary Schedules and Increases for Unclassified Teachers -
Various State Agencies

EXHIBIT

AUG 27 1985

NO. 26

3. Summary Background Information: (con't)

STATE BUDGET & CONTROL BOARD

- c. John De La Howe School: The school is located in McCormick School District and surrounded by Abbeville and Greenwood Districts 51 and 52. The proposed salary schedule reflects a 6.5% increase over the 1984-85 schedule.

003026

**SOUTH CAROLINA SCHOOL
FOR THE DEAF AND THE BLIND**

CEDAR SPRING STATION
SPARTANBURG, S.C. 29302
TELEPHONE: (803) 585-7711



A. BARON HOLMES, IV
President

July 22, 1985

EXHIBIT

AUG 27 1985

NO. 26

STATE BUDGET & CONTROL BOARD

Ms. Kathy S. Morgan, Analyst
Classification and Compensation
Division of Human Resource Management
1205 Pendleton Street
Columbia, South Carolina

Dear Ms. Morgan:

RE: Approval of 1985-86 Teacher Salary Schedule

Attached is our proposed Teacher Salary Schedule and Supervising Teacher Salary Schedule for 1985-86. As in past years, our schedule coincides with the one used by Spartanburg District #7. Our teachers are required to be certified by the State Department of Education and are paid based on their degree and years of experience.

We would appreciate your cooperation in referring these salary schedules to the Budget and Control Board for their approval. We will process the PAIS forms to reflect the new 85-86 salary in the very near future. If you have any questions, please let me know.

Yours truly,

A handwritten signature in cursive script, appearing to read "Lach", followed by the printed name "Lachlan L. Hyatt, Jr." and the title "Personnel Director".

Lachlan L. Hyatt, Jr.
Personnel Director

LLHjr/cp

cc: Dr. A. Baron Holmes, IV, President
Mr. C. Paul Manly, Director of Administrative Services

003027

BOARD OF COMMISSIONERS

MR. DOUGLAS DENT, Chairman
Member at Large

MRS. R. BEVERLY HERBERT JR., Secretary
Second Congressional District

MRS. LEWIS M. DAVIS
Fourth Congressional District

DR. EARL F. MATHIS SR.
Third Congressional District

MRS. W. BURKE WATSON
Fifth Congressional District

MR. DONALD CAPPS
Member at Large, Blind

MR. HARRY CULPEPPER
Member at Large, Deaf

MRS. LINDA K. SILVER
First Congressional District

MRS. SARAH M. STOKES
Sixth Congressional District

EX OFFICIO MEMBERS

DR. CHARLIE WILLIAMS
State Superintendent of Education

DR. ROBERT S. JACKSON
Commissioner, DEHEC

DR. TERRY PETERSON
Representative from the
Governor's Office

S. C. School for the Deaf & the Blind

Teacher's Salary Schedule 1985-86

208 Days

NTE - Grade A

Years Prior Exp.	Class III Bachelor's Degree	Class II Bachelor's Degree Plus 18 Hours	Class I Master's Degree	Class 7 Master's Degree Plus 30 Hours	Class 8 Doctor's Degree	Years Prior Exp.
0	\$16,603	\$17,350	\$19,010	\$20,671	\$22,331	0
1	16,968	17,798	19,509	21,169	22,995	1
2	17,433	18,263	20,007	21,667	23,659	2
3	17,881	18,712	20,505	22,165	24,323	3
4	18,346	19,176	21,003	22,663	24,988	4
5	18,795	19,625	21,501	23,161	25,652	5
6	19,259	20,090	21,999	23,659	26,316	6
7	19,708	20,538	22,497	24,157	26,980	7
8	20,173	21,003	22,995	24,655	27,644	8
9	20,621	21,451	23,493	25,154	28,308	9
10	21,086	21,916	23,991	25,652	28,972	10
11	21,534	22,364	24,489	26,150	29,636	11
12	21,999	22,829	24,988	26,648	30,300	12
13	22,447	23,277	25,486	27,146	30,965	13
14	22,912	23,742	25,984	27,644	31,629	14
15	23,360	24,191	26,482	28,142	32,293	15
16	23,825	24,655	26,980	28,640	32,957	16
17	24,274	25,104	27,478	29,138	33,621	17
20	24,374	25,204	27,578	29,238	33,721	20
25	24,474	25,304	27,678	29,338	33,821	25

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EXHIBIT

AUG 27 1985

NO. 26

STATE BUDGET & CONTROL BOARD

S. C. School for the Deaf & the Blind

Teacher's Salary Schedule 1985-86

208 Days

NTE - Grade A

Years Prior Exp.	Class III Bachelor's Degree	Class II Bachelor's Degree Plus 18 Hours	Class I Master's Degree	Class 7 Master's Degree Plus 30 Hours	Class 8 Doctor's Degree	Years Prior Exp.
0	\$16,603	\$17,350	\$19,010	\$20,671	\$22,331	0
1	16,968	17,798	19,509	21,169	22,995	1
2	17,433	18,263	20,007	21,667	23,659	2
3	17,881	18,712	20,505	22,165	24,323	3
4	18,346	19,176	21,003	22,663	24,988	4
5	18,795	19,625	21,501	23,161	25,652	5
6	19,259	20,090	21,999	23,659	26,316	6
7	19,708	20,538	22,497	24,157	26,980	7
8	20,173	21,003	22,995	24,655	27,644	8
9	20,621	21,451	23,493	25,154	28,308	9
10	21,086	21,916	23,991	25,652	28,972	10
11	21,534	22,364	24,489	26,150	29,636	11
12	21,999	22,829	24,988	26,648	30,300	12
13	22,447	23,277	25,486	27,146	30,965	13
14	22,912	23,742	25,984	27,644	31,629	14
15	23,360	24,191	26,482	28,142	32,293	15
16	23,825	24,655	26,980	28,640	32,957	16
17	24,274	25,104	27,478	29,138	33,621	17
20	24,374	25,204	27,578	29,238	33,721	20
25	24,474	25,304	27,678	29,338	33,821	25

003028

EXHIBIT

AUG 27 1985

NO. 26

STATE BUDGET & CONTROL BOARD

SOUTH CAROLINA SCHOOL FOR THE DEAF AND THE BLIND

Salary Schedule for Teachers Working More Than Regular Schedule

FY 19 85-86

Years Prior Exp.	SUPERVISING TCHR (52 Wks/Yr)		OTHER TEACHERS	
	Master's Degree	MA + 30 Hrs or Higher	MA Degree (45 Wks/Yr)	MA Degree (52 Wks/Yr)
5	# 26,507	# 29,281	# 22,773	# 25,394
6	27,006	29,778	23,271	25,893
7	27,503	30,277	23,769	26,390
8	28,002	30,774	24,268	26,889
9	28,499	31,273	24,765	27,387
10	28,998	31,749	25,264	27,885
11	29,496	32,269	25,761	28,383
12	29,994	32,767	26,260	28,881
13	30,492	33,265	26,757	29,379
14	30,990	33,763	27,256	29,878
15	31,488	34,261	27,754	30,375
16	31,987	34,759	28,252	30,874
17	32,484	35,258	28,750	31,371
20	32,584	35,358	28,850	31,471
25	32,684	35,458	28,950	31,571

Based on 7% Increase over 1984-85 Salary Schedule

STATE BUDGET & CONTROL BOARD

AUG 27 1985 NO. 26

EXHIBIT

003079

Received 7/31

Wil Lou Gray Opportunity School

W. CAMPUS ROAD
WEST COLUMBIA, SOUTH CAROLINA 29169

July 29, 1985

EXHIBIT

AUG 27 1985 NO. 26

STATE BUDGET & CONTROL BOARD

Mr. Kenneth Harrill, Director
Classification & Compensation
Human Resource Management
P. O. Box 12547
Columbia, South Carolina 29211

Dear Mr. ^{Ken}Harrill:

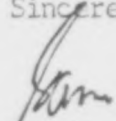
Attached is a list of teachers (unclassified) whose proposed salaries for 1985-86 contain increases which exceed the 12% limit on increases for unclassified positions in state agencies, approved by the Budget and Control Board. The list indicates the 1984-85 salaries, the proposed 1985-86 salaries, and the percentage increase. We are requesting approval of these salaries as listed.

The Appropriation Act, beginning in FY 85, required that the Opportunity School base its salaries for instructional staff on the average salaries of comparable instructional staff in the surrounding school districts. The law also ties our instructional staff to a ten month work year. As you are aware, this law is designed to keep the agency competitive with the surrounding school districts. We are complying with the law over a two year phase in. This is the second year of the phase in.

Because many of our teachers fell well below the area average, a percentage raise larger than 12% was required to bring them to the average. Raises in subsequent years will conform to the average pay raise granted teachers in the surrounding districts under the Education Improvement Act and local supplements. It is not anticipated that those raises would exceed 12%.

I appreciate your attention to this matter. If you need additional information, please contact me.

Sincerely,


Sam F. Drew, Jr.
Superintendent

SFDJr:gll
Enclosure

FACTS ABOUT THE OPPORTUNITY SCHOOL
TELEPHONE AREA CODE (803) 758-2503

003030

1. FIRST SCHOOL OF ITS KIND IN THE UNITED STATES.
2. A STATE SUPPORTED BOARDING SCHOOL.
3. MORE THAN ONE-HALF CENTURY OF CREDITABLE HISTORY.
4. PUPILS RANGE FROM 15 YEARS OF AGE OR OLDER FROM BEGINNERS THROUGH HIGH SCHOOL GRADUATES.



5. STANDARD CURRICULUM.
6. GENERAL EDUCATION.
7. CLASSES THAT FIT EVERY PUPIL.
8. A COLLEGE HOME — NOT AN INSTITUTION.
9. DEVELOPMENT OF INDIVIDUAL PERSONALITY.
10. EQUAL EMPLOYMENT OPPORTUNITY.

**This salary schedule is calculated on 225 days.

EXHIBIT

AUG 27 1985

NO. 26

WIL LOU GRAY OPPORTUNITY SCHOOL

1985-86 SALARY SCHEDULE FOR TEACHERS

STATE BUDGET & CONTROL BOARD

PRIOR YEARS EXPERIENCE	CLASS 3 BACHELOR'S	CLASS 2 BACHELOR'S PLUS 18	CLASS 1 MASTER'S	CLASS 7 MASTER'S PLUS 30	CLASS 8 DOCTORATE
0	\$ 16,867	\$ 17,707	\$ 19,477	\$ 21,208	\$ 22,844
1	17,238	18,138	19,949	21,685	23,449
2	17,677	18,579	20,426	22,170	24,056
3	18,099	19,016	20,982	22,647	24,680
4	18,658	19,465	21,390	23,126	25,304
5	18,974	19,903	21,870	23,605	25,928
6	19,416	20,349	22,359	24,113	26,582
7	19,855	20,787	22,856	24,605	27,209
8	20,297	21,235	23,350	25,100	27,634
9	20,729	21,670	23,848	25,599	28,489
10	21,172	22,117	24,344	26,097	29,131
11	21,604	22,554	24,844	26,602	29,777
12	22,047	23,000	25,345	27,106	30,422
13	22,479	23,437	25,847	27,609	31,068
14	22,923	23,884	26,347	28,116	31,713
15	23,357	24,325	26,849	28,617	32,358
16	23,824	24,769	27,368	29,121	33,018
17	24,326	25,263	27,920	29,676	33,713
18	24,512	25,453	28,119	29,875	33,962
19	24,576	25,517	28,190	29,946	34,058
20	24,576	25,517	28,190	29,946	34,058
21	24,576	25,517	28,190	29,946	34,058
22	24,619	25,560	28,233	29,988	34,100
23	24,619	25,560	28,233	29,988	34,100
24	24,619	25,592	28,265	30,020	34,131
25	24,619	25,592	28,265	30,020	34,131
30	24,705	25,666	28,307	30,138	34,249
35	24,705	25,740	28,413	30,169	34,281

Employees are paid on the basis of their credentials on file with the Director of Personnel. Each employee is responsible for submitting documentation of changes in classification to the Director of Personnel. Salary listed is conditional upon the availability of funds granted by the legislature for the respective fiscal year.

003031

EXHIBIT

AUG 27 1985

NO. 26

STATE BUDGET & CONTROL BOARD

<u>Name</u>	<u>1984-85 Salary</u>	<u>1985-86 Proposed Salary</u>	<u>%Increase</u>
Asmond, Bobby	18,908	22,479	18.8
Bosworth, Dale	16,933	19,416	14.6
Boyd, Paulette W.	17,500	21,390	22.2
Brackett, Vivian S.	23,926	27,368	14.3
Goodson, Carole A.	20,996	23,884	13.7
Hooper, Stephen W.	21,521	24,326	13.0
Marshall, Linda P.	19,034	21,604	13.5
Smith, Paulette D.	21,521	24,326	13.0
White, Jackie	21,965	25,453	15.0

003032



JOHN C. SHIFLET, JR.
SUPERINTENDENT

STATE OF SOUTH CAROLINA
JOHN DE LA HOWE SCHOOL
McCormick, South Carolina 29835



803 391 2131

August 14, 1985

EXHIBIT

AUG 27 1985

NO. 26

STATE BUDGET & CONTROL BOARD

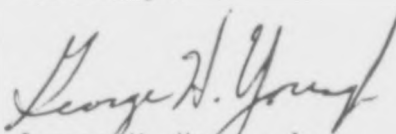
Mr. George Harris
Division of Human Resource Management
Classification and Compensation
P. O. Box 12547
Columbia, South Carolina 29211

Dear Mr. Harris:

We request the Budget and Control Boards approval of the salary schedule and method we use to pay our classroom teachers. We pay our teachers according to the State Department of Education State Minimum Salary Schedule plus \$300 dollars. The actual salary for each teacher depends on their degree, years of experience and grade on certificate. We have used this method of payment for the last several years. A copy of the schedule is attached.

Please contact me if you need any additional information.

Sincerely,


George H. Young, Jr.
Director of Business and Support Services

GHYjr/dbw

Attachment

cc: John C. Shiflet, Superintendent

003033

1985-86 STATE MINIMUM SALARY SCHEDULE

Prior Yrs. Exp.	CLASS 8	CLASS 7	CLASS 6		CLASS 5		CLASS 4				CLASS 3				CLASS 2				CLASS 1				CLASS 0			
	Doctor's Degree	Master's Degree Plus 30 Hrs. In An. Pm.	Master's Degree		Bachelor's Degree Plus 18 Sem. Hours Graduate Work		Bachelor's Degree				Three Years College				Two Years College				Less Than Two Years College							
			Professional	II	Professional	II	Professional	Warrant	II	C	D	A	II	C	D	A	II	C	D	A	II	C	D			
0	18260	16902	15545	13169	14187	12151	13576	13576	12015	8621	7263	10182	9164	7806	6788	9503	8824	7467	6788	8146	7467	6788				
	2041	1890	1738	1472	1586	1358	1518	1518	1343	964	812	1138	1024	873	759	1062	987	835	759	911	835	759				
	20301	18792	17283	14641	15773	13509	15094	15094	13358	9585	8075	11320	10188	8679	7547	10565	9811	8302	7547	9057	8302	7547				
	18803	17309	15952	13440	14553	12422	13875	13875	12246	8784	7426	10318	9300	7942	6924	9639	8960	7603	6924	8281	7603	6924				
1	2102	1935	1783	1503	1627	1389	1551	1551	1369	982	830	1153	1040	888	774	1078	1002	850	774	926	850	774				
	20905	19244	17735	14943	16180	13811	15426	15426	13615	9766	8256	11471	10340	8830	7698	10717	9962	8453	7698	9207	8453	7698				
2	19346	17717	16359	13712	14934	12694	14255	14255	12490	8960	7603	10454	9435	8078	7060	9775	9096	7738	7060	8417	7738	7060	6109			
	2163	1981	1829	1533	1670	1419	1594	1594	1396	1002	850	1169	1055	903	789	1093	1017	865	789	941	865	789	683			
3	21509	19698	18188	15245	16604	14113	15849	15849	13886	9962	8453	11623	10490	8981	7849	10868	10113	8603	7849	9358	8603	7849	6792			
	19889	18124	16766	13983	15300	12965	14621	14621	12721	9123	7765	10589	9571	8213	7195	9910	9232	7874	7195	8553	7874	7195				
	2223	2026	1874	1563	1711	1449	1635	1635	1422	1020	868	1184	1070	918	804	1108	1032	880	804	956	880	804				
	22112	20150	18640	15546	17011	14414	16256	16256	14143	10143	8633	11773	10641	9131	7999	11018	10264	8754	7999	9509	8754	7999				
4	20432	18531	17174	14255	15680	13237	15001	15001	12965	9300	7942	10725	9707	8349	7331	10046	9367	8010	7331	8689	8010	7331				
	2284	2072	1920	1594	1753	1480	1677	1677	1449	1040	888	1199	1085	933	820	1123	1047	895	820	971	895	820				
5	22716	20603	19094	15849	17433	14717	16678	16678	14414	10340	8830	11924	10792	9282	8151	11169	10414	8905	8151	9660	8905	8151				
	20975	18939	17581	14526	16047	13508	15368		13196	9462	8105	10861	9843	8485	7467	10182	9503	8146	7467	8824	8146	7467	6245			
	2345	2117	1966	1624	1794	1510	1718		1475	1058	906	1214	1100	949	835	1138	1062	911	835	987	911	835	698			
	23320	21056	19547	16150	17841	15018	17086		14671	10520	9011	12075	10943	9434	8302	11320	10565	9057	8302	9811	9057	8302	6943			
6	21518	19346	17988	14798	16427	13780	15748		13440	9639	8281	10997	9978	8621	7603	10318	9639	8281	7603	8960	8281	7603	6381			
	2406	2163	2011	1654	1836	1541	1761		1503	1078	926	1229	1116	964	850	1153	1078	926	850	1002	926	850	713			
7	23924	21509	19999	16452	18263	15321	17509		14943	10717	9207	12226	11094	9585	8453	11471	10717	9207	8453	9962	9207	8453	7094			
	22061	19753	18395	15069	16794	14051	16115		13671	9802	8444															
	2466	2208	2056	1685	1878	1571	1802		1528	1096	944															
	24527	21961	20451	16754	18672	15622	17917		15199	10898	9388															
8	22604	20160	18803	15341	17174	14323	16495		13915	9978	8621															
	2527	2254	2102	1715	1920	1601	1844		1556	1116	964															
9	25131	22414	20905	17056	19094	15924	18339		15471	11094	9585															
	23147	20568	19210	15612	17540	14594	16861		14146	10141	8784															
	2588	2299	2148	1745	1961	1632	1885		1581	1134	982															
	25735	22867	21358	17357	19501	16226	18746		15727	11275	9766															
10	23690	20975	19617	15884	17920	14866	17242		14391	10318	8960															
	2648	2345	2193	1776	2003	1662	1927		1609	1153	1002															
11	26338	23320	21810	17660	19923	16528	19169		16000	11471	9962															
	24233	21382	20025	16155	18287	15137	17608		14621	10481	9123															
	2709	2390	2239	1806	2045	1692	1968		1635	1172	1020															
	26942	23772	22264	17961	20332	16829	19576		16256	11653	10143															
12	24776	21789	20432	16427	18667	15409	17988		14866	10657	9300															
	2770	2436	2284	1836	2087	1723	2011		1662	1191	1040															
13	27546	24225	22716	18263	20754	17132	19999		16528	11848	10340															
	25319	22197	20839	16698	19034	15680	18355		15097	10820	9462															
	2831	2481	2330	1867	2128	1753	2052		1688	1210	1058															
	28150	24678	23169	18565	21162	17433	20407		16785	12030	10520															

1985-86

1st Figure - Education Finance Act Salary
 2nd Figure - Education Improvement Act
 Increase
 3rd Figure - Total Minimum Salary

EXHIBIT
 AUG 27 1985
 NO. 26
 STATE BUDGET & CONTROL BOARD

JULY 1, 1985

John de la Howe School will be paying you on the number of years of teaching experience and the type of degree you hold, plus \$300.00, for the 1985-86 school year.

JTM, III Director of Education

RECEIVED JUL 1 1985

003034

EXHIBIT

AUG 27 1985

NO. 27

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

22

AGENCY: Motor Vehicle Management

SUBJECT: Fuel Economy Products and Devices Policy

The Division of Motor Vehicle Management proposes that all testing of motor vehicle fuel economy products and devices be the responsibility of that Division and that the policy provide that no State agency may test or evaluate any fuel economy product or device without the approval of the Director of the Division.

The policy also indicates that the State will not test or evaluate these products or devices unless there is a reasonable assumption that they will be cost-effective and legally acceptable. The policy outlines the requirements which products or devices must meet to be considered for testing and evaluation by the State.

BOARD ACTION REQUESTED:

Adopt the policy proposed by the Division of Motor Vehicle Management relating to fuel economy products and devices and authorize the Division to publish instructions for implementing this policy.

ATTACHMENTS:

Agenda item worksheet; referenced policy

003035

EXHIBIT

AUG 15 1985

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

AUG 27 1985 NO. 27

For meeting scheduled for:

STATE BUDGET & CONTROL BOARD

Blue Agenda

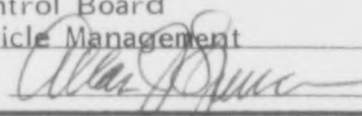
☒ Regular Session Agenda

☐ Executive Session Agenda

August 27, 1985

1. Submitted By: State Budget and Control Board

(a) Agency: Division of Motor Vehicle Management

(b) Authorized Official Signature: 

2. Subject: Policy regarding alternate fuel usage or purchase of conservation products including retrofit devices.

3. Summary Background Information:

Section 7522 (a) (3) (A) of the Clean Air Act (Act) prohibits any person from removing or rendering inoperative any emission control device or element of design installed on or in a motor vehicle or motor vehicle engine prior to its sale and delivery to an ultimate purchaser and prohibits a dealer or manufacturer from knowingly removing or rendering inoperative any such device or element of design after such sale and delivery. Section 7522 (a) (3) (B) of the Act prohibits fleet operators and persons engaged in the business of servicing, repairing, selling, leasing, or trading motor vehicles or motor vehicle engines from knowingly removing or rendering inoperative any emission control device or element or design installed on or in a motor vehicle or motor vehicle engine. Use of a fuel economy device, system or additive may render inoperative a device or element of design of an emission control system, and therefore, could be considered tampering under this section of the Act.

(See Attached)

4. What is Board asked to do?

Approve the policy listed as attachment (1) and authorize the Division of Motor Vehicle Management to publish administration instructions to implement this action.

5. What is recommendation of the Board Division involved?

Approval.

6. Recommendation of other office (as required)?

(a) Office Name N/A

Authorized

(b) Signature N/A

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available from Submitter

(1) Recommended Policy

(1) Section 7522 of the Clean Air Act

003036

EXHIBIT

AUG 27 1985

NO. 27

Summary Background Information Continued:

STATE BUDGET & CONTROL BOARD

In addition to potential tampering liability associated with the above, induction of fuels, lubricants, additives or modifying any component, sub-assembly or assembly from manufacturer's specifications could void warranties.

003037

EXHIBIT

AUG 27 1985

NO. 27

STATE BUDGET & CONTROL BOARD

POLICY ON ALTERNATE FUEL USAGE OR PURCHASE OF CONSERVATION PRODUCTS INCLUDING RETROFIT DEVICES

All testing of motor vehicle fuel economy products and devices shall be the responsibility of the Division of Motor Vehicle Management (DMVM). No state agency may test or evaluate any fuel economy product or device without the approval of the Director of DMVM.

Vendors should understand that the State of South Carolina will not test or evaluate any fuel economy product or device unless there is a reasonable assumption that such product or device will be cost effective and legally acceptable. As such, no fuel economy product or device will be considered for testing and evaluating unless it meets the following requirements:

1. The Environmental Protection Agency (EPA) must have evaluated the product or device and determined it to be effective.
2. Certify that the product or device is bonded as to the results claimed.
3. Certify that the product or device shall not void any manufacturer's warranties written or implied.
4. Cost-effectiveness is established by completion of the formula that is attached as enclosure (1)
5. Test/evaluation reports supplied must be certified by a licensed, independent testing laboratory. Testimonials are not desired.
6. Federal, other than EPA, tests must be provided if applicable.
7. Applicable parts of enclosure (2) Form OSHA-20 (Revised 3/84) must be completed.

Once the above has been completed, all documents should be forwarded to:

Director
Division of Motor Vehicle Management
1022 Senate Street
Columbia, South Carolina 29201

Information will be evaluated as to potential use and the requester will be notified of the Director of DMVM's decision in writing within 30 days.

Attachment (1)

003038

EXHIBIT

AUG 27 1985

NO. 27

STATE BUDGET & CONTROL BOARD

A committee shall be appointed by the Budget and Control Board to assist the Director, DMVM, and provide technical advice and expertise. The committee shall be composed of the Director, DMVM, as chairman, and the State Purchasing Officer or his designee as secretary. One member shall be appointed representing the following agencies:

SCDHPT

Consumer Affairs

Attorney General

Department of Education

Governor's Office - Division of Energy Policy

Joint Legislative Committee on Energy

003039

EXHIBIT

AUG 27 1985

NO. 27

COST EFFECTIVENESS

STATE BUDGET & CONTROL BOARD

1. Use this formula to estimate the miles required for the device to pay for itself:

$$\text{Break-Even Point (Miles)} = \frac{\text{Total Cost} \times \text{Current MPG}}{\text{Fuel Price} \left(\frac{100\%}{\% \text{Imp.}} + 1 \right)}$$

EXAMPLE

- ..Fuel efficient oil promising 2% fuel economy improvement.
- ..Purchase price is \$.50 more per quart and five quarts required.
- ..Economy initially 18 MPH at \$1.30 per gallon.

$$\text{Break-Even Point (Miles)} = \frac{2.50 \times 18 \left(\frac{100}{2} + 1 \right)}{1.30}$$

$$\begin{aligned} \text{Break-Even Point} &= 1765 \text{ Miles} \\ &= \text{Approximately } 1800 \text{ Miles} \end{aligned}$$

2. Use this formula to estimate the percent improvement necessary for the device to pay for itself within a specified number of miles:

$$\text{Break-Even Point (\%)} = \frac{100\%}{\frac{\text{Fuel Price} \times \text{Specified Miles}}{\text{Total Cost} \times \text{Current MPG}} - 1}$$

EXAMPLE

- ..Purchase Price of \$100.
- ..Installation and upkeep costs of \$50.
- ..Vehicle to remain in fleet 70,000 miles.
- ..Economy initially 18 MPG at \$1.30 per gallon.

$$\text{Break-Even Point (\%)} = \frac{100}{\frac{1.30 \times 70,000}{150 \times 18} - 1}$$

$$\text{Break-Even Point} = 3\%$$

003040

Enclosure (1)

Material Safety Data Sheet

Required under USDL Safety and Health Regulations
for Shipyard Employment (29 CFR 1915)

U.S. Department of Labor

Occupational Safety and Health Administration



EXHIBIT

OMB No. 1218-0074
Expiration Date 05/31/86

AUG 27 1985

NO. 27

Section I

Manufacturer's Name

STATE BUDGET & CONTROL BOARD

Emergency Telephone Number

Address (Number, Street, City, State, and ZIP Code)

Chemical Name
and SynonymsTrade Name
and SynonymsChemical
Family

Formula

Section II - Hazardous Ingredients

Paints, Preservatives, and Solvents

% TLV (Units)

Alloys and Metallic Coatings

% TLV (Units)

Pigments

Base Metal

Catalyst

Alloys

Vehicle

Metallic Coatings

Solvents

Filler Metal
Plus Coating or Core Flux

Additives

Others

Others

Hazardous Mixtures of Other Liquids, Solids or Gases

% TLV (Units)

Section III - Physical Data

Boiling Point ($^{\circ}$ F)Specific Gravity ($H_2O=1$)

Vapor Pressure (mm Hg.)

Percent Volatile by Volume (%)

Vapor Density (AIR=1)

Evaporation Rate

=1)

Solubility in Water

Appearance and Odor

Section IV - Fire and Explosion Hazard Data

Flash Point (Method Used)

Flammable Limits

Lel

Uel

Extinguishing Media

Special Fire Fighting Procedures

Unusual Fire and Explosion Hazards

EXHIBIT

AUG 27 1985

NO. 28

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
REGULAR SESSION
ITEM NUMBER

23

AGENCY: Motor Vehicle Management

SUBJECT: Maintenance Labor Rates

The Division advises that the results of a cost allocation study it conducted which was reviewed by the Board's Internal Audit Unit indicate that the maintenance labor rate should be \$23.50 per hour effective July 1, 1985.

The rate has been \$17.50 since July, 1982. The Division indicates that the average local rate is \$30 per flat rate hour.

BOARD ACTION REQUESTED:

Approve \$23.50 per hour as the maintenance labor rate for the Motor Vehicle Management Division's maintenance shop effective July 1, 1985.

ATTACHMENTS:

Agenda item worksheet

003042

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

CORRECTION

Material Safety Data Sheet

Required under USDL Safety and Health Regulations
for Shipyard Employment (29 CFR 1915)

U.S. Department of Labor

Occupational Safety and Health Administration



EXHIBIT

OMB No. 1218-0074
Expiration Date 05/31/86

AUG 27 1985

NO. 27

Section I

Manufacturer's Name

STATE BUDGET & CONTROL BOARD

Emergency Telephone Number

Address (Number, Street, City, State, and ZIP Code)

Chemical Name
and Synonyms

Trade Name
and Synonyms

Chemical
Family

Formula

Section II - Hazardous Ingredients

Paints, Preservatives, and Solvents

% TLV (Units)

Alloys and Metallic Coatings

% TLV (Units)

Pigments			Base Metal		
Catalyst			Alloys		
Vehicle			Metallic Coatings		
Solvents			Filler Metal Plus Coating or Core Flux		
Additives			Others		
Others					

Hazardous Mixtures of Other Liquids, Solids or Gases

% TLV (Units)

Section III - Physical Data

Boiling Point (°F)		Specific Gravity (H ₂ O=1)	
Vapor Pressure (mm Hg.)		Percent Volatile by Volume (%)	
Vapor Density (AIR=1)		Evaporation Rate _____ = 1)	
Solubility in Water			

Appearance and Odor

Section IV - Fire and Explosion Hazard Data

Flash Point (Method Used)	Flammable Limits	LeI	UeI
Extinguishing Media			
Special Fire Fighting Procedures			
Unusual Fire and Explosion Hazards			

Section V - Health Hazard Data

Threshold Limit Value

Effects of Overexposure

Emergency First Aid Procedures

EXHIBIT

AUG 27 1985 NO. 27

STATE BUDGET & CONTROL BOARD

Section VI - Reactivity Data

Stability	Unstable		Conditions to Avoid
	Stable		

Incompatibility (Materials to Avoid)

Hazardous Decomposition Products

Hazardous Polymerization	May Occur		Conditions to Avoid
	Will Not Occur		

Section VII - Spill or Leak Procedures

Steps to be Taken in Case Material is Released or Spilled

Waste Disposal Method

Section VIII - Special Protection Information

Respiratory Protection (Specify Type)

Ventilation	Local Exhaust	Special
	Mechanical (General)	Other

Protective Gloves

Eye Protection

Other Protective Equipment

Section IX - Special Precautions

Precautions to be Taken in Handling and Storing

Other Precautions

DD3D41-A

EXHIBIT

AUG 27 1985 NO. 28

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

REGULAR SESSION
ITEM NUMBER

23

AGENCY: Motor Vehicle Management

SUBJECT: Maintenance Labor Rates

The Division advises that the results of a cost allocation study it conducted which was reviewed by the Board's Internal Audit Unit indicate that the maintenance labor rate should be \$23.50 per hour effective July 1, 1985.

The rate has been \$17.50 since July, 1982. The Division indicates that the average local rate is \$30 per flat rate hour.

BOARD ACTION REQUESTED:

Approve \$23.50 per hour as the maintenance labor rate for the Motor Vehicle Management Division's maintenance shop effective July 1, 1985.

ATTACHMENTS:

Agenda item worksheet

003042

AUG 15 1985

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

For meeting scheduled for:

August 27, 1985

☒ Blue Agenda☐ Regular Session Agenda☐ Executive Session Agenda

1. Submitted By: State Budget and Control Board
 (a) Agency: Division of Motor Vehicle Management
 (b) Authorized Official Signature: *Allen J. Jones*

2. Subject: Maintenance
 Labor Rates

3. Summary Background Information:

Computation of all costs associated with vehicle repair revealed that an increase in labor rate was necessary to allow the Maintenance Shop to break even. A thorough cost allocation study was conducted by DMVM staff personnel and reviewed by Internal Audit. The results of this determination was that the new maintenance labor rate should be increased to \$23.50/hour effective July 1, 1985. The old labor rate was \$17.50/hour which was established July 1982. The average local rate is \$30.00 per flat rate hour.

EXHIBIT

AUG 27 1985

NO. 28

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Approve

5. What is recommendation of the Board Division involved?

Approval

6. Recommendation of other office (as required)?

(a) Office Name N/A Authorized
 (b) Signature N/A

7. Supporting Documents:

List Those Attached

None

List Those Not Attached But Available
from Submitter

Cost Sheets

003043

EXHIBIT

AUG 27 1985

NO. 29

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
REGULAR SESSION
ITEM NUMBER

24

AGENCY: General Services

SUBJECT: Interest Rates, Equipment Acquisitions

The Division of General Services and the State Treasurer's Office recommend approval of the following interest rate for equipment acquisition:

- a. University of South Carolina: sole source procurement from Varian Associates of 2 Spectrometers, Models XL-300 and XL-400, to be used in the Magnetic Resonance Laboratory of the Chemistry Department. The total amount to be financed, including sales tax, is \$600,000 and will be financed over a 60-month period, interest rate 7.35%, Southern National Leasing.

BOARD ACTION REQUESTED:

Approve the following interest rate for equipment: University of South Carolina, sole source procurement from Varian Associates of 2 Spectrometers, Models XL-300 and XL-400, to be used in the Magnetic Resonance Laboratory of the Chemistry Department. The total amount to be financed, including sales tax, is \$600,000 and will be financed over a 60-month period, interest rate 7.35%, Southern National Leasing.

ATTACHMENTS:

Agenda item worksheet and attachments

003044

For meeting scheduled for:

August 27, 1985

Blue Agenda

☒ Regular Session Agenda

☐ Executive Session Agenda

1. Submitted By: The University of South Carolina
(a) Agency:

(b) Authorized Official Signature: Loyd Ellis

2. Subject: Financing of Instruments for U.S.C.'s Dept. of Chemistry

3. Summary Background Information:

The University of South Carolina wishes to finance a sole source procurement from Varian Associates of two (2) Spectrometers, Models XL-300 and XL-400. The instruments will be used in the S. C. Magnetic Resonance Laboratory of the University Department of Chemistry.

Financing for the Model XL-300 (\$257,159.70 which includes sales tax) is needed immediately. Financing for the Model XL-400 (\$342,840.30 which includes sales tax) will be required by September 15, 1985.

The total amount to be financed, including sales tax, is \$600,000.00. It is U.S.C.'s desire to finance the equipment over sixty (60) months with the option to pay off at any time without penalty.

EXHIBIT

AUG 27 1985

NO. 29

4. What is Board asked to do?

Approve an acceptable rate of financing for this acquisition.

STATE BUDGET & CONTROL BOARD

5. What is recommendation of the Board Division involved?

To approve U.S.C.'s request for financing.

6. Recommendation of other office (as required)?

(a) Office Name Treasurer's Office

Authorized

7.35% - 60 mos

(b) Signature

Approved - G.D. - Sandy Lee

7. Supporting Documents:

List Those Attached

1. Letter from U.S.C.
2. Memorandum from Chemistry Dept. requesting sole source procurement.
3. Justification for Sole Source Procurement.
4. Purchase Requisition.

List Those Not Attached But Available from Submitter

Marion W. Dantzler
Director of Purchasing
777-4115

Frank Hart

003045



EXHIBIT

AUG 27 1985

NO. 29

STATE BUDGET & CONTROL BOARD

UNIVERSITY OF SOUTH CAROLINA

COLUMBIA, S. C. 29208

PURCHASING DEPARTMENT

September 24, 1984

RECEIVED
1984 SEP 25 PM 2 55
STATE PROCUREMENT

Mr. Virgil V. Carlsen
Manager State Procurements
Materials Management Office
800 Dutch Plaza
Columbia, South Carolina 29210

Dear Mr. Carlsen:

Enclosed are copies of our proposed sole source procurement from Varian Associates of two (2) Spectrometers Model XL-300 and XL-400. The total amount including sales tax is \$600,000.00. Funds are not available to purchase this equipment outright. We wish to finance this over sixty (60) months with the option to purchase at any time without penalty.

The S. C. Magnetic Resonance Laboratory of the University Department of Chemistry is one of three in the United States. The purchase of these instruments will benefit the State in the following ways:

- 1.) Provide a higher level of "public" awareness of the Chemistry Department of the University
- 2.) Provide two or three professional level jobs associated with the instruments via additionally funded research grants
- 3.) Lead to higher quality graduate students entering the graduate program at USC

These are just a few of the important factors which will be affected by the purchase of these spectrometers.

Attached is a proposal of financing from Bankers Leasing Associated, Inc. which the vendor sent to us.

003046

EXHIBIT

AUG 27 1985

NO. 29

Mr. Virgil V. Carlsen
September 24, 1984
Page 2

STATE BUDGET & CONTROL BOARD

This is to request that you contact the State Treasurer's Office and see if they can arrange financing at a lower rate of interest.

If additional information is needed, please telephone Dr. Paul Ellis, USC Chemistry Department, 777-7341 or Marion W. Dantzler, Director of Purchasing, 777-4115.

Sincerely,



Dr. R. W. Denton

Senior Vice President for Business & Finance

RWD/am

Enclosures

003047



EXHIBIT

AUG 27 1985

NO. 29

UNIVERSITY OF SOUTH CAROLINA

COLUMBIA, S. C. 29208

STATE BUDGET & CONTROL BOARD

SOUTH CAROLINA MAGNETIC
RESONANCE LABORATORY

(803) 777-7341

MEMORANDUM

TO: Mr. Frank Hart
FROM: Professor Paul D. Ellis *P. D. Ellis*
DATE: August 27, 1984
RE: Single Source request for two Varian
NMR Spectrometers.

A key facet of my research program at USC involves the use of so-called "broad line" nmr accessories. Such accessories necessitates a receiver with at least 1 MHz bandwidth and a digitizer with at least a 4 to 5 MHz digitation rate. The NMR spectrometers I would like to purchase are the Varian XL-400 and XL-300. This decision is based upon several technical requirements that are critical to my day-to-day operational needs. These technical points include:

- i) magnet cryostat design
- ii) signal-to-noise (S/N) performance for high resolution NMR probes
- iii) Variable temperature performance
- iv) MAS sample changing
- v) computer software and architecture.

I will discuss each of these points in detail. The cryostat is the dewar system which encloses the superconducting magnet associated with these spectrometers. Its' design is critical to the efficient utilization of liquid Helium(He) and liquid Nitrogen(N) which are necessary for the operation of the superconducting magnet. Varian has been a leader in the last six years in cryostat design, for example the liquid He and N hold time for the Varian magnets meet the requirement of my NMR Lab.

During the past six year period Varian has put an enormous effort into the critical design features of its high resolution nmr probes. Varian's probes are simply the best from the perspective of S/N and resolution. - The former providing a quadratic time advantage. For example, a 40% increase in sensitivity in a given probe provides a factor of two time advantages for the same S/N ratio. Hence, we can obtain our data in less time which translates into higher productivity!

003048

EXHIBIT

AUG 27 1985

NO. 29

STATE BUDGET & CONTROL BOARD

important operating point in nmr spectroscopy is the ability to perform variable temperature nmr experiments and the range of temperatures one has available. Clearly, the best situation would be variable temperature operation over the widest range of possibilities. Our work critically demands a temperature range of -150°C to $+200^{\circ}\text{C}$.

Two unique points which Varian has are the sample ejection for their magic angle spinning(MAS) probe and Varian computer design. Within the upper barrel of the MAS accessory contains a tube which allows insertion and ejection of samples **without** removal of the probe. This convenience can make a significant improvement in sample through-put and less wear and tear on probe components, e.g. MAS angle adjustment and other mechanical aspects of the probe.

The most important unique feature of the Varian XL-300 and XL-400 is the Varian computer system. The Data system contains two separate CPU's: one CPU for data acquisition and one for data processing. This allows one to perform **any** data manipulations required while acquisition is in progress. Further, it is essential for our laboratory that the CPU's be connected via an industry standard bus. This condition is important because my laboratory (A **National** instrumentation facility sponsored by the National Science Foundation) has **six** IBM 9000 computer systems which form an "nmr network" for rapid analysis of nmr data. The basic CPU's and bus structure are identical for my IBM 9000's and the Varian CPU's. Hence, **we** can make the Varian spectrometer an integral part of our computer system.

Therefore, I respectfully request that we be able to single source this purchase of two nmr spectrometers to Varian Associates in Palo Alto for an XL-400 and XL-300 as per the enclosed quotation.

If I can be of further assistance to you in this regard, please do not hesitate to call me at 7-7341. Time is a critical parameter with respect to delivery of these systems, so your prompt action on this matter will be greatly appreciated.

:tb
enc

003049

PO#

Vendor: Varian Associates

Amount:

Commodity Code: 49082

JUSTIFICATION FOR
SOLE SOURCE PROCUREMENT

EXHIBIT

AUG 27 1985

NO. 29

STATE BUDGET & CONTROL BOARD

Based upon the following determination, the proposed procurement action described below is being procured pursuant to the authority of Section 11-35-1560 of the South Carolina Consolidated Procurement Code.

This governmental body proposes to procure 2 each Spectrometers
(1)
Model XL-300 and XL-400

as a sole source procurement from Varian Associates,
(2)
611 Hansen Way, Palo Alto, Calif. 94303

based upon the following justification: S. C. Procurement Code,
(3)
Section 19.445-2105, Subsection B (5) Item is one of a kind.

August 27, 1984
DATE

Marvin W. Lenzler
University of South Carolina
GOVERNMENTAL BODY

Dr. R. W. Denton
AUTHORIZED SIGNATURE

Senior Vice President for Business & Finance
TITLE

- Notes: (1) Enter description of goods or services to be procured.
(2) Enter name of sole source contractor.
(3) Enter the basis of sole source procurement.

Distribution: Original attached to voucher for payment.
Carbon copy retained in governmental body contract file.

UNIVERSITY OF SOUTH CAROLINA RECEIVED

PURCHASE REQUISITION

AUG 22 1984

THIS IS NOT A PURCHASE ORDER

USC Purchasing Dept.

For Purchasing Office Use

1. This Purchase Requisition is used to request all goods and services to be provided by our vendors and the University Central Supply.
2. This Form is not to be used for requisitioning services or supplies from other University Departments.
3. Instructions for preparing this form are on the reverse side.

S
U S
G U Varian Associates
G P
E P 611 Hansen Way
S L
T I Palo Alto, CA 94303
E E
D R

APPROVAL

Initiated by

Paul D. Ellis

Date 8/16/84

Dept. Head

Dean or V.P.

B.M. Gorman
J. Johnson

8/16/84
8-20

Research Accounting

Equipment Purchases over \$250.00
Equipment Purchases over \$250.00
on Grant Accounts

() Daniel Johnston 8/24/84 With Contingency Bids*

Dept. No.	Fund	Class	Analytical	Department Name
10,000	*	*	75,000 per year	Provost's Office
13000	E150		37,500 per year	Dean's Office
13000	E150		37,500 per year	Chemistry

Item No.	Quantity and Unit	Commodity Code	Description of Articles	Catalog Number	Unit Price	Total Price
1	1		XL-300		244,914.47	
2	1		XL-400		326,514.53	
SUBTOTAL:						\$571.42
5% S.C. TAX:						28.57
TOTAL:						\$600.00
(as per attached quotation and single source letter)						
(*) Before the purchase order is issued, the Provost and the Dean's Office must sign off in order to know the exact yearly obligations.						

EXHIBIT

AUG 27 1985 NO. 29

STATE BUDGET & CONTROL BOARD

003051

THIS SPACE FOR PURCHASING OFFICE USE ONLY

Terms _____ Confirmation — P.O. No. _____ Material (has, has not) been received
 F.O.B. _____ Attach enclosed form to original purchase order
 Approval to Purchase _____ Invoice attached — forward to voucher clerk for payment
 Date Approved _____ Indicate shipment is to be made direct to the address indicated above

EXHIBIT

AUG 27 1985

NO. 30

STATE BUDGET AND CONTROL BOARD STATE BUDGET & CONTROL BOARD REGULAR SESSION
MEETING OF August 27, 1985 ITEM NUMBER

25

AGENCY: General Services

SUBJECT: Procurement Code Exemption

The Division of General Services recommends that an exemption from Procurement Code §11-35-710 be granted to provide the South Carolina Confederate Relic Room and Museum sufficient latitude to acquire rare historical artifacts, weapons, flags, firearms, etc., in a responsive manner based upon availability and professional judgment.

BOARD ACTION REQUESTED:

In accord with Procurement Code §11-35-710, exempt from the purchasing procedures the acquisition of historical artifacts, weapons, flags, firearms, etc., which are rare and reasonably priced in the judgment of the Confederate Relic Room and Museum staff.

ATTACHMENTS:

Agenda item worksheet

003052

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

RECEIVED AUG 20 1985

For meeting scheduled for:

Blue Agenda

☒ Regular Session Agenda☐ Executive Session Agenda

August 27, 1985

1. Submitted By:

(a) Agency: Division of General Services

(b) Authorized Official Signature: Jay R. Ellis

2. Subject:

Exemption from Procurement Code - Section 11-35-710

3. Summary Background Information:

To provide the South Carolina Confederate Relic Room and Museum sufficient latitude to acquire rare historical artifacts, weapons, flags, firearms, etc., in a responsive manner based upon availability and professional judgement.

EXHIBIT

AUG 27 1985

NO. 30

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

In accordance with S. C. Code Section 11-35-710 exempt from the purchasing procedures the acquisition of historical artifacts, weapons, flags, firearms, etc. which are in the judgement of Museum staff rare and reasonably priced.

5. What is recommendation of the Board Division involved?

Approve exemption for purpose stated.

6. Recommendation of other office (as required)?

(a) Office Name _____

Authorized

(b) Signature _____

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from SubmitterPeramphus

003053

EXHIBIT

AUG 27 1985

NO. 31

STATE BUDGET AND CONTROL BOARD BUDGET & CONTROL BOARD LAR SESSION
MEETING OF August 27, 1985 ITEM NUMBER

26

AGENCY: Department of Mental Retardation

SUBJECT: Payment of Moving Expenses

The Department of Mental Retardation has been attempting for almost a year to recruit a Director of Diagnostic and Evaluation Services at the Pee Dee Center in Florence.

Dr. Arlene DeRienzo of Columbus, Ohio has been recruited, and Commissioner Charles D. Barnett requests authorization to pay \$500 toward her moving costs.

BOARD ACTION REQUESTED:

Authorize the Department of Mental Retardation to pay \$500 toward the moving costs of Dr. Arlene DeRienzo who has been recruited as Director of Diagnostic and Evaluation Services at the Pee Dee Center in Florence.

ATTACHMENTS:

Barnett August 1 letter to Putnam

003054

Charles D. Barnett, Ph.D.
Commissioner

Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services

Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

James E. Kirk
Deputy Commissioner
Fiscal Affairs



RECEIVED

AUG 5 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

MENTAL RETARDATION
COMMISSION

Herbert Rudnick, Chairman
Mrs. Mary C. Ramsay, Vice Chairman
Clarence H. Buurman, Ph.D., Secretary
Robert H. Lovvorn, Sr.
William deB. Mebane
R. B. Robinson
Mrs. Doris G. Woods

South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

August 1, 1985

EXHIBIT

AUG 27 1985

NO. 3 1

STATE BUDGET & CONTROL BOARD

Mr. William T. Putnam
Executive Director
State Budget and Control Board
Room 618 - Wade Hampton Office Building
Post Office Box 12444
Columbia, South Carolina 29211

Dear Mr. Putnam:

Our Pee Dee Center in Florence, South Carolina has been attempting for almost a year to recruit a Director of Diagnostic and Evaluation Services. A doctorate level degree is required and no qualified area or state applicants have been identified.

In keeping with recently enacted provisions allowing agencies to assist out-of-state employment candidates with their moving expenses, I am seeking approval to pay Dr. Arlene DeRienzo of 1243 Harrison, Columbus, Ohio 43201, five hundred dollars (\$500.00) toward her moving costs. Dr. DeRienzo has provided us with moving cost bids of which the lowest is \$1600.00. I am further "certifying" that this action is necessary to recruit this well qualified applicant.

Your assistance in having this recommendation approved by the State Budget and Control Board is appreciated.

Cordially,

Charles D. Barnett, Ph.D.
Commissioner

CDB/lcp

003055

EXHIBIT

AUG 27 1985

NO. 32

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
REGULAR SESSION
ITEM NUMBER _____

AGENCY: Executive Director

SUBJECT: Permanent Improvement Projects

Budget and Control Board approval is requested for the following permanent improvement project establishment requests and budget revisions which have been reviewed favorably by the Joint Bond Review Committee:

(a) On Summary 3-86:

- Item 2, Budget & Control Board-Information Resource Management, F10-////, Sumter Street Building Telecommunications Main Switch, establish project and source of funds, \$275,000 of Other (Revenue) funds.
- Item 3, Budget & Control Board-Information Resource Management, F10-////, Telecommunications Equipment Rooms, establish project and source of funds, \$300,000 of Other (Revenue) funds.
- Item 6, Technical & Comprehensive Education, H59-8318, Tri County Tec Student Center, increase budget to \$1,504,974 by adding \$75,000 of Federal funds and \$179,922 of Other (Local) funds.

(b) On Summary 4-86:

- Item 7, Technical & Comprehensive Education, H59-8298, Horry-Georgetown Hodges Tourism Education Center, increase budget to \$2,000,000 by adding \$500,000 of Other (Local) funds.
- Item 10, Mental Retardation, J16-8933, Central Office Building, to change source of funds, total budget \$2,500,000, subtract \$500,000 of Excess Debt Service funds and add \$500,000 of Other (Medicaid Operating) funds.
- Item 11, Criminal Justice Academy, N20-8066, Classroom Wing, increase budget to \$925,000 by adding \$425,000 of Other (fines and forfeitures) funds.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Referenced summaries.

003056

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 1 of 9
Forwarded to JBRC 08/05/85

Item Agency: E24 Adjutant General Project: 8078, Clinton Armory

1.

Action

Proposed: Increase budget from \$ 1,405,000.02 to \$ 1,413,759.27

(Add \$ 8,759.25 [9] Other, Builders Risk Insurance Reimbursement)

Purpose: Builders risk insurance reimbursement.

Ref: Supporting document pages 1-2.

CHE Approval Date: Not Req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	439,680.57
Federal	965,319.45
Other	8,759.25

TOTAL FUNDS 1,413,759.27

Item Agency: F10 Budget & Control Bd-IRM Project: Sumter St Bldg-Telecommunications Main Switch

2.

Action

Proposed: Establish project

Total budget.....\$ 275,000.00
[9] Other, Revenue..\$ 275,000.00

Purpose: Renovate existing office space for installation of main switch, operator stations, HVAC, emergency power and support personnel.

Ref: Supporting document pages 3-4.

CHE Approval Date: Not Req'd
Committee Review Date: **AUG 20 1985**
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	275,000.00

TOTAL FUNDS 275,000.00

Item Agency: F10 Budget & Control Bd-IRM Project: Telecommunications Equipment Rooms

3.

Action

Proposed: Establish project

Total budget.....\$ 300,000.00
[9] Other, Revenue..\$ 300,000.00

Purpose: Prepare or construct rooms for installation of telephone equipment, construction or installation of walls, ceilings, HVAC, equipment, lighting, primary and emergency power and alarm systems.

Ref: Supporting document pages 5-6.

CHE Approval Date: Not Req'd
Committee Review Date: **AUG 20 1985**
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	300,000.00

TOTAL FUNDS 300,000.00

EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

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STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
July 16, 1985 Through July 31, 1985

SUMMARY 3-86 Page 2 of 9
Forwarded to JBRC 08/05/85

Item Agency: H12 Clemson University Project: 8641, Clemson House-Room 700 Renovation

4.

Action

Proposed: Increase budget from \$ 150,000.00 to \$ 390,000.00

(Add \$ 240,000.00 [6] Appropriated State, Physical Plant)

Purpose: Construct new mechanical rooms, replace and enlarge HVAC system, remove asbestos, other remedial work required by asbestos removal, including renovation activities to public spaces on seventh floor.

Ref: Supporting document pages 7-8.

CHE Approval Date: 07/17/85
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Appropriated State	240,000.00
Other	150,000.00

TOTAL FUNDS 390,000.00

Item Agency: H59 Technical & Comp Ed Project: 7084, Piedmont-Health Tec Phase V

5.

Action

Proposed: Increase budget from \$ 2,322,205.50 to \$ 2,405,671.50

(Add \$ 83,466.00 Other, Local)

Purpose: To increase construction line item to reflect low bid received July 3, 1985 and to add \$25,000 to contingency budget. Bid expires in 60 days.

Ref: Supporting document pages 9-11.

CHE Approval Date: N/A
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	1,400,000.00
Other	1,005,671.50

TOTAL FUNDS 2,405,671.50

Item Agency: H59 Technical & Comp Ed Project: 8318, Tri County-Student Center

6.

Action

Proposed: Increase budget from \$ 1,250,052.00 to \$ 1,504,974.00

(Add \$ 75,000.00 [7] Federal)

(Add \$ 179,922.00 [9] Other)

Purpose: To include necessary change orders and to lower costs of moveable equipment needed but not included in original project.

Ref: Supporting document pages 12-13.

CHE Approval Date: N/A
Committee Review Date: **AUG 20 1985**
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Tuition Bonds	1,200,000.00
Federal	75,000.00
Other	229,974.00

TOTAL FUNDS 1,504,974.00

EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

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STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
August 1, 1985 Through August 15, 1985

SUMMARY 4-86 Page 2 of 8
Forwarded to JBRC 08/19/85

Item Agency: H12 Clemson University Project: Manning Hall-Renovate 1st Floor

CHE Approval Date: 08/14/85
Committee Review Date: *
B&C Board Approval Date: *

5. Action
Proposed: Establish project.

Total budget.....\$ 97,000.00
[9] Other, Housing Improvement Fund..\$ 97,000.00

Purpose: Design and renovate first floor of Manning Hall to add two lounges
for use of two new sororities.

Ref: Supporting document pages 11-13.

Budget After Action Proposed
Source Amount
Other 97,000.00

TOTAL FUNDS 97,000.00

Item Agency: H27 USC-Columbia Project: 8501, Petigru College Renovations

CHE Approval Date: 08/14/85
Committee Review Date: *
B&C Board Approval Date: *

6. Action
Proposed: Increase budget from \$ 93,000.00 to \$ 163,000.00

(Add \$ 70,000.00 [4] Excess Debt Service, Tuition)

Purpose: Installation of elevator and extensive signage program within building
since it houses Records and Treasurer's Office. Transfer funds from H27-7935.

Ref: Supporting document pages 14-15.

Budget After Action Proposed
Source Amount
Excess Debt Service 163,000.00

TOTAL FUNDS 163,000.00

Item Agency: H59 Technical & Comp Ed Project: 8298, Horry-Georgetown-Hodges Tourism/Ed Center

CHE Approval Date: Not Reg'd
Committee Review Date: AUG 20 1985
B&C Board Approval Date: *

7. Action
Proposed: Increase budget from \$ 1,500,000.00 to \$ 2,000,000.00

(Add \$ 500,000.00 [9] Other, Local)

Purpose: Additional funding has been secured.

Ref: Supporting document pages 16-17.

Budget After Action Proposed
Source Amount
Capital Improvement Bonds 700,000.00
Other 1,300,000.00

TOTAL FUNDS 2,000,000.00

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EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
August 1, 1985 Through August 15, 1985

SUMMARY 4-86 Page 3 of 8
Forwarded to JBRC 08/19/85

Item Agency: H71 Opportunity School Project: Classrooms/Cafeteria Renovations

8.

Action

Proposed: Establish project.

Total budget.....\$ 33,424.00
[6] Appropriated State..\$ 33,424.00

Purpose: Remove one wall in two classrooms to create a bigger room to accommodate individualized learning stations in a lab setting. Remove one dry wall in the Cafeteria around dishroom and replace with block wall and aluminum ceiling to eliminate constant moisture problems. Original estimate was under \$30,000.

Ref: Supporting document pages 18-19.

CHE Approval Date: Not Req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed
Source Amount

Appropriated State 33,424.00

TOTAL FUNDS 33,424.00

Item Agency: J16 Mental Retardation Project: 8700, Whitten-Dorm 1 Renovation

9.

Action

Proposed: Increase budget from \$ 70,561.80 to \$ 155,561.80

(Add \$ 85,000.00 [4] Excess Debt Service)

Purpose: To adjust for actual bids received. Transfer funds from J16-8529.

Ref: Supporting document pages 20-21.

CHE Approval Date: Not Req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed
Source Amount

Excess Debt Service 105,561.80
Other 50,000.00

TOTAL FUNDS 155,561.80

Item Agency: J16 Mental Retardation Project: 8933, Central Office Building

10.

Action

Proposed: Change source of funds

(Subtract \$ 500,000.00 [4] Excess Debt Service)
(Add \$ 500,000.00 [9] Other, Medicaid Operating)

Purpose: To use Medicaid earned funds in lieu of debt service surplus funds.

Ref: Supporting document pages 22-42.

CHE Approval Date: Not Req'd
Committee Review Date: *
B&C Board Approval Date: * AUG 20 1985

Budget After Action Proposed
Source Amount

Excess Debt Service 500,000.00
Appropriated State 580,000.00
Other 1,420,000.00

TOTAL FUNDS 2,500,000.00

EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

003060

STATE BUDGET AND CONTROL BOARD, OFFICE OF EXECUTIVE DIRECTOR
SUMMARY OF PERMANENT IMPROVEMENT PROJECT ACTIONS PROPOSED BY AGENCIES
August 1, 1985 Through August 15, 1985

SUMMARY 4-86

Page 4 of 8

Forwarded to JBRC 08/19/85

Item Agency: N20 Criminal Justice Academy Project: 8066, Classroom Wing

11.

Action

Proposed: Increase budget from \$ 500,000.00 to \$ 925,000.00

(Add \$ 425,000.00 [9] Other, Fines & Forfeitures)

Purpose: Complete second floor of this building. The original plans and specifications had intended for this area to be roughed-in but not completed.

Ref: Supporting document pages 43-44.

CHE Approval Date: Not Req'd
Committee Review Date: AUG 20 1985
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	925,000.00

TOTAL FUNDS 925,000.00

Item Agency: P28 Parks, Rec, & Tourism Project: 8204, Charles Towne Landing Improvements

12.

Action

Proposed: Increase budget from \$ 341,175.13 to \$ 491,175.13

(Add \$ 75,000.00 [6] Appropriated State)
(Add \$ 75,000.00 [9] Other)

Purpose: Change name of project from Charles Towne Landing Dome Renovations to Charles Towne Landing Improvements which will encompass improving all needed facilities at Charles Towne Landing.

Ref: Supporting document pages 45-46.

CHE Approval Date: Not Req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Capital Improvement Bonds	41,175.13
Appropriated State	225,000.00
Other	225,000.00

TOTAL FUNDS 491,175.13

Item Agency: P36 Patriots Point Project: 8591, Golf Cart Path Resurface

13.

Action

Proposed: Increase budget from \$ 70,000.00 to \$ 90,000.00

(Add \$ 20,000.00 [9] Other, Admission Revenue)

Purpose: To add 2" ROC under one half of blacktop surface, blacktop at 12 of 13 tees and 200 feet of 8" CMP.

Ref: Supporting document pages 47-49.

CHE Approval Date: Not Req'd
Committee Review Date: *
B&C Board Approval Date: *

Budget After Action Proposed	
Source	Amount
Other	90,000.00

TOTAL FUNDS 90,000.00

EXHIBIT

AUG 27 1985

NO. 32

STATE BUDGET & CONTROL BOARD

003061

For Board Use Only

03-86 (2)

Packet Number

PROJECT PROPOSAL AND JUSTIFICATION STATEMENT

FOR ANNUAL PERMANENT IMPROVEMENT PROGRAM FOR FISCAL YEAR 85-86

1. PROJECT IDENTIFIERS:

- A. Agency: Number F10 Name Division Information Resource Mngmt.
- B. Contact Person Mackey Goodwin Phone: 758-2771
- C. Project Name: Telecommunication Main Switch - Sumter St. Bldg. # 8923
- D. Facility Affected: Name Sumter St. Bldg. Number 027

2. PROJECT DESCRIPTION (What does it consist of? Attach supporting documentation):

Renovate existing office space for installation of main switch, operators stations, H.V.A.C., emerg. power, & support personnel.

Site Description: (Attach a map showing project location)

Location:	<u>Richland</u>	<u>40</u>	<u>Columbia, S.C.</u>	<u>1021 Sumter St.</u>
	county	code	city	site

3. PROJECT JUSTIFICATION (What does it consist of? Attach supporting documentation):

Existing office arrangement does not meet needs of main switch.

(What specific needs does this project address?):

EXHIBIT

AUG 27 1985- NO. 32

STATE BUDGET & CONTROL BOARD

4. ALTERNATIVES CONSIDERED AS A MEANS OF MEETING NEEDS SPECIFIED IN #3:

N/A

5. **PRIORITY:** This project is priority number _____ of _____ projects proposed in this program.

6. **ADDITIONAL OPERATING COSTS:** Will this project require additional annual operating costs?

Yes ☐ No ☒ If yes, complete and attach addendum 8-40

7. ESTIMATES OF PROPOSED PROJECT COSTS:

- A. Total estimated cost of project \$ 275,000.00
- B. Total estimated cost of project includes the following (1. through 10.= 7A above)
- (1) \$ 25,000 Planning/design services
- (2) _____ Site work (including utilities)
- (3) _____ Central energy systems repair/replacement
- (4) 100,000 Mechanical systems repair/replacement
- (5) 150,000 General renovation/repair of floor space (Gross sq. ft.: 4000)
- (6) _____ Roof repair/replacement
- (7) _____ Construction of additional floor space: (Gross sq. ft.: _____)
- (8) _____ Equipment/supplies
- (9) _____ Purchase of facilities: (Floor space, gross sq. ft. _____
(Land, acres: _____))
- (10) _____ Other (Specify) _____
- \$ 275,000.00 Total (Same as 7 A)
- 003062

003062

7. C. Total estimated cost of project by broad purpose: Total cost: \$ 275,000.00
(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: <u>Renov. existing Fac.</u>	\$ <u>275,000</u>

8. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR:

A. Estimated expenditures and expenditure purposes, this FY: 85-86 \$ 275,000
(Expenditure purposes (use 7B categories): _____)

B. Estimated expenditures after this FY: \$ _____

C. Total (Same as 7A, 7B and 7C): \$ 275,000.00

9. PROPOSED SOURCES OF FUNDS: Type	Amount	Revenue Code	Treasurer ID Number	Sub Fund	Mini Code	Object Code
(0) Capital Improvement Bonds	\$ _____					
(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						
Revenue	275,000	7221	99300100	3081	4062	0712
TOTAL (Same as 7A)	\$ <u>275,000</u>					

10. Submitted By:

Authorized Official: Richard W. Kelly, Asst. Director
Typed Name and Title and Signature

Date Submitted July 29, 1985
FY Submitted 85-86

11. APPROVED (For Board Use Only):

3-86(2)

Typed Name and Title and Signature
PROJECT NUMBER _____
PROJECT NAME _____

Date 003063

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JUL 31 1985

BUDGET AND CONTROL BOARD FORM A-13 PAGE 1
STATEWIDE PERMANENT IMPROVEMENT REPORTING SYSTEM (SPIRS)

For Board Use Only

03-86 (3)

Packet Number

PROJECT PROPOSAL AND JUSTIFICATION STATEMENT

FOR ANNUAL PERMANENT IMPROVEMENT PROGRAM FOR FISCAL YEAR 85-86

1. PROJECT IDENTIFIERS: F10 Division Information Resource Mngmnt.
 A. Agency: Number _____ Name _____
 B. Contact Person: Mackey Goodwin Phone: 758-2771
 C. Project Name: Telecommunications Equipment Rooms # 8924
 D. Facility Affected: Name: Various Bldgs. Number _____

2. PROJECT DESCRIPTION (What does it consist of? Attach supporting documentation):

Prepare or construct rooms for installation of telephone equipment. Project consists of construction or installation of walls, ceilings, H.V.A.C., equip., lighting, primary & emerg. power, and alarm systems.

Site Description: (Attach a map showing project location)

Location: Richland 40 Columbia, S.C. Various Bldgs.
 county code city site

3. PROJECT JUSTIFICATION (What does it consist of? Attach supporting documentation):

Telephone equipment rooms must be located in or near buildings served.

(What specific needs does this project address?):

EXHIBIT

AUG 27 1985

NO. 32

4. ALTERNATIVES CONSIDERED AS A MEANS OF MEETING NEEDS SPECIFIED IN #3:

N/A

5. PRIORITY: This project is priority number _____ of _____ 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 \$ 300,000
- B. Total estimated cost of project includes the following (1. through 10. = 7A above)
- (1) \$ 30,000 Planning/design services
 - (2) _____ Site work (including utilities)
 - (3) _____ Central energy systems repair/replacement
 - (4) _____ Mechanical systems repair/replacement
 - (5) 270,000 General renovation/repair of floor space (Gross sq. ft.: 2735)
 - (6) _____ Roof repair/replacement
 - (7) _____ Construction of additional floor space: (Gross sq. ft.: _____)
 - (8) _____ Equipment/supplies
 - (9) _____ Purchase of facilities: (Floor space, gross sq. ft. _____)
 (Land, acres: _____)
 - (10) _____ Other (Specify) _____
- \$ 300,000.00 Total (Same as 7 A)

003064

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7. C. Total estimated cost of project by broad purpose: Total cost: \$ 300,000.00
(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: <u>Renov. existing Fac.</u>	\$ <u>300,000</u>

8. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR:

A. Estimated expenditures and expenditure purposes, this FY: 85-86 \$ 300,000
(Expenditure purposes (use 7B categories): _____)

B. Estimated expenditures after this FY: \$ _____

C. Total (Same as 7A, 7B and 7C): \$ 300,000.00

9. PROPOSED SOURCES OF FUNDS: Type	Amount	Revenue Code	Treasurer I D Number	Sub Fund	Mini Code	Object Code
(0) Capital Improvement Bonds	\$ _____					
(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						
Revenue	300,000	7221	99500100	3081	4062	0712
TOTAL (Same as 7A)	\$300,000					

10. Submitted By:

Authorized Official: Richard W. Kelly, Asst. Director
Typed Name and Title and Signature

Date Submitted July 29, 1985
FY Submitted 85-86

11. APPROVED (For Board Use Only):

386(3)

Typed Name and Title and Signature
PROJECT NUMBER _____
PROJECT NAME _____

Date

003065

6

03-86 (6)

Packet Number

REVISION OF PROJECT BUDGET OR PROJECT SCOPE
FOR ANNUAL PERMANENT IMPROVEMENT PROGRAM FOR FISCAL YEAR _____

1. PROJECT IDENTIFIERS:

A. Agency: Number H-59 Name State Board for Technical and Comprehensive Education
B. Contact person: Thomas W. Lewis Phone: 646-8361
C. Project Number: 8318 Name: Student Center - Tri-County Technical College

2. PROJECT ACTION PROPOSED:

XX Increase total project budget XX Change source of funds
 Decrease total project budget XX Revise scope

3. WHAT IS THE REVISION PROPOSED?:

To increase cost of project to include necessary change orders and to lower costs of moveable equipment needed but not included in original project.

EXHIBIT

AUG 27 1985

NO. 3 2

4. JUSTIFICATION FOR REVISION (Why is it needed?):

STATE BUDGET & CONTROL BOARD

- (a) A major portion of the project consists of renovation work where details of old construction are not as shown on original drawings and require on site modifications.
- (b) An oversized chiller for training purposes became available through a grant. It was necessary to make modifications to accommodate this.
- (c) No furnishings were included originally. It is now desired to incorporate these.

5. ADDITIONAL OPERATING COSTS: Will this project require additional annual operating costs because of the revision?: Yes _____ No XX
If yes, complete and attach Addendum A-49.

6. ESTIMATES OF PROJECT COSTS AS REVISED

A. Total estimated cost of project as revised: \$ 1,504,974

B. Total estimated cost of project as revised includes the following (1 through 10 = 6A above)

(1)	\$ <u>48,000</u>	Planning/design services
(2)	<u>242,052</u>	Site work (including utilities)
(3)	<u>120,000</u>	Central energy systems repair/replacement
(4)	<u> </u>	Mechanical systems repair/replacement
(5)	<u>414,922</u>	General renovation/repair of floor space: (Gross sq. ft. <u>15,000</u>)
(6)	<u> </u>	Roof repair/replacement
(7)	<u>440,000</u>	Construction of additional floor space (Gross sq. ft. <u>8,000</u>)
(8)	<u>200,000</u>	Equipment/supplies
(9)	<u> </u>	Purchase of facilities: (Floor space, gross sq. ft. _____) (Land, acres: _____)
(10)	<u>40,000</u>	Other (Specify) <u>Contingency /personal service/finance costs</u>
<u>\$ 1,504,974</u>		Total (Same as 6A)

003066

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6. C. Total estimated cost of project, as revised, by broad purpose: Total cost: \$ 1,484,974
(equals 1 through 8, below, and is same as 6A)
- | | | | |
|----------------------------------|-------------------|----------------------|-------------------|
| 1. Purchase land | \$ _____ | 5. Restore facility | \$ _____ |
| 2. Purchase facility | \$ _____ | 6. Maintain facility | \$ _____ |
| 3. Demolish facility | \$ _____ | 7. Replace facility | \$ <u>639,922</u> |
| 4. Construct additional facility | \$ <u>845,052</u> | 8. Other | \$ _____ |

7. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR AS REVISED:

- A. Estimated expenditures and expenditure purposes, this FY: 86 \$ 1,504,974
(expenditure purposes (use 6B categories): _____)

EXHIBIT

- B. Estimated expenditures after this FY \$ 0
C. Total (Same as 6A, 6B and 6C) \$ 1,504,974

AUG 27 1985

NO. 32

STATE BUDGET & CONTROL BOARD

8. PROPOSED SOURCES OF FUNDS AS REVISED:	PREVIOUSLY APPROVED AMOUNT	STATE BUDGET & CONTROL BOARD PROPOSED INCREASE + DECREASE -	REVISED AMOUNT	REVENUE CODE	TREASURER I. D. NUMBER	SUB FUND
TYPE						
(0) Capital Improvement Bonds	\$	\$	\$			
(1) Depart Capital Imp Bonds						
(2) Inst (tuition) Bonds	1,200,000	0	1,200,000	8111	26001200	4724
(3) Revenue Bonds						
(4) Excess Debt Service						
(6) Appropriated State						
(7) Federal	0	75,000	75,000	2801	78800100	
(8) Athletic						
(9) Other	50,052	179,922	229,974	7841	98800100	
TOTAL	\$ 1,250,052	\$ 254,922	\$ 1,504,974			

9. Submitted By:

Authorized Official

Thomas W. Lewis, V.P. - Finance & Admin.

Date Submitted 7/5/85

FY Submitted 86

10. APPROVED (For Board Use Only):

3-86(b)

Typed Name and Title and Signature

003067

Date

13

AUG 5 1985

8/13/85
For Board Use Only
04-86 (7)
Packet Number

REVISION OF PROJECT BUDGET OR PROJECT SCOPE

FOR ANNUAL PERMANENT IMPROVEMENT PROGRAM FOR FISCAL YEAR _____

1. PROJECT IDENTIFIERS:

A. Agency: Number H59 Name Horry-Georgetown Technical College
B. Contact person: W. Gerald Brooks Phone: 347-3186
C. Project Number: 8298 Name: Hodges Tourism/Education Center

2. PROJECT ACTION PROPOSED:

X Increase total project budget _____ Change source of funds
_____ Decrease total project budget _____ Revise scope

3. WHAT IS THE REVISION PROPOSED? :

Increase total project to \$2,000,000

EXHIBIT

AUG 27 1985 NO. 32

4. JUSTIFICATION FOR REVISION (Why is it needed?):

STATE BUDGET & CONTROL BOARD

Additional funding has been secured

5. ADDITIONAL OPERATING COSTS: Will this project require additional annual operating costs because of the revision? Yes _____ No X
If yes, complete and attach Addendum A-49.

6. ESTIMATES OF PROJECT COSTS AS REVISED

A. Total estimated cost of project as revised: \$ 2,000,000
B. Total estimated cost of project as revised includes the following (1 through 10 = 6A above)
(1) \$ 125,000 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) 1,875,000 Construction of additional floor space (Gross sq. ft. 32,000)
(8) _____ Equipment/supplies
(9) _____ Purchase of facilities: (Floor space, gross sq. ft. _____)
(Land, acres: _____)
(10) _____ Other (Specify) _____
\$ 2,000,000 Total (Same as 6A)

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6. Total estimated cost of project, as revised, by broad purpose: Total cost: \$ 2,000,000
(equals 1 through 8, below, and is same as 6A)

1. Purchase land	\$ _____	5. Restore facility	\$ _____
2. Purchase facility	\$ _____	6. Maintain facility	\$ _____
3. Demolish facility	\$ _____	7. Replace facility	\$ _____
4. Construct additional facility	\$ <u>2,000,000</u>	8. Other _____	\$ _____

7. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR AS REVISED:

A. Estimated expenditures and expenditure purposes, this FY: _____ \$ 1,500,000
(expenditure purposes (use 6B categories): _____)

125,000 Design 1,375,000 Construction)

B. Estimated expenditures after this FY \$ 500,000

C. Total (Same as 6A, 6B and 6C) \$ 2,000,000

8. PROPOSED SOURCES OF FUNDS AS REVISED:	PREVIOUSLY APPROVED AMOUNT	PROPOSED INCREASE + DECREASE -	REVISED AMOUNT	REVENUE CODE	TREASURER I. D. NUMBER	SUB FUND
TYPE						
(0) Capital Improvement Bonds	\$ 700,000	\$ 0	\$ 700,000	8115	02500600	9001
(1) Depart Capital Imp Bonds						
(2) Inst (tuition) Bonds						
(3) Revenue Bonds						
(4) Excess Debt Service						
(6) Appropriated State						
(7) Federal						
(8) Athletic						
(9) Other	800,000	+500,000	1,300,000	7841	98800100	
TOTAL	\$ 1,500,000	\$ 500,000	\$ 2,000,000			

9. Submitted By:

Authorized Official W. Gerald Brooks, VP for Business Date Submitted July 30, 1985
Typed Name and Title and Signature FY Submitted 1985-86

10. APPROVED (For Board Use Only):

4-86(7)

Typed Name and Title and Signature

003069

Date

17

For Board Use Only

04-86 (10)

Packet Number

1985/1986

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: ERUCH T. TATA, P.E., DIR., ENGR. & PL. Phone: 758-3008
C. Project Number: 8933 Name: CENTRAL OFFICE BUILDING

2. PROJECT ACTION PROPOSED:

_____ Increase total project budget	_____ X _____ Change source of funds
_____ Decrease total project budget	_____ _____ Revise scope

3. WHAT IS THE REVISION PROPOSED?:

TO USE MEDICAID EARNED FUNDS IN LIEU OF

EXHIBIT

AUG 27 1985

NO. 32

4. JUSTIFICATION FOR REVISION (Why is it needed?):

AS PER ATTACHED
STATE BUDGET & CONTROL BOARD

5. **ADDITIONAL OPERATING COSTS:** Will this project require additional annual operating costs because of the revision? Yes _____ No X
If yes, complete and attach Addendum A-49.

6. ESTIMATES OF PROJECT COSTS AS REVISED

A. Total estimated cost of project as revised: \$ 2,500,000.00

B. Total estimated cost of project as revised includes the following (1 through 10 = 6A above)

(1) \$ 75,000.00 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) 2,050,000.00 Construction of additional floor space (Gross sq. ft. 35,000)

(8) 200,000.00 Equipment/supplies

(9) _____ Purchase of facilities: (Floor space, gross sq. ft. _____)
(Land, acres: _____)

(10) 175,000.00 Other (Specify) LAND PURCHASE, CONTINGENCIES, BOND COST, INS.

\$ 2,500,000.00 Total (Same as 6A)

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6. C. Total estimated cost of project, as revised, by broad purpose: Total cost: \$ 2,500,000.00
(equals 1 through 8, below, and is same as 6A)

1. Purchase land	\$ <u>80,000.00</u>	5. Restore facility	\$ _____
2. Purchase facility	\$ _____	6. Maintain facility	\$ _____
3. Demolish facility	\$ _____	7. Replace facility	\$ _____
4. Construct additional facility	\$ <u>2,420,000.00</u>	8. Other _____	\$ _____

7. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR AS REVISED:

A. Estimated expenditures and expenditure purposes, this FY: 1985/1986 \$ 750,000.00
(expenditure purposes (use 6B categories): _____
(1) (7) (8) (10) _____)

B. Estimated expenditures after this FY \$ 1,750,000.00

C. Total (Same as 6A, 6B and 6C) \$ 2,500,000.00

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	1,000,000.00	-500,000.00	500,000.00	4516	N/A 46800100	4660
(6) Appropriated State	580,000.00	- 0 -	580,000.00	8895	68800100	3600
(7) Federal						
(8) Athletic						
(9) Other						
MEDICAID OPERATING	920,000.00	+500,000.00	1,420,000.00	3901	98800100	3757
TOTAL	\$2,500,000.00	\$ - 0 -	\$2,500,000.00			

9. Submitted By:

Authorized Official

Typed Name and Title and Signature

CHARLES D. BARNETT, PH.D., COMMISSIONER

Date Submitted 8/14/85

FY Submitted 1985/86

10. APPROVED (For Board Use Only):

4-86(10)

Typed Name and Title and Signature

Date

003071

23

AUG 14 1985

Charles D. Barnett, Ph.D.
Commissioner
Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services
Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services
James E. Kirk
Deputy Commissioner
Fiscal Affairs



MENTAL RETARDATION
COMMISSION
Herbert Rudnick, Chairman
Mrs. Mary C. Ramsay, Vice Chairman
Clarence H. Buurman, Ph.D., Secretary
Robert H. Lovvorn, Sr.
William deB. Mebane
R. B. Robinson
Mrs. Doris G. Woods

South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

August 14, 1985

Mr. William T. Putnam
Executive Director
ATTN: Mr. William A. McInnis
Dep. Exec. Director
S. C. Budget & Control Board
300 Gervais Street
Columbia, South Carolina

EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

RE: State Project #J16-8933
Central Office Building

Dear Mr. Putnam:

I am enclosing an A-23 on the above project for necessary Budget & Control Board approval. The A-23 identifies the exact funding that is available at this time for this project. Also attached for your information is the Program Development and Analysis as backup documentation to our request to construct a Central Office Building.

Your assistance in approving the original A-13 and A-23 is requested and will be appreciated.

Best regards,

Cordially,

Charles D. Barnett, Ph.D.
Commissioner

CDB/dfs
Enc.

003072

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SECTION 43
DEPARTMENT OF MENTAL RETARDATION

quirements of county mental retardation boards. Provided, Further, That the county mental retardation boards receiving the funds shall be required to provide at least a 25 percent cash match of the state funds.

Provided, Further, That of the \$220,000 carried forward in this section from lapsed funds earmarked for capital improvements, the sum of \$40,000 must be used to eliminate an existing fire hazard situation at the Neighborhood Center in Edgefield County by constructing an alternate facility in either Edgefield or Saluda County and \$25,750 must be used for improvements to the Clarendon Mental Retardation Center. This sum must be matched by other monies as provided for herein.

Provided, Further, That of the amount appropriated for Personal Service in this section, \$582,022 must be used to establish a hiring policy of no less than approximately \$10,500 for Mental Retardation Specialists I, II and III with commensurate adjustments for incumbents effective January 2, 1986.

Provided, Further, That the Department may supplement the amount provided in Part III for a Central Office Building to provide a total construction cost of \$2.0 million dollars. In developing this supplement the Department may expend monies for construction which may become available from debt service surplus, Medicaid, and proceeds from the sale of lands or facilities.

Provided, Further, That the Department may utilize part or all of the amount now shown in Part III to acquire and/or improve a site for its Central Office Building and may use such funds to employ and compensate an architect for facility design and related fees.

NOTE:

\$2 million

SECTION 44
S. C. COMMISSION ON ALCOHOL & DRUG ABUSE

	TOTAL FUNDS	GENERAL FUNDS
I. ADMINISTRATION & PROGRAM SUPPORT:		
A. ADMINISTRATION:		
PERSONAL SERVICE:		
DIRECTOR	50,202 (1.00)	50,202 (1.00)
CLASSIFIED POSITIONS	341,810 (15.51)	341,810 (15.51)
OTHER PERSONAL SERVICE:		
PER DIEM	2,000	2,000
TOTAL PERSONAL SERVICE	\$ 394,012	\$ 394,012
OTHER OPERATING EXPENSES:		
CONTRACTUAL SERVICES	28,709	28,709
SUPPLIES AND MATERIALS	14,150	14,150

Piedmont Multi-County	80,000 ✓	80,000 ✓
Lee County Mental Retard Ctr	150,000 ✓	150,000 ✓
Lou Scott Center	60,000 ✓	60,000 ✓
✓Work Programs	250,000 ✓	250,000
✓Community Living	141,000 ✓	141,000
✓Respite Care	160,000 ✓	160,000
Office Building	580,000 ✓	580,000
✓Equipment	90,000 ✓	90,000
Total Dept of Mental Retard	1,511,000	1,511,000
Commission on Alcohol & Drug Abuse		
Equipment	27,000	27,000
Rent	12,100	12,100
Abbeville Center Renovations	30,000	30,000
Total Alcohol & Drug Abuse	69,100	69,100
Department of Social Services		
Equipment	90,150	90,150
Wilkerson Home	25,000	25,000
Total DSS	115,150	115,150
John De La Howe School		
Renovations	86,000	86,000
Contractual Services	5,000	5,000
Equipment	25,000	25,000
Total John De La Howe School	116,000	116,000
Foster Care of Children Review Bd		
Spec Item-Foster Care Bd Proj	389,560	389,560
Total Foster Care Review Bd	389,560	389,560
Commission for the Blind		
Rehabilitative Services	160,000	160,000
Total Comm for the Blind	160,000	160,000
Commission on Aging		
Community Svcs for Elderly	250,000	250,000
Total Commission on Aging	250,000	250,000
Department of Veterans Affairs		
S C Sons of the Alamo Memorial	5,000	5,000
Total Veterans Affairs	5,000	5,000
Department of Corrections		
Equipment	1,155,721	1,155,721
Utility Construction	250,000	250,000
Vehicle Equipment	300,000	300,000
✓Kitchen Equipment	200,000	200,000
Total Dept of Corrections	1,905,721	1,905,721
Paroles & Community Corrections		
Equipment	89,807	89,807
Office Equipment	7,886	7,886
Total Par & Comm Corrections	97,693	97,693
Department of Youth Services		
Vehicles Replacement	250,000	250,000
Total DYS	250,000	250,000
Water Resources Commission		
S.C. Rural Water Assoc	30,000	30,000
Match-Flood Plains Mgmt	100,000	100,000
Equipment	44,000	44,000
Aquatic Plant Mgmt	500,000	500,000
Total Water Resources Comm	674,000	674,000
St Land Resources Conservation Comm		

Charles D. Barnett, Ph.D.
Commissioner
Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services
Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services
James E. Kirk
Deputy Commissioner
Fiscal Affairs



MENTAL RETARDATION
COMMISSION

Herbert Rudnick, Chairman
Mrs. Mary C. Ramsay, Vice Chairman
Clarence H. Buurman, Ph.D., Secretary
John L. Glasgow
Robert H. Lovorn, Jr.
William deB. Mebane
R. B. Robinson

South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

June 27, 1984

MEMORANDUM

TO: Mr. Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

FROM: Mr. Eruch T. Tata, P.E. *ET*
Director of Engineering & Planning

RE: Office Space Projection/Recommendation (1985-86)

Based on projections of staff requirements through 1989 and through 1994, the Engineering & Planning Division has studied the requests and recommends that if a new office building is to be constructed on or after 1985-86, that the total building should have 35,000 square feet of heated space. Attached herewith is the detailed analysis and recommendations identifying recommended private and open-plan non-private offices as well as square footage by position and division. The study further supported with a brief guide used in arriving at this study.

Along with the submission of this recommendation for review and approval by you, Dr. Barnett and the Commission, I wish to make the following recommendations, both in the interest of efficient space utilization as well as energy conservation.

1. The overall building be a modular pre-engineered construction with modified conventional elevation, using a 5 x 5 modular plan. The building is to be sub-divided into division offices with floor to ceiling departmentalization using DON demountable wall system. All common areas, such as conference rooms, etc., should be located centrally for use on a multi-purpose basis. Each division should have internally private offices as recommended with open-plan layouts for the remaining staff.

2. Institute an equipment purchase policy immediately as follows:

A. Sections requiring extensive filing be considered for electrical rotary files (example: Client Administration Planning Services Division, Finance, Legal and Engineering and Planning).

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EXHIBIT

Mr. Lonnie A. Bowman, Jr.
June 27, 1984
-page 2

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

B. All other divisions should be provided with six drawer files instead of the current three or four drawer files (the top two drawers could be utilized for non-current retention files).

C. Institute a study to provide more and more microfilming of records.

D. Standardize future purchases of partial partitions to be of 65" height and acoustical to be reused in our new office building

The above four suggestions for equipment purchase will utilize the full height of available space while reducing drastically the square footage requirements and also increasing efficiency.

Please advise if I can be of any further assistance in clarifying this report.

ETT:jpw

Attachment

003076

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Charles D. Barnett, Ph.D.
Commissioner
Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services
Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services
James E. Kirk
Deputy Commissioner
Fiscal Affairs



MENTAL RETARDATION
COMMISSION
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William deB. Mebane
R. B. Robinson

South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

April 23, 1984

MEMORANDUM

TO: Charles D. Barnett, Ph.D.
Commissioner

Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services

James E. Kirk
Deputy Commissioner
Fiscal Affairs

FROM: Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

RE: Projection of Office Space Requirements

Since the Department is currently in the process of considering the construction of its own Central Office Building, and also since it is a good idea to project our future needs, we are requesting that you provide this office with the answers to the following requests for information.

1. Current organization charts of the different divisions under your direct supervision.
2. Your projected additional staff needs for the period 1984-1989 and 1989-1994.
3. How many division head and section/team supervisors are currently assigned to your area of responsibility (list positions and incumbents).
4. How many nonsupervisory type positions do you have that, due to the nature of their duties, would require private offices. (list positions, incumbents and justifications)

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MEMORANDUM TO:
Dr. Barnett, Dr. Massey and Mr. Kirk
April 23, 1984
-page 2

5. How many clerical support personnel are assigned to your area of responsibility (list positions and incumbents).
6. Provide projections of future division and/or section heads for the period 1984-89 and 1989-1994.

For your convenience in providing the above information, I am enclosing appropriate forms to assist you with your organization. Please complete and return the attached forms by Tuesday, May 15, 1984.

LAB:jpw

Enclosure

EXHIBIT
AUG 27 1985 NO. 32
STATE BUDGET & CONTROL BOARD

003078

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Charles D. Barnett, Ph.D.
Commissioner
Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services
Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services
James E. Kirk
Deputy Commissioner
Fiscal Affairs



MENTAL RETARDATION
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Robert H. Lovvorn, Sr.
William deB. Mebane
R. B. Robinson

South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

March 28, 1984

EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

MEMORANDUM

TO: Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

FROM: Eruch T. Tata, P.E. *ET*
Director of Engineering & Planning

RE: Planning for the Central Office Administrative Building

As per the direction of the Commission to immediately proceed with the planning of our Central Office Administration Building, the following three items need to be discussed and compiled before any further steps can be taken.

1. Personnel Projections: Client Services, Fiscal Affairs and Support Services, as well as the Commissioner's office need to provide us with a ten (10) year projection for personnel needs, as well as the projected organizational configurations at the end of ten years.
2. Land needs to be identified for the actual location of the building.
3. Financing: Currently, the Department does not have any projected sources of funds until January, 1985 to finance such a project unless we agree to divert some of the year marked Debt Service Surplus Funds for high priority projects. Department bonding is out of the question till at least July, 1985.

As to the justification for building our own office building, (if we use a pre-engineered construction and provide only private offices to select personnel and use landscape partitioning like is the trend currently):

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Lonnie A. Bowman, Jr.
March 28, 1984
-page 2

EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

Building cost	\$25.00 per square foot
Straight line amortization (15 years)	\$ 1.67 per square foot
Projected utility cost	\$ 2.00 per square foot
Projected maintenance cost	\$ 3.50 per square foot
A replacement reserve projection	\$ 1.00 per square foot
<hr/>	
Total Annual Cost	\$ 8.17 per square foot
Projected rental cost (July '85)	\$10.00 per square foot

Owning our own building does have its demerits in that the Department will have to hire maintenance personnel to perform the day to day maintenance and housekeeping functions and will have to contract out preventive maintenance contracts on mechanical systems.

Based on the above, it is appropriate, at this time, to ask the Deputy Commissioners to develop their ten year projections to be approved by the Commissioner. Once these are in hand, using the State guidelines and providing the appropriate square footage for different level staff, a total square foot requirement can be established and an architect committed to a contract for the design.

003080

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WOODLAND VILLAGE PARTNERSHIP

1320 WASHINGTON STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 799-1229

MIDDLEBURG PLAZA OFFICE BUILDING

1983 Services Charges

49,713 SQ. FT.

EXHIBIT

ELECTRICITY:

1983 \$73,171.09

1981 \$ 56,826.63

\$ 16,344.46

JANITORIAL SERVICE:

1983 \$26,060.33

1981 \$ 25,949.30

\$ 110.53

XXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

\$

\$ 16,454.99

TENANT: S.C. DEPT. OF MENTAL RETARDATION SIZE 20,790 Sq. Ft.

41.82* % of Total Space .4182 X \$16,454.99 = \$ 6,881.48

TOTAL AMOUNT =

*On May 16, 1983, Tenant increased the size of its space from 19,924.5 to 21,656 sq. ft. For purposes of this calculation, we have used the average of square footage for the year of 20,790 sq. ft.

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SOUTH CAROLINA DEPARTMENT OF MENTAL RETARDATION

CENTRAL OFFICE ANALYSIS

Date of occupancy at 2712 Middleburg Drive - September 1973

	<u>Sq. Ft.</u>	<u>Annual Rent</u>
1973	12,212	\$ 58,007.04
1984	23,867	193,084.08
(Increase)	<u>11,655</u>	<u>\$135,077.04</u>

Total sq. ft. increase (1973 - 1984) = 95%

Annual rent increase (1973 - 1984) = 332%

Annual rent cost per sq. ft. increase (1973 - 1984) = 70%

EXHIBIT
AUG 27 1985 NO. 32
STATE BUDGET & CONTROL BOARD

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Charles D. Barnett, Ph.D.
Commissioner

Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services

Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

James E. Kirk
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Fiscal Affairs



MENTAL RETARDATION
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South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

LEASE HISTORY FOR SCDMR

	DATE	SQ.FT.	ANNUAL COST	COST/ SQ.FT.	TOTAL ANNUAL COST FOR ALL OUTSTANDING LEASES
	Sep 73	12,212	\$ 58,007.04	\$4.75	\$58,007.04
	Sep 74	816	4,080.00	5.00	66,167.04
	Jun 75	225	1,237.44	5.50	67,404.48
<u>Consolidated</u>	Aug 76	13,253	69,048.00	5.21	69,048.00
	Oct 76	387	4,644.00	5.21	73,692.00
<u>Consolidated</u>	Dec 77	14,612*	80,366.04	5.50	80,366.04
	May 79	1,253	7,204.80	5.75	87,570.84
<u>Renegotiated</u>	Dec 80	14,612	94,978.08	6.50	102,182.88**
	Oct 81	1,616	10,504.08	6.50	112,686.96
	Sep 82	1,315	9,599.52	7.30	122,286.48
	May 83	2,860	21,049.60	7.36	143,336.08
	May 84	1,581	11,636.16	7.36	154,972.24
	Sep 84	630	4,636.80	7.36	159,609.04
<u>Consolidated</u>	Dec 84	23,867	193,084.08	8.09	193,084.08

*Includes 972 sq. ft. common area previously excluded.

**Includes \$7,204.80 of May 79 lease. The Dec 80 lease was a renegotiated lease.

Consolidated leases incorporate previous additions to prior consolidated lease.

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Charles D. Barnett, Ph.D.
Commissioner

Philip S. Massey, Ph.D.
Deputy Commissioner
Client Services

Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

James E. Kirk
Deputy Commissioner
Fiscal Affairs



MENTAL RETARDATION
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Robert H. Lovvorn, Sr.
William deB. Mebane
R. B. Robinson

South Carolina Department of Mental Retardation

2712 Middleburg Drive
P. O. Box 4706
Columbia, South Carolina 29240

October 17, 1984

MEMORANDUM

TO: Lonnie A. Bowman, Jr.
Deputy Commissioner
Support Services

FROM: Eruch T. Tata, P.E. *ETT*
Director, Engineering & Planning

RE: Central Office Building
(questions raised by Dr. Buurman)

As requested, we are providing, by this memorandum, responses to questions #2 and #3 below:

Question #2 Alternatives to new construction - example: purchase

There are three alternatives available to the Department for obtaining quarters for the Central Office. They are:

1. Lease,
2. Purchase, and
3. Construct and own.

Alternative #1 is the one that is currently being used by the Department and has been extensively discussed; so has alternative #3.

Alternative #2 has the following "ifs" which make it highly improbable for our use. (1) It is almost impossible to find an existing structure at a desired location having the compartmentalization as desired. This would mean that some form of renovation would definitely be required. (2) Purchase could mean an existing structure with built-in age factor. This may reduce initial cost, but would overload the cost and increase problems within the first 10-15 years. (3) Any contemplated purchase, if a building can be found, would require an independent appraisal, which, hopefully, would either match the demanded price or the owner reducing his demands. Additionally, all funds would have to be identified and spent immediately.

003084

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Lonnie A. Bowman, Jr.
October 17, 1984
-page 2

EXHIBIT

AUG 27 1985 NO. 32

STATE BUDGET & CONTROL BOARD

One more observation would be that a purchase proposal could very easily result in the Budget and Control Board offering to build a large building to house multiple agencies and selling us the required quarters in that building on a purchase option rather than a lease basis, such as the Mills Building.

Question #3 Why 50% more space?

There are three basic justifications for the projected increase in space requirements. (1) Contrary to leasing, when a building is constructed, future needs have to be provided for because as new staff members are brought on board, the building cannot be added onto in small increments. (2) The additional space requirement is based on future projections of staff needs for the 10 year period from 1984-1994. A copy of the projections should be attached for the Commission's information and use. (3) Based on past historical data, the increase in square footage has been at an average rate of 7% per year as follows:

<u>Lease Year</u>	<u>Total Square Footage Leased</u>
77-78	14,612
78-79	14,612
79-80	17,481
80-81	18,600
81-82	19,224
82-83	21,656
83-84	23,867

Based on past history then, the projected square footage needed by 1994 will be 41,767 square feet. However, in the current building the Department is not achieving efficient utilization of available space due to the configuration of the building as well as exterior restraints. In projecting 35,000 square feet, a more equitable distribution of office space based on positions as well as efficient design to reduce support space such as hallways, bathrooms, etc. to retain it at between 10-15% if possible.

Hope this answers the questions satisfactorily.

ETT:jpw

003085

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SOUTH CAROLINA DEPARTMENT OF MENTAL RETARDATION

CENTRAL OFFICE ANALYSIS

October 30, 1984

EXHIBIT
AUG 27 1985 NO. 32
STATE BUDGET & CONTROL BOARD

1. Project Cost

Construction	\$ 1,520,000
Design Fees	57,400
Equipment	<u>272,600</u>
	\$ 1,850,000

2. Annual Depreciation

Structural: \$946,200 @ 40 years	\$ 23,655
Non-Structural: \$630,800 @ 20 years (Mechanical, Electrical & Plumbing)	31,540
Equipment: \$272,600 @ 10 years	<u>27,260</u>
	\$ 82,455

3. Comparison for 1986

	<u>Own Building</u>		<u>Rent Building</u>
	<u>Debt Service & Medicaid</u>	<u>Department** Bonds</u>	
<u>A. Operating Expenses</u>			
Rent	----	----	\$ 296,215
Bond Retirement	----	252,000	
Electricity	66,340	66,340	
Water & Sewer	12,840	12,840	
Janitorial/Maint/ Replacement	60,000	60,000	
Est. Operating Exp.	<u>\$139,180</u>	<u>\$ 391,180**</u>	<u>\$ 296,215</u>
<u>B. Computation of Medicaid Reimbursement</u>			
Total Medicaid			
Billing	\$221,635 +	\$ 383,635 ++	\$ 296,215
Est. Medicaid Reimbursement	<u>63%</u>	<u>63%</u>	<u>63%</u>
Est. Reimbursement	\$139,630	\$ 241,690	\$ 186,615

003086

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	<u>Own Building</u>		<u>Rent Building</u>
	<u>Debt Service & Medicaid</u>	<u>Department** Bonds</u>	
C. <u>Cash Flow Analysis</u>			
Est. Reimbursement	\$139,630	\$ 241,690	\$ 186,615
Est. Operating Exp.	(139,180)	(391,180)**	(296,215)
Net Savings (Expenses)	\$ 450	\$(149,490)**	\$(109,600)

** \$90,000 is payment towards principal.

+ Includes estimated Operating Expenses and Annual Depreciation (Item #2).

++ Includes estimated Operating Expenses (less principal) and Annual Depreciation (Item #2).

4. Cash Flow Comparison (20 years)

<u>Year</u>	<u>Own Building</u>		<u>Rent Building</u>
	<u>Debt Service & Medicaid</u>	<u>Department Bonds</u>	
1986	\$ 450	\$ (149,490)	\$ (109,600)
1987	(3,155)	(150,098)	(119,463)
1988	(7,012)	(150,957)	(119,463)
1989	(11,138)	(152,087)	(130,215)
1990	(15,555)	(152,507)	(130,215)
1991	(20,280)	(157,291)	(141,934)
1992	(25,336)	(159,698)	(141,934)
1993	(30,746)	(162,475)	(154,708)
1994	(36,534)	(165,642)	(154,708)
1995	(42,728)	(169,219)	(168,632)
1996	(49,355)	(190,400)	(168,632)
1997	(56,446)	(194,857)	(183,809)
1998	(64,033)	(199,784)	(183,809)
1999	(72,152)	(205,201)	(200,352)
2000	(80,839)	(211,128)	(200,352)
2001	(90,134)	(217,585)	(218,383)
2002	(100,080)	(224,592)	(218,383)
2003	(110,722)	(232,169)	(238,038)
2004	(122,109)	(240,336)	(238,038)
2005	(134,293)	(249,113)	(259,461)
	\$(1,072,197)	\$(3,734,629)	\$(3,480,129)

Note: 7% inflation factor is used. Based on information provided by Mr. Gillespie, Economist for Budget & Control Board, "Data Resources, Inc." projects at 6.6%.

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5. Net Savings-Own versus Rent (20 years)

A. Debt Service/Medicaid Financing	\$ 2,407,932
B. Department Bonds Financing	\$ 1,545,500

6. Back-up for Costs (examples)

Present Office Space:

Electricity	1983	\$1.47/sq.ft.
	1984	1.62/sq.ft.
	1985	1.73/sq.ft. (projected)
	1986	1.85/sq.ft. (projected)
Janitorial	1983	\$0.52/sq.ft.
	1984	0.58/sq.ft.
	1985	0.62/sq.ft. (projected)
	1986	0.66/sq.ft. (projected)

The above costs are below the figures used for estimating primarily because the current space, as compared to office space available around Columbia, would be below average.

STATE OF SOUTH CAROLINA
BUDGET AND CONTROL BOARD
DIVISION OF GENERAL SERVICES
300 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
(803) 758-3150

RICHARD W. RILEY, CHAIRMAN
GOVERNOR

GRADY L. PATTERSON, JR.
STATE TREASURER

EARLE E. MORRIS, JR.
COMPTROLLER GENERAL



RICHARD W. KELLY
ASSISTANT DIVISION DIRECTOR

January 17, 1985

REMBERT C. DENNIS
CHAIRMAN,
SENATE FINANCE COMMITTEE

TOM G. MANGUM
CHAIRMAN,
HOUSE WAYS AND MEANS COMMITTEE

WILLIAM T. PUTMAN
EXECUTIVE DIRECTOR

Mr. Eruch T. Tata, P.E., Director
Engineering and Planning
S. C. Department of Mental Retardation
2712 Middleburg Drive
Columbia, South Carolina 29240

Re: Proposed New Office Building - SCDMR
Confederate - Bull - Harden Streets

Dear Eruch:

Based on our meeting of January 15, 1985 and your letter of January 14, 1985 and its supporting documents on the Proposed New Office Building, we have come up with a total project cost of \$2,189,000 plus certain alternates.

In developing the cost of a permanent improvement project we take into account all costs related to the project except moving costs, regardless of the source of funds (see attached sheet for estimated project cost). This estimate is based on the construction contract being awarded on or before January 1, 1986.

If you have any questions or need any further assistance, please let us know.

Yours very truly,

John A. McPherson, Jr., P.E.
State Engineer

/rl
Attachment

cc: Rick Kelly w/atta.

JAN 21 1985

EXHIBIT

AUG 27 1985

NO. 32

STATE BUDGET & CONTROL BOARD

PROPOSED NEW OFFICE BUILDING
CONFEDERATE - BULL - HARDEN
FOR
DEPARTMENT OF MENTAL RETARDATION

Building Site		\$ -0-
Site Development		
10 Visitor Parking & Drives (See Note 1)	14,000	
Landscaping	<u>10,000</u>	24,000
Building Construction		
35,000 sq. ft. @ \$43.50		1,520,000
Tenant Up Grading		
Open Landscaping 90 Stations (See Note 2)		360,000
Telephone & Communication (See Note 3)		Not Included
Other: A&E Fees, Survey & Topo, Ins., Testing, Contingencies, etc.		<u>285,000</u>
TOTAL ESTIMATED PROJECT COST		\$2,189,000

Note 1: This is based on 90 parking spaces
being provided at another location.
If 90 spaces provided on-site add:

\$ 52,000

Note 2: This may be decreased if some
existing furniture is used in
conjunction with open landscaped dividers.

Note 3: This is based on furnishing telephone
equipment room and leasing of equipment.
IRM unable to give estimate of cost to purchase,
to lease or to install. Add for providing empty
conduit and wall or floor outlets:

\$ 16,200

003090

430

6. C. Total estimated cost of project, as revised, by broad purpose: Total cost: \$ 925,000.00
(equals 1 through 8, below, and is same as 6A)

1. Purchase land	\$ _____	5. Restore facility	\$ _____
2. Purchase facility	\$ _____	6. Maintain facility	\$ _____
3. Demolish facility	\$ _____	7. Replace facility	\$ _____
4. Construct additional facility	\$ <u>925,000.00</u>	8. Other _____	\$ _____

7. PROJECT COMPLETION SCHEDULE AND ESTIMATED EXPENDITURES BY FISCAL YEAR AS REVISED:

A. Estimated expenditures and expenditure purposes, this FY: 85-86 \$ 535,000.00
(expenditure purposes (use 6B categories): _____)

B. Estimated expenditures after this FY \$ 390,000.00

C. Total (Same as 6A, 6B and 6C) \$ 925,000.00

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						
(6) Appropriated State						
(7) Federal						
(8) Athletic						
(9) Other Fines & Forfeitures Act 1186	\$ 500,000.00	+425,000.00	\$ 925,000.00	5701	98800107	3907
TOTAL	\$ 500,000.00	\$ 425,000.00	\$ 925,000.00			

EXHIBIT
AUG 27 1985
NO. 32
STATE BUDGET & CONTROL BOARD

9. Submitted By:

Authorized Official

Dorothy M. Harrell
Typed Name and Title and Signature

Dorothy M. Harrell, Accounting Manager

Date Submitted 8/14/85

FY Submitted 85-86

10. APPROVED (For Board Use Only):

4-86(11)

Typed Name and Title and Signature

Date

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003092

EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
EXECUTIVE SESSION
ITEM NUMBER

2

AGENCY: Human Resource Management

SUBJECT: Unclassified Salary Increases Above 12%
(Colleges, Universities and TEC)

The colleges, universities and technical education have recommended 318 unclassified employees for salary increases that exceed 12% which range from 12.16% to 100%, as follows:

- (a) College of Charleston: 18 salary increases (7 for intradepartmental equity and merit; 1 for intradepartmental equity, promotion and merit; and 10 for promotion and merit). Increases range from 12.2% to 19.1%.
- (b) Citadel: 9 salary increases (5 for merit and salary enhancement, Department of Electrical Engineering; 3 for merit; and 1 for promotion and merit). Increases range from 13.2% to 19.1%.
- (c) Lander College: 11 salary increases (8 for equity and adjustments; 3 for promotion and equity adjustments). Increases range from 16.4% to 29.5%.
- (d) S.C. State College: 2 salary increases (1 for equity adjustment; 1 for promotion and assumption of administrative duties). Increases range from 14.95% to 19.47%.
- (e) Winthrop College: 3 salary increases (1 for exceptional performance; 1 for increased responsibility and internal equity; 1 for change of status, promotion and internal equity). Increases range from 14.7% to 20%.
- (f) Clemson University: 12 salary increases (3 for employees contracted under Intergovernmental Personnel Act; 3 for equity adjustments; 5 for promotion; 1 for assuming additional administrative duties). Increases range from 14.6% to 29.8%.
- (g) Medical University: 12 salary increases (7 for promotion; 5 for merit and equity adjustments). Increases range from 13.4% to 100%. (One raise of 100% requested for an employee initially hired as a trainee at half salary.)
- (h) USC: 104 salary increases (62 for merit and equity adjustments; 34 for merit and promotion; 5 for merit and administrative supplements; 3 for merit, promotion and equity adjustments). Increases range from 12.16% to 64.84%.
- (i) Technical Education: 147 salary increases (140 for labor market adjustments; 6 for internal equity; 1 for promotion and equity). Increases range from 13.6% to 30%.

The Division recommends approval of these requests.

BOARD ACTION REQUESTED:

Approve salary increases as proposed for 318 unclassified employees at the various colleges and universities and Technical and Comprehensive Education with increases ranging from 12.16% to 100%.

ATTACHMENTS:

Agenda item worksheet and attachments relating to each institution

003093

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

For meeting scheduled for:

August 27, 1985

Blue Agenda

Regular Session Agenda

X Executive Session Agenda

1. Submitted By:

(a) Agency: Division of Human Resource Management

(b) Authorized Official Signature:

Phyllis M. Mayes

2. Subject: Unclassified Salary Increases Above 12% - Colleges, Universities, and the State Board for Technical and Comprehensive Education

3. Summary Background Information:

The Colleges, Universities, and TEC have recommended 318 unclassified employees for salary increases that exceed 12% which range from 12.16% to 100%:

- a. The College of Charleston, 18 salary increases: 7 for intra-departmental equity and merit; 1 for intra-departmental equity, promotion and merit; and 10 for promotion and merit. Increases range from 12.2% to 19.1%.
- b. The Citadel, 9 salary increases: 5 for merit and salary enhancement (Department of Electrical Engineering): 3 for merit; and 1 for promotion and merit. Increases range from 13.2% to 19.1%.
- c. Lander College, 11 salary increases: 8 for equity adjustments; and 3 for promotion and equity adjustments. Increases range from 16.4% to 29.6%.

4. What is Board asked to do?

Approve salary increases for 318 unclassified employees at various colleges and universities ranging from 12.16% to 100%.

5. What is recommendation of the Board Division involved?

Approve the requests.

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available from Submitter

- a. Cover letters with employee listings from the colleges, universities, and TEC.

- a. 1984-85 Oklahoma State University Faculty Salary Survey of Land Grant Universities.
- b. 1984-85 Administrative Compensation Survey (CUPA).
- c. 1984-85 Southern Regional Education Board Faculty Salary Report.

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EXHIBIT

AUG 27 1985 NO. 33

BUDGET & CONTROL BOARD

EXHIBIT

Subject: Unclassified Salary Increases Above 12%
Colleges, Universities, and TEC

AUG 27 1985 NO. 33

STATE BUDGET & CONTROL BOARD

3. Summary Background Information: (con't)

- d. South Carolina State College, 2 salary increases: 1 for equity adjustment; and 1 for promotion and assumption of administrative duties. Increases range from 14.95% to 19.47%.
- e. Winthrop College, 3 salary increases: 1 for exceptional performance; 1 for increased responsibility and internal equity; and 1 for change of status, promotion and internal equity. Increases range from 14.7% to 20%.
- f. Clemson University, 12 salary increases: 3 for employees contracted under the Inter-governmental Personnel Act (IPA); 3 for equity adjustments; 5 for promotion; and 1 for assuming additional administrative duties. Increases range from 14.6% to 29.8%.
- g. Medical University of South Carolina, 12 salary increases: 7 for promotion; and 5 for merit and equity adjustments. Increases range from 13.4% to 100%. (One raise of 100% is requested for an employee who was initially hired as a trainee at half salary).
- h. University of South Carolina, 104 salary increases: 62 for merit and equity adjustments; 34 for merit and promotion; 5 for merit and administrative supplements; and 3 for merit, promotion and equity adjustments. Increases range from 12.16% to 64.84%.
- i. TEC, 147 salary increases: 140 for labor market adjustments; 6 for internal equity; and 1 for promotion and equity. Increases range from 13.6% to 30%.

003095



College of Charleston

Charleston, South Carolina 29424

Office of the Provost

July 29, 1985

EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET & CONTROL BOARD

Mr. R. Ken Harrill
Director, Compensation Section
S.C. Budget and Control Board
Division of Human Resource Management
Post Office Box 12547
Columbia, South Carolina 29211

Dear Mr. Harrill:

The College of Charleston is submitting as part of its petition to the Budget and Control Board for realignment of the 1985-86 operating budget a request to shift funds internally so that the College can implement the next phase of its faculty salary administration program. This letter represents for your formal action the recommendations we are making for individual salary increases above 12%. There are two reasons why a faculty member's salary increase would exceed 12%. The first is because of an intra-departmental inequity adjustment, and the second is because of an incremental one-time increase given for promotion or tenure. One or the other of these two situations in addition to a merit increase have caused eighteen (18) people to exceed 12%.

As you know from past experience, basic inequities in certain instructional faculty salaries need adjustment. The Department Chairs have made recommendations on individual faculty members who merit an intra-departmental inequity adjustment. The Chairs base their recommendations on the position of each individual faculty member in relation to those of similar experience as well as to a line representing the normal progression through each rank.

I enclose documentation which we believe will demonstrate how we have arrived at those nine-month salaries that would be increased by more than 12% in 1985-86 if you and the Budget and Control Board approve our requests.

If you and the staff need any additional information or would like further explanation, please feel free to call me. I can be reached at (803) 792-5527 at the College of Charleston.

All of us at the College are appreciative of the enormous amount of time, patience and interest you have invested in helping President Collins and me develop and implement our faculty salary administration program. The faculty members at the College of Charleston join us in thanking you.

Sincerely yours,

Jacquelyn A. Mattfeld (a)

Jacquelyn A. Mattfeld
Provost and Dean of the Faculty

JAM:cd

003096

cc: Edward M. Collins, Jr., President

Code for type of increase:

- A. Intra-departmental equity adjustment
B. Promotion increase
C. Merit Increase

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

Agency: COLLEGE OF CHARLESTON

Date: July 26, 1985

EMPLOYEE	SOCIAL SECURITY NO.	CURRENT TITLE/DEPT	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION
1. Powell, Phillip	359-40-5011	Librarian I/Lib	A/C	15,136	17,167	13.4%	Intra-departmental equity adjustment; Merit increase
2. Heller, Sarah	167-46-0596	Asst. Prof./Geo.	A/C	22,500	25,776	14.5%	Intra-departmental equity adjustment; Merit increase
3. Gudger, William	240-78-9823	Assoc. Prof./ Fine Arts	B/C	26,423	29,807	12.8%	Promotion increase; Merit increase
4. Kowal, David	076-38-8056	Assoc. Prof./ Fine Arts	B/C	24,412	28,262	15.8%	Promotion increase; Merit increase
5. Morris, James W.	264-68-0641	Assoc. Prof./ Languages	A/B/C	26,020	29,519	13.4%	Intra-departmental equity adjustment; Promotion increase; Merit increase
6. Finetrock, Michael	295-34-5748	Prof./History	B/C	29,343	33,183	13.0%	Promotion increase; Merit increase
7. Tsai Jung Fang	140-36-4093	Prof./History	B/C	29,343	33,183	13.0%	Promotion increase; Merit increase
8. Newell, John	258-82-8446	Assoc. Prof./Hist.	B/C	25,710	29,029	12.9%	Promotion increase; Merit increase
9. Hetherington M. Sue	440-20-5386	Prof./English	B/C	28,098	33,461	19.1%	Promotion increase; Merit increase
10. Johnson, Jeffrey	266-60-0617	Prof./ English	B/C	30,534	34,274	12.2%	Promotion increase; Merit increase
11. Carlson, Larry	134-40-0050	Assoc. Prof./Eng.	B/C	27,165	30,770	13.2%	Promotion increase; Merit increase
12. Porter, Jeffrey	080-44-0491	Asst. Prof./Eng.	A/C	20,560	23,226	12.9%	Intra-departmental equity adjustment; Merit increase
13. Schenck, Susan	036-34-8839	Assoc. Prof./Educ.	B/C	25,782	28,912	12.1%	Promotion increase; Merit increase
14. Herring, Rebecca B.	242-60-1443	Assoc. Prof./ Business Admin.	A/C	32,943	37,294	13.2%	Intra-departmental equity adjustment; Merit increase
15. Miller, Deborah	347-48-0476	Asst. Prof./PE	A/C	22,424	26,588	18.5%	Intra-departmental equity adjustment; Merit increase
16. Diamond, Beverly	251-57-6631	Asst. Prof./Math	A/C	24,000	27,073	12.8%	Intra-departmental equity adjustment; Merit increase
17. Marcell, Michael	438-88-5106	Assoc. Prof./ Psychology	B/C	26,386	30,032	13.8%	Promotion increase; Merit increase
18. Nunan, Richard	421-68-8989	Asst. Prof./Phil.	A/C	21,500	24,646	14.6%	Intra-departmental equity adjustment; Merit increase

003097

Received 7/27/85 Joe

THE CITADEL
THE MILITARY COLLEGE OF SOUTH CAROLINA
CHARLESTON, S. C. 29409

29 July 1985

Mr. R. Kenneth Harrill, Director
Compensation Section
Budget and Control Board
Division of Human Resource Management
P. O. Box 12547 - Capitol Station
Columbia, SC 29211

Dear Ken:

This is in response to your memorandum of 1 July 1985 regarding FY 1985-86 increases for employees in unclassified positions.

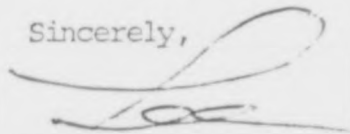
Attached are two lists of unclassified members of The Citadel faculty who have been approved by the President to receive salary adjustments in FY 1985-86 in excess of 12%. One list is for faculty members in the Department of Electrical Engineering approved to receive enhancement salary adjustments, and one list is for those members of the faculty approved to receive a merit and promotion increase based on truly outstanding performance.

The list of faculty members from the Department of Electrical Engineering is self-explanatory. These adjustments are needed in order to keep salaries in line with national norm for colleges. The second list consists of faculty members from the Departments of English and Modern Languages. The performance of these individuals has been truly outstanding and warrant special consideration over the remaining faculty. Note that we only ask that four members of the faculty be given this special consideration.

Please take action to present our request before the Budget and Control Board on 27 August 1985. Should you encounter difficulty with obtaining approval, or if we can provide additional information, please let me hear from you earliest.

Thank you as always for your assistance, and please give me a call should you have questions.

Sincerely,



LEE V. E. MARTIN
Lieutenant Colonel, Director of
Personnel and Administrative Services

Attachments
As Stated

LVEH:mrs

(b)

003098

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: The Citadel

DATE: 10 July 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
HERRING, Oren L.	249163700	Head & Professor of Electrical Engineering	Merit/Enhance	37,846	43,746	15.6	Enhancement required to bring salaries of Electrical Eng. in line with national norms for colleges.
DWAN, T. E.	040348716	Associate Prof of Electrical Engineering	Merit/Enhance	29,341	34,741	18.4	"
DORNETTO L. D.	183322651	Associate Prof of Electrical Engineering	Merit/Enhance	30,669	36,069	17.6	"
ASKINS, H. W., Jr.	251585236	Professor of Electrical Engineering	Merit/Enhance	36,073	42,973	19.1	"
STINSON, J. A., Jr.	251864725	Assistant Prof of Electrical Engineering	Merit/Enhance	27,179	32,079	18.0	"

003099

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: The Citadel

DATE: 10 July 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
ALLEN, D.G.	010387668	Assistant Prof of English	Merit	20,802	23,702	13.9	Truly outstanding performance during 1984-85.
LEONARD, J.S.	411762621	Assistant Prof of English	Merit	20,400	23,300	14.2	"
RHODES, J.W.	231684024	Assistant Prof of English	Promo/Merit	22,046	24,946	13.2	"
EMORY, O.R.	241580585	Assistant Prof of Modern Languages	Merit	21,100	24,000	13.7	"

003100

Lander

COLLEGE

Greenwood, South Carolina 29646

Telephone (803) 229-8300

Office of the President



June 20, 1985

Division of Human Resource Management
1205 Pendleton Street
Columbia, S. C. 29211

Gentlemen:

As required in the 1985-86 Appropriation Act, Lander College requests Budget and Control Board approval for the 1985-86 salaries of the unclassified personnel on the attached listing since they exceed 12%. The adjustments being proposed are to bring the salaries of the individuals in line with peers in the same rank within the college, state, and nation. Three of the increases also include standard raises given for promotion to a higher academic rank. Lander will not request any appropriation in excess of the 6% base pay allocation to fund these increases.

President Jackson is currently participating in a Fulbright Seminar in India and will not return in time to meet the August 1 deadline for this request for approval. He is, however, fully aware of the increases being proposed and indeed initiated this action prior to his departure. I have been authorized to act on his behalf during his absence and respectfully request approval of the increases.

Sincerely,

Oscar E. Page
Acting President

003101

(C)

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: LANDER COLLEGE (H-21)

DATE: June 20, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Blitch, Patricia	248-96-5676	Asst. Prof.	B.P.&Spec.Adj.	\$16,200	\$21,000	29.6	To bring salaries in line with the market and peers within the college, state, and nation.
Chandler, Joseph	249-72-4335	Professor	B.P.&Spec.Adj.	26,522	31,113	17.3	
Fox, Richard	264-64-5781	Assoc.Prof.	B.P.&Spec.Adj.	21,923	26,567	21.2	
Fox, Sylvia	261-15-9647	Instructor	B.P.&Spec.Adj.	15,500	18,050	16.5	
Hare, Ann	254-50-6691	Dir. of Lib.*	B.P.&Spec.Adj.	31,777	37,683	18.6	
Horne, Betty	451-62-1503	Assoc.Prof.**	B.P., Prom.** Spec.Adj.	26,965	31,400*	16.4**	
Marino, Sheila	411-86-0859	Assoc.Prof.**	B.P., Prom.** Spec.Adj.	25,037	29,540*	18.0**	
Mestrovic, Stjepan	563-94-5734	Asst.Prof.	B.P.&Spec.Adj.	19,699	24,881	26.3	
Runyan, Michael	249-82-1392	Asst.Prof.	B.P.&Spec.Adj.	20,008	23,509	17.5	
Steinriede, Susan	431-02-1004	Asst.Prof.	B.P.&Spec.Adj.	23,000	27,000	17.4	
Williams, Betty	247-78-5421	Asst.Prof*** (Librarian)*	B.P., Prom.*** Spec.Adj.	27,391	33,034***	20.6***	

*According to SACS standards, Librarians have faculty status.

**Increase includes \$1,500 for promotion to full professor.

***Increase includes \$1,000 for promotion to associate professor.

EXHIBIT
AUG 27 1985
NO. 33
STATE BUDGET & CONTROL BOARD

003102

Received 7/27/85

SOUTH CAROLINA STATE COLLEGE
Orangeburg, South Carolina 29117

OFFICE OF THE DIRECTOR OF PERSONNEL

EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET & CONTROL BOARD

July 26, 1985

Mr. Kenneth Harrill, Director
Classification and Compensation
Personnel Division
1205 Pendleton Street
P. O. Box 12547
Columbia, South Carolina 29211

Dear Mr. Harrill:

In accordance with your July 1, 1985 memorandum regarding FY 85-86 increases for employees in unclassified positions the attached listing of employees to be granted an annual pay raise in excess of 12% is hereby submitted for Budget and Control Board approval.

Sincerely,

Sherral Y. Guinyard
(Mrs.) Sherral Y. Guinyard
Personnel Director

SYG/dad

Enclosure

cc: Mr. Harold A. Jenkins, Vice President

(d)

003103

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: South Carolina State College

DATE: July 5, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
ermelle J. Johnson	419-50-5608	Professor and Director, Profes- sional Clinical Experiences		\$29,667 (9 months)	\$35,442	19.47	

JUSTIFICATION FOR INCREASE: Employee received a promotion from associate professor to full professor; further, she was promoted to Director of Professional Clinical Experiences, a position which expands her duties to administrative responsibilities for ten (10) months rather than nine (9).

uttalu Viswanath	212-54-1747	Associate Profes- sor of Mathematics		\$22,619 (9 months)	\$26,000	14.95	
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JUSTIFICATION FOR INCREASE: This employee's salary for 1984-85 was less than the institutions's range at the rank of associate professor. This adjustment enables the salary to be within the appropriate range by rank for the 1985-86 academic year.

EXHIBIT
AUG 27 1985 NO. 33
STATE BUDGET & CONTROL BOARD

003104



EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET & CONTROL BOARD

Office of Personnel

July 31, 1985

Mr. R. Kenneth Harrill
Director, Classification
Div. of Human Resource Management
1205 Pendleton Street
Columbia, SC 29211

Dear Ken:

As requested in your memo of July 1, 1985, enclosed is our request for Board approval for salary increases above 12% for three members of the Winthrop College Faculty. Please let me know if any additional information is needed for our request to receive proper consideration.

Thank you for your assistance.

Sincerely,

E. Taylor Glass, AEP
Personnel Director

/G
Enclosure

(2)

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: Winthrop College

DATE: July 31, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Keith L. Bildstein	145-38-0844	Assoc. Professor	Exceptional Performance	\$22,600	\$26,000	15%	Attached
Richard C. Ingram	201-38-2327	Asst. Professor	/increased respon- sibility & inter- nal equity	\$19,622	\$22,500	14.7%	Attached
Mary F. Watson	248-88-6194	Instructor	/change of status, promotion & inter- nal equity	\$11,872 (part-time)*	\$19,000	20%	Attached

*(equivalent for full-time 9 months basis is \$15,829.50)

EXHIBIT
AUG 27 1985 NO. 33
STATE BUDGET & CONTROL BOARD

003106

JUSTIFICATIONS FOR REQUESTED SALARY INCREASES ABOVE 12%

EXHIBIT

NO. 33

AUG 27 1985

STATE BUDGET & CONTROL BOARD

Richard C. Ingram - The salary offered to Dr. Ingram at the time of his initial appointment was low for several reasons. At that time, it was expected that his employment with Winthrop College would be in a limited role and for a period of only one or two years. Further, he did not have the terminal degree.

Since then, however, he has received his doctorate and through consistently superior performance he has earned assignments of significantly greater responsibility than were envisioned at the time of his initial appointment. Again because of his excellent performance over the last two years, it is now the intention of our School of Education that Dr. Ingram's employment with Winthrop College be one of long term.

The increase requested for the new fiscal year will bring Dr. Ingram's salary up to a level which is more consistent with other faculty member's who have the terminal degree and similar amounts of teaching experience.

Mary F. Watson - Ms. Watson has been employed within our School of Education for each of the last two years on a part-time basis with the rank of Lecturer. Her role has been a limited one in the nursery (lab) school program.

Beginning with the fall term, Ms. Watson will be employed on a full-time basis; she will have additional responsibilities within the School of Education and will participate as a full member of the faculty. Further, she has been promoted to the rank of Instructor.

The increase requested is needed to recognize the change in her role and status within the School of Education and to bring her salary up to a level consistent with other members of our faculty who have similar educational backgrounds and teaching experience.

Keith L. Bildstein - Please see attached memo from Dr. Luckett Davis, the Chairman of Dr. Bildstein's department.

003107



RECEIVED
JUL 30 1985
PERSONNEL DEPARTMENT

EXHIBIT

AUG 27 1985

NO. 33

MEMORANDUM

Date July 30, 1985
To Mr. E. Taylor Glass, Personnel Director STATE BUDGET & CONTROL BOARD
From Luckett V. Davis, Chairman, Biology Department
Subject Justification for proposed 16% increase in salary of Dr. Keith L. Bildstein

Dr. Bildstein came to Winthrop in 1978 as an instructor (time-limited appointment). In 1980, due to his outstanding performance, he was appointed Assistant Professor. In 1983 he was promoted to Associate Professor and in 1985 he received tenure. A review of his yearly salaries is shown below.

YEAR	RANK	SALARY	% INCREASE
1978-79	Instructor	\$11,015.	
1979-80	Instructor	\$12,900.	15%
1980-81	Asst. Prof.	\$15,500.	new appoint- ment
1981-82	Asst. Prof.	\$17,697.	14%
1982-83	Asst. Prof.	\$18,910.	7%
1983-84	Assoc. Prof.	\$20,197.	7%
1984-85	Assoc. Prof.	\$22,500.	7%
1985-86	Assoc. Prof.	\$26,000.	16%
		proposed	

Dr. Bildstein has been a truly outstanding addition to the Winthrop faculty. He is an outstanding teacher, as shown by student evaluations, chairman's observation, and the fact that he received in 1981 a Phi Kappa Phi Award for excellence in teaching. His service has been unusual for a young faculty member and includes service on the Academic Council, the Task Force on General Education, the Faculty & Staff Alumni Committee, and many other committees. He has also made excellent contributions to student life and to the operation of the biology department. In 1981-82 he served as Assistant to the Dean of the College of Arts & Sciences.

Dr. Bildstein's scholarly accomplishments have been remarkable. He has published twenty-five articles in scholarly publications, most of them in refereed journals. His colleagues in the field of ornithology have acknowledged his work by making him editor of the Wilson Bulletin, a journal of international rank. He has received numerous grants and other awards, and has proved to be well able to attract the funds needed to support his research.

003108

Unfortunately, Dr. Bildstein's salary has not kept pace with his accomplishments. Despite the fact that he has consistently received maximum raises, or beyond, his 1984-85 salary was over \$700 less than the median for the rank of Assistant Professor. Yet, 1984-85 was Dr. Bildstein's second year at the rank of Associate Professor.

I propose that Dr. Bildstein's salary be increased for 1985-86 to \$26,000, a raise of 16%. Even this large increase will place his salary at \$3,500 less than the 1984-85 median for the rank of Associate Professor at Winthrop College.

Clearly Dr. Bildstein has earned the salary increase proposed here. He has achieved an international reputation in his field and has made outstanding contributions in all three areas of faculty evaluation (teaching, scholarship, service).

Luckett V. Davis

Luckett V. Davis

LVD/sgs

Enclosure

003109



EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET & CONTROL BOARD

BUSINESS AND FINANCE
Personnel Division

July 29, 1985

MEMORANDUM

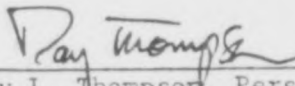
TO: Mr. Ken Harrill, Director
Classification & Compensation

SUBJECT: Budget and Control Board Review

Enclosed is our request for consideration for salary increases in excess of 12%. Listed below is a breakdown of our type of increase codes:

GI - General Increase
PRO - Promotion
SAL ADJ - Salary Adjustment

If you have any questions, or need any additional information, please let us know.


Ray L. Thompson, Personnel Director

RLT/rca

Attachment

cc: Mr. John Newton
Mrs. Fran Massey

(f)

003110

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: CLEMSON UNIVERSITY

DATE: JULY 29, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGE INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Betty E. Baird	255-68-3503	Co Ext Agt Sr Assoc	PRO	\$30,784	\$35,281	14.6%	Being promoted to County Extension Chairman - Senior Associate, highly qualified.
Sydney A. Cross	530-54-5189	Ass. Prof Visual Arts	SAL ADJ	\$20,210	\$24,910	23.2%	To make salary more competitive with others in her peer group.
Philip O. Epps	251-72-1376	Co Ext Agt Sr Assoc	PRO	\$22,859	\$28,159	23.2%	Being promoted to County Extension Chairman - Senior Associate, highly qualified.
John D. Jacques	141-36-5898	Assoc Prof Architecture	PRO	\$31,978	\$38,815	21.4%	Promoted to Professor of Architecture and also will be Acting Head of Architectural Studies. This \$3,000 above the 12% will be placed in additional benefits and no increases will be based on this amount.
Robert L. LaForge	250-80-4742	Professor Management	SAL ADJ	\$36,798	\$44,526	21.0%	To make salary more competitive with other Professors in the College of Commerce and Industry.
Chris Sargent	249-94-8600	Co Ext Agt Assoc	PRO	\$19,461	\$23,461	20.5%	Being promoted to County Extension Chairman - Associate, highly qualified.
Robbie B. Hughes	253-72-4460	Ass. Prof of Nursing	GI & SAL ADJ	\$20,599	\$24,305	18.0%	A developing researcher and scholar; also expert clinician. Making salary more competitive with other Assistant Professors in the College of Nursing.
Mechthild Cranston	550-50-0978	Assoc Prof of French/Latin	GI & PRO	\$24,366	\$30,290	24.3%	Being promoted to Professor. Highly qualified teacher and researcher.

003111



BUSINESS AND FINANCE
Personnel Division

August 5, 1985

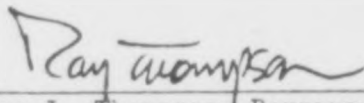
MEMORANDUM

TO: Mr. Kenneth R. Harrill, Director
Classification & Compensation

SUBJECT: Budget and Control Board Review

Attached you will find an additional list of requests to be considered for salary increases in excess of twelve percent (12%) on individuals contracted under the Inter-governmental Personnel Act (IPA).

If you have any questions, or need additional information, please let me know.


Ray L. Thompson, Personnel Director

RLT/rca

Attachment

cc: Mr. John Newton
Mrs. Fran Massey

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: CLEMSON UNIVERSITY

DATE: August 5, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGE INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Richard Ringeisen	316-46-6410	Prof/Assoc Head	IPA	\$45,668	\$52,262	14.43%	Inter-governmental Personnel Act - Arlington, Va. Salary will be cut \$3,412 upon his return to Clemson University.
James Jarvis	246-74-5819	Assoc Prof	IPA	\$36,689	\$47,591	29.71%	Inter-governmental Personnel Act - Washington, D. C. Salary will be cut \$8,341 upon his return to Clemson University.
Anthony Czajkowski	007-16-1337	Assoc Prof	IPA	\$37,607	\$43,850	16.60%	Inter-governmental Personnel Act - Washington, D. C. Salary will be cut \$5,867 upon his return to Clemson University.
John C. Peck	4 7-62-9002	Professor	TSA*	\$45,247	\$54,637	20.75%	*Temporary salary adjustment for assuming additional administrative responsibilities while Department Head is on leave. Salary will be cut \$7,127 upon the Department Head's return from leave.

003113

DEPARTMENT OF HUMAN RESOURCES MANAGEMENT
Office of the Director (803) 792-2121
Employment (803) 792-2071
Classification (803) 792-2683
Compensation & Benefits (803) 792-2607



MEDICAL UNIVERSITY OF SOUTH CAROLINA
171 Ashley Avenue
Charleston, South Carolina 29425-1055

August 1, 1985

EXHIBIT
AUG 27 1985 NO. 33
STATE BUDGET & CONTROL BOARD

Mr. R. Kenneth Harrill
Director
Compensation Section
State Division of Human Resource Mgmt.
1205 Pendleton Street
Columbia, South Carolina 29211

Dear Mr. Harrill:

In accordance with your memorandum of July 1, 1985, I am forwarding the request for unclassified pay increases greater than 12% for Budget and Control Board approval.

MUSC Administration strongly supports the recommended increases as indicated in the enclosure. The individuals listed have demonstrated exceptional qualifications in their particular field and are considered fully deserving of the requested salaries.

Your support of this request will be greatly appreciated.

Sincerely,

C. Edward Kayler, Jr., Ph.D.
Acting Director

CEK/mh

Enclosure:

(g)

003114

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: Medical University of South Carolina

DATE: July 30, 1985

	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGE INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
<u>College of Medicine</u>							
Cook, J.A.	140-74-153	Professor	Promotion	\$40,248	\$43,660	13.4	Meritorious performance
Hansen, I.I.	274-46-059	Assistant Professor	Other	20,000	40,000	100.0	Meritorious performance and to bring salary in line with peers
Osguthorpe, J.D.	329-70-687	Associate Professor	Other	41,987	49,235	17.0	Meritorious performance and to bring salary in line with rank
Genco, P.V.	059-40-145	Associate Professor	Promotion	40,003	55,000	37.5	Meritorious performance and to bring salary, which is generated funds, to peer level
Burdash, N.M.	182-34-160	Professor	Promotion	45,372	57,095	25.8	Meritorious performance
DeLuca, Dominick	562-74-083	Associate Professor	Promotion	32,557	36,754	12.88	Meritorious performance
Chao, Lee	529-66-323	Professor	Promotion	37,926	42,902	13.1	Meritorious performance
Mahaffey, J.E.	250-24-772	Professor/Chairman	Other	57,505	67,570	17.3	Meritorious performance
Thompson, R.P.	464-74-259	Assistant Professor	Other	30,000	40,000	33.0	Meritorious performance
<u>College of Nursing</u>							
Maynard, Carolyn	253-72-538	Assistant Professor	Other	23,532	27,944	18.75	Meritorious service and \$3,000 for doctoral degree
<u>College of Pharmacy</u>							
Karig, A.W.	140-34-023	Professor	Promotion	49,700	59,600	19.9	Additional duties for appointment as Department Chairman

EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET & CONTROL BOARD

003115

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: Medical University of South Carolina
DATE: July 30, 1985

<u>SOCIAL</u> <u>SECURITY</u> <u>NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE</u> <u>INCREASE</u>	<u>CURRENT</u> <u>SALARY</u>	<u>PROPOSED</u> <u>SALARY</u>	<u>PERCENTAGE</u> <u>INCREASE</u>	<u>JUSTIFICATION</u> <u>FOR INCREASE</u>
<u>College of Allied Health</u> <u>Sciences</u>						
Taylor, S.F.	211-80-041 Associate/Chairman	Promotion	\$26,500	\$31,573	19.14	Meritorious service and appointment as Department Chairman

003116



UNIVERSITY OF SOUTH CAROLINA

COLUMBIA, S. C. 29208

EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET & CONTROL BOARD

PRESIDENT

August 1, 1985

BY HAND

Ms. Phyllis Mayes, Director
Division of Human Resource Management
P.O. Box 12547
Columbia, S. C. 29211

Dear Phyllis:

The entire university system has 103 unclassified employees for salary increases above 12%. This number represents approximately 4% of the unclassified employees in the system. The funding for these increases is within the funding available to the university. These employees represent a mix of three types of cases: 1) Cases of promotion which are increments in addition to merit. In reviewing those employees who are being promoted, it should be noted that they have assumed much greater responsibilities in their new positions. Included herein are those faculty members receiving academic rank promotions through the tenure and promotion system, an extremely critical and demanding review of one's qualifications for advancement. These promotions are standardized in the university system at \$1,000, \$1,200, and \$1,600 for promotions to Assistant Professor, Associate Professor, and Professor respectively. These are the only three academic rank promotions that an aspiring academician can look forward to during his or her career. 2) Cases of administrative supplements which are specific increments that are paid to someone who assumes administrative duties and responsibilities in addition to his or her faculty workload. These increments are not added to the individual's base salary and will be removed when those specific administrative duties are no longer being performed by that person. 3) Finally, there are cases of genuine inequity which includes affirmative action toward equal pay for equal work.

In all cases, the requested increases contain merit increments as a part of the total salary adjustment package. The entire select group has performed outstanding and meritorious service for the University System and the State of South Carolina.

Of the requested increases, 62 involve a combination of merit and equity adjustments; 33 for merit and promotion; 5 for merit and administrative supplements; and 3 for a combination of merit, promotion, and equity adjustments. By and large, those increases are barely above the 12% limit. It is interesting to observe that a modest dollar increase can translate into a large percentage increase when applied to a small base salary amount. The largest category of requests involve adjustments which are necessary to insure equitable pay for duties performed. Many of these adjustments are necessary not only to approach

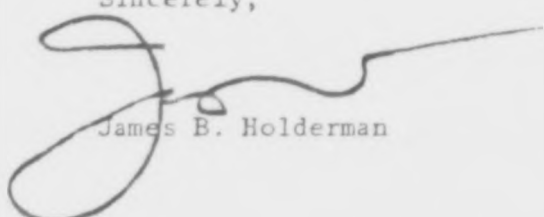
Ms. Phyllis Mayes, Director
Page Two
August 1, 1985

the peer salary level of the individual, but also to respond to outside offers for the services of these valuable employees. The group which represents the next largest number of requests involves a combination of merit and promotion. Most of these requests are relatively small. These increases are necessary to provide a salary which is competitive with their counterpart in similar positions. The third group involving merit, promotion, and inequity are reasonable considering they involve three combinations of factors, each having a bearing on the total percentage request. Each component on its own is relatively small, and these increases attempt to address the awarding of earned merit adjustments, earned promotions, and necessary equity adjustments simultaneously. It should be noted that in the cases of administrative supplements, the supplement amount is not added to the base salary of the employee and will, therefore, not be a factor in computing future percentage increases.

The principles of fairness and equity demand equal pay for equal work and should not be ignored. In some ways, all of the attached requests attempt to provide salaries which are in line with others similarly situated. Promotions reward those who have excelled; administrative supplements provide additional pay for additional work; and equity adjustments restore salaries to a just peer level. A comprehensive review and justification procedure at several levels within the organization has been employed to insure that these requests are warranted, and the concurrence is that each of these requests is necessary and proper. It is important that the University continue to recruit and retain exceptional employees to further enhance our primary missions of instruction, research, and public service. The scholastic excellence, administrative competence, and experience that the individuals on this attached request have exhibited should be appropriately rewarded, because they represent the very best talent within this outstanding institution. I enthusiastically endorse the requested salary adjustments and would be glad to provide any further details that you might need on any of these exceptional employees.

If there are any problems with this request, I would appreciate the opportunity to appear before the Budget and Control Board to make a further appeal for these increases. Thank you in advance for your anticipated positive response and for your continuing cooperations.

Sincerely,



James B. Holderman

JBH/pyr

cc: Dr. R. W. Denton
Senior Vice President
for Business and Finance

Ms. Jane M. Jameson
System Vice President for Personnel

003118

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Sullivan, Joann F.	262-11-4764	Res. Asst. Prof.	Merit & Promotion	\$24,851	\$29,033	16.82%	\$2,982 (12.00%) Merit 1,200 (4.82%) Promotion to Res. Assoc. Prof
Timney, Delaine B.	249-76-4607	Lecturer	Merit & Inequity	23,432	29,432	25.61%	\$2,811 (12.00%) Merit 3,189 (13.61%) Inequity
Oakman, Robert	427-80-3906	Professor	Merit & Inequity	36,000	45,000	25.00%	\$4,320 (12.00%) Merit 4,680 (13.00%) Inequity
Hatcher, Robert D.	412-70-13 7	Professor	Merit & Inequity	45,408	55,408	22.02%	\$5,448 (12.00%) Merit 4,552 (10.02%) Inequity
Williams, Douglas F.	157-40-80 4	Assoc. Prof.	Merit & Promotion	40,390	47,221	16.91%	\$3,231 (8.00%) Merit 1,600 (4.84%) Promotion to Full Professor 2,000 (6.05%) Administrative Supplement
Bennett, Colin	456-02-80 6	Professor	Merit & Inequity	49,347	61,126	23.87%	\$5,921 (12.00%) Merit 3,858 (7.82%) Inequity 2,000 (4.05%) Administrative Supplement
Neumann, Michael	248-45-89 2	Assoc. Prof.	Merit & Inequity	31,590	41,590	31.667%	\$3,790 (12.00%) Merit 6,210 (19.66%) Inequity
Ross, Carolyn M.	430-64-62 4	Res. Asst. Prof.	Merit & Inequity	25,000	35,000	40.00%	\$3,000 (12.00%) Merit 7,000 (28.00%) Inequity
Felton, Gwendolyn M.	239-70-5206	Asst. Prof.	Merit & Inequity	24,969	29,962	20.00%	\$2,996 (12.00%) Merit 1,997 (8.00%) Inequity
Herman, Jo A.	305-44-3601	Asst. Prof.	Merit & Inequity	23,000	27,600	20.00%	\$2,760 (12.00%) Merit 1,840 (8.00%) Inequity

003119

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Massey, Jean A.	416-72-782	Asst. Prof.	Merit & Inequity	22,022	26,426	20.00%	\$2,642 (12.00%) Merit 1,762 (8.00%) Inequity
Scott, Geoffrey	251-92-744	Asst. Prof.	Merit & Promotion	20,000	24,000	20.00%	\$2,400 (12.00%) Merit 1,600 (8.00%) Inequity
Reeder, Clatborne E.	251-82-737	Asst. Prof.	Merit & Promotion	33,405	38,416	15.00%	\$4,008 (12.00%) Merit 1,003 (3.00%) Inequity
Anderson, Lorin W.	476-54-790	Professor	Merit & Inequity	42,998	49,448	15.00%	\$5,159 (12.00%) Merit 1,291 (3.00%) Inequity
Ryan, Joseph P.	028-34-203	Assoc. Prof.	Merit & Inequity	35,700	40,833	14.38%	\$4,284 (12.00%) Merit 849 (2.38%) Inequity
Robinson, Sandra L.	235-76-710	Asst. Prof.	Merit & Promotion	22,825	25,965	13.75%	\$1,940 (8.50%) Merit 1,200 (5.25%) Promotion to Assoc. Prof.
Greenspan, Phillip	147-44-694	Res. Asst. Prof.	Merit & Inequity	25,636	30,000	17.02%	\$3,076 (12.00%) Merit 1,288 (5.02%) Inequity
Mayfield, Kathy L.	251-76-090	Instructor	Merit & Inequity	19,482	25,000	28.32%	\$2,337 (12.00%) Merit 3,181 (16.32%) Inequity
Rivers, Susan M.	251-08-580	Lecturer	Merit & Inequity	13,482	17,120	26.98%	\$1,617 (12.00%) Merit 2,021 (14.98%) Inequity

EXHIBIT

AUG 27 1985

NO. 33

STATE BUDGET & CONTROL BOARD

003120

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Yajnik, Girish C.	258-13-82 0	Lecturer	Merit & Inequity	\$29,808	\$37,000	24.13%	\$3,576 (12.00%) Merit 3,616 (12.13%) Inequity
Layne, Barbara J.	538-58-27 7	Instructor	Merit & Promotion	15,800	18,300	15.82%	\$1,500 (9.50%) Merit 1,000 (6.32%) Promotion to Asst. Professor
Disterheft, Dorothy	565-72-87 0	Asst. Professor	Merit & Promotion	20,184	23,234	15.11%	\$1,850 (9.17%) Merit 1,200 (5.94%) Promotion to Assoc. Prof.
Edmiston, William F.	187-40-77 9	Asst. Professor	Merit & Promotion	20,554	23,398	13.84%	\$1,644 (8.00%) Merit 1,200 (5.84%) Promotion to Assoc. Prof.
Marinelli, Patti J.	233-86-98 7	Instructor	Merit & Promotion	13,834	15,678	13.33%	\$1,044 (7.55%) Merit 800 (5.78%) Promotion to Sr. Instructor
Mosher, Arthur D.	077-38-77 5	Asst. Prof.	Merit & Promotion	19,615	23,051	17.52%	\$2,236 (11.40%) Merit 1,200 (6.12%) Promotion to Assoc. Prof.
Carlson, Elwood D.	541-62-91 7	Asst. Prof.	Merit & Promotion	23538	27,061	14.97%	\$2,323 (9.87%) Merit 1,200 (5.10%) Promotion to Assoc. Prof.
Jensen, Johnny R.	548-78-51 2	Assoc. Prof.	Merit & Promotion	36,400	40,912	12.40%	\$2,912 (8.00%) Merit 1,600 (4.40%) Promotion to Full Professor
Mathisen, Ralph W.	398-46-69 7	Asst. Prof.	Merit & Promotion	21,378	24,289	13.62%	\$1,711 (8.00%) Merit 1,200 (5.62%) Promotion to Assoc. Prof.

EXHIBIT

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STATE BUDGET & CONTROL BOARD

003121

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Ayres, Quincy W.	480-58-226	Asst. Prof.	Merit & Promotion	\$21,725	\$24,988	15.02%	\$2,063 (9.50%) Merit 1,200 (5.52%) Promotion to Assoc. Prof.
Bowman, Ann O.	265-82-825	Asst. Prof.	Merit & Promotion	25,683	29,450	14.67%	\$2,567 (9.99%) Merit 1,200 (4.68%) Promotion to Assoc. Prof.
Whiteman, David P.	397-58-796	Asst. Prof.	Merit & Inequity	19,813	23,180	16.99%	\$2,377 (12.00%) Merit 990 (4.99%) Inequity
Nagle, Richard J.	094-38-898	Assoc. Prof.	Merit & Promotion	29,737	34,012	14.38%	\$2,675 (9.00%) Merit 1,600 (5.38%) Promotion to Full Professor
Rakes, Terry R.	231-70-826	Asst. Prof.	Merit & Promotion	35,692	40,461	13.36%	\$3,569 (10.00%) Merit 1,200 (3.36%) Promotion to Assoc. Prof.
Toyne, Brian	253-72-864	Assoc. Prof.	Merit & Promotion	40,230	45,853	13.97%	\$4,023 (10.00%) Merit 1,600 (3.97%) Promotion to Full Professor
Boice, Daniel G.	375-66-067	Librarian	Merit & Inequity	17,100	20,040	17.20%	\$2,052 (12.00%) Merit 888 (5.20%) Inequity
Cumfer, Neil S.	252-88-466	Librarian	Merit & Inequity	20,800	23,736	14.10%	\$2,496 (12.00%) Merit 440 (2.10%) Inequity
Eckman, Catherine A.	304-72-535	Librarian	Merit & Inequity	16,000	18,800	17.50%	\$1,920 (12.00%) Merit 880 (5.50%) Inequity

003122

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Freeman, Michael J.	499-58-1988	Librarian	Merit, Inequity & Promotion	18,087	26,641	47.29%	\$2,170 (12.00%) Merit 1,200 (6.63%) Promotion to Head of Ref Dep 5,184 (28.66%) Inequity
Gardner, Dwight F.	288-44-1728	Librarian	Merit & Inequity	20,543	23,673	15.20%	\$2,465 (12.00%) Merit 665 (3.20%) Inequity
Geer, Gary D.	391-72-3998	Librarian	Merit & Inequity	16570	19,481	17.50%	\$1,988 (12.00%) Merit 923 (5.50%) Inequity
Holley, Edward J.	244-04-6328	Librarian	Merit & Inequity	16,240	19,133	17.81%	\$1,948 (12.00%) Merit 945 (5.81%) Inequity
Leahy, Mary S.	050-38-8638	Librarian	Merit & Inequity	19,557	22,632	15.70%	\$2,346 (12.00%) Merit 729 (3.70%) Inequity
Lewis, Deanna L.	238-92-7218	Librarian	Merit & Inequity	19,000	22,045	16.00%	\$2,280 (12.00%) Merit 765 (4.00%) Inequity
Lincove, David A.	437-86-6258	Librarian	Merit & Inequity	19,170	22,224	15.90%	\$2,300 (12.00%) Merit 754 (3.90%) Inequity
Liu, May H.	256-15-6298	Librarian	Merit & Inequity	20,000	23,100	15.50%	\$2,400 (12.00%) Merit 700 (3.50%) Inequity
Marshall, Charlotte	414-74-0468	Librarian	Merit & Inequity	19,812	22,901	15.50%	\$2,377 (12.00%) Merit 712 (3.50%) Inequity

003123

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Martin, Marcia J.	313-68-15 5	Librarian	Merit & Inequity	16,240	19,133	17.80%	\$1,948 (12.00%) Merit 945 (5.80%) Inequity
Mason, Martha D.	247-78-98 8	Librarian	Merit & Inequity	22,186	25,295	14.00%	\$2,662 (12.00%) Merit 447 (2.00%) Inequity
McQuillan, David C.	079-38-32 2	Librarian	Merit & Inequity	22,365	25,595	14.40%	\$2,683 (12.00%) Merit 547 (2.40%) Inequity
Parkman, Thomas M.	248-74-31 1	Librarian	Merit & Inequity	18,250	21,254	16.50%	\$2,190 (12.00%) Merit 814 (4.50%) Inequity
Rhyne, Betty J.	248-54-94 9	Librarian	Merit & Inequity	21,827	24,875	14.00%	\$2,619 (12.00%) Merit 429 (2.00%) Inequity
Soukup, Jindra K.	263-13-69 8	Librarian	Merit & Inequity	20,495	23,622	15.30%	\$2,459 (12.00%) Merit 668 (3.30%) Inequity
Stork, Thomas H.	250-66-30 7	Librarian	Merit & Inequity	21,460	25,821	20.00%	\$2,575 (12.00%) Merit 1,785 (8.00%) Inequity
Tillett, Ellen L.	413-76-15 8	Librarian	Merit & Inequity	19,402	22,746	17.20%	\$2,328 (12.00%) Merit 1,016 (5.20%) Inequity
Waters, John K.	273-38-11 7	Librarian	Merit & Inequity	22,872	26,129	14.20%	\$2,744 (12.00%) Merit 513 (2.20%) Inequity

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003124

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Watson, Janet E.	297-44-14.2	Librarian	Merit & Inequity	20,732	23,872	15.10%	\$2,487 (12.00%) Merit 653 (3.10%) Inequity
Yerkes, Deborah L.	481-70-86-9	Librarian	Merit & Inequity	17,630	20,600	16.80%	\$2,115 (12.00%) Merit 855 (4.80%) Inequity
Hartsook, Herbert J.	386-48-6013	Librarian	Merit & Inequity	20,235	23,348	15.40%	\$2,428 (12.00%) Merit 685 (3.40%) Inequity
Johnson, Thomas L.	223-44-2779	Librarian	Merit & Inequity	22,956	26,219	14.20%	\$2,754 (12.00%) Merit 509 (2.20%) Inequity
Richardson, Eleanor	251-40-4491	Librarian	Merit & Inequity	18,934	21,975	16.10%	\$2,272 (12.00%) Merit 769 (4.10%) Inequity
Rippeteau, Bruce E.	107-36-5297	Director	Merit & Inequity	45,000	51,750	15.00%	\$5,400 (12.00%) Merit 1,350 (3.00%) Inequity
Kobayashi, Hideaki	247-45-4731	Asst. Prof.	Merit & Promotion	35,400	40,000	12.99%	\$3,400 (9.60%) Merit 1,200 (3.39%) Inequity

003125

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: University of South Carolina - Columbia

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Black, RE	458-64-950	Professor	Merit & Admin Supplmt	43,728	50,475	15.43%	\$5,247 (12.00%) Merit 1,500 (3.43%) Administrative Supplement
Englekirk, Allan	549-82-085	Asst. Prof.	Merit & Inequity	17,400	20,000	14.94%	\$2,088 (12.00%) Merit 512 (2.94%) Inequity
Tykarska, Ewa	000-00-060	Res. Asst. Prof.	Merit & Inequity	4,200	5,400	28.57%	\$ 504 (12.00%) Merit 696 (16.57%) Inequity
Odom, Jerome	240-66-083	Professor	Merit & Admin Supplmt	54,419	62,949	15.67%	\$6,530 (12.00%) Merit 2,000 (3.67%) Administrative Supplement
Boltz, Charles P.	250-96-153	Instructor	Merit & Inequity	15,000	17,000	13.33%	\$1,800 (12.00%) Merit 200 (1.33%) Inequity
Ashley, Perry	405-32-313	Professor	Merit & Admin Supplmt	47,919	54,578	13.9 %	\$3,659 (7.64%) Merit 3,000 (6.26%) Administrative Supplement
Olsgaard, John	501-58-633	Acting Dean	Merit & Admin Supplmt	27,500	32,750	19.10%	\$2,750 (10.00%) Merit 2,500 (9.10%) Administrative Supplement

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003126

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Columbia

DATE: July 29, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Holderfield, Linda H.	417-54-4140	Assistant Professor	Merit & Promotion	14,682	17,050	16.13%	\$1,468 Merit 10.00% \$ 900 Promotion 6.13%
Johns, Sarah B.	250-80-9946	Assistant Professor	Merit & Promotion	29,120	35,000	20.19%	\$4,680 Merit 16.07% \$1,200 Promotion 4.12%
Bennett, James M.	248-80-9095	Director	Merit & Promotion	38,367	47,971	25.05%	\$4,604 Merit 12.00% \$5,000 Promotion 13.03% %
Genau, Michael C.	213-76-8706	Exec. Asst. to the President	Merit & Promotion	28,008	35,368	26.28%	\$3,360 Merit 12.00% \$4,000 Promotion 14.28% %

003127

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Aiken

DATE: 7-29-85

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Botsch, Robert E.	238-76-5721	Associate Professor	Inequity & Merit	22,158	25,374	14.5%	\$1,000 Inequity 4.5% \$2,216 Merit 10.0%
Gardner, Betty B.	248-40-1775	Assistant Professor	Inequity Merit	22,402	26,642	19.0%	\$2,000 Inequity 9.0% \$2,240 Merit 10.0%
Smith, W. Calvin	252-70-3344	Associate Professor	Inequity Merit	26,595	30,255(1)(2)	13.76%	\$1,000 Inequity 3.76% \$2,660 Merit 10.0%
Lumans, Valdis O.	261-80-2398	Assistant Professor	Promotion Inequity Merit	18,678	22,372	19.8%	\$1,200 Promotion 6.2% \$1,000 Inequity 5.4% \$1,494 Merit 8.0%
Hallman, Thomas L.	247-80-3380	Assistant Chancellor	Inequity Merit	38,080	43,888	15.3%	\$2,000 Inequity 5.5% \$3,808 Merit 10.0%
Lorch, Sue C.	401-68-5733	Associate Professor	Inequity Merit	27,520	32,272 (2)	17.3%	\$2,000 Inequity 7.3% \$2,752 Merit 10.0%
Warrick, Douglas R.	245-92-9811	Athletic Director	Inequity Merit	22,426	30,800 (2)	37.34%	\$5,683 Inequity 25.34% \$2,691 Merit 12.0%

(1) This calculation also gives basis change and elimination of administrative supplement.

(2) Salary reduced by removal of administrative supplement.

EXHIBIT

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STATE BUDGET & CONTROL BOARD

003128

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Aiken

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGES INCREASE	JUSTIFICATION FOR INCREASE
Bowsher, Juanita	288-28-152	Associate Professor	Promotion Merit	31,439	35,168	13.84%	\$2,830 Merit 9.0 % \$ 900 Promotion 4.84%
House, William J.	455-70-402	Associate Professor	Promotion Merit	32,503	37,904	17.34%	\$3,901 Merit 12.0 % \$1,500 Promotion 5.64%
Rich, John S.	420-54-089	Assistant Professor	Promotion Merit	18,686	21,194	13.42%	\$1,308 Merit 7.0 % \$1,200 Promotion 6.42%
Hochel, Sandra	449-76-700	Associate Professor	Promotion Merit	28,504	32,099	12.61%	\$1,995 Merit 7.0 % \$1,600 Promotion 5.61%
Davidson, William	571-68-1436	Associate Professor	Promotion Merit	24,043	27,326	13.65%	\$1,683 Merit 7.0 % \$1,600 Promotion 6.65%

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STATE BUDGET & CONTROL BOARD

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Coastal

DATE: July 29, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
bull, Mary R.	315-58-93 1	Associate Librarian	Merit & Inequity	21,500	26,200	21.861	8% Merit 13.861% Inequity
Tomiczyk, Charmaine	047-48-09 1	Associate Librarian	Merit & Inequity	20,000	24,700	23.5	8.5% Merit 15% Inequity
Eaglin, Ronald	488-40-2325	Acting Chancellor	Merit & Administrative Supplement	62,133	71,508	15.09%	12.00% Merit 3.09% Admin. Supplement
Fincher, Ann	238-74-23 4	Instructor	Inequity	9,100	15,000	64.84%	\$1,092 Merit 12.0% \$4,808 Inequity 52.84%

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STATE BUDGET & CONTROL BOARD

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Spartanburg

DATE: July 29, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Sobczak, Ronald L.	364-52- 779	Associate Professor	Merit & Inequity	23,610	32,000	35.54%	\$7,209 Inequity 30.54 \$1,181 Merit 5.0 %
Jolly, Eric S.	239-72-0099	Assistant Vice-Chancellor	Merit & Promotion	31,223	36,784	17.81%	\$4,000 Promotion 12.81 \$1,561 Merit 5.0 %
Rook, Sarah	241-94-2602	Assistant Professor	Merit, Inequity & Promotion	26,555	31,083	17.05%	\$1,328 Merit 5.00% \$2,000 Inequity 7.53% \$1,200 Promotion 4.52%
Shelley, Anne C.	249-70-5051	Assistant Professor	Merit & Inequity	19,413	22,384	15.3%	\$ 971 Merit 5.0% \$2,000 Inequity 10.3%
Holcombe, Lee	250-42-3640	Associate Professor	Merit & Promotion	27,350	31,548	15.35%	\$2,598 Merit 9.5% \$1,600 Promotion 5.84%
Tanyeloglu, Faruk	054-50-7029	Associate Professor	Merit & Promotion	30,740	34,860	13.4%	\$2,920 Merit 9.5% \$1,200 Promotion 3.9%

EXHIBIT

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STATE BUDGET & CONTROL BOARD

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS OF PERCENTAGE GUIDELINES

AGENCY: USC - Beaufort

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGES INCREASE	JUSTIFICATION FOR INCREASE
Sproatt, Rod H.	247-88-456	Assistant Professor	Merit & Promotion	20,948	23,948	14.32%	\$1,800 Merit 8.59% \$1,200 Promotion 5.73%

003132

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Lancaster

DATE: July 29, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Nunnery, Jimmie E.	248-36-5346	Associate Professor	Merit & Promotion	26,836	30,100	12.16%	\$1,664 Merit 6.20% \$1,600 Promotion 5.96%

EXHIBIT

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STATE BUDGET & CONTROL BOARD

003133

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Sumter

DATE: July 29, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGES INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Oldhouser, Kay A.	249-02-7062	Instructor	Merit & Promotion	19,260	22,360	16.10%	\$2,100 Merit 10.9% \$1,000 Promotion 5.2%
Macias, Salvador, III	573-86-7757	Assistant Professor	Merit & Terminal Degree	19,000	21,800	14.74%	\$1,140 Merit 6.0% \$1,660 Receipt 8.74% of Doctorate Degree
Ledgerwood, Mikle D.	411-12-9335	Assistant Professor	Merit & Terminal Degree	19,500	22,300	14.36%	\$1,170 Merit 6.0% \$1,630 Receipt 8.36% of Doctorate Degree
Safford, John L.	557-16-4038	Assistant Professor	Merit & Terminal Degree	19,500	22,230	14.00%	\$1,170 Merit 6.0% \$1,560 Receipt 8.0% of Doctorate Degree

003134

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: USC - Union

DATE: July 29, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGES INCREASE	JUSTIFICATION FOR INCREASE
Walker, Charles M.	240-3 -4207	Assistant Professor	Merit & Promotion	19,425	22,276	14.68%	\$1,651 Merit 8.50 \$1,200 Promotion 6.18 %
Willis, Tandy R.	248-7 -6569	Assistant Professor	Merit & Promotion	20,369	23,198	13.89%	\$1,629 Merit 8.00 \$1,200 Promotion 5.89 %

EXHIBIT

AUG 27 1985 NO. 33

STATE BUDGET & CONTROL BOARD

003135

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

AGENCY: UNIVERSITY OF SOUTH CAROLINA SYSTEM
DATE: August 7, 1985

<u>EMPLOYEE NAME</u>	<u>SOCIAL SECURITY NUMBER</u>	<u>CURRENT TITLE</u>	<u>TYPE OF INCREASE</u>	<u>CURRENT SALARY</u>	<u>PROPOSED SALARY</u>	<u>PERCENTAGE INCREASE</u>	<u>JUSTIFICATION FOR INCREASE</u>
Mehlenbacher, Conrad C.	409-80-0841	Asst Prof/ Asst Dean	Prom/merit	\$21,806	\$25,186	15.50%	10% merit increase. \$1,200 promotion to Assoc Prof. Overall percent 15.50%
Tuller, Elizabeth	049-78-7491	Asst Teacher	Prom/merit	10,600	12,302	16 %	Assuming new and expanded re- sponsibilities as a lead teacher. Includes merit increase for FY 85/86.

003136



STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

111 Executive Center Drive, Columbia, South Carolina 29210 Tel. 758-6915

G. WILLIAM DUDLEY, JR.
EXECUTIVE DIRECTOR

THE STATE BOARD

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August 21, 1985

Ms. Phyllis M. Mayes
State Director
Division of Human Resource Management
State Budget and Control Board
P. O. Box 12547
Columbia, SC 29211

Dear Phyllis:

We respectfully request your support in presenting these salary increases in excess of the FY 85-86 percentage guidelines for unclassified employees, to the Budget and Control Board at their August 27, 1985 meeting.

These increases are for Institutional Officers at Horry-Georgetown Technical College and York Technical College.

Mr. Gary Davis, Vice President for Development was promoted from a classified position to the unclassified Vice Presidential position last year. He was granted a seventeen point eight percent (17.8) promotional increase that did not take him to the minimum of the Group I salary range for Vice Presidents. Even with this sixteen point two percent (16.2%) increase, his salary will still be six percent (6%) below the FY 85-86 minimum salary for Vice Presidents in the small technical colleges. Hopefully, next year, we will be able to grant a salary increase that will bring him to, at least, the minimum of the range.

York Technical College has promoted a faculty member, Dennis Merrill, Division Chairman of Computer Technology to Vice President for Education Affairs. This seventeen point three percent (17.3%) overall increase is given in recognition of general market value and promotional increases. We are fortunate to be able to retain Mr. Merrill within the system considering the job market in his field.

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(i)

EXHIBIT

Phyllis M. Mayes
August 21, 1985
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STATE BUDGET & CONTROL BOARD

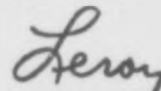
In addition, we are submitting the exceptional faculty salary increases for seven of the technical colleges.

You will recall that we received authority this year to use some of our appropriated funds to address the on-going problem of low faculty salaries in the technical education system. Our efforts are geared toward bringing our salaries more in line with regional two year college faculty salaries and maintaining a competitive posture with the public schools in light of their increased pay scales resulting from the Educational Improvement Act.

Due to the fall quarter start up dates at most of our colleges, it is imperative that these requests be considered at the Budget and Control Board meeting on August 27, 1985.

We sincerely appreciate your continued cooperation and support

Sincerely,



Leroy Mosely
Director of Personnel

LM/gp

Encl:

cc: Ken Harrell

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

August 9, 1985

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	84-85 SALARY	85-86 SALARY	Overall PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
G. Davis	250-64-3832	V.P. for Develop- ment, Horry- Georgetown Technical College	General	\$30,000	\$34,871	16.2%	7-01-85 Incremental Increase to move salary toward minimum of Institutional officer salary range for group I
D. Merrill	248-70-4012	V.P. Educational Affairs, York Technical College	General/ Promotional	\$35,778	\$42,000	17.3%	8-01-85 General/Promotional increase from Division Chairman for Computer Technology to Vice President

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

Orangeburg-Calhoun Technical College

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Dorothy Allen	251-84-6737	General Education Department Head	General	23,433 (12 Mo.)	26,947 (12 Mo.)	15%	Competitive market in the service area public school system.
Teresa Boland	250-96-5285	Nursing Instructor	General	21,229 (12 Mo.)	24,413 (12 Mo.)	15%	Competitive market in the service area public school system and surrounding business and industry.
William Bowers	254-92-4514	Diesel Equipment Mechanics Department Head	General	17,178 (12 Mo.)	19,754 (12 Mo.)	15%	Competitive market in the service area public school system and surrounding business and industry.
Timothy Holland-Davis	347-40-9855	Data Processing Department Head	General	24,000 (12 Mo.)	27,600 (12 Mo.)	15%	Competitive market in the service area public school system and surrounding business and industry.
Toni Klinger	251-76-7716	Nursing Instructor	General	16,050 (9 Mo.)	18,457 (9 Mo.)	15%	Competitive market in the service area public school system and surrounding business and industry.
Barbara Mirmow	240-38-1134	English Instructor	General	15,190 (9 Mo.)	18,228 (9 Mo.)	20%	Competitive market in the service area public school system.
Doris Nettles	250-70-8769	Nursing Instructor	General	15,000 (9 Mo.)	17,250 (9 Mo.)	15%	Competitive market in the service area public school system and surrounding business and industry.
Linda Sanders	252-66-7886	Accounting Instructor	General	15,660 (9 Mo.)	18,792 (9 Mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Wanda Taylor	250-80-5880	Biological Science Instructor	General	19,383 (12 Mo.)	23,259 (12 Mo.)	20%	Competitive market in the service area public school system.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

Orangeburg-Calhoun Technical College

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Connie Johnson	249-96-9763	Math Instructor Developmental	General	16,992 (12 Mo.)	20,390 (12 Mo.)	20%	Competitive market in the service area public school system.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

SUMTER AREA TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Harold Boykin	250-70-1664	Air Conditioning Instructor	General	20,263 (12 Mo)	24,315 (12 Mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Dianne Brandstader	261-82-0372	Business Division Chairman	General	25,476 (12 Mo)	29,297 (12 Mo)	15%	Competitive market in the service area public school system.
Chris Bruggman	459-04-1256	Librarian	General	18,000 (12 Mo)	21,600 (12 Mo)	20%	Competitive market in the service area public school system.
Ann Coley	242-54-0822	Department Head Nursing	General	18,000 (9 Mo)	20,700 (9 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.
Brenda Degrazio	202-46-2821	Nursing Instructor	General	21,850 (12 Mo)	25,127 (12 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.
Lulie Felder	248-60-6182	Department Head English	General	22,400 (12 Mo)	25,760 (12 Mo)	15%	Competitive market in the service area public school system.
Suzanne Geddings	414-78-5961	Department Head Math	General	24,591 (12 Mo)	29,017 (12 Mo)	18%	Competitive market in the service area public school system.
Evelyn Gildewell	250-52-7236	Nursing Instructor	General	18,906 (9 Mo)	21,930 (9 Mo)	16%	Competitive market in the service area public school system ad surrounding business and industry.
Shannon Green	251-84-7118	Data Processing Instructor	General	16,736 (9 Mo)	19,246 (9 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.

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STATE BUDGET & CONTROL BOARD

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SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

SUMTER AREA TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Linda Hallinan	247-90-7195	Department Head ADN Nursing	General	23,357 (12 Mo)	27,794 (12 Mo)	19%	Competitive market in the service area public school system and surrounding business and industry.
Dorsey Junkins, Jr.	248-86-4867	Department Head Heating/Air Conditioning	General	19,798 (12 Mo)	23,757 (12 Mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Frankie Keels	249-98-0915	Secretarial Science Instructor	General	18,860 (9 Mo)	22,066 (9 Mo)	17%	Competitive market in the service area public school system.
Avys Massey	245-88-0271	English Instructor	General	15,736 (9 Mo)	18,096 (9 Mo)	15%	Competitive market in the service area public school system.
Karen McLaurin	250-58-3913	Math Instructor	General	16,514 (9 Mo)	19,816 (9 Mo)	20%	Competitive market in the service area public school system.
Mary Nordan	247-02-5296	Data Processing Instructor	General	15,500 (9 Mo)	18,600 (9 Mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Patricia Pohar	356-34-8236	Industrial Division Chairman	General	25,156 (12 Mo)	28,929 (12 Mo)	15%	Competitive market in the service area public school system.
Roger Springs	251-44-3890	Electronics Instructor	General	17,010 (9 Mo)	20,412 (9 Mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Anna Strange	248-78-0773	General Education Division Chairman	General	25,672 (12 Mo)	30,036 (12 Mo)	17%	Competitive market in the service area public school system.
Virginia Sullivan	251-84-0485	Nursing Instructor	General	18,000 (9 Mo)	20,700 (9 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

SUMTER AREA TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Harold Tuttle	465-48-8945	Data Processing Instructor	General	16,736 (9 Mo)	19,246 (9 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.
John Watson	247-84-2477	Accounting Instructor	General	17,736 (9 Mo)	21,283 (9 Mo)	20%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
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SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

YORK TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Eileen Avampato	553-90-7199	Computer Science Instructor	General	\$17,333 (12 Mo.)	\$20,799 (12 Mo.)	20	Competitive market in Rock Hill Public School System and surrounding business and Industry.
Barry Bridges	242-78-0483	Mathematics Instructor	General	\$25,746 (12 Mo.)	\$30,380 (12 Mo.)	18	To compete with the Rock Hill Public School system salary schedule.
Terry Clark	241-02-0688	Computer Science Instructor	General	\$17,333 (12 Mo.)	\$20,799 (12 Mo.)	20	Competitive market in Rock Hill Public School System and surrounding business and Industry.
James H. Moore	249-60-8142	Computer Science, Chemistry & Math Instructor	General	16,200 (9 Mo.)	\$19,440 (9 Mo.)	20	Competitive market in Rock Hill Public School System and surrounding business and Industry.
Ruby Davis Reeves	247-60-6280	Mathematics Instructor	General	\$16,666 (12 Mo.)	\$19,999 (12 Mo.)	20	To compete with the Rock Hill Public School system salary schedule.
Charles B. Ramein	250-78-0796	Biology Instructor	General	\$17,147 (9 Mo.)	\$20,061 (9 Mo.)	17	To compete with the Rock Hill Public School system salary schedule.
Cree Stout	240-76-4792	Electrical Engineering Instructor	General	\$15,868 (9 Mo.)	\$18,248 (9 Mo.)	15	Competitive market in Rock Hill Public School System and surrounding business and Industry.
George M. Sweet	261-04-7043	Mathematics Instructor	General	\$18,037 (9 Mo.)	\$21,283 (9 Mo.)	18	To compete with the Rock Hill Public School system salary schedule.
Virginia E. Thompson	249-23-2873	Mathematics & Computer Science Instructor	General	\$16,965 (9 Mo.)	\$19,679 (9 Mo.)	20	Competitive market in Rock Hill Public School System and surrounding business and Industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
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SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

MIDLANDS TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Raymond G. Abdalla	251-76-6822	Accounting Instructor	General	18,421 (9-month)	22,105 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Linda Ackerman	250-66-4285	Respiratory Therapy Department Head	General	28,185 (12-mo)	33,822 (12 mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Barbara Berch	227-32-7421	AD Nursing Instructor	General	16,405 (9-mo)	19,522 (9-mo)	19%	Competitive market in the service area public school system and surrounding business and industry.
Patricia C. Bradley	250-92-5749	Librarian	General	18,278 (12-mo)	22,000 (12-mo)	20%	Competitive market in the service area public school system.
Richard T. Boan	249-74-0625	Dean, Allied Health	General	31,332 (12-mo)	37,598 (12-mo)	20%	Internal and system salary inequity compared to other administrative faculty positions, the competitive market in the surrounding health agencies and region job opportunities in higher education.
Robert E. Cates	250-58-3432	Electrical/Electronics Instructor	General	20,541 (9-mo)	24,649 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Rick Corbett	248-78-1051	Sciences Instructor	General	13,708 (9-mo)	17,820 (9-mo)	30%	Competitive market in the service area public school system.
Claudia Crawford	250-84-3472	Mathematics Dept. Head	General	26,289 (12-mo)	32,861.25 (12-mo)	25%	Competitive market in the service area public school system.
Harry Davis	249-68-8946	Accounting Instructor	General	22,265 (9-mo)	26,718 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
William G. Davis	248-54-9528	Diesel Equipment Mechanics Instructor	General	10,795 (9-mo)	14,034 (9-mo)	30%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

MIDLANDS TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Kevin Duggan	493-48-1288	Data Processing Department Head	General	32,468 (12-mo)	38,961 (12-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Silas E. Evans	426-78-5041	Accounting Instructor	General	21,966 (9-mo)	26,359 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Nathan B. Fain	409-38-5837	Mathematics Instructor	General	23,357 (9-mo)	28,028 (9-mo)	20%	Competitive market in the service area public school system.
Cindy Fulton	250-11-1134	Developmental Studies Instructor	General	12,341 (9-mo)	15,000 (9-mo)	21.5%	Competitive market in the service area public school system.
Clarence Goodwin	241-72-3926	Management Instructor	General	16,118 (9-mo)	19,341 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Joseph E. Greer	244-76-4268	Data Processing Instructor	General	20,557 (9-mo)	24,668 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Vann H. Gunter	251-76-1026	Dean, Continuing Ed Div	General	30,508 (12-mo)	36,609 (12-mo)	20%	Internal and system salary inequity compared to other administrative faculty positions and higher education job opportunities in the region.
William Hames	248-94-5122	Electrical/Electronics Instructor	General	16,200 (9-mo)	20,250 (9-mo)	25%	Competitive market in the service area public school system and surrounding business and industry.
Jerry Hammond	260-58-9889	ANA/DAX Department Head	General	34,801 (12-mo)	40,800 (12-mo)	17.2%	Competitive market in the service area public school system and surrounding business and industry.
Jan Harmon	251-08-7243	Radiology (Nuclear Medicine) Instructor	General	17,400 (12-mo)	22,620 (12-mo)	30%	Competitive market in the service area public school system and surrounding business and industry.
William B. Havey, Jr.	149-42-6149	Data Processing Instructor	General	15,141 (9-mo)	18,926 (9-mo)	25%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
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SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

MIDLANDS TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Denise Hixson	249-90-9265	Management Instructor	General	15,431 (9-mo)	18,600 (9-mo)	20.5%	Competitive market in the service area public school system.
Marilyn S. Hook	248-86-2096	Librarian	General	19,952 (12-mo)	25,000 (12-mo)	25.3%	Competitive market in the service area public school system.
G. Randall Inabinet	247-70-2955	Architectural Eng. Technology Dept. Head	General	29,943 (12-mo)	35,931 (12-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Hamed Javad	294-74-4833	Electrical/Electronics Department Head	General	33,440 (12-mo)	40,128 (12-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Neil Johnson	251-86-3819	Data Processing Instructor	General	18,800 (9-mo)	22,560 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Willie D. Jones	249-80-6831	Machine Tool Technology Instructor	General	17,400 (9-mo)	20,880 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
W. Ray Joyner	250-56-2977	Machine Tool Technology Instructor	General	20,385 (9-mo)	24,462 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Martha Leonard	249-54-8280	Sciences Instructor	General	18,847 (9-mo)	22,616 (9-mo)	20%	Competitive market in the service area public school system.
Danny S. Livingston	249-74-9317	Machine Tool Technology Instructor	General	23,240 (9-mo)	27,888 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Paul Livingston	249-90-7272	Human Services Instructor	General	17,069 (9-mo)	21,336 (9-mo)	25%	Competitive market in the service area public school system and surrounding business and industry.
John Long	242-66-4010	Mathematics Dept. Head	General	35,126 (12-mo)	40,746 (12-mo)	16%	Competitive market in the service area public school system.

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SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

MIDLANDS TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Billie Macon	259-54-3802	Sciences Instructor	General	23,096 (9-mo)	27,715 (9-mo)	20%	Competitive market in the service area public school system.
Leei Mao	435-35-6179	Electrical/Electronics Instructor	General	18,000 (9-mo)	23,400 (9-mo)	30%	Competitive market in the service area public school system and surrounding business and industry.
Maria G. Marcos	265-76-0092	Mathematics Instructor	General	22,697 (9-mo)	27,236 (9-mo)	20%	Competitive market in the service area public school system.
Jeanette McBee	260-30-1679	Office Occupations Instructor	General	14,517 (9-mo)	16,500 (9-mo)	13.7%	Competitive market in the service area public school system and surrounding business and industry.
Pearce McCall	248-66-2723	Arts & Sciences Unit Dean	General	36,965 (12-mo)	42,000 (12-mo)	13.6%	Internal and system salary inequity compared to other administrative faculty positions and higher education job opportunities in the region.
Edwin P. McCravy	251-68-2695	Mathematics Instructor	General	24,563 (9-mo)	29,475 (9-mo)	20%	Competitive market in the service area public school system.
Shelia Morris	466-76-9138	Accounting Instructor	General	20,616 (9-mo)	24,739 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Jane Napier	247-06-9146	Office Occupations Instructor	General	12,341 (9-mo)	15,000 (9-mo)	21.5%	Competitive market in the service area public school system and surrounding business and industry.
Dolton W. Norman	249-76-3899	Machine Tool Technology Instructor	General	17,272 (9-mo)	20,726 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Linwood O'Briant	239-46-3099	Accounting Instructor	General	23,304 (9-mo)	27,964 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Nancy Posselt	249-68-6855	English Dept. Head	General	24,461 (12-mo)	28,130.15 (12-mo)	15%	Competitive market in the service area public school system.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

MIDLANDS TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Jane Richter	034-38-5992	AD Nursing Instructor	General	15,461 (9-mo)	18,089 (9-mo)	17%	Competitive market in the service area public school system and surrounding business and industry.
William J. Rivers	247-58-9870	Electrical/Electronics Instructor	General	23,349 (9-mo)	28,018 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Mary Robertson	416-52-9692	Business Unit Dean	General	36,779 (12-mo)	42,000 (12-mo)	14.2%	Internal and system salary inequity compared to other administrative faculty positions and region job opportunities in higher education.
W. Ray Rogers	250-32-7644	Electrical/Electronics Instructor	General	21,890 (9-mo)	26,268 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Margee Sallman	250-32-6660	Office Occupations Instructor	General	12,590 (9-mo)	15,375 (9-mo)	22.1%	Competitive market in the service area public school system and surrounding business and industry.
James R. Scott	251-98-3975	Automotive Service Instructor	General	15,733 (9-mo)	18,879 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Emmira Shannon	076-46-6496	Developmental Studies Instructor	General	14,735 (9-mo)	16,800 (9-mo)	14%	Competitive market in the service area public school system.
Malcolm J. Skipper, Sr.	249-70-9996	Electrical/Electronics Instructor	General	21,976 (9-mo)	26,371 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Selmea Smith	249-92-4619	Management Dept. Head	General	22,563 (12-mo)	27,075 (12-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Rebecca K. Spell	251-02-1087	Accounting Instructor	General	16,500 (9-mo)	19,800 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
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SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

MIDLANDS TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Ronald J. Stockman	249-64-6498	Mechanical & Graphics Engineering Technologies Instructor	General	21,976 (9-mo)	26,371 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Christine H. Stoddard	247-96-1619	Office Occupations Instructor	General	13,966 (9-mo)	16,130 (9-mo)	15.5%	Competitive market in the service area public school system and surrounding business and industry.
Richard E. Stoudemire	247-78-9930	Electrical/Electronics Instructor	General	15,541 (9-mo)	19,426 (9-mo)	25%	Competitive market in the service area public school system and surrounding business and industry.
Bruce Tallant	254-62-6538	Accounting Dept. Head	General	33,552 (9-mo)	39,600 (9-mo)	18.02%	Competitive market in the service area public school system and surrounding business and industry.
Wm. David Taylor	250-90-5853	Management Instructor	General	16,787 (9-mo)	20,144 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
W. Paul Taylor	244-22-0650	Machine Tool Technology Department Head	General	28,418 (12-mo)	34,101 (12-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Karen Velasquez	249-90-7031	Office Occupations Instructor	General	13,409 (9-mo)	15,750 (9-mo)	17.45%	Competitive market in the service area public school system and surrounding business and industry.
John W. Walker	083-14-3770	Mechanical & Graphics Engineering Technologies Instructor	General	25,863 (9-mo)	31,035 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Johnny E. Watson	247-86-7236	Data Processing Instructor	General	19,600 (9-mo)	23,520 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Paul White	248-76-2721	Legal Services Instuctor	General	16,947 (9-mo)	19,875 (9-mo)	17.3%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

MIDLANDS TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Diane Wilson	251-17-2362	AD Nursing Instructor	General	15,075 (9-mo)	18,090 (9-mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Nancy Wilson	247-06-8111	Office Occupations Instructor	General	12,341 (9-mo)	15,000 (9-mo)	21.5%	Competitive market in the service area public school system and surrounding business and industry.
George Wooldridge	229-64-1335	Industrial Unit Dean	General	29,297 (12-mo)	35,156 (12-mo)	20%	Internal and system salary inequity compared to other administrative faculty positions.

EXHIBIT

AUG 27 1985 NO. 33

STATE BUDGET & CONTROL BOARD

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

SPARTANBURG TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Woodrow Barnes	251-52-2599	Business Administration/ Marketing Instructor	General	16,000 (9 mo.)	19,200 (9 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Sybil Crow	248-78-7030	Developmental Math/ Reading Instructor	General	14,000 (12 mo.)	16,800 (12 mo.)	20%	Competitive market in the service area public school system.
Lynn Dale	249-06-5923	Business Administration Instructor	General	13,905 (9 mo.)	16,686 (9 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Thomas Lambright	248-72-9361	Machine Tool Instructor	General	18,000 (12 mo.)	21,600 (12 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Larry Oshields	248-82-0717	Industrial Electronics Instructor	General	19,951 (12 mo.)	23,941 (12 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Karen Ravan	249-04-3358	Computer Programming Instructor	General	12,870 (9 mo.)	15,444 (9 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Sue Stokley	224-66-5294	Mathematics Instructor	General	13,248 (9 mo.)	15,897 (9 mo.)	20%	Competitive market in the service area public school system.
Carl Terrand	282-26-8558	Engineering Instructor	General	17,422 (9 mo.)	20,906 (9 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Rhonda Thomas	248-08-1177	Developmental Math/ Reading Instructor	General	14,000 (12 mo.)	16,800 (12 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.
Ronald Towery	247-92-4598	Industrial Electronics Instructor	General	20,300 (12 mo.)	24,360 (12 mo.)	20%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

BEAUFORT TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Barbara Barr	250-88-1364	Nursing Instructor	General	19,779 (12 mo)	23,279 (12 mo)	17.70%	Competitive market in the service area public school system and surrounding business and industry.
Ned Bassler	266-80-6967	Business Dept. Head	General	19,987 (12 mo)	23,487 (12 mo)	17.51%	Competitive market in the service area public school system and surrounding business and industry.
Angie Calhoun	249-64-2671	Developmental Education Department Head	General	22,841 (12 mo)	26,341 (12 mo)	15.32%	Competitive market in the service area public school system.
Roy Giles	408-44-7134	Bldg Constr Dept Head	General	25,360 (12 mo)	28,860 (12 mo)	13.80%	Competitive market in the service area public school system and surrounding business and industry.
Eleanor Gould	127-32-4168	Nursing Instructor	General	16,634 (9 mo)	19,960 (9 mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Freda Harvey	250-86-4819	Cosmetology Instructor	General	16,000 (12 mo)	19,200 (12 mo)	20%	Competitive market in the service area public school system and surrounding business and industry.
Elizabeth Kinsella	069-20-1142	Nursing Dept. Head	General	26,400 (12 mo)	29,900 (12 mo)	13.25%	Competitive market in the service area public school system and surrounding business and industry.
Richard Matyi	179-30-0253	Computer Science Instructor	General	22,217 (12 mo)	25,717 (12 mo)	15.75%	Competitive market in the service area public school system and surrounding business and industry.
Kenneth Maynard	232-44-4044	Mechanical Engineering Instructor	General	19,356 (12 mo)	23,227 (12 mo)	20%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

BEAUFORT TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Nancy Sederberg	474-50-5921	English Instructor	General	21,280 (12 mo)	24,780 (12 mo)	16.45%	Competitive market in the service area public school system.
Ronald Speaks	250 74-9163	Math Instructor	General	25,830 (12 mo)	29,330 (12 mo)	13.55%	Competitive market in the service area public school system.
Carole Tobias	248-76-1226	Accounting Instructor	General	23,241 (12 mo)	26,741 (12 mo)	15.06%	Competitive market in the service area public school system and surrounding business and industry.

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AUG 27 1985 NO. 33
STATE BUDGET & CONTROL BOARD

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

FLORENCE-DARLINGTON TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Dorothy Bevis	244-86-4152	Nursing Instructor	General	23,000 (12 Mo)	26,450 (12 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.
Anne L. Clarke	506-68-6001	Data Processing Instructor	General	19,980 (12 Mo)	23,576 (12 Mo)	18%	Competitive market in the service area public school system and surrounding business and industry.
Mary Coleman	250-13-3643	Developmental Education Instructor	General	15,000 (12 Mo)	17,700 (12 Mo)	18%	Competitive market in the service area public school system and surrounding business and industry.
Margaret Cunningham	251-96-4330	Nursing Instructor	General	21,367 (12 Mo)	24,572 (12 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.
W. Patrick Earle	247-98-7834	Agriculture Science Instructor	General	17,996 (12 Mo)	21,235 (12 Mo)	18%	Competitive market in the service area public school system and surrounding business and industry.
Latrell Fowler	248-94-0630	Nursing Instructor	General	23,000 (12 Mo)	26,266 (12 Mo)	14.2%	Competitive market in the service area public school system and surrounding business and industry.
Steven Hale	409-94-4468	Science Instructor	General	20,520 (12 Mo)	24,213 (12 Mo)	18%	Competitive market in the service area public school system.
Noah Henley	242-84-4155	Science Instructor	General	18,046 (9 Mo)	20,987 (9 Mo)	16.3%	Competitive market in the service area public school system.
Sylvia Holmes	251-95-6181	Developmental Education Instructor	General	15,097 (12 Mo)	17,812 (12 Mo)	18%	Competitive market in the service area public school system and surrounding business and industry.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION

FLORENCE-DARLINGTON TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Glenda Maker	251-92-6142	Nursing Instructor	General	21,945 (12 Mo)	25,236 (12 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.
Jonnie Miller	250-86-2100	Data Processing Instructor	General	22,176 (12 Mo)	26,167 (12 Mo)	18%	Competitive market in the service area public school system and surrounding business and industry.
Cecil Ridgill	249-90-6129	Mechanical Engineering Department Head	General	22,680 (12 Mo)	26,762 (12 Mo)	18%	Competitive market in the service area public school system and surrounding business and industry.
Katy Sy	273-78-9639	Math Instructor	General	17,500 (12 Mo)	20,650 (12 Mo)	18%	Competitive market in the service area public school system.
Mary Teal	247-64-5256	Nursing Instructor	General	25,918 (12 Mo)	29,250 (12 Mo)	13.9%	Competitive market in the service area public school system and surrounding business and industry.
Barbara Thayer	266-66-7541	Developmental Education Instructor	General	20,733 (12 Mo)	24,464 (12 Mo)	18%	Competitive market in the service area public school system and surrounding business and industry.
Joanne Ulmer	249-72-5695	Nursing Instructor	General	23,325 (12 Mo)	26,823 (12 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.
Wilma Whitaker	348-30-0470	Math Department Head	General	19,438 (12 Mo)	22,936 (12 Mo)	18%	Competitive market in the service area public school system.
Paula White	251-88-3356	Nursing Instructor	General	23,449 (12 Mo)	26,966 (12 Mo)	15%	Competitive market in the service area public school system and surrounding business and industry.

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STATE BUDGET & CONTROL BOARD

AUG 27 1985 NO. 33

EXHIBIT

UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

SOUTH CAROLINA STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION
FLORENCE-DARLINGTON TECHNICAL COLLEGE

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Elizabeth Woods	249-78-2546	Math Instructor	General	18,506 (12 Mo)	21,837 (12 Mo)	18%	Competitive market in the service area public school system.

EXHIBIT
AUG 27 1985 NO. 33
STATE BUDGET & CONTROL BOARD

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EXHIBIT

AUG 27 1985

NO. 34

STATE BUDGET AND CONTROL BOARD
MEETING OF August 27, 1985

STATE BUDGET & CONTROL BOARD
ITEM NUMBER

3

AGENCY: Human Resource Management

SUBJECT: Unclassified Salary Increases, Wildlife and Marine Resources

The Division advises that the Department of Wildlife and Marine Resources is asking for salary increases for 11 unclassified scientists ranging from 7.98% to 15.05%.

The Division indicates that funds were appropriated for 1985-86 for reallocation of the unclassified scientific positions within the Marine Resources Division. That appropriation was made on the basis that, while these positions are at the Ph.D. level and are comparable to 12-month faculty positions, the average salaries for Marine Resources Division scientists were considerably lower than those of comparable faculty positions.

The Division recommends approval of the requests.

BOARD ACTION REQUESTED:

Approve salary increases for 11 unclassified employees of the Wildlife and Marine Resources Department ranging from 7.98% to 15.05%.

ATTACHMENTS:

Agenda item worksheet plus attachments

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

For meeting scheduled for:

August 27, 1985

Blue Agenda
Regular Session Agenda
X Executive Session Agenda

1. Submitted By: Division of Human Resource Management
 (a) Agency: Division of Human Resource Management
 (b) Authorized Official Signature: Phyllis M. Mayes
2. Subject: Unclassified Salary Increases - Wildlife and Marine Resources

3. Summary Background Information:

The Wildlife and Marine Resources Department is requesting salary increases for eleven (11) unclassified scientists ranging from 7.98% to 15.05%. The General Assembly appropriated funds in the 1985-86 Appropriation Act for reallocation of the unclassified scientific positions within the Marine Resources Division. This appropriation was based on the fact that, while these positions are at the Ph.D. level and are comparable to twelve (12) month faculty positions at institutions of higher education, the average salaries for the Marine Resources Division scientists were considerably lower than those of comparable faculty positions. The increases recommended will bring the salaries of these unclassified employees in line with others in comparable positions within the state system.

EXHIBIT

AUG 27 1985 NO. 34

4. What is Board asked to do?

STATE BUDGET & CONTROL BOARD
 Approve salary increases for 11 unclassified employees ranging from 7.98% to 15.05%.

5. What is recommendation of the Board Division involved?

Approve the requested salary increases.

6. Recommendation of other office (as required)?

(a) Office Name _____ Authorized
 (b) Signature _____

7. Supporting Documents:

List Those Attached	List Those Not Attached But Available from Submitter
a. Letter of July 29, 1985, Albert G. Courie, Jr. to Ken Harrill with attachments.	a. Report on unclassified personnel, Marine Resources Division dated November 8, 1984.

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UNCLASSIFIED EMPLOYEE INCREASES IN EXCESS
OF PERCENTAGE GUIDELINES

S. C. Wildlife & Marine Resources Department
Marine Resources Division

AGENCY:

DATE: July 26, 1985

EMPLOYEE NAME	SOCIAL SECURITY NUMBER	CURRENT TITLE	TYPE OF INCREASE	CURRENT SALARY	PROPOSED SALARY	PERCENTAGE INCREASE	JUSTIFICATION FOR INCREASE
Liao, D.	543-68-2210	Assistant Professor	Reallocation	\$32,982	36,252	9.91	The General Assembly appropriated funds in the 1985-86 Appropriation Act for reallocation of the unclassified scientific positions within the Marine Resources Division. This appropriation was based on the fact that, while these positions are at the Ph. D. level and are comparable to twelve (12) month faculty positions at the State's institutions of higher education, average salaries for our scientists were considerably lower than those for comparable faculty positions (see enclosed report). A significant discrepancy is apparent at all levels (Assistant Professor, Associate Professor, Professor).
Wenner, C.	057-36-0839	Assistant Professor	Reallocation	29,159	32,429	11.21	
Low, R.	139-36-4817	Assistant Professor	Reallocation	26,350	29,620	12.41	
Wenner, E.	224-76-2763	Assistant Professor	Reallocation	24,825	28,595	15.19	
*Sedberry, G. (Fed.)	224-76-4149	Assistant Professor	Reallocation	23,871	27,141	13.70	
*Collins, M. (Fed.)	251-96-1427	Assistant Professor	Reallocation	21,730	25,000	15.05	
Mathews, T.	251-66-9653	Associate Professor	Reallocation	40,954	44,224	7.98	
Barans, C.	325-34-5094	Associate Professor	Reallocation	38,855	42,625	9.70	
Van Dolah, R.	169-42-4127	Associate Professor	Reallocation	31,880	35,650	11.83	
Smith, T.	056-36-5738	Professor	Reallocation	40,879	44,649	9.22	
Manzi, J.	040-36-9890	Professor	Reallocation	38,480	42,250	9.80	The new average salaries recommended will result in bringing these unclassified positions in-line with comparable positions within the State System.

*Federal Source

EXHIBIT
AUG 27 1985 NO. 34
STATE BUDGET & CONTROL BOARD

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*South Carolina
Wildlife & Marine
Resources Department*

James A. Timmerman, Jr., Ph.D.
Executive Director
John B. Reeves
Director of
Administrative Services

July 29, 1985

EXHIBIT

AUG 27 1985 NO. 34


STATE BUDGET & CONTROL BOARD

Mr. Ken Harrill
Director Classification and Compensation
Division of Human Resource Management
1205 Pendleton Street
Columbia, S. C. 29211

Dear Ken:

We are submitting the attached salary adjustment proposal for review and approval. Your earliest action on this request will be appreciated. We are available for any additional discussion that may be requested.

Sincerely,


Albert G. Courie, Jr.
Director of Personnel

AGCJr/csg

attachments

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FEDERAL OPPORTUNITY AGENCY

*South Carolina
Wildlife & Marine
Resources Department*

James A. Timmerman, Jr., Ph.D.
Executive Director
Paul A. Sandifer, Ph.D.
Director of
Marine Resources Division
Edwin B. Joseph, Ph.D.
Director of
Regional, National and
Scientific Affairs

July 18, 1985

EXHIBIT

AUG 27 1985 NO. 34

STATE BUDGET & CONTROL BOARD

Mr. J. B. Reeves, Director
Division of Administrative Services
South Carolina Wildlife and Marine
Resources Department
P. O. Box 167
Columbia, South Carolina 29202

Dear Benny:

As you know, this year the General Assembly appropriated funds for reallocation of the unclassified scientific positions within the Marine Resources Division. This appropriation was based on the fact that, while these positions are at the Ph.D. level and are comparable to faculty positions at the State's institutions of higher education, average salaries for our scientists are considerably lower than those for comparable faculty positions (see enclosed report). A significant discrepancy was apparent at all levels (Assistant Professor, Associate Professor, Professor) but the situation was judged to be worst at the Assistant Professor level.

Enclosed is the salary reallocation plan for these unclassified positions as approved by Dr. Timmerman. The basis for the plan is the upgrading of the Assistant Professor positions so that a minimum entry salary of \$25,000 is established. This is generally in line with starting salaries for comparable research faculty positions at State institutions of higher education.

To bring the lowest paid scientist in the Assistant group to the new minimum level will require a salary reallocation adjustment of \$3,270. With two exceptions, we propose that this amount be added to all listed positions so that, while most staff get essentially the same dollar amount, the percentage impact is greater at the Assistant level where it is most needed. In addition, those scientists who were assigned coordinating roles in the Institute under our reorganization plan would receive an extra \$500 for their added duties.

Two positions are scheduled to receive lesser amounts than outlined above. For the Associate Professor, the reason for this is that he is a relatively new hire whose salary is already a little over our proposed new entry level for this position. A \$3,270 reallocation would then place his salary above that of another Associate Professor who has been with the Division several years. The somewhat lower reallocation request for one Professor position is to keep the higher end of this level within what we feel is a good pay range and to complete the reallocation within available funds.

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The new average salaries that will result from implementing the plan are in line with those for comparable positions at State institutions of higher education (e.g., College of Agricultural Sciences at Clemson University).

We will appreciate your assistance in securing Budget and Control Board approval for this reallocation plan at your earliest convenience so that it can be implemented as soon as possible. Please let me know if there are any questions concerning the plan.

Thanks for your help.

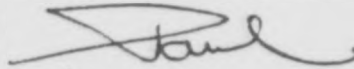
EXHIBIT

AUG 27 1985

NO. 34

STATE BUDGET & CONTROL BOARD

Sincerely yours,



Paul A. Sandifer
Director
MARINE RESOURCES DIVISION

PAS/vem

Enclosure

cc: Dr. J. A. Timmerman, Jr.
E. K. Smoak

003164

EXHIBIT

AUG 27 1985

NO. 35

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)

S. C. Research Authority

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, Richard W. Riley, Governor and Chairman of the Board;

The Honorable Grady L. Patterson, Jr., State Treasurer;

The Honorable Earle E. Morris, Jr., Comptroller General;

The Honorable Rembert C. Dennis, Chairman of the Senate Finance Committee; and

The Honorable Tom G. Mangum, 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 A. M., on Tuesday, August 27, 1985, was given to all members in writing, and at least four (4) days prior to the meeting; that all members of the Board were present at the meeting, with the exception of: Mr. Morris (during consideration of this item).

That at the meeting, a Resolution, of which the attached is a true, correct and verbatim copy, was introduced by Senator Dennis, 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

4

AGAINST MOTION

0

That the Chairman thereupon declared the Resolution unanimously 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.

August 27, 1985

William A. McInnis

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EXHIBIT

AUG 27 1985

NO. 35

STATE BUDGET & CONTROL BOARD

BUDGET AND CONTROL BOARD RESOLUTION

WHEREAS, in April 1983, Act No. 50 (the "Act") of the South Carolina General Assembly, creating the South Carolina Research Authority (the "Authority"), became law;

WHEREAS, pursuant to the Act, the State of South Carolina transferred to the Authority title to several parcels of land, to serve as research parks;

WHEREAS, the Authority has subsequently negotiated with several companies as prospective tenants of the research parks;

WHEREAS, the Authority has entered into a contract of sale for an approximately eighteen-acre parcel (the "Parcel") in the Carolina Research Park with a wholly-owned subsidiary of the Dana Corporation, an out-of-state company (the "Company") meeting the required research criteria, whereby the Authority agreed to sell, and the Company agreed to purchase, such Parcel at a fair market value of \$12,500.00 per acre, which value is supported by a qualified appraisal;

WHEREAS, a "test case" has been initiated in the Court of Common Pleas for Richland County in order to determine that the Authority was properly created under the South Carolina Constitution and was constitutionally granted the powers given to it under the Act;

WHEREAS, by an Order dated August 7, 1985, the Court of Common Pleas upheld the constitutionality of the Authority, but held that the Authority is restricted under the South Carolina Constitution in exercising certain of the powers granted to it under the Act;

WHEREAS, one of the constitutional restrictions found by the Court relates to the power of the Authority to transfer title to its real property;

WHEREAS, neither the Authority nor the Budget and Control Board (the "Board") believe that the restriction in question would prevent the Authority from transferring valid legal title to the Parcel in accordance with the Contract of Sale, but both the Authority and the Board want to insure that the Company acquires valid legal title to the Parcel;

WHEREAS, it is clear that no entity or person other than the Authority or the State of South Carolina have any legal interest or right in the Parcel; and

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EXHIBIT

AUG 27 1985

NO. 35

STATE BUDGET & CONTROL BOARD

WHEREAS, this Board is legally empowered to transfer any interest the State may have in the Parcel, and desires to attract the Company to South Carolina;

NOW, THEREFORE, the Budget and Control Board hereby adopts the following resolution:

RESOLVED, that the Budget and Control Board hereby agrees that title to the Parcel, which is not presently in actual public use and for which fair market value is being paid, shall be transferred to the Company in accordance with the June 28, 1985, Contract of Sale between the Company and the South Carolina Research Authority or in accordance with such amended or subsequent Contract of Sale as the Authority may agree to. It is further resolved that the Board, at the request of the Authority, shall do any and all things necessary or appropriate in order to insure that marketable legal title to the Parcel is transferred to the Company in accordance with the Contract of Sale, including but not limited to the execution by the Board, on behalf of the State of South Carolina, of quit-claim deeds, transfers of fee simple title, releases of any future interests and such other documents as the Authority may request from the Board as necessary or appropriate in connection with the transfer of the Parcel.

AUG 26 1985
11:45 A.M. - JES

NELSON, MULLINS, GRIER & SCARBOROUGH

ATTORNEYS AND COUNSELORS AT LAW

GEORGE B. WOLFE

THIRD FLOOR KEENAN BUILDING 1310 LADY STREET

POST OFFICE BOX 11070

COLUMBIA, SOUTH CAROLINA 29211

TELEPHONE 799-2000

AREA CODE 803

TELECOPY 256-7500

MYRTLE BEACH OFFICES:

SUITE 6 OAK STREET PLAZA

1708 NORTH OAK STREET

POST OFFICE BOX 3939

MYRTLE BEACH, S. C. 29578-3939

TELEPHONE 448-1992

AREA CODE 803

August 26, 1985

EXHIBIT

AUG 27 1985

NO. 35

STATE BUDGET & CONTROL BOARD

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

HAND DELIVERED

Dear Bill:

Pursuant to our telephone conversation Friday, I am enclosing a copy of the proposed Budget and Control Board Resolution wherein the Board agrees to take any necessary action in order to assist the South Carolina Research Authority in connection with the sale by the Research Authority of a parcel of land in the Carolina Research Park. The proposed transaction, which is confidential, would involve the purchase by the Dana Corporation of an approximately 18-acre parcel, and would constitute the first such purchase in any of the Research Authority's research parks.

The Dana Corporation is slightly concerned by the "test case" brought to clarify the Research Authority's constitutional status, and the Research Authority is proposing the enclosed Resolution largely in order to address Dana's concern with respect to the marketability of the title that it will be receiving. The Research Authority hopes to be able to convey marketable title to Dana without any action being taken by the Budget and Control Board pursuant to the enclosed Resolution. Out of an excess of caution, however, the Research Authority would like to have this resolution in place in the event that any action by the Board is determined to be necessary during the next week or so, during which the Dana transaction is to close.

Thank you for your attention in this matter. Please

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EXHIBIT

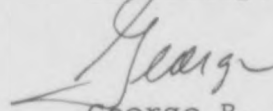
AUG 27 1985

NO. 35

STATE BUDGET & CONTROL BOARD

give me a call if you have any questions or if you would otherwise like to discuss this matter.

Sincerely,



George B. Wolfe

GBW:eml
Enclosure

cc: Dr. Robert E. Henderson
Claude M. Scarborough, Jr., Esquire

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EXHIBIT

AUG 27 1985 NO. 35

STATE BUDGET & CONTROL BOARD

BUDGET AND CONTROL BOARD RESOLUTION

WHEREAS, in April 1983, Act No. 50 (the "Act") of the South Carolina General Assembly, creating the South Carolina Research Authority (the "Authority"), became law;

WHEREAS, pursuant to the Act, the State of South Carolina transferred to the Authority title to several parcels of land, to serve as research parks;

WHEREAS, the Authority has subsequently negotiated with several companies as prospective tenants of the research parks;

WHEREAS, the Authority has entered into a contract of sale for an approximately eighteen-acre parcel (the "Parcel") in the Carolina Research Park with a wholly-owned subsidiary of the Dana Corporation, an out-of-state company (the "Company") meeting the required research criteria, whereby the Authority agreed to sell, and the Company agreed to purchase, such Parcel at a fair market value of \$12,500.00 per acre, which value is supported by a qualified appraisal;

WHEREAS, a "test case" has been initiated in the Court of Common Pleas for Richland County in order to determine that the Authority was properly created under the South Carolina Constitution and was constitutionally granted the powers given to it under the Act;

WHEREAS, by an Order dated August 7, 1985, the Court of Common Pleas upheld the constitutionality of the Authority, but held that the Authority is restricted under the South Carolina Constitution in exercising certain of the powers granted to it under the Act;

WHEREAS, one of the constitutional restrictions found by the Court relates to the power of the Authority to transfer title to its real property;

WHEREAS, neither the Authority nor the Budget and Control Board (the "Board") believe that the restriction in question would prevent the Authority from transferring valid legal title to the Parcel in accordance with the Contract of Sale, but both the Authority and the Board want to insure that the Company acquires valid legal title to the Parcel;

WHEREAS, it is clear that no entity or person other than the Authority or the State of South Carolina have any legal interest or right in the Parcel; and

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EXHIBIT

AUG 27 1985 NO. 35

STATE BUDGET & CONTROL BOARD

WHEREAS, this Board is legally empowered to transfer any interest the State may have in the Parcel, and desires to attract the Company to South Carolina;

NOW, THEREFORE, the Budget and Control Board hereby adopts the following resolution:

RESOLVED, that the Budget and Control Board hereby agrees that title to the Parcel, which is not presently in actual public use and for which fair market value is being paid, shall be transferred to the Company in accordance with the June 28, 1985, Contract of Sale between the Company and the South Carolina Research Authority or in accordance with such amended or subsequent Contract of Sale as the Authority may agree to. It is further resolved that the Board, at the request of the Authority, shall do any and all things necessary or appropriate in order to insure that marketable legal title to the Parcel is transferred to the Company in accordance with the Contract of Sale, including but not limited to the execution by the Board, on behalf of the State of South Carolina, of quit-claim deeds, transfers of fee simple title, releases of any future interests and such other documents as the Authority may request from the Board as necessary or appropriate in connection with the transfer of the Parcel.

STATE OF SOUTH CAROLINA
DEPARTMENT OF INSURANCE

2711 MIDDLEBURG DRIVE
COLUMBIA, SOUTH CAROLINA 29204

MAILING ADDRESS:

P.O. BOX 4067, COLUMBIA, S.C. 29240
TELEPHONE: (803) 756 3266

ROGERS T. SMITH
CHIEF INSURANCE COMMISSIONER

INSURANCE COMMISSION

JAMES E. BRIDGETT, JR.
MARY JEANNE BYRD
PATRICK D. CUNNING
WILLIAM S. JONES
EDWARD K. PRITCHARD, JR.
BARBARA D. RICHARDSON
THOMAS E. ROGERS, JR.

February 26, 1985

EXHIBIT

AUG 8 1985 NO. 35

STATE BUDGET & CONTROL BOARD

Mr. William T. Putnam
Executive Director
State Budget and Control Board
Post Office Box 12444
Columbia, South Carolina 29211

Re: Position of Casualty Actuary

Dear Mr. Putnam:

Thank you very much for meeting with Mrs. Leeke and me on February 23, 1985, to discuss the problems associated with our attempts to recruit a Chief Casualty Actuary for the South Carolina Department of Insurance. As you know, we consider this position to be of critical importance to the successful administration of our Insurance Code. The Chief Casualty Actuary is the administrative director of the Property and Casualty Division and also the State Rating and Statistical Division and, as such, is the primary staff member who assists the Chief Insurance Commissioner in assuring that the Property and Casualty insurance rates in South Carolina are not "excessive, inadequate, nor unfairly discriminatory."

As background information, there are only a limited number of Casualty Actuaries nationwide, most of whom are employed by insurance companies or private consulting firms. As a minimum, the educational background required is a BS Degree in Mathematics, a designation of Associate in the Casualty Actuarial Society, and five years' experience in this field. Most applicants for the position possess the BS Degree plus post graduate work in mathematical sciences, or a related field such as physics, etc.

Last May, upon the resignation of our Chief Casualty Actuary, the Department immediately advertised the position in the local newspapers, the Wall Street Journal, insurance trade magazines and actuarial publications. Unfortunately, the majority of responses came from "headhunters," and we received applications from only four qualified applicants. One of the four was seventy years of age and was not truly interested when he learned about the mandatory retirement policy of the State. The Department made an offer of employment to the other three candidates which were rejected by two for various reasons, such as the level of compensation and moving expenses, and we are still in communication with the third.

002473

EXHIBIT

AUG 8 1985 NO. 35

Mr. William T. Putnam
Page 2
February 26, 1985

STATE BUDGET & CONTROL BOARD

The Department has continued to try to persuade this applicant to come to South Carolina, although he recently accepted employment with an insurance company in Florida. That insurer paid a "headhunter's" fee, moving expenses from New York to Florida, and a Broker's Commission on the sale of his home and, consequently, the applicant feels morally as well as financially obligated to remain in Miami. Of course, our efforts are hindered because the Department cannot pay a "headhunter," and cannot pay moving expenses. Since the Department cannot compete with private industry for these and other benefits, we find ourselves in the position of being unable to hire a qualified individual for this most important position. As you know, the Casualty Actuary of this Department has assisted other agencies, such as the Insurance Reserve Fund in better accomplishing their statutory missions. (In addition, the applicant's wife is a Board Certified Internist and is interested in setting up a medical practice in a rural area of our country and is particularly interested in South Carolina.)

Mr. Putnam, the Department receives a minimum of 10,000 filings annually, and due to this tremendous volume, and the economic impact thereof on our consuming public, several of these major filings have been "farmed out" to consulting actuaries. Thus far, the Department has expended \$11,185 for these consulting fees, advertising for the vacancy, and travel expenses in connection with the interviews of the various applicants. These expenses are paid from the Contractual Services Account and will necessarily continue to mount until we successfully fill the position.

Consequently, the Department requests your assistance and suggestions and, perhaps, dispensation from the Budget and Control Board to pay moving expenses in an amount not to exceed \$10,000. Such a special dispensation will enable us to more readily compete with private enterprise and might assist us in an effort to attract, and hire, a qualified applicant. We thank you for your efforts to help us and stand ready to be of any assistance to you and the Members of the Budget and Control Board on this and any other matter.

Respectfully,

JOHN G. RICHARDS, V
Acting Chief Insurance Commissioner

JGR/jtc
CC: Chairman Thomas E. Rogers, Jr.
Mrs. Mitzi Leeke

002474



JOHN G. RICHARDS
CHIEF INSURANCE COMMISSIONER

STATE OF SOUTH CAROLINA
DEPARTMENT OF INSURANCE

2711 MIDDLEBURG DRIVE
COLUMBIA, SOUTH CAROLINA 29204

MAILING ADDRESS:
P.O. BOX 4067, COLUMBIA, S.C. 29240
TELEPHONE: (803) 758-3266

INSURANCE COMMISSION

MARY JEANNE BYRD
PATRICK D. CUNNING
WILLIAM S. JONES
EDWARD K. PRITCHARD, JR.
BARBARA D. RICHARDSON
STONEWALL M. RICHBURG
THOMAS E. ROGERS, JR.

EXHIBIT

AUG 8 1985 NO. 35

CERTIFICATION

STATE BUDGET & CONTROL BOARD

This is to certify and affirm that the total sum of Five Thousand (\$5,000) dollars is to be paid to Mr. Martin M. Simons for moving costs incurred by him from Fresno, California to Columbia, South Carolina. A preliminary estimate of Five Thousand Four Hundred (\$5,400) dollars for moving expenses has been furnished the Department of Insurance by Mr. Simons.

JOHN G. RICHARDS
Chief Insurance Commissioner

July 15, 1985

002475



CHARLIE G. WILLIAMS
STATE SUPERINTENDENT OF EDUCATION

STATE OF SOUTH CAROLINA

DEPARTMENT OF EDUCATION

COLUMBIA 29201

EXHIBIT

AUG 8 1985

NO. 35

STATE BUDGET & CONTROL BOARD

RECEIVED

JUL 29 1985

BUDGET AND CONTROL BOARD
OFFICE OF EXECUTIVE DIRECTOR

July 24, 1985

Mr. William T. Putnam, Executive Director
State Budget and Control Board
Box 12444
Columbia, South Carolina 29211

Dear Mr. Putnam:

Consistent with the proviso which permits the payment of moving expenses for newly employed personnel, I am requesting approval to reimburse Dr. Terence Janicki up to \$3,000 of the cost of moving his personal and household effects from the State of Washington to Columbia, SC. Dr. Janicki currently resides in Seattle and will be assuming a position as Supervisor of the Teacher Assessment Unit, Office of Research, South Carolina Department of Education on September 16, 1985. The amount to be reimbursed to Dr. Janicki will be the actual expense of his move or \$3,000, whichever is less. The reimbursement will be made from state funds appropriated for the administration of Act 187 of 1979.

I will appreciate your assistance in this matter.

Respectfully,

Charlie G. Williams
State Superintendent of Education

CGW/shb

002476

EXHIBIT

AUG 8 1985

NO. 36

STATE BUDGET AND CONTROL BOARD STATE BUDGET & CONTROL BOARD
MEETING OF August 8, 1985 REGULAR SESSION
ITEM NUMBER

22

AGENCY: Executive Director

SUBJECT: Request for Proposals for Board Accounting Software System

Executive Director Putnam will ask for Board authorization to invite proposals to provide a Budget and Control Board accounting software system instead of asking for bids on such a system.

BOARD ACTION REQUESTED:

Authorize Executive Director to issue request for proposals rather than request for bids on Board accounting software system.

ATTACHMENTS:

002477

EXHIBIT

STATE OF SOUTH CAROLINA)
COUNTY OF GEORGETOWN)

EASEMENT AUG 8 1985 NO. 37

STATE BUDGET & CONTROL BOARD

THIS EASEMENT, made and entered into this 31st day of July, 1985, by and between the State of South Carolina, Budget and Control Board, as Grantor (hereinafter "STATE"), and Wachesaw Plantation, A Limited Partnership, as Grantee (hereinafter "WACHESAW").

WITNESSETH

WHEREAS, WACHESAW is a South Carolina limited partnership which has as its sole general partner Carolina, Wachesaw Land Company, Inc., and as its sole limited partner, Wachesaw Partners, a South Carolina general partnership. WACHESAW's mailing address is Post Office Box 69, Pawley's Island, South Carolina 29558; and

WHEREAS, WACHESAW proposes to install a 24" water intake pipe in the Waccamaw River in Murrell's Inlet at the Wachesaw Plantation Development in Georgetown County, South Carolina, for the irrigation of a golf course for the development. The water intake pipe and easement area are more particularly shown and delineated on a plat entitled "PLAT OF PROPOSED IRRIGATION PIPE-LINE EASEMENT PHASE I WACHESAW PLANTATION for WACHESAW PLANTATION LIMITED PARTNERSHIP", dated June 26, 1985, surveyed and mapped by Sur-Tech, Incorporated, which is attached hereto and incorporated herein by reference as Exhibit A.

WHEREAS, pursuant to Section 1-11-80 of the South Carolina Code of Laws, 1976, as amended, the STATE is empowered to grant certain rights-of-way or easements through and over riverbeds and

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marshlands for installation, operation, and maintenance of water intake pipes over, on, or under such land or marshland as are owned by the STATE; and

WHEREAS, WACHESAW is desirous of obtaining the hereinafter described easement through and over riverbeds and marshlands in Georgetown County, and the STATE considers the granting of such an easement to be in the public interest.

NOW, THEREFORE, the STATE as Grantor, in consideration of the sum of One (\$1.00) Dollar and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, remise, and release unto WACHESAW, its successors and assigns, a right-of-way easement in, to, upon and over the below described portion of riverbed and marshland; such riverbed and marshland situate in Georgetown County and lying below the mean high water line.

This Easement of right-of-way shall be used solely for the purposes incidental with the installation, operation and maintenance of said 24" water intake pipe into the Waccamaw River at Murrell's Inlet, Georgetown County, South Carolina, for the irrigation of a golf course for the development. The easement area is more particularly described as follows:

Beginning at a point 239.04 feet from the U.S.C. & G.S. Monument stamped "WACHESAW 1934-1962" on a bearing of South 15 degrees 28 minutes 38 seconds West. Then, extending North 81 degrees 32 minutes 51 seconds West a distance of 17.85 feet to the toe of the marsh of the Waccamaw River. The easement area is 30 feet wide (15 feet on each side of the pipeline) on a bearing of North 8 degrees 27 minutes 9 seconds East, and 95.36 feet long on a bearing of South 81 degrees 32 minutes 51 seconds East. The pipeline extends approximately 80 feet waterward of the mean high water line.

The pipeline and easement area are more particularly shown and delineated on a plat entitled "PLAT OF PROPOSED IRRIGATION PIPELINE EASEMENT PHASE I WACHESAW PLANTATION for WACHESAW PLANTATION LIMITED PARTNERSHIP, dated June 26, 1985, surveyed and mapped by Sur-Tech, Incorporated, which is attached hereto and incorporated herein by reference as Exhibit A.

EXHIBIT

AUG 8 1985 NO. 37

STATE BUDGET & CONTROL BOARD

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This easement of right-of-way is subject to all easements and rights-of-way of record or which may be revealed by inspection of the property and extends only to the STATE's prima facie ownership.

WACHESAW hereby agrees and covenants with the STATE that WACHESAW, its successors and assigns, shall not block or obstruct navigable waters or cause unreasonable adverse impact on fish, wildlife, or water quality in its use of the easement area. WACHESAW shall use the easement area solely for the purposes incidental with the construction, operation, and maintenance of said water intake pipe and shall maintain such easement area and water intake pipe in good condition.

WACHESAW further agrees and covenants that WACHESAW shall indemnify and hold harmless the STATE from and against any and all liabilities, claims, causes of action and expenses including, but not limited to, reasonable costs and attorney fees resulting in personal injury or death to any person or persons or damage to any property at any time that arises from or is incident to the construction, operation, maintenance, or use of the easement granted herein.

In the event of major maintenance, after construction, affecting the bed of the waterway, the South Carolina Coastal Council and the South Carolina Water Resources Commission shall be notified in writing prior thereto.

WACHESAW WILL COMPLY WITH AND BE BOUND BY ANY AND ALL APPLICABLE STATE STATUTES, REGULATIONS, AND TERMS AND CONDITIONS OF ANY PERMITS OR AGREEMENTS CONCERNING THIS PROJECT AND ANY AND ALL LANDS AND WATERS INVOLVED THEREWITH.

EXHIBIT

AUG 8 1985 NO. 37

STATE BUDGET & CONTROL BOARD 002480

This Easement may be terminated by the STATE, in its discretion and such interests as the STATE may have shall revert to the STATE if WACHESAW, its successors and assigns: (1) quits and abandons all use of such water intake pipe, in which case this easement of right-of-way shall terminate thirty (30) days after the date of such abandonment; or (2) continues an uncorrected violation or breach of any of the terms and conditions herein.

It is further understood and agreed that this easement is not to be construed as an easement granted to the exclusion of the STATE or to others later granted a similar right.

IN WITNESS WHEREOF, this instrument is being executed in accordance with the action of the South Carolina Budget and Control Board at its meeting held on the 8th day of August, 1985.

WITNESSES:

Kathryn M. Updegraff
W. T. Putnam

STATE OF SOUTH CAROLINA
BUDGET & CONTROL BOARD

BY: Richard W. Riley
Governor Richard W. Riley

PAWLEYS ISLAND LAND TRADING COMPANY,
AS AGENT FOR:
WACHESAW PLANTATION, A
LIMITED PARTNERSHIP

James F. Bivins
Will B. Staley

BY: Thomas H. Dyer *PROVIDOR*
Thomas H. Dyer, Agent

EXHIBIT

AUG 8 1985 NO. 37

STATE BUDGET & CONTROL BOARD

ATTORNEY GENERAL'S OFFICE

Approved: Kenneth P. Woodruff

002481

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PERSONALLY appeared before me W. T. Putnam
and made oath that he/~~she~~ saw the within named State of South
Carolina, Budget and Control Board, by Governor Richard W. Riley,
sign, seal, and as its act and deed deliver the within written
Easement, and that he/~~she~~, along with Katherine M. Hepfer,
witnessed the execution thereof.

W. T. Putnam

SWORN to before me this 8th
day of August, 1985.

Anna K. Williams (L.S.)
Notary Public for South Carolina

My Commission Expires: 5/3/89

EXHIBIT

AUG 8 1985 NO. 37

STATE BUDGET & CONTROL BOARD

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

PERSONALLY appeared before me James F. Bivins
and made oath that he/she saw the within named Wachesaw
Plantation, A Limited Partnership, by its Agent, Thomas H. Dyer,
sign, seal, and as its act and deed deliver the within written
Easement, and that he/she, along with William B. Stagg,
witnessed the execution thereof.

Mary E. Como

SWORN to before me this 31st
day of July, 1985.

Mary E. Como (L.S.)
Notary Public for South Carolina

My Commission Expires: May 2, 1995

002482

EXHIBIT "A"

STEPHEN R. WOLFE RLS NO 9065



SCALE 1" = 2 MI

DCMO
U.S.C. & G.S.
MONUMENT
STAMPED
"WACHESAW 1934-1962"

WACCAMAW RIVER
(STATE OF SOUTH CAROLINA)

2799 S.F. ±



WACHESAW PLANTATION
LIMITED PARTNERSHIP

PLAT OF PROPOSED IRRIGATION
PIPELINE EASEMENT
PHASE I WACHESAW PLANTATION

FOR
WACHESAW PLANTATION
LIMITED PARTNERSHIP

MURRELLS INLET TWSP 7
GEORGETOWN CO SOUTH CAROLINA
SCALE 1" = 20 FEET JUNE 26, 1985

20 10 0 20 40

SURVEYED AND MAPPED BY
SUR-TECH, INCORPORATED
MURRELLS INLET, GEORGETOWN COUNTY
SOUTH CAROLINA 29576
803-651-8656

BASED UPON INFORMATION OBTAINED BY LETTER FROM THE STATE OF SOUTH CAROLINA WATER RESOURCES COMMISSION, DATED THE FIRST DAY OF AUGUST, 1984, AND SIGNED BY JEFFERY F. HAVEL, ENVIRONMENTAL BIOLOGIST, SAID LETTER STATES THAT THE U.S.C. & G.S. MONUMENT STAMPED "WACHESAW 1934-1962" HAS A MEAN SEA LEVEL ELEVATION OF 19.71 FEET, AND A MEAN HIGH WATER ELEVATION OF 16.96 FEET, THEREFORE CAUSING THE MHW LEVEL IN THIS AREA TO BE 2.75 FEET ABOVE MEAN SEA LEVEL.

NOTES:

- 1) PARENT TAX MAP NO. 41-401-9
- 2) DATE OF FIELD SURVEY: JUNE 25, 1985
- 3) ALL BEARINGS ARE BASED ON THE SOUTH CAROLINA PLANE COORDINATE SYSTEM (NORTH ZONE). ALL DISTANCES SHOWN ARE HORIZONTAL DISTANCES NOT GRID DISTANCES.

EXHIBIT
AUG 8 1985 NO. 37
STATE BUDGET & CONTROL BOARD

002483

EXHIBIT

AUG 8 1985 NO. 38

STATE BUDGET AND CONTROL BOARD
MEETING OF August 8, 1985

STATE BUDGET & CONTROL BOARD

~~EXECUTIVE SESSION~~

ITEM NUMBER

2

AGENCY: Executive Director

SUBJECT: Salary Increase Proposal (Local Government)

Director Gullledge is requesting that the salary of Executive Assistant Nancy White be increased by \$4,000. He expresses the view that the increase is well deserved and justified due to new responsibilities given to Ms. White. Director Gullledge indicates that no additional funds would be required if this increase were to be approved.

BOARD ACTION REQUESTED:

Consider.

ATTACHMENTS:

Agenda item worksheet plus attachment.

002484

JUL 31 1985

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

For meeting scheduled for:

August 8, 1985

Blue Agenda

Regular Session Agenda

~~*~~ Executive Session Agenda

1. Submitted By:

(a) Agency: B&C BD--LOCAL GOVERNMENT

(b) Authorized Official Signature:

x Michael A. Duley

2. Subject:

Personnel matter

3. Summary Background Information:

Requesting approval to enhance salary of the executive assistant position

EXHIBIT

AUG 8 1985 NO. 38

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Grant approval

5. What is recommendation of the Board Division involved?

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

Letter to the Board

002485

EXHIBIT

AUG 8 1985 NO. 38

State of South Carolina
BUDGET AND CONTROL BOARD
Local Government Division
State Capitol
P.O. Box 11867
Columbia, S.C. 29201

STATE BUDGET & CONTROL BOARD

Michael S. Gullledge
Executive Director
(803) 758-3606

July 18, 1985

Members of the Budget
and Control Board
State House
Columbia, SC 29201

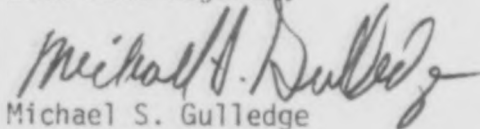
Gentlemen:

I am requesting permission to upgrade the salary of Nancy White, my Executive Assistant. I feel this request is well deserved and justified due to new responsibilities she has been given in the Division of Local Government. Nancy's abilities have been and will be necessary for the smooth and continuous operation of this agency.

I am requesting permission to increase her salary by \$4,000.00. The increase will require no additional funds.

Your favorable approval will be appreciated.

With kind regards,


Michael S. Gullledge

nw

002486

EXHIBIT

AUG 8 1985 NO. 39

STATE BUDGET AND CONTROL BOARD ~~STATE BUDGET & CONTROL BOARD~~ ~~EXECUTIVE SESSION~~
MEETING OF August 8, 1985 ITEM NUMBER

3

AGENCY: Human Resource Management

SUBJECT: Unclassified Employees Salary (Clemson)

The Division advises that Clemson is requesting authorization to hire Hugh Joseph Clausen in a position of Assistant to the President at a salary of \$62,000 annually. The Division advises that the proposed salary is 10.85% above the midpoint of the Executive Compensation System position salary range (which is \$44,745 to \$67,118).

The Division notes that Mr. Clausen retired from the Army as a Major General and that he has an extensive legal and management background. The Division further notes that the requested salary is in line with similar management positions at Clemson University and is considered warranted.

The Division recommends approval of the request.

BOARD ACTION REQUESTED:

Authorize Clemson University to employ Hugh Joseph Clausen as Assistant to the President and to pay him initially \$62,000 annually.

ATTACHMENTS:

Agenda item worksheet plus attachments.

002487

EXHIBIT

RECEIVED JUL 30 1985

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

For meeting scheduled for: AUG 8 1985 NO. 39 Blue Agenda
Regular Session Agenda
August 8, 1985 STATE BUDGET & CONTROL BOARDX Executive Session Agenda

1. Submitted By: Division of Human Resource Management
(a) Agency: Division of Human Resource Management
(b) Authorized Official Signature: Phyllis M. Mays
2. Subject: Unemployment Salary For Unclassified Employee - Clemson University
3. Summary Background Information:

Clemson University is requesting authorization to hire Hugh Joseph Clausen in the position, Assistant to the President at \$62,000 per year. The proposed salary is 10.85% above the midpoint of the Executive Compensation System position salary range (\$44,745-\$67,118). Mr. Clausen retired from the U.S. Army as a Major General and has an extensive legal and management background. The requested salary is in line with similar management positions at Clemson University and is considered warranted.

4. What is Board asked to do?

Authorize Clemson University to hire Hugh Joseph Clausen at \$62,000 per year.

5. What is recommendation of the Board Division involved?

Approve the request.

6. Recommendation of other office (as required)?

(a) Office Name _____ Authorized
(b) Signature _____

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

- a. Memorandum of July 8, 1985,
Ray L. Thompson to R. Kenneth
Harrill with attachments.

002488



EXHIBIT

AUG 8 1985

NO. 39

STATE BUDGET & CONTROL BOARD

BUSINESS AND FINANCE
Personnel Division

July 8, 1985

MEMORANDUM

TO: R. Kenneth Harrill
Director of Classification and Compensation

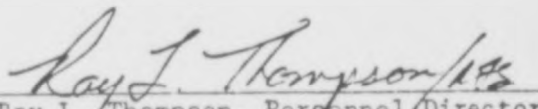
SUBJECT: Request to Hire Above the Midpoint

In accordance with Mrs. Fran Massey's telephone conversation today with Mrs. Loretta Kistler on your staff, Clemson University wishes to hire Major General Hugh Clausen in the position of Assistant to the President (9502-0002) at \$62,000 per year. This annual salary is approximately 10.85 percent above the midpoint.

The filling of the position with the most qualified person is very important to the administrative structure of Clemson University. Attached you will find a copy of General Clausen's resume' which defines his experience.

It is our understanding that the Budget and Control Board will meet on August 1, 1985, and we would be very appreciative if they could consider our request at that time.

Thank you very much for your assistance.


Ray L. Thompson, Personnel Director

cc: George Ropp
Fran Massey

Attachment

002489

EXHIBIT

AUG 8 1985 NO. 39

HUGH JOSEPH CLAUSEN, Major General

STATE BUDGET & CONTROL BOARD

PROMOTIONS

DATES OF APPOINTMENT

Temporary

Permanent

2LT		
1LT	7 Mar 51	19 Jul 50
CPT	6 Jul 54	29 Oct 54
MAJ	21 Nov 61	5 Mar 62
LTC	28 Dec 65	5 Mar 69
COL	9 Nov 70	12 Mar 73
BG	17 Mar 76	
MG	1 Jul 79	1 Jul 79

US DECORATIONS AND BADGES

Legion of Merit (with Oak Leaf Cluster)
Bronze Star Medal (with 3 Oak Leaf Clusters)
Meritorious Service Medal
Air Medals
Army Commendation Medal (with Oak Leaf Cluster)

SOURCE OF COMMISSION Direct Appointment

As of 31 July 1981

002490

RESUME OF SERVICE CAREER

of

HUGH JOSEPH CLAUSEN, Major General

DATE AND PLACE OF BIRTH 25 December 1926, Mobile, Alabama

YEARS OF ACTIVE COMMISSIONED SERVICE Over 30

PRESENT ASSIGNMENT The Judge Advocate General, United States Army,
Washington, DC 20310, since July 1981

MILITARY SCHOOLS ATTENDED

The Judge Advocate General's School, Basic and Advanced Courses
United States Army Command and General Staff College
United States Army War College

EDUCATIONAL DEGREES

University of Alabama - LLB Degree
Harvard University - Advanced Management Program

RECENT MAJOR DUTY ASSIGNMENTS

<u>FROM</u>	<u>TO</u>	<u>ASSIGNMENT</u>
Jul 68	Jun 69	Staff Judge Advocate, 1st Infantry Division, Vietnam
Jun 69	Aug 71	Staff Officer, Plans and Operations Division, later Chief, Legislative Division, Office, Chief of Legislative Liaison, Office, Secretary of the Army, Washington, DC
Aug 71	May 72	Chief, Military Justice Division, Office of The Judge Advocate General, United States Army, Washington, DC
May 72	Jun 73	Executive, Office of The Judge Advocate General, United States Army, Washington, DC
Jun 73	Mar 76	Staff Judge Advocate, III Corps and Fort Hood, Texas
Mar 76	Sep 78	Commander, United States Army Legal Services Agency/Chief Judge, United States Army Court of Military Review, Falls Church, Virginia
Sep 78	Jul 79	Assistant Judge Advocate General for Military Law, United States Army, Washington, DC
Jul 79	Jul 81	The Assistant Judge Advocate General, United States Army, Washington, DC

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MAJOR GENERAL HUGH JOSEPH CLAUSEN

THE JUDGE ADVOCATE GENERAL, UNITED STATES ARMY

Major General Clausen was born in Mobile, Alabama, on 25 December 1926. He served an enlisted tour in the Navy, then returned to college upon his discharge in June 1946. He attended Spring Hill College, the University of Louisville and the University of Alabama School of Law. He received his LL.B. in 1950 and was commissioned in the US Army Reserve as an officer in the Judge Advocate General's Corps. He was then called to active duty in March 1951.

General Clausen completed the Advanced Management Program in the Graduate School of Business Administration of Harvard University in 1970; the Nonresident Course of the US Army War College; US Army Command and General Staff College; the US Army Language School; and the Advanced Class at The Judge Advocate General's School.

General Clausen was appointed The Judge Advocate General, United States Army, on 31 July 1981. His prior assignments include service as The Assistant Judge Advocate General (July 1979-July 1981); Assistant Judge Advocate General for Military Law (September 1978-July 1979); Commander, United States Army Legal Services Agency (May 1976-August 1978); Staff Judge Advocate, III Corps and Fort Hood (June 1973-May 1976); Executive to The Judge Advocate General (May 1972-June 1973); Chief, Military Justice Division, Office of The Judge Advocate General (August 1971-May 1972); Staff Officer, Plans and Operations Division, and Chief, Legislative Division, Office, Chief of Legislative Liaison, Office, Secretary of the Army (June 1969-August 1971); Staff Judge Advocate, 1st Infantry Division, US Army Pacific-Vietnam (July 1968-June 1969); Author-Instructor, Department of Command, US Army Command and General Staff College (June 1966-July 1968).

General Clausen's awards include the Legion of Merit with Oak Leaf Cluster, Bronze Star Medal with three Oak Leaf Clusters, Meritorious Service Medal, Air Medal with Oak Leaf Cluster, and Army Commendation Medal with Oak Leaf Cluster.

General and Mrs. Clausen, the former Betty Sue Richards of Tuscaloosa, Alabama, reside in Alexandria, Virginia. They have two children, Joseph G. Clausen of Houston, Texas, and Mrs. John K. Branthoover of Cincinnati, Ohio.

002492

References

Dean Wayne E. Alley, University of Oklahoma Law Center, Norman,
Oklahoma 73069

Major General Wilton B. Persons, Jr., U.S. Army Retired, 16 Chatuachee Crossing,
Savannah, Georgia 41311

Honorable Robinson O. Everett, Chief Judge, U.S. Court of Military Appeals,
Washington, D. C. 20442

Honorable James F. Clawson, Jr., Judge, 819 North Eleventh Street,
Temple, Texas 76501

Commander, U.S. Army Legal Services Agency (1976-1978)

- o Planned, coordinated, managed, and executed \$2,500,000 annual budget.
- o Provided administrative, personnel, supply, and resource management for over 500 lawyers and administrative personnel located around the world, including trial judges, trial defense counsel, appellate Government counsel, appellate defense counsel, contract appeals attorneys and regulated industries attorneys.

Chief Judge, U.S. Army Court of Military Review (1976-1978)

- o Presided over a 16-judge appellate court.
- o Served as Senior Judge of a three-member panel.
- o Supervised Clerk of Court's office and Court administrative staff.
- o Developed court rules and standard operating procedures for the appellate court.
- o Supervised and managed 52 trial judges.

Awards and Honors

Legion of Merit
Bronze Star Medal (3 awards)
Meritorious Service Medal
Air Medal
Army Commendation Medal

Bar Memberships

The Supreme Court of the United States
The Supreme Court of Alabama
United States Court of Military Appeals
United States Army Court of Military Review
Alabama Bar Association
American Bar Association
District of Columbia Bar Association

- o Provides legal advice on contract law matters including policies and procedures in the field of appropriated and nonappropriated fund acquisitions and allied matters.
- o Provides Army representation before Federal and State regulatory bodies.
- o Recruits members and manages the careers of the members of the Judge Advocate General's Corps.
- o Exercises technical supervision of active and reserve officers of the Judge Advocate General's Corps and Department of the Army civilian attorneys.
- o Holds membership in several National bar groups.

Assistant Judge Advocate General, U.S. Army (1979-1981)

- o Exercised oversight and monitoring responsibility for approximately 108 legal offices worldwide.
- o Supervised the Judge Advocate General's School on the campus of the University of Virginia, with an annual operating budget of nearly \$3,000,000, and a staff of 94 attorneys and support personnel.
- o Supervised the U.S. Army Claims Service which has an annual budget of \$1,500,000 and a staff of 85 attorneys and support personnel.
- o Supervised the U.S. Army Legal Services Agency with responsibilities for legal services worldwide.

Assistant Judge Advocate General for Military Law (1978-1979)

- o Supervised and managed 72 military and civilian attorneys in the practice of criminal law, international law, administrative law, and legal aid.
- o Supervised the administration of military justice.
- o Developed and coordinated Army policy in the above areas within the Secretariat of the Army and the Army General Staff.
- o Managed and coordinated Congressional changes to the Uniform Code of Military Justice and Presidential changes to the Manual for Courts-Martial.
- o Provided staff advice on foreign, comparative, and international law and the law of war.
- o Served as President of the Judge Advocate General's Selection Board.

RESUME OF
HUGH J. CLAUSEN
MAJOR GENERAL, USA

85 JUN 31 08:59

EXHIBIT

AUG 8 1985 NO. 3 9

STATE BUDGET & CONTROL BOARD

Civilian Education

Springfield College, Mobile, Alabama - 1944
University of Louisville, Kentucky - 1946
University of Alabama, Mobile, Alabama - LL.B. - 1950
Harvard Business School, Advanced Management Program,
Cambridge, Massachusetts - 1970

Military Education

The Judge Advocate General's School, U.S. Army, Basic and Advanced Courses
- 1951 and 1959
United States Army Command and General Staff College - 1965
United States Army Language School, California - 1962
United States Army War College - 1970

Career Positions

The Judge Advocate General, U.S. Army (1981 to present)

- o Legal Advisor to the Chief of Staff, the Secretary of the Army, and the Army Staff.
- o Supervises 1,820 U.S. Army military attorneys in execution of legal responsibilities worldwide.
- o Establishes U.S. Army Courts of Military Review for the appellate review of courts-martial cases.
- o Certifies officers to perform the duties of military judge, trial counsel, and defense counsel of general and special courts-martial.
- o Appoints appellate counsel for the U.S. Army Courts of Military Review and the U.S. Court of Military Appeals.
- o Makes frequent inspections in supervising the administration of military justice in Army units and installations throughout the world.
- o Provides counsel and supervises Army litigation in Federal Courts.
- o Manages administration, control, and coordination of all patent, copyright, trademark, and other intellectual property activities.

002496

Clemson University
EMPLOYEE SALARIES

DEAN'S

Average Salary: \$62,982

Vice Provosts

\$57,917

\$65,391

Vice President

\$72,981

\$72,000

\$70,352

Asst to President

\$64,236 (Retired 6/30)

Above salaries do not include the general
increase for 1985-86.

EXHIBIT

AUG 8 1985 NO. 39

STATE BUDGET & CONTROL BOARD

002497

EXHIBIT

AUG 8 1985

NO. 40

STATE BUDGET AND CONTROL BOARD
MEETING OF August 8, 1985

STATE BUDGET & CONTROL BOARD

~~EXECUTIVE SESSION~~

ITEM NUMBER

4

AGENCY: Human Resource Management

SUBJECT: Continuation of Employment

The Division of Human Resource Management recommends approval of the following agency requests to continue employment of the individuals listed through June, 1986:

(a) Health and Environmental Control:

- (1) Elizabeth P. Marion, to reach age 72 in March of 1986. Division advises that Mrs. Marion is a valuable employee who maintains a high standard of performance consistent with her 47 years of State service.

(b) Department of Mental Health:

- (1) Claude E. Phenix, birthdate October 29, 1913; and
- (2) John R. Timmons, M.D., birthdate March 1, 1915.

Both Mental Health employees continue to perform effectively and enjoy good health.

BOARD ACTION REQUESTED:

Approve continuations of employment through June 30, 1986, for employees of Health and Environmental Control and the Department of Mental Health.

ATTACHMENTS:

Agenda item worksheet plus attachments.

002498

RECEIVED JUL 30 1985

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

For meeting scheduled for:

August 8, 1985

Blue Agenda

Regular Session Agenda

☒ Executive Session Agenda

1. Submitted By:

(a) Agency: Human Resource Management

(b) Authorized Official Signature:

Phyllis M. Mayes

2. Subject:

Employment to Age 72

3. Summary Background Information:

The South Carolina Department of Health and Environmental Control is requesting that Elizabeth P. Marion, part-time clerk, be allowed to continue her employment through June 30, 1986. Ms. Marion will reach age 72 in March of 1986.

Mrs. Marion is a valuable employee who maintains a high standard of performance which characterizes her forty-seven years of State service.

EXHIBIT

AUG 8 1985

NO. 40

STATE BUDGET & CONTROL BOARD

4. What is Board asked to do?

Approve the South Carolina Department of Health and Environmental Control's request to continue Mrs. Marion's employment through June 30, 1986.

5. What is recommendation of the Board Division involved?

Approval

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

Letter of Request

002499

South Carolina Department of Health and Environmental Control

2600 Bull Street
Columbia, S.C. 29201

Commissioner
Robert S. Jackson, M.D.



July 8, 1985

Phyllis M. Mayes, Director
Division of Human Resource Management
1205 Pendleton Street
Columbia, S. C. 29211

Dear Phyllis:

I would like approval from the Budget and Control Board to retain Elizabeth P. Marion on our payroll this fiscal year 85-86. Mrs. Marion is a valuable employee who maintains a high standard of performance which characterized her forty-seven years of state service. She is one of our retirees who will be seventy-two (72) years old in March of 1986.

Her retention as a part-time clerk will assure continuity of service in the areas of public reception, medical and vital records.

Your prompt consideration will be greatly appreciated.

Sincerely,

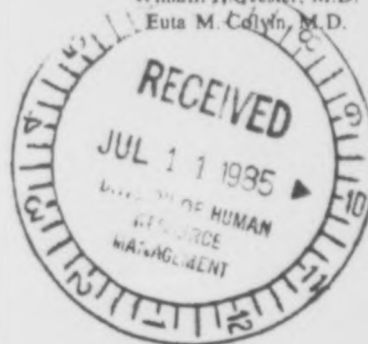
A handwritten signature in dark ink, appearing to read "Bob", written over a horizontal line.

Robert S. Jackson, M.D.
Commissioner

RSJ/em

Board

Moses H. Clarkson, Jr., Chairman
Gerald A. Kaynard, Vice-Chairman
Oren L. Brady, Jr., Secretary
Barbara P. Nuessle
James A. Spruill, Jr.
William H. Hester, M.D.
Euta M. Colvin, M.D.



EXHIBIT

AUG 8 1985 NO. 40

STATE BUDGET & CONTROL BOARD

002500

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

For meeting scheduled for:

August 8, 1985

Blue Agenda

Regular Session Agenda

X Executive Session Agenda

1. Submitted By:

(a) Agency: Human Resource Management

(b) Authorized Official Signature:

Phyllis M. Mayes

2. Subject:

Employment Beyond Age 70

3. Summary Background Information:

The South Carolina Department of Mental Health is requesting that the following employees be allowed to continue their employment through June 30, 1986.

Name	Title	Date of Birth
Phenix, Claude E.	Supervisor of Custodial Services	October 29, 1913
Timmons, M.D., John R.	Cons. Chief Surgeon	March 1, 1915

These employees continue to perform effectively and enjoy good health.

EXHIBIT

AUG 8 1985 NO. 4 0

4. What is Board asked to do?

STATE BUDGET & CONTROL BOARD

Approve the South Carolina Department of Mental Health's request to continue the employment of Mr. Phenix and Dr. Timmons through June 30, 1986.

5. What is recommendation of the Board Division involved?

Approval

6. Recommendation of other office (as required)?

(a) Office Name

Authorized

(b) Signature

7. Supporting Documents:

List Those Attached

List Those Not Attached But Available
from Submitter

Letter of Request

002501



South Carolina Department of Mental Health

An Equal Opportunity Employer

P.O. Box 485 / 2414 Bull Street / Columbia, South Carolina 29202

William S. Hall, M.D. / State Commissioner of Mental Health
Racine D. Brown, Ph.D. / Assistant State Commissioner of Mental Health

April 15, 1985

EXHIBIT

Mr. Purvis W. Collins
Director
South Carolina Retirement System
Post Office Box 11960
Columbia, South Carolina 29211

AUG 8 1985 NO. 40

STATE BUDGET & CONTROL BOARD

Dear Mr. Collins:

Under the provisions of Section 9-1-1530 of the 1976 Code of Laws, as amended, it is requested that the employees named below, who are approaching the age of retirement be permitted to continue in service for the fiscal year ending June 30, 1986, or until such time as an additional request may be made in accordance with the Code of Laws.

NAME	TITLE	DOB	S.S. NUMBER
-Phenix, Claude E.	Supv. of Custodial Svcs.	10-29-13	048-03-7017 OK 7-8.
-Timmons, M.D., John R.	Cons. Chief Surgeon	03-01-15	251-60-1775 OK 7-8.

These employees are performing a valuable service and to our knowledge are in satisfactory physical condition to perform their duties in a most acceptable manner.

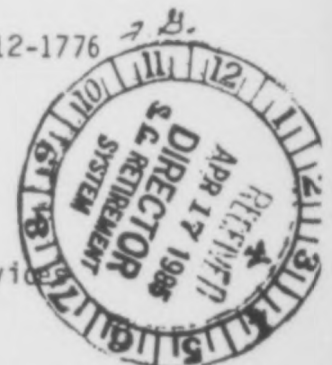
The employees listed below plan to retire at the end of the current fiscal year.

NAME	TITLE	DOB	S.S. NUMBER
-Azar, Evelyn A.	Administrative Spec. C	12-17-14	248-09-3666 OK 7-8.
-Estaba, M.D., Victor	Med. Section Chief	04-13-15	047-44-6017 OK 7-8.
-Hall, M.D., William S.	State Commissioner of Mental Health	05-01-15	251-60-2700 OK 7-8.
-Woolery, M.D., R.H.	Med.-Surg. Svc. Chief	06-09-13	306-12-1776 7-8.

Yours very truly,

William R. Noyes

William R. Noyes
Director, Human Resource Service



WRN:lm

002502