Agribusiness: The Return of the Family Farm

Ag+Art: Agritourism Case Study
Employee Conduct Rules
LeadSC Young Professionals Summit
South Carolina’s Equine Industry
Titan Farms
GROWING THE S.C. ECONOMY

STEPHEN KRESOVICH AND THE MOLECULAR AND POPULATION GENOMICS RESEARCH HE’S SPEARHEADING TO IMPROVE CROP PRODUCTION IS MAKING HUGE STRIDES TOWARD IMPROVING THE LIVES AND LIVELIHOOD OF SOUTH CAROLINIANS. Kresovich applies genomics and bioinformatics concepts and tools to address some of the state’s most pressing issues in agriculture, conservation, nutrition and human health.

Kresovich, a Ph.D. in crop physiology and genetics, is an internationally acclaimed geneticist, and he has taken the lead at Clemson’s Advanced Plant Technology Program. Here, he’s building a team of world-class scientists working to elevate agriculture to the next level. That might mean breeding for increased yield, higher energy content, better nutrition, more resistance to pests and pathogens and for better growth in South Carolina’s climate and soil. His research is even working to yield a breed of sorghum plant that would be burned to generate electricity or provide a liquid fuel — something that could attract new industry to the state.

By identifying the genetic bases for improved yield and value-added products, Kresovich and his colleagues are positioning the state’s agribusiness industry for a more competitive future.

In other words, they’re transforming South Carolina’s economy.
Part of the fabric of rural South Carolina for nearly 100 Years
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Our agribusiness lawyers regularly advise clients—from crop breeders and hog farms, to agricultural equipment manufacturers and multinational biotechnology companies—in matters involving intellectual property, mergers and acquisitions, environmental, antitrust, financing, and commercial disputes.

We have decades of experience in effectively addressing the issues and problems that arise for agribusiness clients relating to acquisitions, divestitures and joint ventures; licensing; crisis management in recall situations; ingredient, labeling, and advertising matters; regulatory strategies and enforcement matters; and the full range of disputes. With our strong international presence, we are able to provide worldwide services to protect the interests of our U.S. and international clients.

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-Otis Rawl, President and CEO of the South Carolina Chamber of Commerce

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Agribusiness as a Brand

BY OTIS RAWL

The South Carolina Chamber of Commerce conducted a nationwide survey a few years ago on the perception of South Carolina. The research found that citizens from other states have a largely favorable view of the Palmetto State, but our own citizens have a more negative view of the state. We all knew this needed to change.

You likely have seen the South Carolina Department of Commerce’s “Just Right” campaign that aims to underscore what it is that makes South Carolina so special to its residents and potential residents. In short, what makes South Carolina “Just Right” for business. It is a great tool to help us market our state. (To watch some of the SC Just Right commercials or share stories of your own, visit SCJustRight.com. You can upload your own user videos, too).

We have a lot to be proud of. In June, Governor Nikki Haley and state business leaders celebrated that South Carolina has announced over 50,000 new jobs since 2011. This benchmark was reached on the same week the governor joined state officials and company representatives from Giti Tire, The Lash Group, and LPL Financial for three economic development announcements that combined for a record-setting 7,100 new jobs and $800 million in capital investment.

South Carolina’s top two industries, agriculture and tourism, are neck and neck when it comes to economic impact, and the two are overlapping more and more. Case in point is the brand new Ag+Art Tour which spans multiple Upstate counties one weekend each June. The organizers plan to expand the program to all of South Carolina and, later, the country. In our member profile, we learn about American Timberlands. While best known for their land and forestry services, they also specialize in recreational land management. American Timberlands has unique tracts of land that are preserved and optimized for hunters, fishermen, equestrians, mountain bikers, hikers and campers. This is pristine, picturesque countryside that can’t be found anywhere else in the world - only in South Carolina. Lastly, in this issue we focus on another niche of agritourism critical to South Carolina’s brand: equitourism. With a $2.9 billion dollar impact, they’re not just horsing around in places like Camden, Aiken and Charleston.

Agribusiness is a powerhouse of our state’s gross domestic product; the key word being “domestic.” In this issue of South Carolina Business, we meet Chalmers Carr, owner and operator of Titan Farms, the largest single supplier of peaches to Wal-Marts across this country. If you have ever sampled a delicious peach east of the Mississippi, chances are good that it came from South Carolina, not Georgia. Our peach output dwarfs that of our southern neighbors in the Peach State, and places us second only to California.

Like many businesses who now call the Palmetto State home, Chalmers Carr picked South Carolina over 49 other choices when relocating his farming operations from Florida. As we at the Chamber work to improve the state’s economic development climate, know that we are also working on workforce development, infrastructure and a whole host of other issues that are crucial to making South Carolina “Just Right” for business.
General Electric breaks ground on Power & Water Advanced Manufacturing Facility in Greenville

In June, General Electric broke ground on a new state-of-the-art Power & Water Advanced Manufacturing Facility in Greenville. It announced plans to invest $400 million over the next ten years in Greenville to expand the company’s advanced manufacturing capabilities. This first-of-its-kind facility will serve as an incubator for innovative advanced manufacturing process development and rapid prototyping. By developing new techniques and production processes in close proximity to Power & Water’s established manufacturing operation on the Greenville campus, GE will be able to design, test, iterate and bring its products to market quicker than ever.

The facility will open in 2015 and create more than 80 jobs. GE has more than 3,000 employees in Greenville, and in the past five years alone has invested more than $500 million to bolster critical manufacturing activities housed in the Greenville County Power & Water campus. GE began its Greenville County operations in 1968 with the creation of a 340,000-square-foot manufacturing site. Today, Greenville County is home to GE Power & Water’s Power Generation Products Engineering, Renewables Engineering and Chief Engineer’s Office, and has grown to more than one million square feet of factory and offices creating products that serve GE customers worldwide.

Columbia’s sister-city hosts Governor’s School research program

The S.C. Governor’s School for Science and Mathematics (GSSM) sent four students to conduct summer research in Columbia’s sister-city of Kaiserslautern, Germany. Kaiserslautern, in southwest Germany, is a fast-developing research and development center built around the Technical University of Kaiserslautern. Columbia has had a sister-city relationship with Kaiserslautern since 2000.

Though international research has been a component of GSSM’s curriculum for years, this summer marks the first trip to Kaiserslautern. A total of seven GSSM students, all rising seniors, traveled to Germany in June to complete their research course requirements. The students had the opportunity to interact with locals and immerse themselves in the culture of the city. They lived with host families and got hands-on experience practicing their German language skills.

For more information about Columbia’s sister-city relationships with Kaiserslautern and other international partners, visit columbiaiac.org.

Sonoco Products Company rings in 115 years

Jack Sanders, president and CEO of Hartsville-based Sonoco, was invited to ring The Closing Bell® at the New York Stock Exchange (NYSE) in celebration of Sonoco’s 115th anniversary. Founded in 1899, Sonoco is a global provider of a variety of consumer packaging, industrial products, protective packaging and packaging supply chain services. With annualized net sales of approximately $4.9 billion, the company has more than 19,900 employees working in 335 operations in 33 countries, serving many of the world’s best-known brands in some 85 nations. Sonoco is a member of the 2013/2014 Dow Jones Sustainability World Index.

First Citizens BancShares, Inc. and First Citizens Bancorporation merge

First Citizens BancShares, Inc. (NASDAQ: FCNCA) and First Citizens Bancorporation announced in June the signing of a definitive merger agreement. The agreement provides for the merger of Columbia, S.C.-based First Citizens Bancorporation and its banking subsidiary, First Citizens Bank and Trust Company, Inc., into Raleigh, N.C.-based First Citizens BancShares, Inc. and its banking subsidiary, First Citizens Bank. The transaction is expected to close in the fourth quarter of 2014. Following all approvals, Frank B. Holding Jr., chairman and CEO of First Citizens BancShares and First Citizens Bank, is expected to lead the newly combined company.

South Carolina’s Jim Apple, chairman and CEO of First Citizens Bancorporation and First Citizens Bank and Trust Company, Inc., plans to retire this fall when the transaction is completed.
Ag+Art: Fresh, Local and Fun
The Power of Agritourism

BY JAYNE E. SCARBOROUGH

Take a deep breath. That sweet, unmistakable aroma of fresh strawberries is now part of your oxygen. Chords of a favorite tune float by. An artist sweeps a swath of color across a canvas, capturing the moment. You’ve just experienced Ag+Art in South Carolina’s Olde English District, the nation’s largest free farm tour. It is the only farm tour in the state that features artists at farms.

So, how did it develop? One day at the Clemson University Cooperative Extension Office in York, S.C., Ben Boyles, an economic and community development agent, wondered what you would get if you crossed a farm with an artist. It was then that the Ag+Art Tour was born. Boyles worked with the Olde English Tourism District Commission (one of 11 regional tourism organizations in South Carolina), the Arts Council of York County and the Rock Hill/York County Convention and Visitors Bureau to create a free, self-guided tour of farms with artisans present at each one. Ag+Art began in York County in 2012, added Lancaster County the next year and included Chester and Fairfield Counties in 2014. Future plans will likely bring in the other three counties of the Olde English Tourism District (Chesterfield, Kershaw and Union) in 2015.

“We started with our seven counties but the idea is to eventually bring it to all of South Carolina!” proclaims Strauss Moore Shiple, Olde English District’s projects and group tours manager and one of the original organizers.

“The Ag+Art Tour blends two of South Carolina’s largest economic engines - agriculture and tourism - to create a unique agritourism product, then adds a third component - art - which is also big business,” explains Boyles.

At the kickoff event at the Gateway Conference Center in Chester County, Commissioner of Agriculture Hugh Weathers, Director of SC Department of Parks, Recreation and Tourism Duane Parrish, Director of the SC Arts Commission Ken May and Deputy Secretary from the Department of Commerce George Patrick, all spoke about how the Ag+Art Tour fits into the missions of their organizations. Dr. Tom Dobbins, director of Clemson University Cooperative Extension Service, expressed his excitement about the tours and congratulated the founders on their foresight.

This year, Chester County featured eight farms along the tour; Fairfield County highlighted seven farms; Lancaster County showcased 12 farms; and York County had 19 farms along the tour. Artists ranged from potters to musicians, authors to sculptors, jewelry makers to wood carvers, to name a few.

This year, Chester County featured eight farms along the tour; Fairfield County highlighted seven farms; Lancaster County showcased 12 farms; and York County had 19 farms along the tour.

As Karlisa Parker, director of economic development for Chester County and an organizing partner in the Chester County Ag+Art Tour, relates, “We had to be involved. Given that agribusiness is a $34 billion industry with almost 200,000 jobs, we couldn’t miss this opportunity. This may not be traditional economic development, but it is economic development and a way to serve our community as a whole.”

Jayne E. Scarborough is the executive director of the Olde English District representing Chester, Chesterfield, Fairfield, Kershaw, Lancaster, Union and York Counties. Learn more at oldeenglishdistrict.com.
**LeadSC**  
New initiative for young professionals  
**BY JACOB COOK**

South Carolina has a wealth of energy, ideas and passion in the young professionals (YP) organizations throughout the state. Almost every city has at least one or more YP organizations comprised solely of young professionals; organizations that not only provide a fun, social atmosphere, but truly make an impact in their communities through service, diversity and development. The future of our state lies within these young professionals. What they have accomplished in their individual communities is remarkable. Just imagine what is possible when they all have the opportunity to come together.

**THE LAUNCH OF LEADSC**

The South Carolina Chamber of Commerce and I are excited to be launching an event that is the first of its kind in our state. It’s a statewide young professional summit to be held this September 17th – 19th in Columbia called LeadSC.

**LEADSC SUMMIT**

This 3-day event will include a Wednesday night networking reception, followed by a full day of sessions Thursday and a half-day of sessions Friday, closing with a keynote speaker. It will be hosted at The Columbia Marriott on Main Street.

Professional development will be the core theme of this year’s summit, allowing attendees to build relationships across multiple levels. Wednesday night is a chance to meet and converse one on one with both elected officials and fellow young professionals. Thursday provides a great opportunity to enjoy lunch with major business leaders, talk with peers from across the state and learn from industry leaders. LeadSC is pleased to feature some phenomenal South Carolina speakers: Bobby Hitt, SC Secretary of Commerce, Curtis Loftis, state treasurer, Mac Bennett, CEO of United Way of the Midlands and Bakari Sellers, attorney and state representative.

But that’s not all! There will be a variety of sessions for those who want to learn how to run for political office, develop a personal brand to maneuver through transitions in the workplace and amplify what it is that gives South Carolina a competitive advantage over other states and countries. Finally, we’ll discuss what South Carolina must do to foster young professional leadership.

If you are interested in attending or sponsoring, please visit LeadSC.net.

Jacob Cook is the vice president of business development at Sun Solutions in West Columbia.

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**Science in the soil**  
**BY EMERSON SMITH, PH.D.**

Farmers in South Carolina are dependent on seeds that produce high yield, disease-resistant crops. While South Carolina has many biological technology (or biotech) companies that focus on human medical and health issues, we have few biotech companies that focus on human medical (or biotech) companies that focus on human medical, while South Carolina has many biological technology product manufacturers, farms and fields, local and national food manufacturers, farm markets and those of us who buy vegetables, fruits and other products grown in the state. This community consists of the South Carolina Department of Agriculture, county extension agents, family and corporate farmers, restaurants, grocery distributors and stores, local and national food manufacturers, farmers markets and those of us who buy vegetables, fruits and other products grown in the Palmetto State. Kresovich expects more agricultural biotech companies to join this community.

The fees farmers pay for the use of the South Carolina seeds are used to support local research and the SCCIA. The fees farmers pay for the use of the South Carolina seeds are used to support local research and the SCCIA.

The science of creating hybrid plants, whether decorative or as crops, along with breeding animals with specific characteristics, is an ancient one. Creating GMOs is a fairly new (from about 1973), but rigorous, science. It takes a scientist many years to create a new seed or new variety of a crop using genetic modification, which is then followed by a review by the USDA’s Animal and Plant Health Inspection Service.

Part of the new emphasis in that review process is public comment to evaluate and discuss the perceived benefits or harm of the newly designed organisms.

Clemson is building a scientific community, says Kresovich, to link agriculture, nutrition and human health and to look at all issues, including GMOs, climate change, hybrid crops and improving the food value of crops. This community consists of the South Carolina Department of Agriculture, county extension agents, family and corporate farmers, restaurants, grocery distributors and stores, local and national food manufacturers, farmers markets and those of us who buy vegetables, fruits and other products grown in the Palmetto State. Kresovich expects more agricultural biotech companies to join this community.

Emerson Smith Ph.D. is a sociologist with Metromark Market Research, focusing on biotech and health care, and a Clinical Research Assistant Professor of Internal Medicine at the USC School of Medicine.
Employee Stock Ownership Plans: Innovative and tax-efficient tools to meet your business planning needs

BY SUE ODOM

Aren you struggling to figure out what to do with your business when you retire? Are you without family members or business partners who are in line to take over for you? Are you interested in deferring capital gains taxes on the sale of your company stock? Are you interested in incentivizing employees by giving them a stake in the business? If you answered “yes” to one or more of these, you should know about Employee Stock Ownership Plans or “ESOPs.”

An ESOP is a type of tax-qualified retirement plan just like a 401(k) or profit sharing plan, except that the plan assets are invested primarily in employer stock. After an ESOP is formed by a company, the ESOP can purchase company stock from one or more selling shareholders. This enables employees to succeed to business ownership and receive the benefit of company growth, without directly issuing or selling them shares.

If certain requirements are satisfied, the selling shareholder can reinvest the proceeds from the sale in other qualifying securities to defer tax gain. The company sponsoring the ESOP also can finance the ESOP’s purchase of shares on a fully tax-deductible basis, subject to tax law limits. These tax benefits, plus the existing owners’ ability to retain control over the company, make the establishment of an ESOP very appealing.

The ideal ESOP candidate is a company having earnings before interest, taxes, depreciation and amortization or “EBITDA” in excess of $2 million, at least 15 non-shareholder employees, and a payroll of at least $1 million.

Sue Odom is a member at Nexsen Pruet, LLC.

**BUSINESS PLANNING**

Have You Considered an ESOP?

Employee Stock Ownership Plans or “ESOPs” can be the perfect solution to your business needs for the right candidate and in the right circumstances. ESOPs are established for a number of reasons, including succession planning, to invigorate employees, and as acquisition tools. The ideal ESOP candidate is a company having EBITDA in excess of $2 million, at least 15 non-shareholder employees, and a payroll of at least $1 million.

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**The Sale Transaction for a Leveraged ESOP**

- **Step 1:** Corporation issues $1,000,000 loan to the ESOP (the “Internal Loan” or the “Mirror Loan”)
- **Step 2:** Corporation issues $200,000 loan to the ESOP
- **Step 3:** Corporation issues internal loan to ESOP

**Annual Contributions & Loan Repayments**

- **Step 1:** Corporation issues $100,000 loan to ESOP
- **Step 2:** Shareholder A receives loan repayment
- **Step 3:** Corporation receives loan repayment

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**INFOGRAPHIC PROVIDED BY NEXSEN PRUET**

Innovative and tax-efficient tools to meet your business planning needs

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Section 1042 of the Internal Revenue Code allows the deferral of tax gain on the sale to an ESOP if the proceeds are reinvested in qualified securities and certain other conditions are satisfied.

ESOPs can be stand-alone plans or part of a 401(k) profit plan.

Control may be retained by selling shareholders.

The voting rights on Company stock held in an ESOP pass through to participating employees if an employer has registration-type class of securities. For other types of securities, voting rights pass through to participating employees only for extraordinary corporate events.

Leveraged ESOPs may be seller-financed or involve an outside lender.

Leveraged shares are released from the pledge and allocated to participant accounts as the loan is repaid in accordance with IRS regulations.

Interest and principal contributed to a leveraged ESOP are deductible, subject to annual contribution and deduction limits.
THE VALUE OF EXPERIENCED WORKERS

BY DEBBIE BANDA

It’s not hard to see that we’re in the midst of sweeping workforce changes. You can point to any of a variety of reasons for the shift: the aging of the Baby Boom generation, the Great Recession or the need or desire of older workers to delay retirement. Analysts expect the age 55+ workforce will grow by 25 million over the next 15 years. This compares to growth of the 25-54-year-old segment by just 12 million.

Many business leaders recognize the benefits of a diverse workforce. However, they sometimes fail to identify age as an element of workforce diversity. Given the nature of the changing labor force, many more companies are coming to recognize that older workers play a critical role in filling current and future staffing needs.

Michelin North America, Inc., Bon Secours St. Francis Health System and Sonoco are South Carolina-based companies that understand the value of experienced workers. They’ve each been named AARP Best Employers for Workers Over 50, with Michelin making the list again in 2013. BMW made the international version of the list.

Mounting evidence demonstrates that age 50+ workers bring experience, dedication, focus, stability and enhanced knowledge to their work. As a sign of this growing recognition among employers, more than 260 have signed AARP’s Life Reimagined for Work Pledge, committing to equal opportunity regardless of age and recognizing the value of older workers.

Here are some of the ways experienced workers add value to organizations.

A BRAIN GAIN

For years, employers have worried about the looming “brain drain” as older workers retire. A 2013 SHRM workplace forecast showed that 68 percent of surveyed employers believed the retirement of Baby Boomers (10,000 of them turn 65 each day) will have a major impact on the US workforce over the next five years.

But the growing trend of older workers remaining in the workforce is helping to stem the brain drain. Here’s another intriguing benefit to this trend. Research demonstrates that our brains, when stimulated, continue to develop as we age in critical information-processing areas. This builds our ability to solve everyday problems and grows our capacity for developing creative solutions.

Maturing brains are particularly good at synthesis, reflection, wisdom and restructuring of patterns. This is great news for organizations that need...
people who can reconfigure existing patterns, transfer experience from one realm to
another and use current practice as a springboard to new ways of doing things.

**VALUE ACROSS METRICS**

Employer surveys and anecdotes show that experienced workers are rated highly
across a long list of attributes. They are seen as:

- Loyal
- Reliable
- Committed
- Possessing a strong work ethic
- Having the knowledge, skills and abilities to teach their trade
- Having established networks of clients and professional colleagues

Experienced workers also reduce turnover. They stay on the job three times as
long as workers between the ages of 25 – 34. While turnover costs vary, they are
often estimated to be 150 percent of the base salary of the replaced employee.

**BMW: A CASE IN POINT**

BMW made AARP’s international version of the Best Employers for Workers Over
50 list. The company’s manufacturing plant in South Carolina has been in the
state for 20 years. Over these years, BMW has instituted a variety of wellness and
other programs aimed at recruiting and retaining mature workers. The result is an
astounding 95 percent retention rate.

Among its areas of focus, BMW pays attention to ergonomics, schedules job
rotations several times each shift and has physical therapists on site to help address
minor issues before they become major problems.

BMW first learned lessons on addressing an aging workforce with its plant in
Dingolfing, Lower Bavaria. Faced with an expected rise in the average age of its
workers from 39 to 47 by 2017, BMW feared its ability to execute a business strategy
of growing its competitiveness through technology innovation and improvements
in productivity might be in jeopardy. So the company undertook a pilot in which it
staffed a production line with a mix of workers with an average age of 47.

Working directly with employees on the line, BMW came up with 70
improvements at minimal cost. They included adding magnifying lenses, installing
wooden floors to reduce knee strain and using larger font on computer screens.

The result of the pilot was a 7 percent increase in productivity in one year,
equaling the productivity of lines run with younger workers. They’ve since increased
output per shift, which serves BMW’s strategic goals.

**WHAT’S YOUR NEXT STEP?**

For organizations that see their workforce graying, it’s time to stop worrying
and start recognizing the advantages of having experienced employees in the
workplace. The trend is here to stay for now, so it’s a great time to look for ways to
adapt and grow.

Deborah Banda, Esq., is interim vice president of AARP’s
Education & Outreach (E&O) Financial Security team, where
she works on retirement decisions and workforce related
issues and programs, and serves as a strategic advisor to the
senior vice president of E&O. She also served as the director
of the Massachusetts State Office of AARP for almost 14
years.
Employee Conduct Rules

ANOTHER CAUTIONARY TALE CONCERNING THE NLRB

BY JAMES H. FOWLES III AND TODD S. TIMMONS

The increased scrutiny given company handbooks by the National Labor Relations Board (NLRB or the Board) is well chronicled. To assert its influence in the non-unionized workforce and maintain relevancy in spite of declining unionization rates, the Board has been prosecuting unfair labor practice charges against employers for maintaining what many see as commonsense workplace conduct rules. According to the NLRB, overbroad conduct rules that discourage activities protected by the National Labor Relations Act (NLRA), such as discussing wages and benefits, going on strike or publicly commenting on a labor dispute, are unlawful.

Recently, the Board took this initiative a step further with Hills and Dales General Hospital, 360 NLRB No. 70 (2014). That case addressed whether the following provisions in a hospital’s “Standards of Behavior” discouraged employees from exercising their rights under the NLRA:

• We will not make negative comments about our fellow team members, and we will take every opportunity to speak well of each other.

• We will not engage in or listen to negativity or gossip. We will recognize that listening without acting to stop it is the same as participating.

• We will represent the employer in the community in a positive and professional manner.

The Board summarily found the first two standards prohibiting negativity to be unlawful. This was unsurprising given that they have historically struck down rules that operate as general bans on negative comments in the workplace. Employees have the right, according to the NLRB, to discuss their terms and conditions of employment, even if those discussions involve negativity.

The more remarkable portion of this decision was the fact that the NLRB struck down the third rule which simply required employees to display a positive attitude when representing the employer. The language at issue here is almost identical to ethical codes the Board has previously upheld. And the Board has also approved of rules that require employees to use “proper business decorum,” a phrase that most people would see as the functional equivalent of the phrase “represent the employer in the community in a positive and professional manner.”

Nevertheless, in Hills and Dales, the Board reasoned that when read in conjunction with the first two overbroad rules, employees might reasonably view the requirement to represent the employer positively and professionally as preventing them from engaging in public activities that are not supportive of the employer. For example, protests or statements to the media about a labor dispute may not be positive to an employer, but those actions are still protected by labor laws.

The error in this reasoning is that the provision at issue, by its terms, only governs employee conduct while representing the employer. In the examples given, employees are collectively representing themselves and their own interests—not the interests of their employer in any way, shape or form.

TAKEAWAY

Ultimately, employers should not abandon their codes of conduct on a whim. Such rules are often needed to maintain an atmosphere of productivity and mutual respect, as well as ensure that the employer is represented well to its client base. However, if the Board finds that an employer’s rules are overbroad, it can order the employer to rescind the policy and post a notice announcing to employees that it violated labor laws. (This is indeed what happened in the Hills and Dales case.) Therefore, employers would be wise to proactively review the wording of their codes of conduct and similar policies. Even a small tweak to the provision might have allowed it to withstand NLRB scrutiny.

ORIGINAL PROVISION FOUND TO BE UNLAWFUL

We will represent the employer in the community in a positive and professional manner in every opportunity.

A SIMILAR PROVISION MORE LIKELY TO BE UPHELD

We will represent the employer in the community in a positive and professional manner when conducting hospital business.

Both provisions have essentially the same goal—to protect the employer’s reputation with its client base. However, it is harder for the Board to argue that the second provision unlawfully prohibits conduct that labor laws place beyond the reach of employer work rules (e.g., strikes, public comments, etc.) because it is specifically limited to employee conduct while the employees are working.

James H. Fowles III is a shareholder and Todd S. Timmons is an associate in the Columbia office of Ogletree, Deakins, Nash, Smoak & Stewart, P.C.
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Edgefield
Saluda
South Carolina

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By partnering our low-cost, reliable power and
development opportunities with our state’s attractive
tax base, relocation incentives, and an unparalleled
quality of life graced with Southern hospitality,
Santee Cooper helps Showa Denko continue to
thrive in South Carolina. And continues to power
South Carolina toward Brighter Tomorrows, Today.
The horse industry is gaining more and more recognition for the tremendous impact it has on our state’s economy. After all, 2014 is the Year of the Horse according to the Chinese calendar.

Make no mistake. Horses are big business in South Carolina. Estimates put the revenue generated by horses at $2.9 billion. In addition to the purchase price of the horse itself, owners spend money on land, vehicles, property taxes and insurance, supplies, equipment, clothing, feed, health care and dozens of other expenditures vital to any horse operation. In addition, horse owners spend money when they travel, trailing many dollars in their wake.

**Equine Events in South Carolina**

At the Governor’s Conference on Tourism in 2013, the South Carolina Department of Agriculture hosted a session on the specialized niche of equitourism, recognizing its tremendous impact on tourism. Five speakers from around the state—Aiken, Camden, Landrum, Charleston and Myrtle Beach—showcased local events that generate huge amounts of tourism dollars.

The Carolina Cup in Camden attracts some 60,000 fans annually, and most of them are not horse owners. Fans spend enormous amounts on tickets, clothes (you simply MUST have the right hat!), food, a goodly supply of beverages and transportation so they can enjoy a lovely race meet. People routinely travel from all over the United States, plus a few from abroad, to both the Carolina Cup and Colonial Cup races. One visitor from New York charters a private plane for himself and his friends every year. “This is the best-kept secret in the state,” he said jovially from a spot in the hospitality tent.

Other races in South Carolina attract crowds too. The famous Aiken Trials and Charleston Cup bring out thousands of spectators, as do the Elloree Trials and the Kingstree Trials, both of which also offer Quarter Horse racing. South Carolina does not permit pari-mutuel betting, so the racehorses spend much of their careers elsewhere. But while they are in residence, they create spin-off jobs in tourism.

A typical tale comes from Arch Kingsley, a champion steeplechase jockey who now trains racehorses in Camden. One of his North Carolina owners, a Revolutionary War buff, decided to spend an extra night in Camden to visit local historic sites. On his next trip to see his horse, he and his wife journeyed to Charleston, and eventually worked their way around the state. They made it a point to search out historic sites every time they visited the horse. Over a period of several months, the couple spent many nights in South Carolina and many dollars on local food and entertainment.

Palmetto Carriage Company in Charleston is a perfect example of highly successful equitourism. The iconic horses and carriages are part of the charm of the city, and owner Tommy Doyle employs up to 100 people in peak tourist season. His payroll of well over $1 million is nearly 100 percent tourism based. The money he spends on his horses—hay, feed, bedding, health care—is another investment in agritourism.

Just up the coast in Myrtle Beach, The American Heart Association hosts an annual beach ride each fall that attracts some 1,200 horses. Former Executive Director Sara Nelson said about 60 percent of the riders are from out of state. They spend money on campsites, gas, food and local entertainment during their five day stay. Amazingly, non-riding tourists come from

Horses generate $2.9 billion revenue in South Carolina
other states just to watch the horses on the beach. The 33-year-old event has become a fixture in Horry County.

In addition to its famous race horses and show horses, Aiken is known worldwide as a polo venue, boasting some 40 to 50 polo fields with more being built. Tales are told of a certain polo player who flies in from South America for a match, then flies home again. Fans come from all over the region to watch world-class polo, horse trials and nationally recognized shows.

Foxhunting is another sport that attracts a number of wealthy enthusiasts to Aiken. A group from Virginia comes regularly to foxhunt during the week, renting houses and staying in local hotels for much of the winter season.

Landrum is a great example of horse-friendly tourism. Many of the shops there display stickers that boast “Boots & Britches Always Welcome” as a way of promoting the horse industry. The town even has horse-trailer-friendly parking downtown. Libbie Johnson, executive director of the Polk County Economic Development Board (which encompasses Landrum as well as Tryon), is a driving force behind the equine promotions. Seeing that horse people like to eat, and they like convenience, the area has witnessed a huge increase in the “traveling horsey set” in the past few years. Local real estate is booming for horse property. In July, the town sponsored an equine tourism course to determine what it takes to service equine visitors.

**Equine Industries in South Carolina**

For economic purposes, horses can be divided roughly into three categories: race horses, show horses and pleasure horses. Let’s look first at the Thoroughbred racehorse industry.

In a survey done by the S.C. Department of Agriculture in December 2013, the S.C. Thoroughbred Owners and Breeders Association estimated that animals in training in the state are worth some $400 million. Many famous racehorses got their start at one of the dozens of training tracks across the state. Royal Delta, a mare started by Holly’s Hill’s Jane Dunn, sold for $8.5 million as a yearling and was a Breeder’s Cup winner. Shackelford, the winner of the 2012 Preakness, was started by Webb Carroll in St. Matthews. Horses like Palace Malice, last year’s Belmont winner, is one of a host of good racehorses who came from Aiken’s Dogwood Stable, operated by Cot Campbell.

Our state’s show horses number in the thousands, with events scheduled every weekend of the year. Kershaw County estimates that horse shows at the SC Equine Park generate $1.3 million in revenue, including lodging, food, fuel, retail and visits to local sites of interest.

Clemson’s Garrison Arena is booked nearly every weekend, with horses traveling from several states to show there. The equally popular Mullet Hall in Charleston attracts horses from all over the region. When the University of South Carolina’s equestrian team hosted the SEC regional finals in Blythewood this spring, families drove and flew from across the country to watch their kids compete.

Trail riders are another group of big spenders. An average rig, consisting of a vehicle and horse trailer, is worth about $50,000. An ever-increasing number of trail rides in small towns like Lamar, Ward, Kingstree and Wedgefield attract anywhere from 200 to 1,000 riders each. Multiply $50,000 by 500 rigs, and you have a collective dollar value of $25 million at one campground. These same folks spend from $20 to $50 per ticket for the weekend’s ride. It adds up quickly. A small day ride can easily generate $4,000 for the sponsors. A weekend of activities, which usually includes food, music, dancing and other entertainment, can bring in $45,000. Many traveling trail riders stay an extra day or two at the site just to visit nearby places that pique their interests.

Demographics show that most horse owners are in their 40s, 50s and 60s. Younger people are also paying for their kids’ horses, though, and they’re going to horse shows, horse races, competitions and fun events all over the state. Once the kids are in college or have moved out, many are buying and riding horses of their own and hitting the road.

There’s an old saying among horsemen (and women) that horses eat money. In our state, horses produce a lot more money than they eat.

Marsha Hewitt serves as equine marketing specialist at the South Carolina Department of Agriculture.
July ~ August 2014 Centerfold
CHALMERS CARR, III
Titan Farms
Prosperity is the Best Tasting Peach

Prideful South Carolinians have trained their eyes to seek out the brightly emblazoned, black Titan Farms box when shopping for sweet, local peaches at neighborhood grocers. Foodies recognize that these delicate perishables have endured little since the moment they were plucked off their trees approximately 72 hours ago. Titan Farms, the largest peach farm in South Carolina, is a 19-mile long agribusiness that is best known for its tasty peaches along with bell peppers and broccoli (again, the largest pepper producers in the state as measured by acreage and volume).

After graduating from Clemson University at the age of 22, Titan Farms owner and operator Chalmers Carr bought his first farm in Florida. “I wanted to get back into the peach business, and Florida wasn’t the best place to do that at the time.”
When asked what the packing shed looks like during the busiest week of the peach season (the week after July 4th), Chalmers Carr chuckles, “It’s a swarm of bees!” In that one busy week, and throughout the month of July over 165 employees will package more than 200,000 boxes of peaches and bell peppers; that’s 120 semi-truckloads of perishable peaches plus 50 truckloads of peppers shipping out in one week alone. The business is optimized to run at this pace year round. “We harvest 36 weeks out of the year,” he explains.

Carr’s average day during peach season starts early in the morning at his headquarters at 5:45 a.m. “I meet with my harvest manager and we go over our harvest for the day. He’s out of here by 6:15 a.m.; my other harvest managers come in by 6:15 a.m. We go over everybody’s plan for the day. The secretaries come in by 7:30 a.m. The packing shed starts. And the day’s off!”

The five-time state champion ex-football coach adds, “I am kind of like the team quarterback, if you will. I make sure everyone’s on the same game plan and everyone’s got the support they need.” To unwind, Carr has a sanctuary on Lake Greenwood. He hangs out with his college buddies just about every weekend, as he has done now for 20 years. Known for his hospitality and generosity, “It’s not uncommon for us to feed 45 to 60 people on a Saturday night.”

“Embrace technology.” When asked what advice he would give the next generation of farmers, Carr had two words of wisdom: embrace technology. “We have soil moisture probes that can tell us what our water levels are in our soils so we can know exactly what to feed our crops. We’ve got tractors that drive themselves by GPS that do everything from spraying to laying out the land. Any type of technology that can make you work smarter instead of harder, I would embrace it quickly,” says Carr. “The future is very important.”

“Mr. Carr’s average day during peach season starts early in the morning at his headquarters at 5:45 a.m. “I meet with my harvest manager and we go over our harvest for the day. He’s out of here by 6:15 a.m.; my other harvest managers come in by 6:15 a.m. We go over everybody’s plan for the day. The secretaries come in by 7:30 a.m. The packing shed starts. And the day’s off!”

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At its peak in July, more than 165 employees will package over 200,000 boxes of peaches and bell peppers.
leaders can help him is in marketing the industry. He feels South Carolina has all the same natural resources (if not in greater abundance) than neighboring states, but North Carolina and Georgia are “the big ag states.” He feels that South Carolina is pro-agribusiness with regard to labor due to its roots in tobacco farming, but that it doesn’t always view agriculture as the future of economic development. “We’re proud to be a business owner in South Carolina,” he adds. “We’ve lived here now for 20 years and couldn’t think of living somewhere else.”

**WORKFORCE AND IMMIGRATION REFORM**

When you move away from the headquarters and into the fields, you may or may not come into contact with any number of harvesters, who painstakingly pick only the ripest peaches by hand. Carr notes that his workforce is an entirely legal H-2A Visa agricultural workforce. “Immigration has been a very important thing to me,” he says. Titan Farms entered the government work program in 1999 which allows an agribusiness to bring in foreign workers when there are not enough domestic workers to do the job. “This year, we’ll bring in 500 workers, which is a little less than last year (540 workers) due to the peach crop freeze damage,” he explains. “They come back to us every year. That speaks well for my management team and what they do for their team.”

In 2006, Chalmers Carr was invited to the White House to meet with President George W. Bush on immigration. “Since then I’ve testified many times before Congress. I helped negotiate the Senate bill last year. It was a good bill; very comprehensive …for agriculture. We just need the House of Representatives to move [on it].” When asked what the best advice he ever received was, he quietly adds, “Respect the people around you. And empower people.”

Penny Delaney Cothran is the multimedia manager at the South Carolina Chamber of Commerce and editor of South Carolina Business.
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Summer is here. The 2013-14 SCE&G Homework Centers’ school year has come to a close. For over 23 years, SCE&G (South Carolina Electric & Gas) has made it possible for students from all around the state to have a safe and fun after-school program. Homework Centers (HwC) provide students with study skills that will strengthen their academic performance while exposing them to enrichment opportunities they may not experience in the traditional classroom. In partnership with the South Carolina Chamber of Commerce, who manages the program, the level of measured success each year has consistently trended upward. The HwC program has a proven history of increasing student performance as well as testing outcomes for the students involved.

Currently, the Homework Centers have 15 schools represented in and around the service territories of SCE&G. This year alone, students have participated in a variety of enrichment programs including trips to the Charlotte Motor Speedway, Columbia City Ballet, EdVenture Children’s Museum and Delta Dental’s Land of Smiles. Students worked to create centerpieces for the University of South Carolina senior football banquet.

Lead teacher Lisa Gleaton from Barnwell Elementary School says, “The program at our school has been phenomenal for our students. Our students are given wonderful opportunities to explore activities outside of the classroom as well as inside the classroom. The best trip so far as been to the Circle Theater in Barnwell, SC to see the play Annie. The students are inspired to see the endless possibilities of what good grades will afford you. Kudos to SCE&G for seeing the importance of making this investment in our students and the community.”

Each Homework Center site uses its own unique approach to organizing programming. Teachers bring their talents of reaching and teaching in differing but effective ways to cater to students in their after-school program.

Brunson-Dargan Elementary School is one of the largest after-school sites for the Homework Center. They consistently have a total of 62 students who attend the program three days a week. Lead teacher Dorothy Jacobs says, “It’s an amazing thing that we have always had a waiting list of students who are requesting to be apart of this great program. The students and parents around school see the impact that the Center is providing to the students who are involved. We are able to expose them and provide opportunities for many of the students who have never left the Pee Dee region. This year, the Brunson–Dargan Elementary School has received an ‘A’ report card rating and attributes the Homework Center impact to be a part of this success and achievement. It’s changed the attitudes and motivation of the students.”

Interested in bringing an SCE&G Homework Center to your school? Apply at http://www.scchamber.net/educationworkforcedevelopment/homeworkcenters.aspx

Rhonda Caldwell is the South Carolina Chamber of Commerce’s Homework Centers and Business Week coordinator.
“There’s really no good reason to have a piece of land if it can’t work for you.” When Thomas C. Rowland III makes an investment in what the average South Carolinian would see as traditional timberland, he can see more than the forest for the trees. There’s a little bit of magic in the forestlands acquired and managed by American Timberlands Company (ATC), a Columbia-based enterprise run by partners Thomas Rowland, Doug McMillan and Dan Stuckey. The three partners started as investors first and are now part owners in a company Rowland originally steered under the name of Palmetto Land Investment Company.

Why did these “dirt foresters” come together in the first place? They formed American Timberlands Company in 2004 with the sole purpose of acquiring 1.5 million acres of Southeastern land previously owned by International Papers Company – part of the largest land transaction (5.5 million acres) in America since the Louisiana Purchase in 1803. It was a huge endeavor wrought with investors dropping out, an auction process and stiff competition from over 120 other bidders. In the end, they backed away from the table after vying for one of the final seats due to some issues with the rights to the timber. However, as a finalist, it put them in a great light for other potential investors.

**WHAT DO THEY DO?**

“We’re in the business of generating returns on land investments,” Rowland says. American Timberlands has a unique business model. First of all, they’re very diverse in what they do, but with a common thread throughout. In addition to land investment management, ATC has built complimentary business lines in land and forestry services, land brokerage and land investment banking that increases the firm’s knowledge of land and timber markets and allows them to create more value for their clients and investors. They are more than land brokers and land investment managers though; they are experts in wetlands mitigation banks, coastal stream restoration banks, land and forestry management, land investment banking, timber harvesting, recreational and hunting lease management, historic properties land and amenity management, aggregate mining, waterfront amenity permitting and construction, forest inventory analysis and forecasting, land mapping and GIS, pre-development services for real estate developers, conservation easements, wildfire prevention, wildlife and waterfowl management, and open land and pasture management, just to name a few. “We’re holistic land managers,” says Rowland of his team.

**WHAT’S DIFFERENT ABOUT AMERICAN TIMBERLANDS?**

“We are investment managers AND asset managers. We invest in a piece of land, and then we’ll develop a strategy for generating returns from that land investment… We invest in forestland that has any number of other attributes that we can manage simultaneously with timber,” proposes Rowland. Harold C.

*Testing on The Loamy tract in Kershaw County, S.C. revealed that the tract appeared to have considerable, high quality soft aggregate (sand and gravel) reserves.*
Stowe points out that while intensely focused on generating investment returns, what American Timberlands is really good at is always sniffing around for “something else to do” with the land while under its care. Beyond the obvious timber, does the land have potential for mining, for real estate development, for wetlands mitigation banking, for equestrians to use, for hunters and fishermen to enjoy? “We’re very vertically integrated. We do all of the management ourselves, simply because we are foresters. It is always our goal to add value to forestland. And, of course, there’s an exit strategy,” adds Rowland.

A great deal of American Timberlands’ success stems from the team’s credibility; not only with clients, but with their investors as well. “Historically, we have generated returns on forestland investments that are twice the return of the TIMOs,” explains Rowland. A timberlands investment management organization (or TIMO) is an investment property management group that actively brokers and manages timberland to achieve optimal returns for its investors. A TIMO product is most likely, and without your knowledge, quietly residing in your pension plan as we speak. It’s a safe, stable investment with a predictable rate of return focused on a hard asset (in this case, land that is used primarily for forestry purposes). It was Rowland’s experience working for Georgia Pacific and Stuckey’s experience as an International Papers forester (both Clemson University alumni) that caught the attention of Wachovia’s Securities back in 2005, at the height of the real estate boom. The rest is history.

Why South Carolina?

Why has South Carolina been so successful for them? “South Carolina is different because land in South Carolina typically holds a higher value, commands a higher sales price and typically is absorbed quicker,” says Rowland. “People want to own land in South Carolina.” He also thinks it’s because, “South Carolina… is a business-friendly state. That creates a sense that land in South Carolina is a good investment, whether you’re wanting to build a factory on it or … to hunt and fish on it. There’s a lot of rural land… a lot of opportunity.”

Rowland adds, “We’ve done a good job in South Carolina of taking care of our natural resources. … I suspect it’s because we have an outdoor heritage here. We’ve been farmers and timber growers and hunters and fishermen. There are more trees growing in South Carolina today than there ever have been.”

Penny Delaney Cothran is the multimedia manager at the South Carolina Chamber of Commerce and editor of South Carolina Business.
2014 Legislative Session in Review

**INFRASCTURE**

While there were discussions and a bill set for Special Order in the Senate on infrastructure funding, no legislation passed the General Assembly this year to dedicate funding for the state’s roads and bridges. As it is an election year for the House of Representatives and constitutional officers of South Carolina, it was unlikely that any comprehensive funding package would pass. This summer, and into the fall, the Chamber is going to work with all interested parties in driving a marketing campaign to elevate a comprehensive infrastructure funding package during the 2015 legislative session.

**EDUCATION AND WORKFORCE DEVELOPMENT**

The General Assembly passed several initiatives to improve education and workforce development in the Palmetto State this legislative session. First, the 2014-15 state budget includes funding to expand the state’s four-year-old kindergarten program for at-risk students and for higher education. The budget also includes $29 million for reading coaches in schools and $4.5 million to expand summer reading camps. Further, the General Assembly allocated $2.5 million for STEM education and workforce development initiatives at all 16 technical colleges in South Carolina.

The Read to Succeed Act, initiatives to help children adequately read by the third grade, was signed into law. Before third grade, students “learn to read.” After third grade, students “read to learn.” The Read to Succeed Act will help remediate struggling third grade readers with a year of literacy instruction. It also requires reading instruction training for teachers and offers reading summer camps. The bill also expands four-year-old kindergarten as state funding is available.

Governor Nikki Haley signed legislation that moves the 12 Regional Education Centers (RECs) from the South Carolina Department of Education to the South Carolina Department of Commerce. RECs are located throughout the state to serve students, adult learners, parents, educators, employers and community members, connecting them with the information, resources and services they need. Governor Haley also approved legislation that eliminates the requirement that high school students take the high school exit exam. The legislation instead requires students to complete a Work Keys assessment and ACT testing beginning in 2015.

The Governor also signed compromise legislation on Common Core State Standards. The legislation keeps the current Common Core State Standards in place for math and English and language arts for the next school year. During that time, a review of the standards will be completed. Any new state developed standards must be in place by the 2015-16 school year. Additionally, any new standards or revisions must be approved by the Education Oversight Committee as well as the General Assembly. The State Department of Education would be required to notify the Governor and General Assembly of any plans to change existing standards. The legislation also removes South Carolina from the Smarter Balance assessment consortium and includes a provision to create a review committee under the Department of Education and the Department of Health and Environmental Control for the procurement of an assessment system, with the chair of the South Carolina Chamber of Commerce Board of Directors having a seat on that committee. The review committee will begin meeting shortly after the bill is signed into law and must return its recommendations on an assessment system by September 30, 2014.

**HEALTH CARE**

The Chamber is working with the SC Department of Health and Environmental Control (DHEC) and other health care entities on a solution for businesses that acted over the last year under the understanding that the Certificate of Need (CON) permitting process was suspended. A lawsuit was filed in the S.C. Supreme Court about the existence of CON with no dedicated funding after the Governor vetoed funding and the House sustained the veto in 2013. The Court ruled on April 15, 2014 that sustaining Governor Haley’s veto of CON funding did not terminate the program itself. As a result of the ruling, health care facilities across the state are at risk of being forced to start the arduous permitting process all over, costing significant time and dollars.

Two options existed during this legislative session: pass CON reform in a piece of legislation or insert a proviso into the budget to protect those businesses that acted in the last year without a CON because it was understood that the CON program was suspended. After neither option passed the General Assembly, the Chamber began working with DHEC to find a workable solution to address this uncertainty.

**ECONOMIC DEVELOPMENT**

In response to a draft guidance document from the South Carolina Department of Revenue (DOR) on combined unitary reporting for businesses in South Carolina, the South Carolina Chamber of Commerce highlighted the negative impacts from increases in corporate income taxes from combined reporting and the uncertainties from the draft guidance on economic development.

After the outcry from the business community, DOR has issued a document outlining that the department will cease work on a proposed ruling that would have mandated forced combined unitary reporting. Instead, the DOR will work with a committee of individuals from the business community along with tax practitioners...
to study alternative allocation and apportionment methods. DOR has agreed not to assert combined unitary reporting as a result of an audit and will work to resolve ongoing audits on other bases. The South Carolina Chamber will continue to work with the department to develop solutions to bring South Carolina back in line with the long-standing policy of being a separate entity reporting state.

ENERGY AND ENVIRONMENT

Two environmental bills important to the business community (H.3827 and H.3925) remained contested on the Senate calendar through the end of the legislative session. Senator John Scott (Richland) put minority reports on both bills as they came out of the Senate Medical Affairs Committee. On the floor, Senator Scott moved to remove his minority reports from both pieces of legislation to allow debate on the issues but as this motion requires unanimous consent, it did not pass.

H.3827 streamlines the permitting process at the South Carolina Department of Health and Environmental Control (DHEC) and eliminates the DHEC board review during the permitting process unless the permittee, applicant or licensee requests final review by the board. Third parties typically use the final review by the DHEC board as a delay tactic. Taking this step out of the permitting process would eliminate up to 140 days during permitting, thereby increasing certainty for economic development projects.

H.3925 is a technical fix to the 2012-passed Pollution Control Act (PCA) that clarifies that there is no private cause of action under the PCA and reiterates the intent of the General Assembly that was agreed to by the business community and environmental groups. The 2012 legislation instituted an administrative remedy through DHEC for persons to petition the agency if they believe an individual or company is operating without a permit. Therefore, no rights are being taken away from potentially aggrieved parties. The agreed to compromise was to change the remedy from an action in civil court to an administrative procedure. This change of remedy was agreed to by all parties in 2012, which should have ended all lawsuits filed under the PCA.

The Chamber will pre-file these bills in December with key Senators and House members and work to see them pass in the 2015 legislative session.

FEDERAL ISSUES

The President of the United States has signed into law legislation vital to allowing the Harbor Deepening project to begin as soon as the Army Corps of Engineers gives the project a green light. The final law does include the contingency authorization provision that gives states the flexibility to advance construction funding for Army Corps of Engineers projects that fall outside the terms of the authorization bill. Even after securing the majority of the estimated construction funding from the South Carolina General Assembly, lack of a congressional authorization will indefinitely stall dredging at the port, which will cripple our industry, as we rely on it for nearly half of our imports and exports. Allowing the project to begin without delay was a crucial part of the bill, which was approved favorably, with unanimous support from the South Carolina congressional delegation.

As the discussions ensue around the Export-Import Bank (Ex-Im Bank) this summer and into the fall, the Chamber will work with the South Carolina congressional delegation to educate our elected officials on the importance of this vital agency. The Bank’s authorization is set to expire in September and needs congressional approval to continue to cover critical gaps in financing for U.S. exports to developing countries where commercial-bank financing is unavailable or insufficient. Since 2007, the Ex-Im Bank has directly supported more than 55 South Carolina exporters, 30 of whom are considered small businesses. The Ex-Im Bank is essential to enabling American businesses to compete in the global economy.

Katie Schanz is legislative counsel for the South Carolina Chamber of Commerce.

Coming in September: An expanded Year In Review and the 2014 Legislative Scorecard.
Almost 175 human resources professionals, consultants, vendors, employment law attorneys and speakers gathered May 7-9 for the 24th Annual Human Resources Conference held at the Sonesta Resort on Hilton Head Island. Interactive sessions covered such topics as health care, leadership, workplace bullying, screening practices, leadership, social media and much more. Next year’s conference will be held May 6-8 at the Sonesta Resort on Hilton Head Island.

Conference speaker and Haynsworth Sinkler Boyd attorney, Andrea Brisbin, presents on the Affordable Care Act’s final wellness regulations.

Exhibitors and attendees mingle during the welcome reception.

Randi Sullivan of the Doubletree by Hilton in Columbia, networks with HR Conference participants during the welcome reception.

Sherry Prioleau, assistant director of business relations, SC Gear Up, exhibits her program to HR managers.

ARCpoint Labs representatives, Jody Henry and Drew Regan, explain their benefits to an attendee.
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Health care summit held in May

The second forum in the Competitiveness Agenda Series was held May 20 in Columbia and focused on health care. Presented by Pfizer, Inc., the daylong forum featured topics including the health care market, legislative issues, Certificate of Need, hospitals, employer best practices and much more. More than 125 state and nationally recognized industry experts participated.

The last two Competitiveness Agenda Series forums will be held August 21 on energy and the environment and October 14 on workforce development. Visit www.scchamber.net for additional information.

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Health Care Forum attendees had their questions answered by the experts.

David Summer of Parker Poe presented on hospital Certificates of Need.

Robby Kerr, president, Kerr & Company, spoke about Affordable Care Act enrollment.
Robert Chamberlain, chairman & CEO, Applied Health Analytics, discussed health management strategies between health systems and employers.

One of the more impassioned leadership speeches came from Mike Riordan of Greenville Health System.

Kendall Buchanan of the SC Department of Insurance spoke about the changing health care insurance market.

A panel of South Carolina employers discussed best practices and innovative wellness concepts.

Robert Chamberlain, chairman & CEO, Applied Health Analytics, discussed health management strategies between health systems and employers.

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Email Barbara Beckham for more information: barbara.beckham@scchamber.net

U2.0: Reinventing University Roles in a Knowledge Economy.

Bruce Yandle, dean emeritus of the College of Business and Behavioral Science and Alumni Distinguished Professor Emeritus of economics, was named an Honorary Alumnus of Clemson University.

The Clemson University Foundation board of directors elected six new members and elected Charles L. Sullivan Jr. of Hartsville chairman and E. Mitchell Norville of Greenville vice chairman. The six people who joined the board of directors were Celeste “Clete” D. Boykin, Michael C. Crapps, James “Jim” Creel, Jr., Gerald M. Glenn, Thomas “Larry” Sloan and Joseph L. von Rosenberg, Ill.

Collins & Lacy, P.C. celebrated its 30th anniversary by unveiling a new look that pays homage to the law firm’s decades of tradition. The firm released a renovated brand that includes an introduction of a new color palette, a refreshed logo and a new identity suite of deliverables.

Eleven Collins & Lacy, P.C. attorneys spanning the firm’s four statewide offices have been named 2014 South Carolina Rising Stars® in 11 different practice areas. They are Andrew Cole, Joel Collins, Pete Dworjanyn, Stan Lacy, Jack Griffeth, Mike Pitts, Ross Plyler, Charles Appleby, Bennett Crites, Will Bryan and Amy Neuschafer.

Collins & Lacy, P.C.

Colonial Life & Accident Insurance Company named Cathy Brooks winner of its Volunteer of the Year award. The award is given annually to a Columbia-based employee of Colonial Life or an affiliate of its parent company, Unum, who exhibits excellence in volunteer activities in the community, has a positive outlook about volunteerism, is an inspiration to his or her co-workers and whose activities have had a definite effect on the quality of life in the community.
Unum Group announced that Randall C. Horn, president and chief executive officer of its Colonial Life business, will retire in the first quarter of 2015. He stepped down from his role as president of Colonial Life on July 1, 2014, and will remain chief executive officer until Dec. 31, 2014. Timothy G. Arnold, currently senior vice president of sales and marketing, was named president July 1.

Colonial Life and its employees contributed more than $2 million to South Carolina charitable organizations in 2013. Contributions included donations made to organizations selected by the company and matching gifts of employee contributions. Additionally, Colonial Life employees volunteered 12,500 hours of their time to local causes.

Electric Guard Dog announced that it rose three rankings on this year’s SDM 100 List to #27 on the definitive list of America’s Top 100 Security Providers in the U.S.

Electrolux announced it is investing $30 million in its Anderson manufacturing facility, which produces top-mount refrigerators as well as under-the-counter models, to add advanced manufacturing capability and enhance capacity. This is in addition to a prior $30 million investment the company made recently in the facility, which added a Refrigeration Research Manufacturing facility, which produces under-the-counter models, to add manufacturing facility, which produces

Clemson University alumnus Joe Erwin and his wife, Gretchen, the co-founders of Greenville-based advertising and marketing firm Erwin Penland, gave two new gifts totaling $1.08 million to benefit the university’s Erwin Center for the Study of Advertising and Communication. They donated $800,000 to further the center’s programming and $208,000 for need-based scholarships.

The Greenville Area Development Corporation (GADC) appointed four Upstate leaders as officers of its board of directors for 2014-15. Richard (Dick) Wilkinson was named chairman. He was joined by S. Hunter Howard, Jr. as vice chairman, Marshall E. Franklin as treasurer and Dr. Tom E. Quantrille as secretary.

Chambers USA ranked Haynsworth Sinkler Boyd, P.A. in the top tier for “Corporate/Mergers & Acquisitions” and “Corporate/ Mergers & Acquisitions: Banking & Finance.” The firm was also recognized for its strengths in the areas of “Litigation: General Commercial” and “Real Estate.” Six attorneys from the firm’s Charleston, Columbia and Greenville offices are included in the annual rankings publication: David M. Swanson, William C. Boyd, George S. King, Jr., John B. McArthur, Kathleen C. McKinney and Margaret R. (Meg) Scoopmire.


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selected for the 2014 South Carolina Super Lawyers list were Rusty GoudeLock, Erroll Anne Hodges, Amy Jenkins, Tommy Lydon, Hugh McAngus and Dominic Starr. Those selected for the 2014 South Carolina Rising Stars list were Amanda Blundy, Trippet Boineau, Andy Delaney, Jason Pittman and Robert Sansbury.

McKay, Cauthen, Settana & Stubley was selected for the 2013 South Carolina Excellence Award amongst all its peers and competitors by the US Trade & Commerce Institute (USTCI).

NBSC, a division of Synovus Bank, named Wendy Yeager to assistant vice president and branch manager at the Bluffton office.

Lindsay L. Builder joined the Greenville office of Nelson Mullins Riley & Scarborough LLP as an associate. He practices in the areas of professional liability defense, construction litigation, commercial litigation and products liability.

Nexsen Pruet attorney Tommy Preston, Jr. was elected president-elect of the USC My Carolina Alumni Association. He will serve as president-elect for two years and begin his presidency July 2016. Preston is the youngest and first black president.

Nexsen Pruet attorneys Rick Mendoza and Billy Wilkins ranked among the Top 25 in the 2014 edition of South Carolina Super Lawyers®. The legal publication selected attorneys for its list and Top 25 designation based on “a patented multiphase selection process” that includes peer nominations and evaluations. In all, 27 Nexsen Pruet attorneys received the recognition for this year. Those attorneys are Cherie Blackburn, Molly Cherry, Marvin Infinger, Brad Waring, Henry Brown, David Dubberly, Vickie Eslinger, William Floyd, Fred Kingsmore, Tommy Lavender, Marc Manos, Burnie Maybank, Susi McWilliams, Rick Mendoza, Billy Newsome, Marguerite Willis, David Gossett, Leon Hamon, David Moore, Tim St. Clair, Tom Stephenson, Billy Wilkins and Elbert Dorn. Additionally, four attorneys are listed as Rising Stars. They are Jennifer Cluverius, Amy Allen Hinson, Brian Autry and Amy Harmon Geddes.
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