

# UPTOWN

a publication of the Municipal Association of South Carolina

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**Cover Photo:** North Charleston built the North Charleston Aquatics Center, a facility with multiple pools and the ability to host state and national swim events, in partnership with Dorchester County School District 2. Photo: City of North Charleston.

## Professional Municipal Clerks Week Takes Place May 5 – 11

**T**here is only one municipal staff role that South Carolina law requires of every city and town, no matter their size or form of government: the municipal clerk.

Each May, the International Institute of Municipal Clerks marks Professional Municipal Clerks Week to celebrate the essential functions of the role. The 55th annual observance will be May 5 – 11.

The Municipal Association website offers a sample resolution that city and town councils can use in May to recognize their clerks’ work in providing a professional link between residents and their local government. Find it at [www.masc.sc](http://www.masc.sc) (keyword: Municipal Clerks Week).

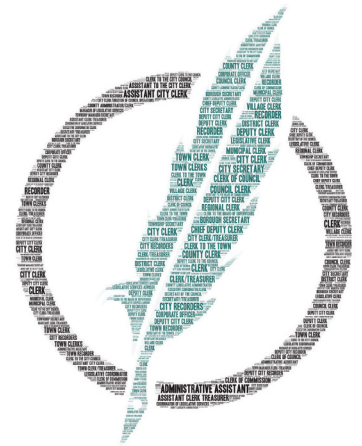
Municipal clerks often receive little attention, but they fulfill a crucial function for their governments. Their responsibilities include preparing the agendas for council meetings and then creating minutes of the meetings. Clerks maintain records of a city’s ordinances and council’s resolutions, and the records of appointed commissions and committees.

Beyond the regular work of handling agendas and records, many clerks also serve in financial and administrative roles for their cities and towns. A combined municipal clerk and finance officer role, generally referred to as a clerk/treasurer, is common in small and midsize cities. In larger cities, a standalone municipal clerk position usually exists. While the statutory duties of a clerk are limited in scope, the reality is that municipal clerks play a critical and varied role in supporting the mayor, city council, managers and administrators.

The SC Municipal Finance Officers, Clerks and Treasurers Association offers training programs throughout the year covering the wide range of responsibilities of finance officers, clerks and treasurers, and it is a cosponsor of the Municipal Clerks and Treasurers Institute. MCTI is a three-year program that counts toward the International Institute of Municipal Clerks’ Certified Municipal Clerks designation. Its curriculum covers numerous areas:

- The forms of municipal government in South Carolina, as well as municipal powers and duties
- The role of the municipal clerk
- Financial management
- Records management
- Public administration, including planning, budgeting and staffing
- Election administration
- Conducting meetings
- Personal development
- Municipal law

The next MCTI session, Year 3, Session A, will take place September 11 – 13 in Columbia. The SC Municipal Finance Officers, Clerks and Treasurers Association will host its Joint Academy, in partnership with the SC Business Licensing Officials Association, October 8 – 11 on Hilton Head Island. Learn more at [www.masc.sc](http://www.masc.sc) (keyword: MFOCTA).



**Professional Municipal CLERKS WEEK**



## Save the Date for the 2024 Annual Meeting

July 17 – 21, 2024 | Greenville, SC

The 2024 Annual Meeting of the Municipal Association of South Carolina will take place July 17 – 21 at the Hyatt Regency Greenville.

The Association will use its regular registration process to make sure that municipal officials have priority for the limited available reservations and ticketed events. It will draw city and town names June 17, 18 and 20 to determine the order of registration appointments. The deadline to sign up for the drawing is May 31.

Look for more details on registration and conference sessions in upcoming issues of *Uptown*.

## Association Highlight:

### *Risk Management Institute*

The Municipal Association of SC Risk Management Services offers the Risk Management Institute to municipal staff whose employers are members of either the SC Municipal Insurance Trust or the SC Municipal Insurance and Risk Financing Fund, and whose job duties include risk management responsibilities.

RMI helps these employees become more knowledgeable and skilled in risk management while also expanding their network of professional peers and familiarizing themselves with the resources that can help them solve local challenges.

To complete the institute, participants must take a total of eight classes. The institute offers courses at various locations around the state throughout the year, with some online, on-demand courses. Core credits include defensive driving, public works risk management, an introduction to risk management, an introduction to employment liability and workers' compensation. Elective credits include various topics on fire training, law enforcement training, and participation in the RMS Annual Members Meeting. Because of the complexity of topics, the coursework features a mix of half-day seminars along with full-day workshops. There is no fee for members to participate in the institute.

Learn more and register for RMI at [www.masc.sc](http://www.masc.sc) (keyword: Risk Management Institute).

# NEWS BRIEFS

In February, several municipal court administration officials graduated from the MCAA 101 training of the Municipal Court Administration Association of SC. The program's three courses provide the staff of municipal courts with the skills critical to their positions. The graduates were **Miranda Adcock**, City of Barnwell; **Kathlene Addair**, Town of Moncks Corner; **Stephanie Busha**, Town of Central; **Rebecca Davis**, Town of Swansea; **Sarah Ellinger**, City of Greenville; **Marian Thompson-Greene**, Town of Andrews; **Vanessa Hall**, City of Charleston; **Elizabeth Mitchum**, Town of Pelion; **Ariel Rogers**, City of Simpsonville; **Brittany Rollando**, City of Greenville; **Samantha Sharps**, City of Goose Creek; **Pam Shepard**, Town of Springdale; **Charlene Thompson**, Town of Jonesville; and **Joni Vaughn**, Town of Lyman.

The SC Energy Office awarded its 2023 mini-grant recipients for high-impact energy efficiency, renewable energy and clean transportation projects. The recipients include the **City of Clinton**, **City of Gaffney**, **Greenville Water**, **City of Greenwood** and the **City of Westminster**.



# Doughnut Holes, Contiguity and City Services

*Creativity Helps Communicate Annexation Complexity*

In municipal government, annexation receives a great deal of discussion, but it's often a poorly understood issue.

Observers and property owners may wonder whether given areas are “in the city,” or be unclear on whose emergency services will arrive if their property faces a fire or a crime. They might wonder whether they are in a position to annex into the city, or what will happen to their taxes and fees if they do. If they are located outside the city, they might be confused about why they cannot vote for the city council that has the same city name as their mailing address.

In an era when South Carolina's growing population is placing substantial development pressure on many communities, the infrastructure construction and land-use considerations of annexation are at the forefront as well.

Establishing a strategic communication plan, however, can alleviate some of the uncertainty municipalities face when talking to constituents about the subject. As municipalities across the state grapple with how to deal with their municipal enclaves or “doughnut holes” — the unincorporated properties within municipal and jurisdictional boundaries — some are working to have annexation conversations in approachable and accessible ways. The Town of Summerville and the City of Forest Acres are among those using innovative solutions to address this multifaceted issue.

With the Charleston-area population boom bringing more residents to wider portions of the Lowcountry, places like the Town of Summerville have seen

a population surge, with many more residents expected in the years to come. As part of the town's Vision Plan, adopted in July 2014, a top priority remains the implementation of an annexation strategy.

Christopher Makowski, who joined the town over a year ago as the public information officer, reported that in the last two years, 23 parcels totaling in 89.125 acres have been annexed through 16 annexation ordinances. That follows the reported annexation of more than 900 acres off of Nexton Parkway in 2020.

To get the word out, the town offers various ways of communicating about the annexation process and explaining annexation as a whole, Makowski said. One way to achieve this is through the use of the town's website, which has several dedicated annexation pages that prominently address important annexation topics, from defining it to covering the benefits of annexing into the town to a step-by-step outline of the process.

Summerville distributes an annexation brochure as well, Makowski said, which describes town services and benefits as well as annexation eligibility requirements.

The town also created an internal annexation work plan.

“This work plan is almost a step-by-step guide to really help someone go through the annexation process — jurisdictional concerns, the benefits and town services and amenities you'd be gaining if you annexed into the town, potential costs to the town, potential costs to residents and businesses, to generalized next steps,” Makowski said.

Since the work plan creates a more comprehensive look at annexation

for anyone interested, he said, it also serves as another tool in the annexation communication toolbox.

Makowski explained that an additional outreach strategy happens at the personal level, where staff meet with homeowners associations to discuss the benefits of annexing into Summerville. That's not all — the city also has one-on-one meetings with incoming developers.

“If we see developers coming into a new area, we'll set up those meetings to discuss the potentials and the benefits of annexation,” he said.

In the Midlands, the City of Forest Acres is no stranger to the annexation conversation, and there's more to come. Lynnsey Baker, public information officer, who joined the city over two years ago after relocating to Forest Acres, is about to embark on a second phase of the “Annex The Acres” campaign.

With a background in broadcast journalism, Baker put her communication skills to work when she transitioned to local government, having the annexation conversations right from the start of stepping into the PIO.

“When they brought me on, one of my many roles ... is to figure out a way to annex more homes by explaining to them what the truth is of an annexation, like the traditional way that the city was going about it,” Baker said.

A city-wide community meeting in April 2022 provided area residents with an annexation presentation. Baker recalled that about 35 people attended that early meeting, which was advertised solely on social media.

"It kind of evolved over the next year, where I would look at real-life situations," Baker said, recounting a busy day at the police department, where she also handles communications.

"I was noticing all these calls coming in and our dispatcher spending so much time referring them on, saying 'You're not ours, you're not ours.'"

The confusion over who people needed to call comes from an understandable place: Forest Acres has numerous doughnut holes within its boundaries.

"If people really looked at the map of Forest Acres, [it would look] as if a child had colored inside the lines," she said. "It is abysmal the way annexation lines are drawn within our city — beyond inefficient."

"So that day [at Forest Acres Police Department], I took video of our dispatcher referring people on and I called it the "Daily Circus," just trying to explain to people in a digestible form, using my news background ... trying to break it down for them as to how this affects you," she said.

Baker also included real-life annexations in the city's social media posts, aimed at helping the audience understand how choosing to annex could impact governmental services at their property.

"It comes from an issue of safety. I don't think people realize — you call 911 and you're unincorporated, your call is going to get dispatched to the county." Baker explained that the centrally located Forest Acres Police Department has a three-minute average response time, whereas Richland County's is 12.

To further the conversation, Baker created a webpage dedicated to annexing into Forest Acres. With the title of "Annex The Acres," the campaign formally launched in February 2024 with a postcard mailing to over 600 unincorporated homes within the city's doughnut holes. It discussed annexation benefits and gave a QR code linking to the application page.

Baker said that part of her strategy is to find creative ways to tap into the immense hometown pride residents of Forest Acres have for their city. Although the 2020

U.S. Census gave the city's population as 10,532, the Forest Acres area — municipal enclaves and all — could be anywhere from 12,000 to 15,000, putting it more in the realm of the nearby City of Cayce and not too far behind West Columbia.

A recent analysis concluded that 75% of properties incorporated into Forest Acres pay for 100% of city amenities and services. The other 25% represent the unincorporated properties within the city's boundaries. What's more, Baker said, approximately 80% of the unincorporated properties would actually save money on property taxes by incorporating into the city.

"We want to promote efficiency in government," she said. "And I don't think it's a one-size-fits-all approach."

With annexation being such a pressing issue across South Carolina, municipalities are looking for creative strategies to broach the conversation with unincorporated residents, in hopes of closing doughnut holes, gathering accurate population data, and bringing more community members into the fold.

**ANNEX THE ACRES**

Help us take Forest Acres from great to elite.

We can better our community's lifestyle by giving an improved population count when applying for grants. From parks to roadways, numbers talk, and accuracy matters.

Did you know we have nearly as many residents as Cayce? You live here — but donut holes make it impossible for us to reflect our more accurate population when applying for grants.

Plus...

Help our police with enforcement by allowing them to patrol the entire city and end the jurisdictional circus that impacts everything from speeding enforcement and your family's safety. Also, our police response times average 10 minutes faster than the county. That matters when seconds count.

This is inefficiency in government at its finest. Help us fix what lawmakers have neglected to do.

Help us make you safer — and help us make your city the best it can be.

Assessed Tax	Estimated Tax
Value	\$196.22
\$175,000	\$108.02
\$275,000	\$19.82
\$375,000	

We only need one document and we do the rest in just three short months. Scan this code to learn more!

Forest Acres recently mailed hundreds of "Annex the Acres" postcards to unincorporated properties within its enclaves. Photos: City of Forest Acres.

**RESIDENTIAL ANNEXATION INTO THE TOWN OF SUMMERVILLE**

**WHAT IS ANNEXATION?**  
Annexation is the process that expands a municipality's boundaries. Annexation into the Town of Summerville typically occurs when residents agree to join the Town for improved services and accessible government. South Carolina law provides for the annexation of land parcels or areas contiguous to (touching) the Town's existing limits.

Residents often have questions about annexation. While annexation does affect some services, such as garbage collection, many others, such as the school your child attends, are not affected. In addition, annexation does not affect the ownership of your property.

**HOW DO I ANNEX?**  
Requesting annexation of your residential property into the Town of Summerville is a simple, straightforward process.

- Step 1: As the property owner, you complete and submit an annexation application and supporting documentation through our online portal at <https://www.citizenserve.com/summerville>. You will be required to create an account to use the portal.
- Step 2: Town staff prepares an analysis and presents the application to the Town's Planning Commission. The Commission makes a recommendation for approval and assigns a Town zoning classification. This classification typically corresponds to the zoning classification of the property at the time the application was submitted.
- Step 3: Town staff presents the Planning Commission recommendation to Summerville Town Council in the form of an ordinance. Council must give the ordinance two readings (approval votes) at two separate meetings in order to approve the annexation.
- Step 4: Once Council has approved the annexation, the property is officially in Summerville town limits and Town services begin.

**WHO CAN ANNEX?**  
Annexation eligibility is determined by the location of the property to be annexed and the overall goals of the Town. To be eligible for annexation, the property must be (1) contiguous to (touching) the Town's existing limits, and (2) approved by Summerville Town Council.

**IS IT POSSIBLE FOR MY ENTIRE NEIGHBORHOOD TO ANNEX?**  
Yes. If multiple property owners within a neighborhood are interested in annexing into the Town of Summerville, state law provides several methods for requesting annexation.

- Method 1: A petition requesting annexation signed by 100% of the neighborhood property owners.
- Method 2: A petition requesting annexation signed by 75% of the neighborhood's property owners; the owners signing the petition must have title to at least 75% of the total assessed value of the property in the neighborhood.
- Method 3: A petition requesting annexation signed by 25% of the qualified electors in the neighborhood/area; the request will require an election to approve annexation.

Revised 1/2020

Summerville's annexation communication materials explain both the process and the potential benefits. Photo: Town of Summerville.



# Policies Help Reduce Costly Auto Crashes

**A**t-fault vehicle crashes — including those caused by distracted driving or a failure to drive defensively — are an expensive issue for cities and towns, and an unfortunately common one as well.

In 2023, the SC Municipal Insurance Trust handled 1,142 total auto physical damage and auto liability claims. Of those cases, about 60% of the total incurred claims, amounting to \$3.7 million, resulted from at-fault loss types.

There are many steps municipalities can take to improve the safety of their workers on the road, ranging from effective vehicle safety policies to training to holding employees and departments accountable for their driving records. A valuable starting point for this comes from the *10-Step Program to Minimize Crash Risk*, established by the Network of Employers for Traffic Safety, National Highway Traffic Safety Administration and Occupational Safety and Health Administration, and available through [www.osha.gov](http://www.osha.gov).

While no effort can completely eliminate the potential for automobile losses, using these 10 steps as a risk management system can help.

## **1. Senior Management and Elected Leadership Commitment and Employee Involvement**

Establishing a safety culture for work-related driving cannot work without attention from management and elected leaders, who can set the necessary policies and direct the necessary resources, as well as staff having involvement in the planning and implementation phases.

## **2. Written Policies and Procedures**

Cities need traffic safety policies for employees that are clear and enforceable, addressing everything from alcohol and drug use policies to seat belt usage policies.

## **3. Driver Agreements**

One way that municipalities can promote safe driving habits among employees is to create a driver agreement form to encourage commitment to the policy. Employees signing the agreement acknowledge that they understand and will follow the city's policies and expectations for safe driving.

## **4. Motor Vehicle Record Checks**

Cities need to periodically check the driving records of all employees who need to drive for work. Cities' policies should indicate the points when they will provide further training for employees, and the number of violations that would cause them to remove driving-for-work privileges.

## **5. Crash Reporting and Investigation**

Policies should require employees to report all crashes that occur when working, no matter how serious. The city should then follow a defined investigation process, determining the cause of the crash and whether it was preventable.

## **6. Vehicle Selection, Maintenance and Inspection**

Cities need to consider the ability of vehicles to handle crashes well when choosing them. They should adopt a schedule for preventive maintenance at given mileage levels, following the manufacturer's guidelines.

### 7. Disciplinary Action System

For moving violations and collisions found to be preventable, cities should have a progressive discipline system for drivers with a given number of recorded problems in a set period.

### 8. Reward and Incentive Program

On the opposite side of the issue from discipline, cities should also review records of good driving, and consider incentives that can be anything from recognition to special privileges or monetary rewards.

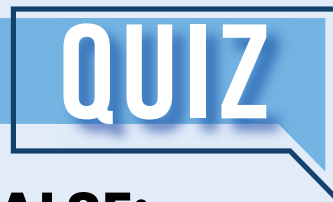
### 9. Driver Training and Communication

Focusing on ongoing reminders of safe driving processes can help employees retain skills and keep from becoming complacent.

### 10. Regulatory Compliance

Be aware of regulations from entities that govern vehicle operation, such as the Federal Motor Carrier Safety Administration, U.S. Department of Transportation, National Highway Transportation Safety Administration, Federal Highway Administration and Employment Standards Administration.

*Cities with SCMIT or SCMIRF membership are eligible for a free four-hour defensive driver training offered through the National Safety Council. For more information, contact Bethany Pendley, loss control manager, at 803.933.1210 or bpendley@masc.sc.*



## TRUE OR FALSE:

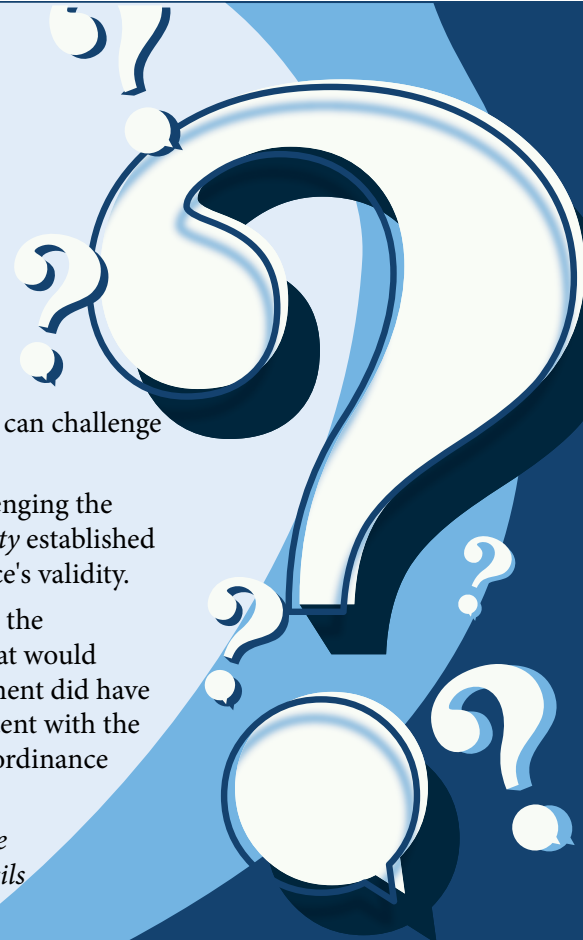
South Carolina courts have ruled that a local ordinance is a legislative enactment, and is presumed constitutional upon adoption.

**TRUE** Ordinances have the presumption of constitutionality, but third parties can challenge their constitutionality.

The burden of proving that a local ordinance is invalid rests with the party challenging the ordinance. The 2011 SC Supreme Court case *Sandlands C & D, LLC v. Horry County* established a two-step judicial review process that courts can follow to determine the ordinance's validity.

First, the court determines whether the local government has the power to enact the ordinance — in other words, whether there has been any legislation by the state that would preempt the local government's ordinance. If the court finds that the local government did have the power to pass the ordinance, then it considers whether the ordinance is consistent with the South Carolina Constitution and Code of Laws. If so, then the court may find the ordinance valid.

*The Municipal Elected Officials Institute of Government offers in-person and online courses. "Municipal Governance and Policy" will be offered at selected regional councils of governments locations on May 21. The registration deadline for the course is May 13. Learn more at [www.masc.sc](http://www.masc.sc) (keyword: MEO).*



# General Assembly Passes Permitless Gun Carry Law

In March, the South Carolina House and Senate passed a conference committee report on H3594, the permitless firearm carry legislation, which took effect upon the signature of the governor on March 7.

Here are key points of the new law:

## Who can carry firearms

The new state law allows anyone 18 years or older to carry a firearm in public without a concealed weapons permit, training or background check.

## Locations where gun owners cannot carry guns

The law names numerous locations where gun owners cannot carry their guns:

- A courthouse, courtroom or other publicly owned building, whether owned by the state, a county, a municipality, or other political subdivision, where court is held and during the time that court is in session
- Polling places on election days
- At an office of or business meeting of the governing body of a county, public school district, municipality, or special purpose district
- A school or college athletic event not related to firearms
- A daycare facility or preschool facility
- Any place where the carrying of firearms is prohibited by federal law
- Any church or other established religious sanctuary unless express permission is given by the appropriate church official or governing body
- A hospital, medical clinic, doctor's office, or any other facility where medical services or procedures are performed, unless expressly authorized by the appropriate entity
- A residence or dwelling place of another person without the express permission of the owner or person in legal control or possession of the residence or dwelling place, as appropriate; or
- A place clearly marked with a sign prohibiting the carrying of a concealable weapon on the premises in compliance with SC Code Section 23-31-235

The law also preserves current signage requirements in SC Code Section 23-31-235 to alert carriers they may not carry at any of the premises listed.

## Carrying in establishments that serve alcohol

The law prohibits carriers from knowingly carrying firearms into an establishment that sells alcohol when they will be drinking. If they are not drinking, they may carry firearms into the establishment.

## Reporting firearm thefts

The law requires gun owners who have a weapon stolen to report the theft to law enforcement within 30 days of discovering it.

## Convicted felons prohibited from carrying

The law prohibits convicted felons from possessing firearms, and establishes penalties of up to 30 years of imprisonment for doing so.

## Police cannot use carrying as a reason to stop someone

Merely carrying a weapon may not be used as cause by law enforcement to search, detain or arrest someone under the law.

## Prior weapon possession convictions can be expunged

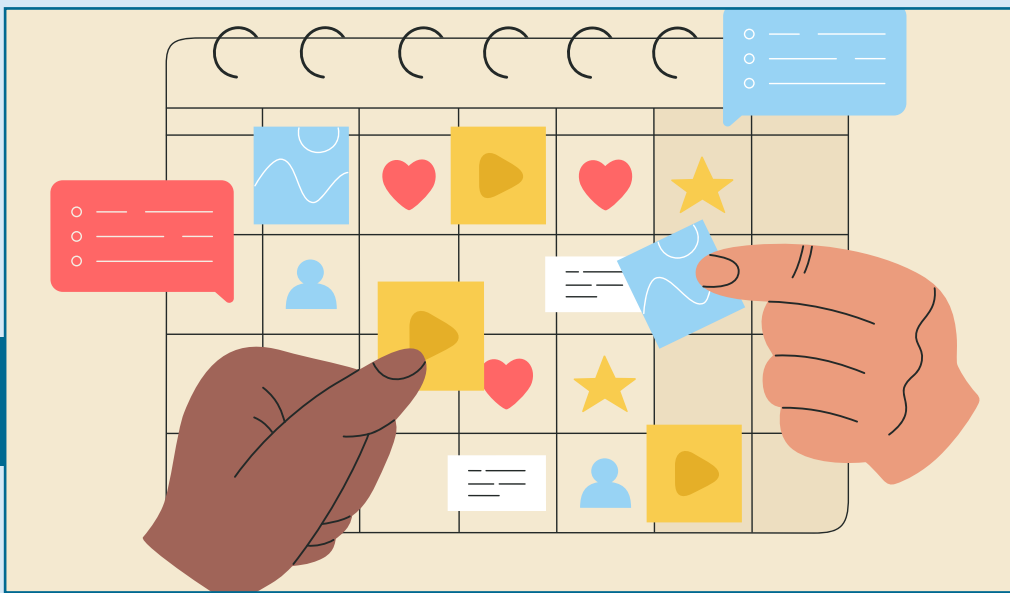
Anyone convicted of unlawful possession prior to enactment of H3594 may apply for expungement.

## Concealed weapon permit classes available for free

The law requires the SC Law Enforcement Division to contract with concealed weapon permit instructors to provide CWP training twice each month in each county at no charge to trainees. It specifies that anyone who does not have a CWP and is convicted of a crime involving a gun can face up to three additional years in prison. Anyone who has a CWP and is convicted of a crime involving a gun is not subject to this additional three years in prison.

*Stay up to date with legislative action at the South Carolina State House by subscribing to the Municipal Association's From the Dome to Your Home report at [www.masc.sc](http://www.masc.sc) (keyword: Dome).*





# Municipal Social Media Needs Policies

**W**hether municipal officials are starting a new social media page, or are looking to enhance an existing social media strategy, using Facebook, Instagram, X or any other platform can be a valuable tool. Social media provides a cost-effective way for cities to promote resident engagement, create transparency and catch the attention of visitors and businesses.

Beyond simply highlighting what the community has to offer, many cities use social media as part of their emergency action planning, since instantaneous communication is possible. Social media offers two-way communication, which allows residents to easily share concerns with their municipality on everything from damaged sidewalks to missed trash pickups. A growing number of city councils are livestreaming their public meetings on social media, opening up the government's operations to more people than ever before, and some are even accepting public comments online.

The benefits of social media come with pitfalls as well. Posts can create liability for the municipality, and could, in a lawsuit, contribute to a judgment against the municipality.

## Setting policies

To help reduce the potential liability of social media, municipalities should have a policy that outlines who can post

on behalf of the municipality and the types of content that staff can post in an official capacity. Designating specific individuals to post information — ideally someone with training and experience in communication — allows the municipality to have more control over the content.

Maintaining a point person for social media also helps with credibility as well, when the city selects someone who can properly vet the information for accuracy and to maintain professionalism in everything from the tone to the grammar and spelling used in posts.

## Maintaining records

Social media use by public entities is considered public record, and can be subject to public records laws. The SC Freedom of Information Act requires the retention of social media content. In cases where a municipality receives a FOIA request for social media records, the social media platform itself may not have the records, especially if they were deleted. Services that archive social media records are available by paid subscription. At the very least, cities need to be making a record of any user posts they removed that violate city policies.

## Moderating user comments

The First Amendment of the U.S. Constitution limits a municipality's ability

to do things like delete a post or ban a user, and a key issue for social media platforms is whether the local government has created an open public forum or limited public forum. In an open public forum, which a municipality might establish by inviting or allowing open comment on any topic, the government may impose very few regulations.

Municipalities should take care to avoid establishing open public forums on social media. If they allow comments, they should include language and rules that create limited public forums, where expression is available only for a specific purpose or topic. With the rules of such a forum established and posted, a municipality could enforce viewpoint-neutral terms and conditions for commenting. For example, they could prohibit profanity, threats or racist statements. Courts have found, however, that deleting comments that criticize the municipality or its employees violates the First Amendment, even in a limited public forum.

*For more information on FOIA issues, see the Public Official's Guide to Compliance with the South Carolina Freedom of Information Act, found at [www.masc.sc](http://www.masc.sc) (keyword: FOIA).*



# Staying on Top of Recreation Trends Cities Plan Ahead With Facility Development

*The 75-acre Florence Sports Complex, home to the Carolina Bank Baseball Stadium, five Little League Fields, a high school baseball field and a collegiate-level outdoor track, opened in 2023 next to the Dr. Eddie Floyd Florence Tennis Center. Photo: City of Florence.*

**F**or cities, making decisions on recreation facility development can be a balancing act between new activities and long-time favorites, and between recreation leagues for local residents and tournaments that bring people — and dollars — from out of town.

The key, recreation department leaders say, is surveying the evolving landscape, listening to what the public wants and taking care to provide recreation activities for all parts of the community.

In Hardeeville in the southern corner of South Carolina, Jennifer Combs, director of parks, recreation and tourism, described the city's needs as simple: "to provide recreational opportunities for a better quality of life for a growing community."

"Jasper County is a very rural community, and there was a need to provide more recreational opportunities and facilities that were lacking in our area while also understanding the need to bring our community together," she said.

Hardeeville opened its new recreation center in 2021, complete with an indoor walking track, an NCAA-regulation basketball court, as well as volleyball, racquetball and pickleball courts.

"Adding the recreation center was a dream that encompassed many councils and administrations that believed in the vision of a future where recreation was central to improving the quality for life for residents inside Hardeeville, and would also engage economic development opportunities with stakeholders to generate revenue to put back into recreation," Combs said.

She said the department's philosophy is centered around traditional sports offerings, but Hardeeville is constantly evaluating the community's needs and welcoming new sports and trends to offer to residents and visitors.

In today's recreation world, that often means pickleball.

"Pickleball is by far one of the fastest-growing sports. We knew it could be a

game changer as we are one of the only places in our area to offer pickleball year-round and indoors," Combs said.

Residents who loved the sport and wanted an indoor place to play led the effort to add pickleball courts in Hardeeville.

"We listened and haven't looked back," she said. "It's a popular offering and has generated revenue for the city. More programming is coming with the help of this wonderful group who believe so passionately about the sport."

Further up the coast, the City of North Charleston is in the midst of a recreation building boom.

In the past three years, the city has built an athletic center with three basketball courts as well as an aquatic facility, and is in the middle of building a sports complex with basketball, football, tennis, hockey, inline skating, baseball and softball. It also just opened the Park Circle multi-use facility, home to what the city describes as "the world's largest inclusive playground,"

along with an inclusive baseball field, walking trails and flexible event space.

The facilities are available for local residents' use, and when they aren't being used for local leagues or events, North Charleston benefits from visitors who use the facilities.

"The Charleston area and the Lowcountry is a destination for a lot of folks. We wanted to be able to have these facilities so we can host bigger, regional-type events like [Amateur Athletic Union] basketball and swim meets," said TJ Rostin, North Charleston's recreation director. "We've been able to have different associations rent our facilities for large events."

He said North Charleston residents take priority, and the city schedules its own sports leagues for basketball and other sports. If the courts are free, the city allows visitors and organizations to rent the space for tournaments.

He said North Charleston tries to get community input in deciding what type of sports and activities to offer, and looks at building multi-use facilities as much as possible.

"We don't look at trends and say, 'Oh we need to build something because of a trend.' But if we see a trend — and pickleball obviously is a trend — we try to renovate or revitalize the old facilities so we have a place for them to play pickleball. We have facilities close to these new facilities that needed a little

TLC, so we put money into them to make pickleball courts."

In the new North Charleston facility, the basketball courts also have pickleball lines, so the courts can be shared by the two sports.

"Make sure that what you're going to build is going to benefit everyone, not just a particular sport or a particular trend. Try to make your facility multi-use, so your community can enjoy it 365 days a year, and it's also something outsiders coming into your town can enjoy and utilize."

With the Freedom Florence baseball complex that opened 30 years ago, the City of Florence "dipped its toe into the sports tourism industry," said Tim Wilson, the athletics and sports tourism manager.

Once it saw what those fields could accomplish, Florence and its partners saw the importance of larger facilities for both local rec leagues and the tourism industry. The Dr. Eddie Floyd Florence Tennis Center was added 12 years ago, with its 30 courts home to about 40 tournaments each year. The Florence Soccer Complex opened in 2018, with 14 fields providing room for recreation programs and travel tournaments.

The Pearl Moore Basketball Center opened in 2018, and that led to the Florence Sports Complex, which opened a whole new sector for sports and recreation tourism. It includes a park for

the Florence Flamingos baseball team of the Coastal Plains League, along with a track for the 200 kids in the city's youth track and field program, and baseball fields to bring the city's three leagues into one place.

"You have to be engaged with the public," said Florence's Interim City Manager Scotty Davis. "You have to listen to them and follow what's going on in the community. You have to track what's going on and then you have to show public officials and leaders. Some will look at quality of life; others want to see that return on investment. We can show both groups that we are making a positive impact."

But what goes into determining which sports are here to stay and what may be a fad?

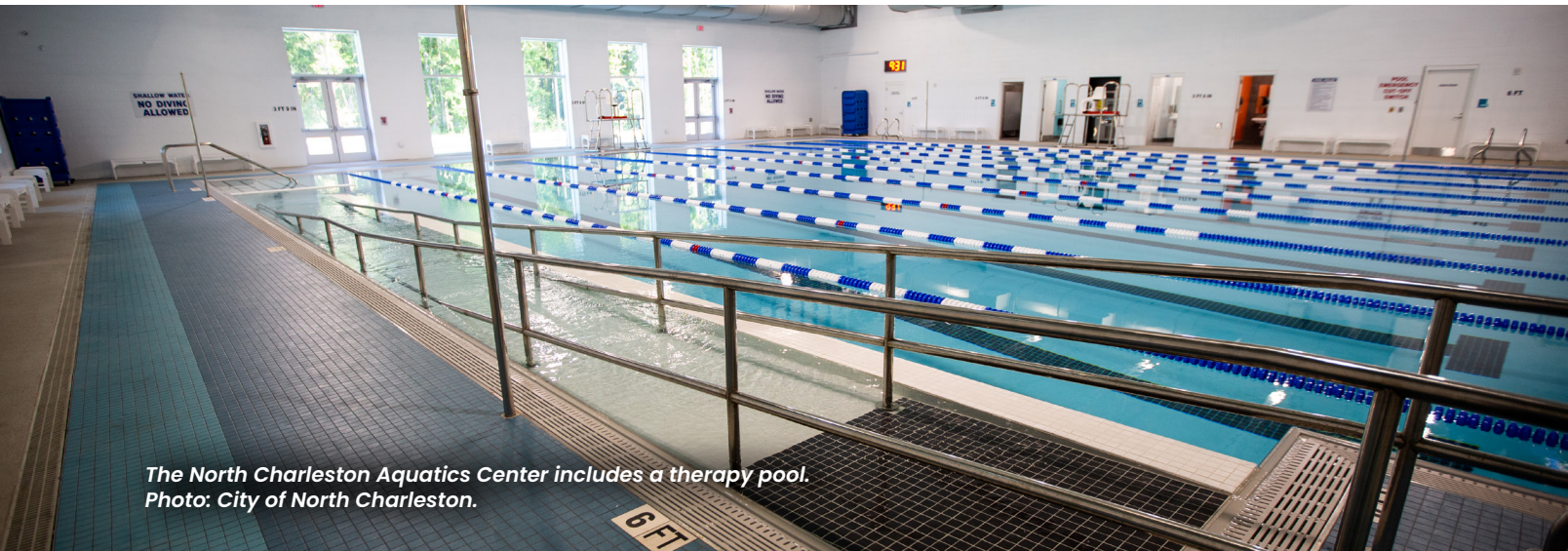
Wilson said the city strikes its balance between different sports by first looking at the community's needs. The track program, for example, had been using high school facilities, and while the relationship was strong, the school was limited in what it could offer the city's young runners.

"Track needed a place to call home. And now that program can grow," he said. "The opportunities at that venue to bring large-scale events to the city will have a positive impact on the community. The sky is the limit with that facility."

Similar commitments have been made to offer larger and permanent homes to



*In addition to pickleball courts, the Hardeeville Recreation Center offers volleyball, racquetball and basketball courts, a fitness center, and an indoor walking track. Photo: City of Hardeeville.*



The North Charleston Aquatics Center includes a therapy pool. Photo: City of North Charleston.

sports like basketball, while pickleball is also getting some attention.

“Pickleball is here to stay,” Wilson said. “If you’d asked me four years ago, I would have told you it was more of a fad. But now it’s spreading across all kinds of lines. Everybody’s playing pickleball. We have a strong pickleball community here and they want an indoor facility. We’re not at the point we can do that, but we are

bidding out a project to take three tennis courts and create eight pickleball courts. That will give them 14 courts at one of our parks.”

Wilson advised municipalities that may be looking at expanding their recreation offerings to tap into the sports tourism market to find a niche and understand what the local market has to offer. He also stressed the importance of patience.

“It takes time. If you focus on building a brand of sports tourism, it’s not going to happen overnight,” he said. “There’s been a lot of tournaments I’ve bid on and didn’t get, but as we’ve gotten Florence’s name out there, and we’ve continued to improve and build new facilities, we are at the point now where we’re excited about the challenges and we’re going to get there.”

## Tourism Investment Spending By the Numbers



**\$395 million**

**More than \$395 million in tourism investments by reporting cities and towns in FY 2022**

**Average total investment of \$2.5 million per municipality reporting**

**\$2.5 million**



*These numbers come from the SC Revenue and Fiscal Affairs Office’s Local Government Finance Report, which had 160 cities and towns responding as of December 2023. Failure to submit this annual report by the March 15 deadline may result in a 10% withholding of distributions from the State Treasurer’s Office, such as Local Government Fund and state accommodations tax funding, until the municipality submits the required information.*

*The report’s information is used to prepare fiscal impact statements on proposed legislation as requested by state legislators and to analyze financial trends. Learn more and find the data at <https://rfa.sc.gov/data-research/local-government/report-submit>.*

# Know the Hazards of Lightning Strikes

Summer is the peak time for thunderstorms, and lightning poses an often-overlooked hazard that can seriously injure or kill workers. In recent decades in the United States, more than 300 people were struck by lightning on average each year. Of those, about 50 were killed, with many others suffering permanent disabilities, according to the Occupational Safety and Health Administration.

Employees who face a greater risk for lightning strikes are those stationed outdoors, recreation staff, utility and public service workers, or landscaping workers. OSHA has reported that many lightning strike victims are the workers who became caught in a storm because they did not seek shelter quickly enough in the face of a thunderstorm — inside a building ideally, or inside an enclosed vehicle if necessary — or those who returned outside too quickly after a storm appeared to pass.

Here are some considerations for lightning hazards to employees and property.

## Weather monitoring

Employers and staff need to be vigilant of weather conditions, be willing to reschedule jobs and events around thunderstorms, and be familiar with the outlooks predicted by the National Weather Service. Supervisors should train their workers on severe weather plans, and keep emergency supplies, including a battery-operated weather radio, available.

Cities and towns should have an inclement weather policy specifying who decides whether to cancel or postpone work projects, special events or other activities. Policies should indicate when the decision will be made, based on which source — such as the local NWS office — and how the decision will be communicated to employees, volunteers, vendors, participants or attendees.

The National Weather Service Storm Prediction Center uses this terminology to communicate the outlook of severe weather:

**Category 1, marginal risk**, indicates isolated severe thunderstorms are possible. This outlook is common and occurs throughout the year.

**Category 2, slight risk**, indicates that a threat exists for short-lived, isolated severe storms. This outlook is common during summer months.

**Category 3, enhanced risk**, indicates that persistent and widespread storms are likely.

**Category 4, moderate risk**, indicates that widespread severe thunderstorms are likely. Numerous tornadoes and thunderstorms are likely. This outlook is only issued a few times per year.

**Category 5, high risk**, indicates that widespread severe thunderstorms are expected. The outlook indicates the potential for severe and life-threatening weather, including strong or long-lasting tornadoes. This type of alert is significantly uncommon.

## Property risks

Since 2019, the SC Municipal Insurance and Risk Financing Fund, the Municipal Association of South Carolina's property and casualty insurance program, has received more than 116 lightning property claims with a total cost of \$1.2 million.

Property damage from lightning can be particularly disruptive if it shuts down infrastructure items like water or wastewater controls. Vulnerabilities to property and infrastructure systems extend beyond just direct lightning strikes. Lightning bolts produce a larger field of static electricity that can damage or destroy electronic devices and systems — things like computer systems, security systems, or the communications and telemetry equipment on water towers.

Risk management assessments for city-owned properties should determine what backups are available for any piece of equipment in case of a lightning strike. They can also reduce the risk of lightning by making sure that all property is properly grounded, and that no grounding has been disconnected as a result of maintenance work.

Lightning strikes can cause fire or water damage to buildings, and some disaster recovery companies specialize in these kinds of damages. They typically provide measures to stop the spread of damage and begin making repairs. Damage may be too great for a property to be repaired and capable of being occupied again. In those cases, emergency response companies can provide for needs like temporary electric power, or temporary replacements for phones and computers.

*For more information about the South Carolina Municipal Insurance and Risk Financing Fund, visit [www.masc.sc](http://www.masc.sc) (keyword: SCMIRF).*



# Play It Safe With Playgrounds, Water Attractions and Pools

**P**lenty of the recreation facilities that cities and towns operate attract visitors all year, but for playgrounds and water attractions, the warm-weather months are undeniably the busy season. All of these facilities come with safety and liability concerns, and early preparation and forethought can help prevent injuries and potential lawsuits.

## Playgrounds

When playgrounds lack proper design and maintenance, they can become a dangerous liability. To prevent this, officials need to make certain they are following appropriate industry standards, such as those found in the Consumer Products Safety Commission's *Public Playground Safety Handbook*, available at [www.cpsc.gov](http://www.cpsc.gov), as well as the American Society for Testing and Materials' *Standard Consumer Specification for Playground Equipment for Public Use*, available at [www.astm.org](http://www.astm.org).

Here are some important takeaways from the standards:

### Assess equipment regularly –

Playground facilities need an inspection for safety issues at least once a month, and more often during high-use periods like the summer. Whenever possible, parks departments should use a safety inspector certified by the National Recreation and Park Association.

**Use a preventive maintenance program –** Document all inspection findings and maintenance performed. Correct any identified hazards.

**Use safety signage –** Make sure that playground equipment has proper signage providing direction and warnings are clearly visible and easily understood, even by those for whom English is not a first language.

**Consider play area layout –** Play areas need to be fenced or separated for different age groups as well as for conflicting activities. Also, parents need benches and other seating with immediate visibility of play areas to supervise children's play.

### Follow the Consumer Product Safety Commission Public Playground Safety Checklist –

This list gives standards for everything from the shock-absorbing protective surfacing around play equipment to the spacing of play equipment. It also covers dangers from hardware, sharp edges and equipment damage; spaces that could trap children; guardrails and tripping hazards.

## Splash pads, swimming pools, water parks

Splash pads have emerged as a widespread alternative to pools, given their lower cost and scalability, although

many cities maintain traditional pools. Some are operating full-scale water parks, such as the Town of Duncan with its Shipwreck Cove Water Park, and the City of Hartsville, which has the Neptune Island Waterpark.

All forms of water attractions have risk management concerns. Some are common to all types, like the need for prominently displayed rules, regular inspection and supervision for stairs and platforms — elements that can raise the potential for trips, slips and falls — and the concerns of improperly grounded electrical equipment, water quality and chlorine handling requirements. Operators should also pay attention to the maintenance of disinfecting mechanisms for recirculating water, since this requirement helps guard against the spread of recreational water illnesses.

All forms of water attractions need properly trained, certified and equipped staff. Wading pools or beach-entry pools serve small children and others who may need special attention from lifeguards.

Some signage issues are specific to swimming pools, like faded or otherwise illegible depth markings. If the parks department allows diving in the pool, it should mark the appropriate areas where diving is permitted, with “no diving” signs used in any other area. Rules for pool use need to be prominently displayed.

A lack of proper fencing can also be an issue because of the legal doctrine of “attractive nuisances.” This holds that property owners should take steps to discourage children from trespassing to access potentially dangerous facilities that can be reasonably anticipated to attract them, such as a pool. Beyond fencing, this involves locked gates and signage indicating that entry is prohibited outside of operating hours.

Municipalities with water attractions can find guidance from the SC Department of Health and Environmental Control’s Regulation 61-51, available at [www.schdhec.gov](http://www.schdhec.gov), which governs pools

and other built, public water attractions. It addresses construction and design requirements, equipment, operation and maintenance. It also includes a 16-part list of required items for a pool rules sign and sets out the regulations for signs indicating that no diving is allowed or that no lifeguard is on duty.

### Water bodies

For city parks established along lakes and rivers, signage is important for liability, such as “swim at your own risk” warnings for areas without lifeguards. In some cases, the municipality may need to restrict or prohibit activities like swimming and fishing.

Officials should also consider having adequate railings and keeping lifesaving equipment nearby for visitors to use.

*The SC Municipal Insurance and Risk Financing Fund provides its members with a parks and recreation toolkit. In addition to playground safety issues, it addresses concerns of parks and recreation personnel, the liability issues involved in fees and supervision, sports programs and other facility guidelines. Learn more about SCMIRF at [www.masc.sc](http://www.masc.sc) (keyword: SCMIRF).*

# Recreation Volunteers Need Risk Management Safeguards



**M**any cities and towns rely on volunteers to fill a number of roles in parks and recreation — everything from coaches to referees, umpires and aides. Although not employees, these volunteers are generally considered agents of the municipality, and their actions can create liability for the city.

There are many ways that cities can help minimize potential exposure.

### Screening

Require background checks and review driver’s license histories for volunteers. For positions that have contact with children, like coaches or playground leaders, or for volunteers who handle money, consider conducting criminal history checks.

### Training and supervision

Municipalities sponsoring sports and recreational activities should provide qualified instructors and adequate supervision. The training for volunteers and employees needs to be identical. Volunteers should receive a specific job description from which they are not to deviate from this during their time volunteering.

### Waivers

For some activities, the city should require participants to sign waivers of liability acknowledging the risks of the volunteer position and agreeing to not hold the city liable for any injuries. When establishing volunteer waiver forms, cities need to consult with their attorneys.

### Accident coverage

Only volunteers who receive compensation and those with an “authorized status” as defined by state law — for example, volunteer firefighters, reserve or auxiliary police officers and rescue workers — are covered under the workers’ compensation law. If injured, a volunteer not covered by workers’ compensation could file a claim against the municipality’s liability insurance provider. To limit its liability, a municipality can purchase an accident medical insurance policy that covers those volunteers who are not covered by workers’ compensation.

*For more information on reducing parks and recreation injuries and losses, contact Municipal Association of SC Risk Management Services loss control staff at [losscontrol@masc.sc](mailto:losscontrol@masc.sc).*



# Municipal Association of South Carolina

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## Calendar

For a complete listing of the Association's training opportunities, visit [www.masc.sc](http://www.masc.sc) to view the calendar.

### APRIL

**12 Municipal Court Administration Association of SC Spring Meeting.** Cooperative Conference Center, Columbia. Topics include managing workplace burnout, record keeping best practices, diversion programs, expungement laws and the Non-Resident Violators Compact.

**16 - 17 Risk Management Services: OSHA 10-Hour Training.** Municipal Association of SC, Columbia. Topics include hazard communication, exit routes, emergency action plans, fire prevention plans, personal protective equipment, walking and working surfaces, fall protection, lockout/tagout, hazardous materials and accident investigation.

**18 SC Municipal Finance Officers, Clerks and Treasurers Association Spring Academy.** Cooperative Conference Center, Columbia. Topics include work wellbeing, artificial intelligence, the SC Ethics Act, local option sales tax credits and campaign disclosure forms.

**25 SC Municipal Human Resources Association Spring Meeting.** Cooperative Conference Center, Columbia. Topics include establishing a safety culture, artificial intelligence, managing workplace burnout and alternative staffing solutions.

### MAY

**8 - 10 SC Community Development Association Annual Meeting.** Cambria Rock Hill - University Center, Rock Hill.

**14 Risk Management Services: Law Enforcement Training.** Cooperative Conference Center, Columbia.

**21 Municipal Elected Officials Institute of Government: Freedom of Information Act in SC and Municipal Governance Policy.** Regional Councils of Governments locations.

**21 Business Licensing Essentials Training.** Virtual.

### JUNE

**2 - 5 SC Association of Municipal Power Systems Annual Meeting.** Embassy Suites, Myrtle Beach.

**6 SC Association of Stormwater Managers Second Quarter Meeting.** Cooperative Conference Center, Columbia.

**12 SC Business Licensing Officials Association Accreditation in Business Licensing Exam.** Municipal Association of SC, Columbia.

**12 - 14 Main Street SC Managers' Summer Retreat.** Location to be determined, Florence.

**25 - 26 Municipal Count Administration Association of SC 101 Session A Training.** Municipal Association of SC, Columbia.

### JULY

**17 - 21 Municipal Association of SC Annual Meeting.** Hyatt Regency Greenville.

### AUGUST

**6 Risk Management Services: Defensive Driving Course.** Gignilliat Community Center, Seneca.

**14 SC Business Licensing Officials Association Accreditation in Business Licensing Exam.** Municipal Association of SC, Columbia.

**14 - 16 Municipal Court Administration Association of SC Annual Meeting.** Embassy Suites at Kingston Plantation, Myrtle Beach.

**20 Business Licensing Essentials Training.** Virtual.