

SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS

MINUTES

October 19, 2017

The South Carolina Commission on Disabilities and Special Needs met on Thursday, October 19, 2017, at 10:00 a.m. at the Department of Disabilities and Special Needs Central Office, 3440 Harden Street Extension, Columbia, South Carolina.

The following were in attendance:

COMMISSION

Present:

Eva Ravenel, Chairman
Sam Broughton, Ph.D.
Mary Ellen Barnwell – Secretary
Bill Danielson
Katie Fayssoux
Vicki Thompson

Absent:

Gary Lemel – Vice Chairman

DDSN Administrative Staff

Dr. Buscemi, State Director; Mr. David Goodell, Associate State Director, Operations; Mr. Tom Waring, Associate State Director, Administration; Mrs. Susan Beck, State Director, Policy; Ms. Tana Vanderbilt, General Counsel (For other Administrative Staff see Attachment 1 – Sign In Sheet).

Guests

(See Attachment 1 Sign-In Sheet)

Coastal Regional Center (via videoconference)

(See Attachment 2 Sign-In Sheet)

Georgetown County DSN Board

Pee Dee Regional Center (via videoconference)

(See Attachment 4 Sign-In Sheet)

Pickens County DSN Board (via videoconference)

(See Attachment 5 Sign-In Sheet)

Whitten Regional Center (via videoconference)
(See Attachment 6 Sign-In Sheet)

York County DSN Board (via videoconference)
(See Attachment 7 Sign-In Sheet)

Jasper County DSN Board (via videoconference)

News Release of Meeting

Chairman Ravenel called the meeting to order and Commissioner Barnwell read a statement of announcement about the meeting that was mailed to the appropriate media, interested persons, and posted at the Central Office and on the website in accordance with the Freedom of Information Act.

Invocation

Commissioner Broughton gave the invocation.

Adoption of the Agenda

The Commission adopted the October 19, 2017 Meeting Agenda by unanimous consent. (Attachment A)

Approval of the Minutes of the September 21, 2017 Commission Meetings

The Commission approved the September 21, 2017 Commission Meeting minutes with a change by unanimous consent.

Public Input

The following individuals spoke during Public Input: Susan John, Deborah McPherson, Gerald Bernard, Linda Lee, Evelyn Finnegan and Joanne Berg.

Commissioners' Update

Commissioner Ravenel spoke of activities and events in her district.

State Director's Report

Dr. Buscemi reported on the following:

House Legislative Oversight Committee – Presented an overview of the DDSN system on Tuesday, October 10, 2017. The next scheduled meeting is October 24, 2017 at 10:00 a.m. and will be held in Room 321 of the Blatt Building.

Therap Implementation – The Shared Plan is going live Monday, October 30, 2017. DDSN held training all last week at multiple locations. Webinars to answer questions are being held every day this week for four hours each day with three more webinars to follow next week. Access is available for providers in the test environment. The General Event Records (GERs) are part of the shift in how providers and the agency record/report incidents. They will be for operational routine medical and other events will be true critical incidents. This has been previously approved by the Commission and goes into effect November 1, 2017; however, DDSN will not begin to review/measure until January 2018. The providers will be given two months to get used to the new system. DDSN and Therap held 30 provider sessions for training and also held webinars and online training.

Current Band System – Pat Maley is wrapping up the review of the current band system. Multiple states were interviewed about their funding mechanisms and almost a dozen of DDSN providers were interviewed as well. The completed review should help DDSN make decisions about future changes to funding. It was suggested the Commission have a work session to discuss the results, as there will be too much information to share at a standard Commission Meeting.

Tri-Development Center ICF/IID

Mr. Waring reported that DDSN met with Tri-Development staff to discuss the financial position of the four ICF homes and the overall position of the agency. The meeting was very productive from both agencies' perspective. Tri-Development and DDSN are committed to resolve the financial issues within the ICF program and other financial issues within the agency in order for Tri-Development to maintain the operation of the ICF homes. There are several alternatives that were discussed and agreed upon to pursue to stabilize Tri-Development's financial position. Additional meetings are scheduled to discuss the impact of the possible alternatives and overall financial position of the Tri-Development. Every effort will be made to reach an agreement with Tri-Development and for no individuals to have to move. Alternatives would always be available so no individuals would be required to move. Discussion followed.

Waiting List Reduction Efforts

Mrs. Beck provided an update on the Waiting List Reduction Efforts. (Attachment B)

Funding Allotment between the ID/RD Waiver and the CS Waiver

Mrs. Beck provided staff recommendations regarding funding allotment between the ID/RD Waiver and the Community Supports Waiver as the 600 additional slots have been awarded from the June 2017 Commission approved Option 4. Discussion followed. Commissioner Thompson moved that the Commission adopt the staff's recommendations as presented. The motion was seconded and passed. (Attachment C)

Disability Employment Awareness Month Proclamation by Governor McMaster

Dr. Buscemi shared Governor McMaster's proclamation proclaiming the month of October 2017 as Disability Employment Awareness Month. She then introduced Ms. Susan Davis, Program Coordinator, USC, Center for Disability Resources. Ms. Davis spoke of the many initiatives taking place with DDSN and SC Vocational Rehabilitation to support the employment needs of the individuals. (Attachment D)

Goal for Direct Care Staff Wages

Chairperson Ravenel spoke of one of her goals would be to raise the starting salary of the direct care staff to \$15.00 per hour by the Year 2020 as they are the backbone of our industry. Commissioner Broughton made the motion that this would be a Commission goal. The motions was seconded and passed. Discussion followed. Commissioner Broughton withdrew his motion. Commissioner Broughton made the motion to revisit the strategic plan and consider in light of current events and conditions in regards to salary issues for the direct care staff and other positions. The motion was seconded and passed.

Fingerprint Background Checks

Dr. Buscemi gave a recap of the information previously provided that showed what other state agencies are doing to conduct background checks. Discussion followed. Staff will explore approaching another entity to provide the service. (Attachment E)

Financial Update

Mr. Waring provided an overview of the agency's financial activity through September 30, 2017 and the agency's current financial position. A SCEIS report reflecting budget versus actual expenditures through September 2017 was presented. An updated analysis of expenditures for the Regional Centers was provided for the first quarter of the fiscal year. DDSN Administration Program Expenditures to Total Agency Expenditures report was provided, which documented the general overhead expense of DDSN to be less than 1.5 percent over the last four years. (Attachment F)

Provider Contract Increases

Mr. Waring provided funding information of the Burton Center and the Colleton County DSN Board asking for Commission approval for \$230,388 in new funding for the Burton Center and \$299,675 in new funding for the Colleton County DSN Board. On motion of Commissioner Broughton, seconded and passed, the Commission approved the new funding. (Attachment G)

Generators

1. FEMA Generators – Four Locations

Mr. Waring presented information on the bid to install new emergency generators at four sites - Chesterfield, Lee, Marion-Dillon and Marlboro counties. On motion of Commissioner Danielson, seconded and passed the Commission approved the bid as presented to DNB ELECTRIC, Inc. of West Columbia, SC to include all four location Base Bids and all four location Alternates for a total of \$558,762. (Attachment H)

2. Plan to Provide Generators at all Day Program Locations

Mr. Waring presented information as well as a map of statewide generator capacity at Day Program facilities. Discussion followed. Twenty-seven counties are in need of generator capacity in day facilities around the state. The Commission recommended that a third application for generator needs be submitted to FEMA to secure additional Federal funds for the twenty-seven counties. (Attachment I)

Whitten Center Property Transfer

Mr. Waring provided detailed information on the transfer of Whitten Center Property (847 acres) to the City of Clinton with the City taking over the ownership and infrastructure needs of the water, sewage, and storm drain system on Whitten Campus. The transfer of property will benefit the consumers living at Whitten Center as well as save the department millions of dollars in infrastructure upgrades to these systems. Discussion followed. On motion of Commissioner Broughton, seconded and passed, the Commission approved the Whitten Center transfer as presented by staff. (Attachment J)

Burton Center Roof Replacement

Mr. Waring presented information on the Burton Center's day program building for Commission approval for DDSN to contribute 50 percent of the lowest acceptable bid, up to a maximum of \$700,000 for the replacement of the roof (84,000 square feet). On motion of Commissioner Danielson, seconded and passed, the Commission approved the funding for the roof replacement.

Executive Session

On motion of Commissioner Broughton, seconded and passed, the Commission entered into Executive Session to discuss the State Director's Evaluation Planning document, contractual matter with an early intervention provider, and to receive legal advice.

Enter into Public Session

The Commission entered into Public Session. It was noted that no action was taken in the Executive Session.

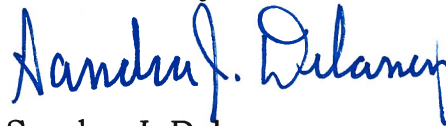
State Director's Evaluation Planning Document

On motion of Commissioner Thompson, seconded and passed, the Commission approved to accept the presented proposed detailed version of the State Director's Evaluation Planning Document.

Next Regular Meeting

November 16, 2017 to be held at the DDSN Central Office.

Submitted by,



Sandra J. Delaney

Approved:



Commissioner Mary Ellen Barnwell
Secretary

SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS

Commission Meeting

October 19, 2017

Guest Registration Sheet

(PLEASE PRINT)

Name and Organization

- | | | |
|------|--------------------|----------------------------|
| 21. | Kathy Martin | Professor & Advocacy (PAA) |
| 22. | MYRTIS J. CUSHMAN | TDC, Aiken |
| 23. | Susan Metzger | TDC, Aiken |
| *24. | Joanne Berg | TDC, Aiken Dupont II 10F/M |
| *25. | Kim Cushman Bailey | ACBD & Dupont I family |
| *27. | Sharon Kelley | ACBD & Dupont Family TDC |
| 28. | Rey Miller | SC DD Council |
| 29. | Sherry Pressley | LSC |
| 30. | Hanna Collins | Fairfield DSLC |
| 31. | Dorothy Goodwin | Community Optics |
| 32. | DAVID ROSLING | TDC - Aiken |
| 33. | Mike Keith | Monica-Dickens DSN |
| 34. | KEVIN YACOB | DPSN |
| 35. | Suzanne Hyman | Project HOPE Foundation |
| *36. | Mary Anne Best | Parent |
| *37. | ERLYN FINNEGAN | Grandmother |
| *38. | Betty Gunter | Mother of disabled adult |
| *39. | Gathin Subid | " " |
| 40. | Hear Waddell | Tri-Development Ctr. |
| 41. | Michael B. Hall | TDC - Aiken |
| 42. | Jessie | CHESW Law |

42. Scott Tanner

43. Ralph Canby

44. Tracy Walter

45. Zenobia M. Corley

DHHS

Diken

Scouter DSNB

Kershaw DSNB

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SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS

Commission Meeting

October 19, 2017

Guest Registration Sheet

(PLEASE PRINT)

Name and Organization

- 1. Judy Johnson Babcock Center
- 2. Deborah & Heather Mapherson Richmond County
- 3. Stephanie William CANSIB
- 4. Tim Smith Greenville News
- 5. John Reynolds self - comm meeting
- 6. Pat Pater " "
- 7. Marty Rawls DDSN
- 8. Chuck Norman "
- 9. Allan Cornell Horry County DSN
- 10. Susan L. John Horry Co. DSN
- 11. Jimmy Burk Bent Center
- 12. Gerald Bernal Charles Lee Center Fund
- 13. KATHLEEN ROBERTS WHITTEN CENTER PARENTS - SCAPPD
- 14. LINDA LEE WHITTEN CENTER PARENTS - SCAPPD
- 15. Jerry C. Mice Oconee DSN
- 16. Susana Davis WSLC/D
- 17. Angela Rodriguez SC SCIA
- 18. Dexter Alston DDSJ
- 19. Tamara Hamman DORN
- 20. Bob Jones Newberry PSNIB
- Tammy Keller LLOA Ombudsman

SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS

Commission Meeting

October 19, 2017

Guest Registration Sheet

(PLEASE PRINT) Name and Organization

- 1. Evelyn Turner Dis Needs Ches
- 2. A Slook Berkeley Citizens
- 3. Sloan Todd Path Finders
- 4. Gloria James Bamberg DSN Bd
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SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS

Commission Meeting

October 19, 2017

Guest Registration Sheet

(PLEASE PRINT)

Name and Organization

1. Elaine Thena PCBDSN
2. Phyllis Corder Oceanee
3. Tom Beeson Indwellmgs
4. Tyler Rex ACDSNB
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SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS
Commission Meeting
October 19, 2017

Guest Registration Sheet

(PLEASE PRINT) Name and Organization

- 1. Nancy M. Hall, DDSN
- 2. FRANK AGAN DDSM
- 3. JR LONG
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SC COMMISSION ON DISABILITIES AND SPECIAL NEEDS

Commission Meeting

October 19, 2017

Guest Registration Sheet

(PLEASE PRINT)

Name and Organization

1. Mary Poole

Max Abilities of York Co.

2. Michelle Shaffer

Maxabilities of York Co.

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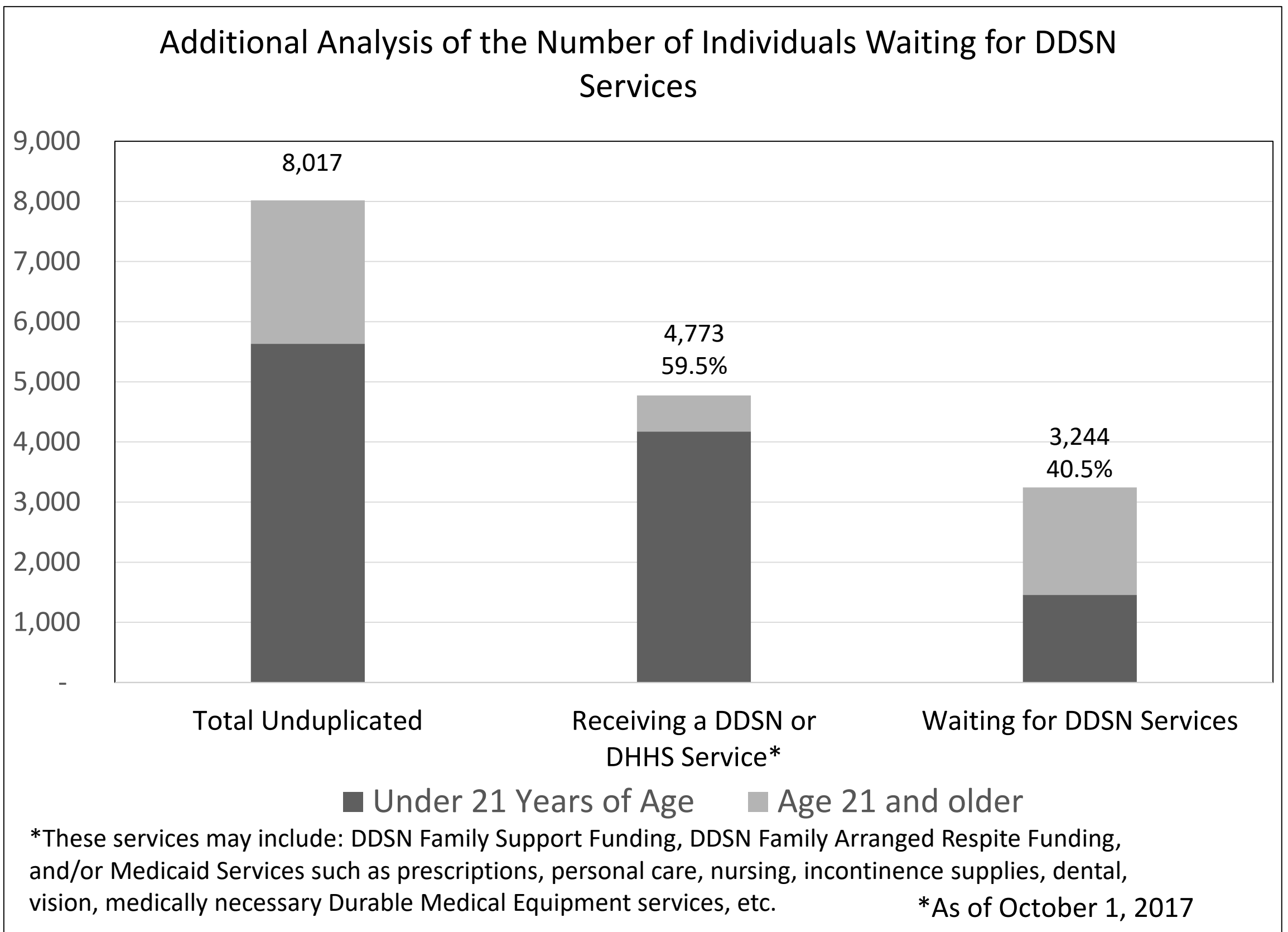
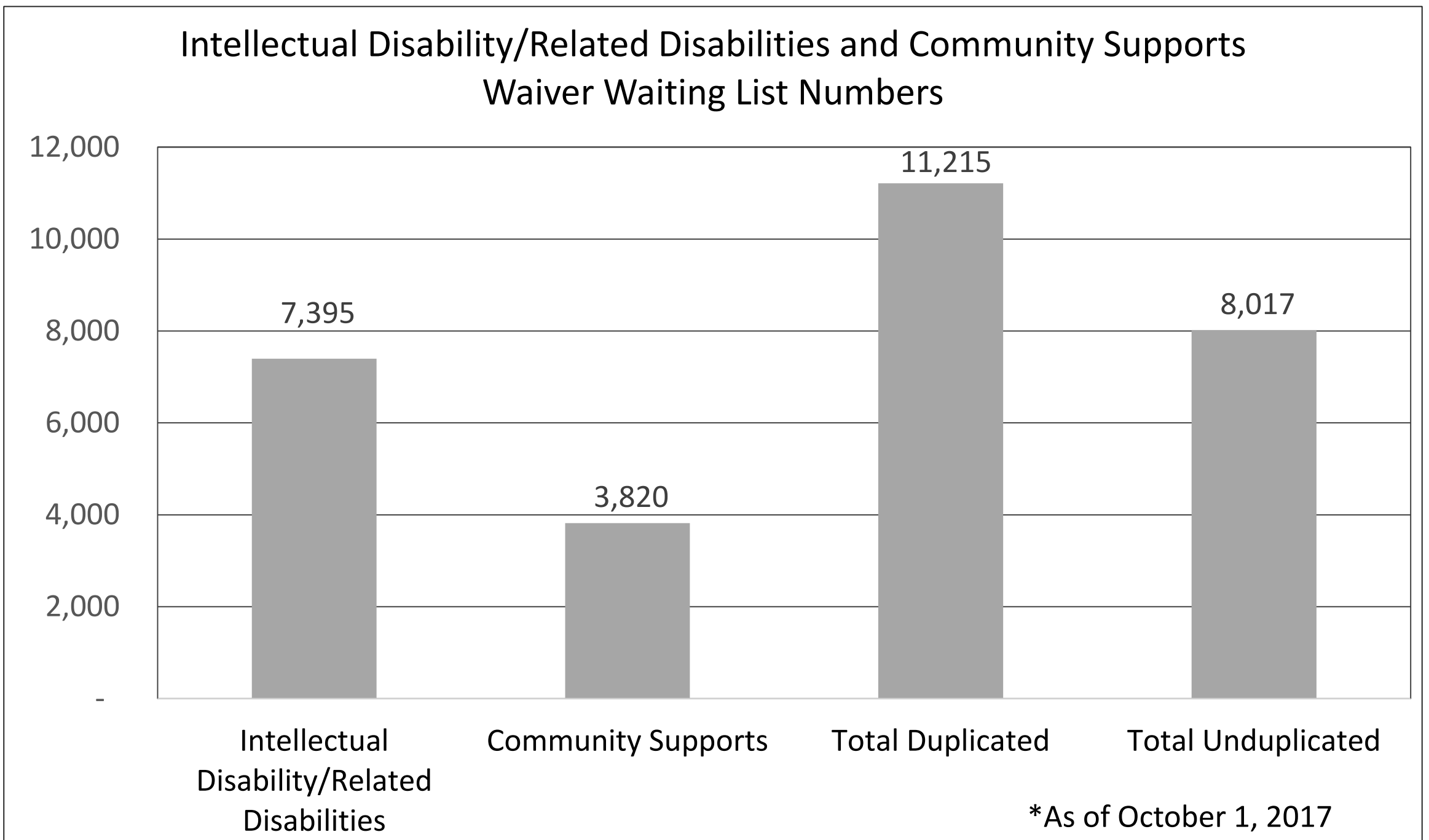
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SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS**A G E N D A**

**South Carolina Department of Disabilities and Special Needs
3440 Harden Street Extension
Conference Room 251
Columbia, South Carolina**

October 19, 2017**10:00 A.M.**

- | | | |
|-----|---|---|
| 1. | Call to Order | <i>Chairman Eva Ravenel</i> |
| 2. | Welcome - Notice of Meeting Statement | <i>Commissioner Mary Ellen Barnwell</i> |
| 3. | Invocation | <i>Commissioner Sam Broughton</i> |
| 4. | Introduction of Guests | |
| 5. | Adoption of Agenda | |
| 6. | Approval of the Minutes of the September 21, 2017 Commission Meeting | |
| 7. | Public Input | |
| 8. | Commissioners' Update | <i>Commissioners</i> |
| 9. | State Director's Report | <i>Dr. Beverly Buscemi</i> |
| 10. | Business: | |
| | A. Tri-Development Center ICF/IID | <i>Mr. Tom Waring</i> |
| | B. Waiting List Reduction Efforts | <i>Mrs. Susan Beck</i> |
| | C. Funding Allotment between the ID/RD Waiver
and the CS Waiver | <i>Mrs. Susan Beck</i> |
| | D. Disability Employment Support Awareness Month
Proclamation by Governor McMaster | <i>Dr. Beverly Buscemi</i>
<i>Ms. Susan Davis</i>
<i>CESP Program Coordinator</i>
<i>USC, Center for Disability Resources</i>
<i>Chairman Eva Ravenel</i> |
| | E. Goal for Direct Care Staff Wages | <i>Dr. Beverly Buscemi</i> |
| | F. Fingerprint Background Checks | <i>Mr. Tom Waring</i> |
| | G. Financial Update | <i>Mr. Tom Waring</i> |
| | H. Provider Contract Increases | <i>Mr. Tom Waring</i> |
| | I. Generators | <i>Mr. Tom Waring</i> |
| | 1. FEMA Generators-Four Locations | |
| | 2. Plan to Provide Generators at all Day Program Locations | |
| | J. Whitten Center Property Transfer | <i>Mr. Tom Waring</i> |
| | K. Burton Center Roof Replacement | <i>Mr. Tom Waring</i> |
| 11. | Executive Session | |
| 12. | Enter into Public Session | |
| 13. | State Director Evaluation Planning Document | <i>Chairman Eva Ravenel</i> |
| 14. | Next Regular Meeting (November 16, 2017) | |
| 15. | Adjournment | |



SC Department of Disabilities and Special Needs

Waiting List Reduction Efforts

As of October 1, 2017 (run on October 1, 2017)

Waiting List	Number of Individuals Removed from Waiting Lists	Consumer/Family Determination		Number of Individuals Services are Pending
		Number of Individuals Enrolled in a Waiver	Number of Individuals Opted for Other Services/ Determined Ineligible	
Intellectual Disability/Related Disabilities (As of July 1, 2014)	1,438 (FY15) 2,109 (FY16) 579 (FY17) <u>1,097 (FY18)</u> 5,223	713 (FY15) 1,048 (FY16) 243 (FY17) <u>175 (FY18)</u> 2,179	536 (FY15) 986 (FY16) 183 (FY17) <u>222 (FY18)</u> 1,927	42 (FY15) 91 (FY16) 199 (FY17) <u>785 (FY18)</u> 1,117
Community Supports (As of July 1, 2014)	2,429 (FY15) 1,838 (FY16) 4,401 (FY17) <u>221 (FY18)</u> 8,889	698 (FY15) 641 (FY16) 1,130 (FY17) <u>174 (FY18)</u> 2,643	1,526 (FY15) 1,088 (FY16) 2,686 (FY17) <u>47 (FY18)</u> 5,347	8 (FY15) 84 (FY16) 650 (FY17) <u>157 (FY18)</u> 899
Head and Spinal Cord Injury (As of Oct 1, 2013)	1,084	501	407	176
		5,323	7,681	
Total	15,196	13,004		2,192

Waiting List *	Number of Individuals Added Between July 1, 2014 and October 1, 2017	Number of Individuals Waiting as of October 1, 2017
Intellectual Disability/Related Disabilities	7,517 (596 since 7/1/17)	7,395
Community Supports	8,758 (621 since 7/1/17)	3,820
Head and Spinal Cord Injury	0	0
Total	16,275	11,215

* There is currently no Head and Spinal Cord Injury (HASCI) Waiver waiting list.

** There are 8,017 unduplicated people on a waiver waiting list. Approximately 28.5 percent of the 11,215 names on the combined waiting lists are duplicates.

**SC Department of Disabilities and Special Needs
Waiting List Reduction Efforts**

Row #	Total Numbers At Beginning of the Month	2016		2017									
		November	December	January	February	March	April	May	June	July	August	September	October
1	Intellectual Disability/Related Disabilities Waiver Waiting List Total	6,362	6,539	6,689	7,099	7,430	7,692	7,857	8,003	7,924	7,662	7,538	7,395
2	Community Supports Waiver Waiting List Total	2,600	2,303	2,418	2,680	3,004	3,025	3,118	3,113	3,427	3,554	3,737	3,820
3	Head and Spinal Cord Injury Waiting List Total	0	0	0	0	0	0	0	0	0	0	0	0
4	Critical Needs Waiting List Total	136	136	121	130	117	123	128	125	132	126	123	117
5	Total Number <u>Added</u> to the ID/RD, HASCI, and CS Waiting Lists	450	512	558	1,111	993	859	511	482	547	398	544	340
6	Total Number <u>Removed</u> from the ID/RD, HASCI, and CS Waiting Lists	484	632	293	439	338	576	253	341	312	533	485	400
7	Number of Individuals Enrolled in a Waiver by Month	92	143	97	160	138	137	122	118	128	94	161	124
8	Number of Individuals Opted for Other Services/Determined Ineligible by Month	276	378	155	236	143	236	131	157	79	146	109	16
9	Total Number of Individuals Removed from Waiting Lists (Running Total)	10,934	11,550	11,822	12,210	12,497	12,947	13,195	13,515	13,807	14,325	14,799	15,196
10	Total Number of Individuals Pending Waiver Services (Running Total)	2,220	2,396	2,341	2,247	2,111	2,132	2,010	2,012	1,881	2,124	2,180	2,192
11	Total Unduplicated Individuals on the Waiver Waiting Lists	6,663	6,824	6,996	7,409	7,827	8,011	8,182	8,366	8,368	8,198	8,140	8,017

**There are 8,017 unduplicated people on a waiver waiting list. Approximately 28.5 percent of the 11,215 names on the combined waiting lists are duplicates.

PDD Waiting List Information

12	PDD Program Waiting List Total	1,583	1,539	1,514	1,443	1,397	1,317	1,259	1,265	1,247	1,236	1,225	1,202
13	Total Number <u>Added</u> to the PDD Waiting List	38	22	53	26	18	20	19	62	0	0	0	0
14	Total Number <u>Removed</u> from the PDD Waiting List	51	66	78	97	64	100	77	56	18	11	11	23
15	Number of Individuals Enrolled in the PDD <u>State Funded</u> Program by Month	190	184	189	195	191	182	159	134	122	119	105	98
16	Number of Individuals Pending Enrollment in the PDD Waiver by Month	181	202	221	239	240	271	282	287	269	261	256	251
17	Number of Individuals Enrolled in the PDD Waiver by Month	573	555	536	518	502	484	478	463	434	403	368	313

Updated 10/1/2017

**South Carolina Department Of Disabilities & Special Needs
As Of September 30, 2017**

Service List	08/31/17	Added	Removed	09/30/17
Critical Needs	123	23	29	117
Pervasive Developmental Disorder Program	1225	0	23	1202
Intellectual Disability and Related Disabilities Waiver	7538	168	311	7395
Community Supports Waiver	3737	157	74	3820
Head and Spinal Cord Injury Waiver	0	15	15	0

Report Date: 10/4/17

**SCDDSN
RECOMMENDATIONS FOR COMMISSION APPROVAL**

DATE: 10/12/2017

SUBJECT: Allocation of funding (slot allotment) between the Intellectual Disability/Related Disabilities (ID/RD) Waiver and the Community Supports (CS) Waiver

BACKGROUND: Understanding the enrollment declination rates and attrition rates for the CS Waiver and in an effort to maximize available funding as quickly as possible, in Fall of 2016 (August, October and November) 750 more CS Waiver slots than could be financially supported were intentionally released so that the maximum number of slots could be filled as quickly as possible. The maximum number of slots which can be financially supported have nearly been filled; very close monitoring is conducted to ensure the financial capacity to support is not exceeded.

In June 2017, the DDSN Commission approved Option 4. This allowed for some attrition within the CS waiting list and moved the ID/RD waiting list with a higher conversion ratio of 4 CS: 3 ID/RD In-home slots until 600 additional ID/RD In-home slots were awarded. These 600 additional slots have been awarded.

The CS waiting list continues to grow and is currently at the July 2014 level. There are currently over 1,100 people pending enrollment in the ID/RD Waiver with many of those being allocated a slot within the last 4 months.

STAFF RECOMMENDATIONS:

CSW: Implement an allocation strategy for the CS Waiver using 2:1 conversation ratio for every 3 vacated CS slots. This means for every 3 CS slots that become vacant, 2 CS slots will be refilled and 1 CS slot will be removed from circulation.

JUSTIFICATION: This allows the gradual removal of the intentionally over-allotted slots while still maintaining movement of the CS waiting list.

ID/RD: Allow vacated ID/RD Waiver slots to be reallocated. This means no conversion of CS slots to ID/RD.

JUSTIFICATION: This will allow those pending enrollment to be finalized while addressing the growing CS waiting list.

State of South Carolina

Governor's Proclamation

WHEREAS, South Carolinians with disabilities have the same aspirations to competitively work and contribute to their communities as everyone else; and

WHEREAS, business and community leaders have called for a diverse and capable work force to further advance the economy of the Palmetto State; and

WHEREAS, the support and cooperation of all people are needed to reduce the attitudinal and physical barriers that hinder full acceptance of people with disabilities and their rightful place in employment; and

WHEREAS, National Disability Employment Awareness Month recognizes that individuals with disabilities are capable, contributing members of society worthy of full access and inclusion in South Carolina's workforce.

NOW, THEREFORE, I, Henry McMaster, Governor of the great State of South Carolina, do hereby proclaim October 2017 as

DISABILITY EMPLOYMENT AWARENESS MONTH

throughout the state and encourage all South Carolinians to work together to advance the message that people with disabilities are equal to the task.



A handwritten signature in black ink, reading "Henry McMaster".

HENRY MCMASTER
GOVERNOR
STATE OF SOUTH CAROLINA

Criminal Record Checks of Direct Care Staff

SECTION 44-7-2910. Criminal record check for direct caregivers; definitions.

(A)(1) A direct care entity employing or contracting with a direct caregiver shall conduct a criminal record check as provided in this section prior to employing or contracting with the direct caregiver. A direct care entity may consider all information revealed by a criminal record check as a factor in evaluating a direct caregiver's application to be employed by or contract with the entity.

(2) An employment agency may not furnish employees to a direct care entity without conducting a criminal record check on each employee. An employee who works in multiple direct care settings must have a criminal record check on file at the location of the employment agency, the home office of his employer, or at the individual's primary place of employment.

(B) For purposes of this article:

(1) "Direct care entity" means:

- (a) a nursing home, as defined in Section 44-7-130;
- (b) a daycare facility for adults, as defined in Section 44-7-130;
- (c) a home health agency, as defined in Section 44-69-20;
- (d) a community residential care facility, as defined in Section 44-7-130;
- (e) a residential program operated or contracted for operation by the Department of Mental Health or the Department of Disabilities and Special Needs;
- (f) residential treatment facilities for children and adolescents;
- (g) hospice programs.
- (h) an in-home care provider, as defined in Section 44-70-20(3).

(2) "Direct caregiver" or "caregiver" means:

- (a) a registered nurse, licensed practical nurse, or certified nurse assistant;
- (b) any other licensed professional employed by or contracting with a direct care entity who provides to patients or clients direct care or services and includes, but is not limited to, a physical, speech, occupational, or respiratory care therapist;
- (c) a person who is not licensed but provides physical assistance or care to a patient or client served by a direct care entity;
- (d) a person employed by or under contract with a direct care entity who works within any building housing patients or clients;
- (e) a person employed by or under contract with by a direct care entity whose duties include the possibility of patient or client contact.

For purposes of this article, a direct caregiver does not include a faculty member or student enrolled in an educational program, including clinical study in a direct care entity.

(C)(1) A direct caregiver applicant shall provide verification of residency for the twelve months preceding the date of the employment application. The direct care entity shall conduct a state criminal record check if the applicant has resided in South Carolina during that twelve-month period and can verify residency through:

- (a) a driver's license or identification card issued by the State of South Carolina;
- (b) rent, mortgage, or utility receipts in the applicant's name for a home within South Carolina;
- (c) pay stubs in the applicant's name from a business located in South Carolina; or
- (d) bank records in the applicant's name showing a deposit or checking account held in a South Carolina branch office of a bank.

(2) A direct care entity unable to verify South Carolina residency for a direct care applicant for the preceding twelve months shall conduct a state criminal record check on the applicant prior to employment and shall commence a federal criminal record check after employment. However, if the direct care entity can verify residency in another state for the preceding twelve months, the direct care entity may conduct only a state criminal record check in the applicant's resident state or jurisdiction where the applicant previously resided.

SECTION 44-7-2920. Criminal record check procedures.

Criminal record checks required pursuant to this article must be conducted by the State Law Enforcement Division or by a private business, organization, or association which conducts background checks if that entity utilizes current criminal records obtained from the State Law Enforcement Division or the Federal Bureau of Investigation to determine any criminal record. An applicant shall submit with the application one complete set of the applicant's fingerprints on forms specified or furnished by the State Law Enforcement Division. Fingerprint cards submitted to the State Law Enforcement Division pursuant to this section must be used to facilitate a national criminal records check, as required by this section. The criminal record check is not required to be repeated as long as the person remains employed by or continues to contract with a direct care entity; however, if a person is not employed by or is not under contract for one year or longer with a direct care entity, the criminal record check must be repeated before resuming employment or contracting with a direct care entity. The fee charged by the Federal Bureau of Investigation, if any, for the fingerprint review must be paid by the individual direct caregiver or the direct care entity.

SECTION 44-7-2930. Personnel records.

A direct care entity may furnish copies of personnel records of current or former direct caregivers to another direct care entity requesting this information. Information contained in the records may include, but is not limited to, disciplinary matters and any reasons for termination. A direct care entity releasing these records pursuant to this section is presumed to be acting in good faith and is immune from civil and criminal liability which otherwise may result by reason of releasing this information. A direct care entity receiving records pursuant to this section shall conduct its own criminal record check pursuant to this article.

SECTION 44-7-2940. Department of Health and Environmental Control oversight of criminal record checks by direct care entities; license renewals.

The Department of Health and Environmental Control shall verify that a direct care entity is conducting criminal record checks as required in this article before the department issues a renewal license for the direct care entity. The department shall act as the channeling agency for any federal criminal record checks required by this article.

SECTION 44-7-2950. Civil fines for violation of criminal record check requirements.

An individual who violates this article, or a regulation promulgated pursuant to this article, is subject to a civil fine of one hundred dollars for the first violation and five hundred dollars for each subsequent violation. A fine imposed pursuant to this section must be paid before a direct care entity's license is renewed. Fines collected pursuant to this section must be retained by the department to help offset the costs associated with carrying out the department's responsibilities under this article.

Federal, Fingerprint-based Criminal Background Checks Survey Among SC State Agencies

DDSN has coordinated a survey among other state agencies that employ direct support staff. All state agencies must use the same, contracted vendor for the coordination of federal, fingerprint-based background checks. This vendor has been awarded a contract through the State Procurement process. The survey is still open for participation, but the following information has been reported.

1. Does your agency require a Federal, Fingerprint-Based Background check for all Direct-Care applicants for employment?

DSS	Yes
DMH	No
DHHS- Nursing Facilities	No
DHHS- CLTC	No
LLR (NF and CRCF Administrators)	Yes
DDSN- Regional Centers	Yes
DDSN -Contracted Providers	No

DSS- Required for applicants working with children and adults.

DMH- Required for applicants that cannot provide evidence of SC residency for prior 12 months.

LLR- All administrators for nursing homes and assisted living facilities must have a federal, fingerprint-based background check prior to individual licensure.

DDSN Regional Centers- Required for all Regional Center applicants for employment.

DDSN- Contracted Providers- Required for applicants working with children and applicants that cannot provide evidence of SC residency for prior 12 months.

DHHS: A criminal background check will be required for all potential employees to include employees who will provide direct care to CLTC participants and all administrative/office employees (office employees required to have background checks include: administrator, office manager, supervisor, and persons named on organizational chart in management positions). All criminal background checks must include all data for the individual. The criminal background check must include statewide (South Carolina) data. The statewide data must include South Carolina and any other state or states the worker has resided in within the prior ten (10) years. Potential employees must not have prior convictions or have pled no contest (nolo contendere) to crimes related to theft, abuse, neglect, or exploitation of a child or a vulnerable adult for child or adult abuse, neglect or mistreatment, or a criminal offense similar in nature to the crimes listed in S.C. Code Section 43- 35-10 et seq. Potential employees with non-violent felonies dating back ten (10) or more years can provide services to CLTC participants under the following circumstances:

Participant/responsible party must be notified of the employee's criminal background, i.e., felony conviction, year of conviction. Documentation signed by the participant/responsible party acknowledging awareness of the employee's criminal background and agreement to attend the center must be placed in the participant record. Potential administrative/office employees with non-violent felony convictions dating back ten (10) or more years can work in the center at the provider's discretion. Hiring of employees with misdemeanor convictions will be at the provider's discretion. Employees hired prior to July 1, 2007, and continuously employed since then will not be required to have a criminal background check.

2. Does your agency extend an offer of employment prior to receiving the results of the Federal, Fingerprint-based Background check, contingent upon results?

DSS	No
DMH	Yes
DHHS- Nursing Facilities	No
DHHS- CLTC	No
LLR	No
DDSN	No

3. If an applicant receives an offer of employment prior to the receipt of the Federal, Fingerprint-based Background Checks, does your agency permit the employee to begin orientation training?

DSS	No
DMH	Yes
DHHS- Nursing Facilities	No
DHHS- CLTC	No
LLR	No
DDSN	No

DMH- The employee may attend the full new employee orientation training session and they may have supervised contact with the people supported by the agency.

4. What is the average turnaround time for receipt of the Federal, Fingerprint-based Background Checks from the time of the fingerprinting appointment to the receipt of the results of the background check?

DSS	Most received after 3 weeks.
DMH	Most received within 5-10 days
LLR	Most are received within 10 days and 3 weeks.
DDSN	Most are received within 10 days and 3 weeks.

**SC Department of Disabilities and Special Needs
FY 2018 Monthly Financial Summary - Operating Funds
Month Ended: September 30, 2017**

	<u>General Fund (Appropriations)</u>	<u>Medicaid Fund</u>	<u>Other Operating Funds</u>	<u>Federal and Restricted Funds</u>	<u>Total</u>
FY 2017 Unreserved Cash Brought Forward	\$ 947,655	\$ 2,500,725	\$ 4,288,046	\$ 6,586	\$ 7,743,012 ^{1,2}
<u>FY 2018 YTD Activity</u>					
<u>Receipts/Transfers</u>					
Revenue	\$ 251,398,355	\$ 95,060,725	\$ 1,445,520	\$ 137,163	\$ 348,041,763
Interfund Transfers	\$ -	\$ -	\$ (2,425,000)	\$ -	\$ (2,425,000)
Total Receipts/Transfers	\$ 251,398,355	\$ 95,060,725	\$ (979,480)	\$ 137,163	\$ 345,616,763
<u>Disbursements</u>					
Personal Services	\$ (14,335,126)	\$ (4,844,291)	\$ (13,409)	\$ (67,354)	\$ (19,260,180)
Fringe Benefits	\$ (6,401,215)	\$ (2,051,872)	\$ -	\$ (28,780)	\$ (8,481,867)
Other Operating Expense	\$ (76,943,207)	\$ (78,507,625)	\$ (304,750)	\$ (162,898)	\$ (155,918,480)
Capital Outlays	\$ -	\$ (124,129)	\$ (23,605)	\$ -	\$ (147,734)
Total Disbursements	\$ (97,679,548)	\$ (85,527,917)	\$ (341,764)	\$ (259,032)	\$ (183,808,261)
Outstanding Accounts Payable Balance	\$ (1,956)	\$ (339,676)	\$ (2,874)	\$ (5,370)	\$ (349,876)
Unreserved Cash Balance - 9/30/2017	\$ 154,664,506	\$ 11,693,857	\$ 2,963,928	\$ (120,653)	\$ 169,201,638

¹ \$5,000,000 of the total cash balance has been reserved for future Medicaid Settlements

² \$2,252,616 of the total cash balance has been reserved for PDD Carryforward

FM Budget vs Actual										
Author		JGRANT								Status of Data 10/11/2017 01:48:31
Filter		Information								
Table										
Fiscal year	Business area	Funded Program - Bud	Original Budget	Budget Adjustments	Current Budget	YTD Actual Expense	Balance Before Commitments	Commitments and Other Transactions	Remaining Balance	
2018	DDSN	ADMINISTRATION	\$ 7,883,999.00	\$ 0.00	\$ 7,883,999.00	\$ 1,830,744.33	\$ 6,053,254.67	\$ 1,153,846.02	\$ 4,899,408.65	
		PREVENTION PROGRAM	\$ 257,098.00	\$ 585,902.00	\$ 843,000.00	\$ 15,200.00	\$ 827,800.00	\$ 183,000.00	\$ 644,800.00	
		GREENWOOD GENETIC CENTER	\$ 11,858,376.00	\$ 0.00	\$ 11,858,376.00	\$ 4,075,456.00	\$ 7,782,920.00	\$ 7,782,920.00	\$ 0.00	
		CHILDREN'S SERVICES	\$ 14,859,525.00	\$ 2,391,436.00	\$ 17,250,961.00	\$ 861,107.32	\$ 16,389,853.68	\$ 28,180.00	\$ 16,361,673.68	
		BabyNet	\$ 9,312,500.00	\$ 0.00	\$ 9,312,500.00	\$ 5,319,039.00	\$ 3,993,461.00	\$ 0.00	\$ 3,993,461.00	
		IN-HOME FAMILY SUPP	\$ 87,577,481.00	-\$ 8,873,555.00	\$ 78,703,926.00	\$ 16,124,954.79	\$ 62,578,971.21	\$ 22,200,316.46	\$ 40,378,654.75	
		ADULT DEV&SUPP EMPLO	\$ 70,022,008.00	\$ 9,679,896.00	\$ 79,701,904.00	\$ 23,229,284.22	\$ 56,472,619.78	\$ 227,748.98	\$ 56,244,870.80	
		SERVICE COORDINATION	\$ 22,707,610.00	-\$ 459,576.00	\$ 22,248,034.00	\$ 6,205,165.69	\$ 16,042,868.31	\$ 1,295,436.86	\$ 14,747,431.45	
		AUTISM SUPP PRG	\$ 14,136,026.00	\$ 10,624,169.00	\$ 24,760,195.00	\$ 3,428,450.65	\$ 21,331,744.35	\$ 1,443,999.67	\$ 19,887,744.68	
		Pervasive Developmental Disorder (PDD) Program	\$ 9,780,880.00	\$ 0.00	\$ 9,780,880.00	\$ 558,970.32	\$ 9,221,909.68	\$ 1,410,782.96	\$ 7,811,126.72	
		HD&SPINL CRD INJ COM	\$ 3,040,532.00	\$ 13,809.00	\$ 3,054,341.00	\$ 1,045,287.80	\$ 2,009,053.20	\$ 0.00	\$ 2,009,053.20	
		REG CTR RESIDENT PGM	\$ 79,396,018.00	\$ 332,590.00	\$ 79,728,608.00	\$ 18,526,298.29	\$ 61,202,309.71	\$ 6,731,689.93	\$ 54,470,619.78	
		HD&SPIN CRD INJ FAM	\$ 27,758,987.00	\$ 408,490.00	\$ 28,167,477.00	\$ 4,882,205.54	\$ 23,285,271.46	\$ 8,669,493.31	\$ 14,615,778.15	
		AUTISM COMM RES PRO	\$ 23,557,609.00	\$ 5,247,396.00	\$ 28,805,005.00	\$ 8,434,166.99	\$ 20,370,838.01	\$ 117,967.25	\$ 20,252,870.76	
		INTELL DISA COMM RES	\$ 333,536,387.00	-\$ 16,588,175.00	\$ 316,948,212.00	\$ 81,139,938.30	\$ 235,808,273.70	\$ 28,860,846.91	\$ 206,947,426.79	
		STATEWIDE CF APPRO		\$ 3,200,271.29	\$ 3,200,271.29		\$ 3,200,271.29		\$ 3,200,271.29	
		STATE EMPLOYER CONTR	\$ 32,089,541.00	\$ 910,053.00	\$ 32,999,594.00	\$ 8,481,867.44	\$ 24,517,726.56	\$ 0.00	\$ 24,517,726.56	
		DUAL EMPLOYMENT				\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	
		Result	\$ 747,774,577.00	\$ 7,472,706.29	\$ 755,247,283.29	\$ 184,158,136.68	\$ 571,089,146.61	\$ 80,106,228.35	\$ 490,982,918.26	

South Carolina Department of Disabilities & Special Needs
Analysis of Expenditures July 1, 2017 through September 30, 2017
Regional Centers

Description	Annual Budget	YTD Expenditures	YTD Balance	% Expended
Regional Centers				
Personal Services	\$ 53,569,573	\$ 15,683,650	\$ 37,885,923	29%
Other Operating	\$ 12,322,441	\$ 2,817,631	\$ 9,504,810	23%
Total Regional Centers	<u>\$ 65,892,014</u>	<u>\$ 18,501,281</u>	<u>\$ 47,390,733</u>	<u>28%</u>
Midlands Center				
Personal Services	\$ 11,570,643	\$ 3,357,833	\$ 8,212,810	29%
Other Operating	\$ 2,878,950	\$ 696,338	\$ 2,182,612	24%
Total Midlands Center	<u>\$ 14,449,593</u>	<u>\$ 4,054,171</u>	<u>\$ 10,395,422</u>	<u>28%</u>
Whitten Center				
Personal Services	\$ 15,603,112	\$ 4,624,015	\$ 10,979,097	30%
Other Operating	\$ 3,752,738	\$ 796,951	\$ 2,955,787	21%
Total Whitten Center	<u>\$ 19,355,850</u>	<u>\$ 5,420,966</u>	<u>\$ 13,934,884</u>	<u>28%</u>
Coastal Center				
Personal Services	\$ 12,299,311	\$ 3,534,886	\$ 8,764,425	29%
Other Operating	\$ 2,681,092	\$ 640,522	\$ 2,040,570	24%
Total Coastal Center	<u>\$ 14,980,403</u>	<u>\$ 4,175,408</u>	<u>\$ 10,804,995</u>	<u>28%</u>
Pee Dee Center				
Personal Services	\$ 14,096,507	\$ 4,166,916	\$ 9,929,591	30%
Other Operating	\$ 3,009,661	\$ 683,820	\$ 2,325,841	23%
Total Pee Dee Center	<u>\$ 17,106,168</u>	<u>\$ 4,850,736</u>	<u>\$ 12,255,432</u>	<u>28%</u>

SC Department of Disabilities and Special Needs			
Administration Program Expenditures to Total Agency Expenditures			
September 13, 2017			
	Admin		Total
Fiscal Year	Totals	% of Total	Expenditures
2012	\$7,426,284	1.58%	\$468,890,174
2013	\$7,274,128	1.51%	\$480,615,564
2014	\$7,159,375	1.34%	\$533,511,342
2015	\$7,640,917	1.30%	\$588,162,190
2016	\$7,915,654	1.29%	\$611,683,916
2017	\$8,623,289	1.33%	\$648,844,004

Summary- Burton Center Capitated

Fiscal Year: 2018

	Amount	Description
Original Contract	\$ 13,879,792	Amount in June Commission Package (May 1 numbers)
Amendment One	\$ 579,909	Amendment related to .89 cent Direct Care increase (May 1 numbers)
Amendment Two	\$ (79,815)	Amendment related to health insurance/retirement and consumer changes through July 1
Amendment Three	\$ 230,388	Restoration of three beds previously funded (last fiscal year). Vacancies restored with critical needs placements.
Total	\$ 14,610,274	

**Summary- Colleton DSN Board Capitated
Fiscal Year: 2018**

	Amount	Description
Original Contract	\$ 4,768,154	Amount in June Commission Package (May 1 numbers)
Amendment One	\$ 195,972	Amendment related to .89 cent Direct Care increase (May 1 numbers)
Amendment Two	\$ 57,171	Amendment related to health insurance/retirement and consumer changes through July 1
Amendment Three	\$ 299,675	Three Depop placements (new beds) and one new SLP II placement from 2017 expansion
Total	\$ 5,320,972	

CONSIDERATION OF BID

FOUR GENERATORS FOR EMERGENCY SHELTERS – CHESTERFIELD, LEE, MARION-DILLON AND MARLBORO COUNTIES FEMA-17-03 (H,I,J,K)

The project scope is installation of new emergency generators at four sites. This is the third group to bid, leaving 12 remaining sites to design and procure of the twenty-three statewide locations that will provide reliable and continuous power for special needs shelters during emergency situations. CHESCO Services, Pageland Workshop and Adult Activity Center in Pageland will receive a 100 KW natural gas generator. Lee County DSNB, Gibbs Activity Center in Bishopville will receive a 125 KW diesel generator. Marion-Dillon County DSNB in Marion will receive a 125 KW natural gas generator. Marlboro DSNB, Marlboro Work Activity Center in Bennettsville will receive a 187.5 KW diesel generator. Alternates include the controls packages, which are an important feature that will assist the local Disabilities & Special Needs Boards with the routine exercise, maintenance, and record keeping for the generators.

Costs at each location will be shared by DDSN and the Federal Emergency Management Agency (FEMA) Federal Mitigation Grant Program. DDSN is a Sub-Recipient of the FEMA grant awarded to South Carolina Emergency Management Division (SCEMD).

Bids from two contractors were received on Tuesday, October 10, 2017. It is recommended that a contract be awarded to **DNB ELECTRIC, INC. of WEST COLUMBIA, SOUTH CAROLINA** to include all four location Base Bids and all four location Alternates for a total contract award of **\$558,762.00**. DDSN has worked with DNB Electric, Inc. on previous projects, and DDSN has found this contractor to be responsible.

ATTACHMENT:	<u>BID TABULATION</u>
FUNDS:	<u>FEMA and SCDDSN Match</u>
Bid Date:	<u>October 10, 2017</u>
Date:	<u>October 11, 2017</u>

PROJECT NO.: FEMA-17-03 (H,I,J,K)

PROJECT NAME: Four Generators for Emergency Shelters -
Chesterfield, Lee, Marion-Dillon and Marlboro Counties

BID DATE: October 10, 2017

TIME: 2:00 p.m.

LOCATION: SCDDSN, Rm. 247

SCDDSN Engineering and Planning
3440 Harden St. Extension
Columbia, SC 29203
Phone: (803) 898-9796
Fax: (803) 832-8188

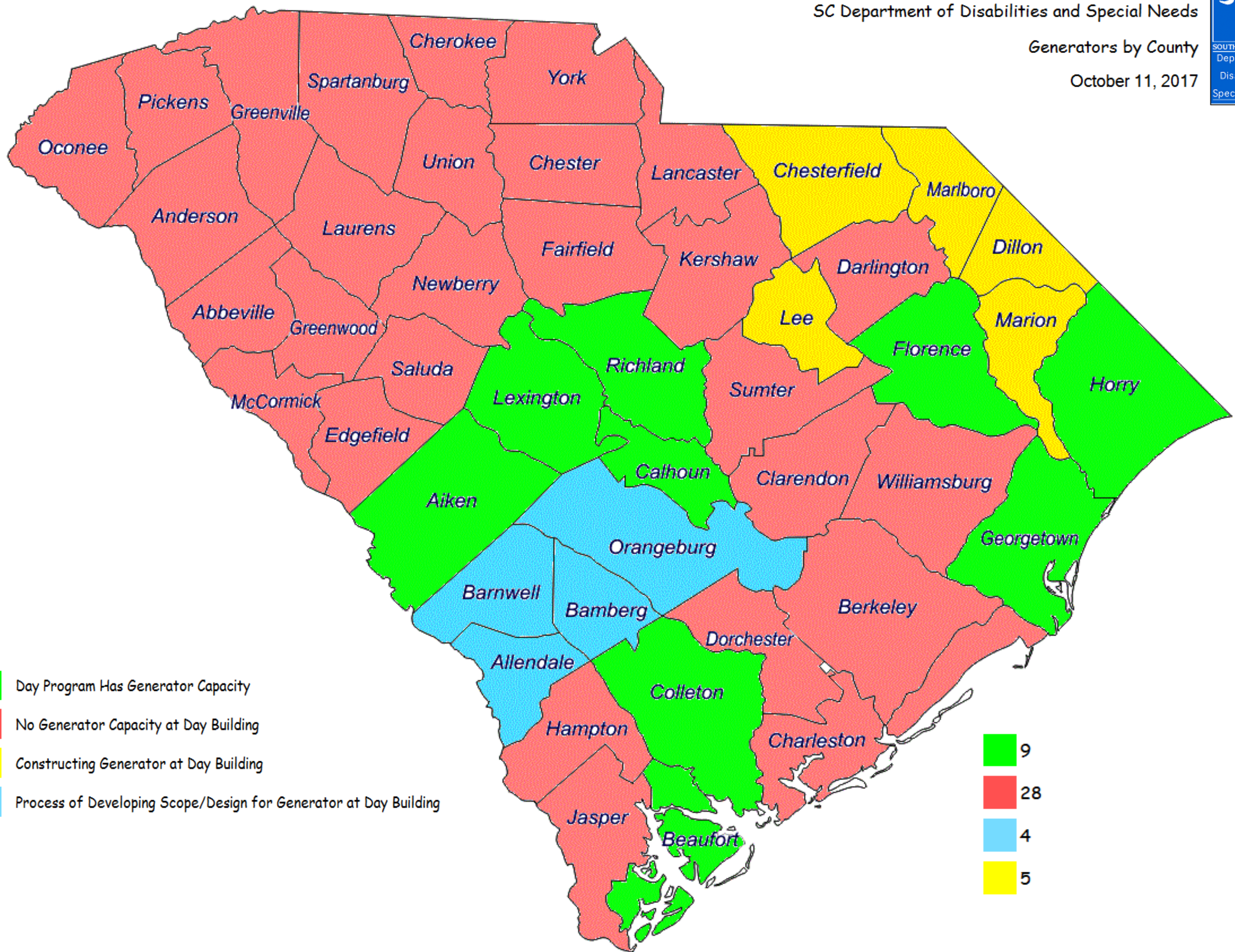


BID TABULATION

	CONTRACTOR	Adden. One	(H) Chesterfield	(I) Lee	(J) Marion-Dillon	(K) Marlboro	TOTAL				
1	DNB Electric, Inc.	✓	Base Bid H	\$ 108,910.00	Base Bid I	\$ 152,640.00	Base Bid J	\$ 112,844.00	Base Bid K	\$ 157,456.00	\$ 558,762.00
			Alternate 1	\$ 6,728.00	Alternate 2	\$ 6,728.00	Alternate 3	\$ 6,728.00	Alternate 4	\$ 6,728.00	
			(H) Total	\$ 115,638.00	(I) Total	\$ 159,368.00	(J) Total	\$ 119,572.00	(K) Total	\$ 164,184.00	
			Electrical Sub	DNB Electric	Electrical Sub	DNB Electric	Electrical Sub	DNB Electric	Electrical Sub	DNB Electric	
			Electrical Sub Alt 1	Generator Srvs	Electrical Sub Alt 2	Generator Srvs	Electrical Sub Alt 3	Generator Srvs	Electrical Sub Alt 4	Generator Srvs	
2	Metro Dwellings, LLC	✓	Base Bid H	\$ 136,730.00	Base Bid I	\$ 144,700.00	Base Bid J	\$ 131,910.00	Base Bid K	\$ 169,265.00	\$ 624,041.00
			Alternate 1	\$ 10,359.00	Alternate 2	\$ 10,359.00	Alternate 3	\$ 10,359.00	Alternate 4	\$ 10,359.00	
			(H) Total	\$ 147,089.00	(I) Total	\$ 155,059.00	(J) Total	\$ 142,269.00	(K) Total	\$ 179,624.00	
			Electrical Sub	Power Systems	Electrical Sub	LC's Electric	Electrical Sub	LC's Electric	Electrical Sub	Power Systems	
			Electrical Sub Alt 1	Power Systems	Electrical Sub Alt 2	LC's Electric	Electrical Sub Alt 3	LC's Electric	Electrical Sub Alt 4	Power Systems	
3			Base Bid H		Base Bid I		Base Bid J		Base Bid K		\$ -
			Alternate 1		Alternate 2		Alternate 3		Alternate 4		
			(H) Total	\$ -	(I) Total	\$ -	(J) Total	\$ -	(K) Total	\$ -	
			Electrical Sub		Electrical Sub		Electrical Sub		Electrical Sub		
			Electrical Sub Alt 1		Electrical Sub Alt 2		Electrical Sub Alt 3		Electrical Sub Alt 4		
4			Base Bid H		Base Bid I		Base Bid J		Base Bid K		\$ -
			Alternate 1		Alternate 2		Alternate 3		Alternate 4		
			(H) Total	\$ -	(I) Total	\$ -	(J) Total	\$ -	(K) Total	\$ -	
			Electrical Sub		Electrical Sub		Electrical Sub		Electrical Sub		
			Electrical Sub Alt 1		Electrical Sub Alt 2		Electrical Sub Alt 3		Electrical Sub Alt 4		

Reed Marshall
Project Manager - Reed Marshall

Shirley Gilman
Witness



Boards with Mobile or Fixed Generator Capacity at Residential Homes

Burton Center for Disabilities and Special Needs

Charles Lea Center

CHESCO Services

Chester-Lancaster DSN Board

Florence DSN Board

Georgetown DSN Board

Horry DSN Board

Marion-Dillon County Board of DSN

Tri-Development of Aiken County, Inc.

Union DSN Board

York County Board of DSN (Maxabilities of York County)

**Whitten Center Property Transfer
Staff Recommendation for Commission Approval on October 19, 2017**

- In 2013, DDSN completed upgrading the Whitten Center medium voltage electrical power grid and transferred ownership to the City of Clinton, Whitten Center's local electric utility provider. This work and positive partnership with the City of Clinton has resulted in more dependable electric power with Whitten Center at the top of the City's priority list for power restoration should a power outage occur.
- The City of Clinton and DDSN now recommend expanding the existing partnership. In this proposal, the City will assume control of and responsibility for Whitten Center's Storm Sewer, Sanitary Sewer, and Water Distribution system in exchange for real estate currently owned by the State of South Carolina, Department of Disabilities and Special Needs, at Whitten Center. This proposal provides economic development opportunities in a planned and coordinated way that provides the maximum benefit to the residents and staff of the Whitten Center.
- The City would operate the systems as part of the city's existing water, sewer, and storm sewer utility systems, providing routine maintenance and long-term capital improvement to the system at the same level of service provided to other system customers.
- A smaller number of residents, an aging utility infrastructure and reduced maintenance staff leaves the Whitten Center water, sewer, storm sewer, dams and impoundments in compromised condition. Major improvements will be required in the near future and would be very costly to the agency. Most pipe lines are original to the campus, sized for previous much larger capacity that no longer exists, thus complicating repair decisions and replacement costs. The ever increasing regulatory requirements of appropriately maintaining the Whitten Center underground utilities, dams, excess acreage, timber, lakes and recreational areas is too expensive to continue. DDSN does not have the expertise, staff or funding to perform the necessary upgrades, repair and ongoing maintenance required.
- The city proposes accepting the ownership, maintenance, and management of the storm sewer system including all underground piping, and all catch basins and drains located on the campus. The city will, at its expense, maintain the system to the required state standards for storm sewer systems, make repairs as needed, and perform routine maintenance and inspection services. The city does not charge a storm sewer fee or rate to any customers.
- The city proposes accepting ownership, maintenance, and management of the sanitary sewer system including all collection lines up to a mutually agreed upon point along each facility's service line which connects a facility's indoor sewer plumbing to the main collection line. The city would install a clean out at this point if one were not already present. The city would perform annual routine inspections, using closed circuit television cameras, of the entire system and would perform maintenance up to and including a

**Whitten Center Property Transfer
Staff Recommendation for Commission Approval on October 19, 2017**

complete replacement of the system as needed based on system condition. Whitten Center would be subject to a sewer utility charge based on prevailing rates charged to all sanitary sewer utility customers, but would be eligible for the New Large Service Customer (NLSC) rider, resulting in a significant discount over the first ten years that the system is subject to collection rates.

- The city proposes accepting ownership, maintenance, and management of the water distribution system including all service lines up to a mutually agreed upon point. The city would install a water meter at this point if one is not already present. In addition, the city will assume the ownership and any associated liability with the existing elevated water tank at Whitten Center that is connected to the water distribution system.

The city would perform annual routine inspections of the entire system and would perform maintenance up to and including a complete replacement of the system as needed based on system condition. Whitten Center would be subject to a water utility charge based on prevailing rates charged to all water utility customers. Since the water rate would be billed based on a total consumption figure gathered monthly from each facility, Whitten Center would no longer be responsible for any costs associated with leaks in the main distribution system, if any are present. Whitten Center would have access to all meter data to assist in water conservation and cost control measures.

The city will stipulate that it will ensure that Whitten Center is placed on the lowest tier water and sewer rates available to City of Clinton utility system customers.

- The city proposes accepting ownership, maintenance, and management of ponds, lakes, and other water impoundments located on the property that is deeded to the city, including ensuring that existing dams are maintained or managed in the safest manner possible.
- The City of Clinton is qualified to provide long-term management of the system. City personnel are available twenty-four hours per day year round to respond to any issue with water distribution, storm sewer collection, or sanitary sewer collection on the campus of Whitten Center and will do so, at no additional charge, as part of our standard operating and maintenance procedures for the water and sewer utility system.
- Please see the map attached. The land transfer would include the four tracts as follows:
 - 7.3 acres – General Commercial
 - 286.0 acres – Tract A (includes DJJ's AMI Kids)
 - 374.5 acres – Tract B
 - 180.0 acres – Tract C

In 2014, the 374.5 acre Whitten Center Tract B was approved for surplus by the Commission and advertised for sale. The only offer received was from a logging company and contained bid contingencies.

Whitten Center Property Transfer
Staff Recommendation for Commission Approval on October 19, 2017

- The City of Clinton agrees to work with the State of South Carolina and the Department of Disabilities and Special Needs to develop a set of covenants and restrictions which will guide the future development of the property. Covenants and restrictions on the property would be transferable and include:
 1. Provisions that provide for the safety of staff and residents of Whitten Center. A secondary access route to the campus would be provided and access will be maintained by the City of Clinton as a publicly maintained road. This will be for emergency access and egress for Whitten Center.
 2. The City of Clinton will maintain a 1,000 foot buffer between the campus of Whitten Center and any development. The City of Clinton will also assume responsibility for the maintenance, demolition if needed, and liability associated with any structures on the transferred property, including barns and buildings, elevated water storage structures, and dams associated with existing water impoundments.
 3. The City of Clinton would preserve and protect property around the two lakes as public parkland for the enjoyment of all citizens and visitors. The public park and facilities will remain available to be reserved for Whitten Center residents.
 4. The City of Clinton and the State of South Carolina, Department of Disabilities and Special Needs, will develop a mutually agreed upon set of restrictions for the property to allow for residential and commercial growth that meets the needs of the community without having an adverse impact upon the Whitten Center Campus.
- If the land is sold to a third party in the future, the City of Clinton will provide to the South Carolina Department of Disabilities and Special Needs, whichever is greater, 50% of the proceeds of the sale to the third party or 50% of the appraised value of the property on the date of the transfer of the property from the South Carolina Department of Disabilities and Special Needs to the City of Clinton. This agreement is good for 30 years from the date of the transfer of land.
- The City of Clinton agrees that any proceeds from any sale of timber on the transferred property during the first timber cutting after the transfer of the property, if such cutting should occur, will be split with 50% being retained by the City of Clinton and 50% being paid to the South Carolina Department of Disabilities and Special Needs. Sensitive areas, including the buffer around the campus and areas of public parkland, will not be timbered except as necessary to protect and preserve a healthy forest.
- Based on the City's financial analysis, projected costs for preventative maintenance of the sewer, water, and storm sewer systems over the next ten years exceeds \$500,000, with emergency repairs having the potential to require an additional investment of \$100,000. Systems capital maintenance is anticipated to cost \$800,000 over the next decade. Road

**Whitten Center Property Transfer
Staff Recommendation for Commission Approval on October 19, 2017**

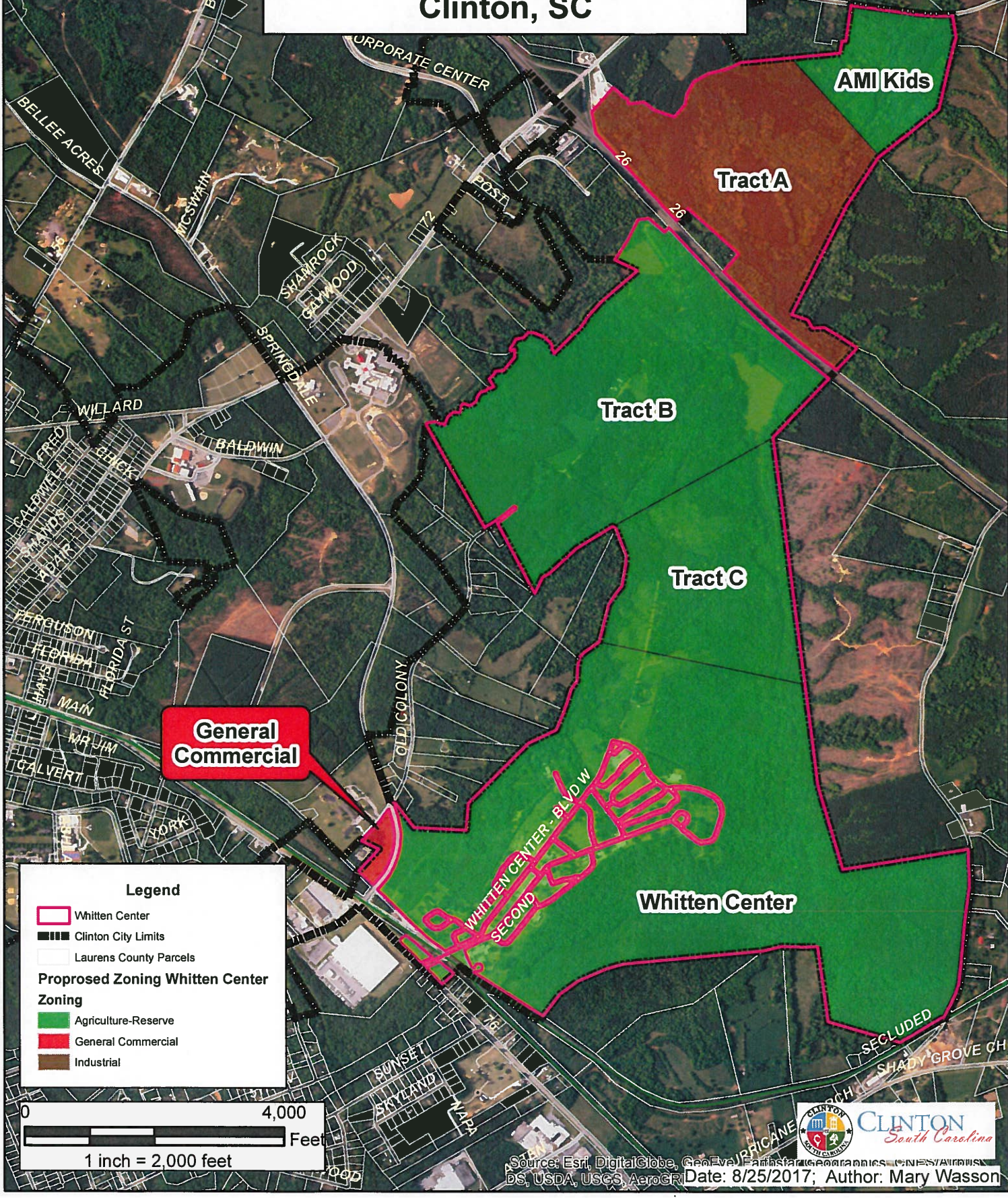
maintenance for the secondary campus exit and repair and maintenance of existing recreation facilities will likely cost almost \$300,000, bringing the total potential outlay over the next decade to exceed \$1.7 million. Estimates for full infrastructure replacement of aging sanitary sewer, water distribution, storm water, and egress road exceed \$7,000,000. The future potential savings for SCDDSN may approach \$9 million.

- In exchange for assuming the long-term management, operation, and maintenance of the state owned utility systems in their present condition, the City would request that surplus property owned by the State of South Carolina, Department of Disabilities and Special Needs, at the Whitten Center site be transferred to the City of Clinton with covenants and restrictions.

- Whitten Center parents have been kept informed throughout the discussion and negotiation process and fully support this proposal. The Laurens County Legislative Delegation also is fully informed and supports the proposal. If approved by the Commission, the exchange of DDSN property and transfer of utilities must be approved by the Department of Administration and the State Fiscal Accountability Authority (SFAA).

Prepared 10/12/17

Land Development Agreement Whitten Center Clinton, SC



General Commercial

AMI Kids

Tract A

Tract B

Tract C

Whitten Center

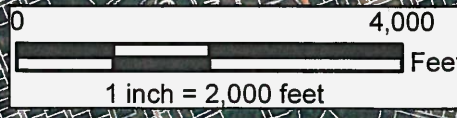
Legend

- Whitten Center
- Clinton City Limits
- Lauren County Parcels

Proposed Zoning Whitten Center

Zoning

- Agriculture-Reserve
- General Commercial
- Industrial



Roof Replacement for Burton Center Day Program

Staff Recommendation for Commission Approval on October 19, 2017

The Commission's approval is being sought for DDSN to contribute 50 percent of the lowest acceptable bid, up to a maximum of \$700,000, for the roof replacement for Burton Center's day program building in Greenwood. The total project budget for this 84,000 square foot section of the day program area itself is projected to be \$1.4 million, including professional services fees. Three years ago, DDSN awarded approximately \$160,000 for the first phase of Burton's replacement of the roof, which was the administrative section of the facility. Water intrusion was at a critical level and had to be addressed at that time.

The Commission's approval on October 19, 2017 would enable Burton Center to complete the remaining roof area in a single project, hopefully, encouraging economies of scale in its pricing. Professional roofing consultants are engaged for the development of the project design and scope. The procurement process will follow DDSN's review and approval of the final plans and specifications. DDSN staff request the Commission's approval of a maximum of \$700,000 to help Burton Center serve individuals in a safe and comfortable environment, as well as ensuring the structural integrity of the roof system.