

UPTOWN



a publication of the Municipal Association of South Carolina



First Half of Legislative Session Over, Issues Still Loom

The first half of the 125th South Carolina General Assembly was gavelled to a close on Thursday, May 12. This is the first year of a two-year session meaning that bills that did not pass this session are still active for the 2024 session.

Unlike sessions of the past, House and Senate members did not pass an adjournment, or sine die, resolution that governs when legislators would return to finalize the budget, conference committee reports or other important legislation. Without the

adjournment resolution, legislators can work on any legislation that is pending when they return to Columbia. Gov. Henry McMaster called legislators back in to session to continue to specifically work on abortion legislation.

Social issues took center stage

Leadership changes in the House brought new faces at the helm of committees and new priorities for the Democrat and

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Republican caucuses in both chambers and the Freedom Caucus in the House — a group that describes itself as the most conservative members of the chamber.

In addition to the state budget, social issues emerged as a focal point of debate, sometimes leading to heated exchanges among legislators. The House and the Senate debated multiple versions of abortion legislation several times. They also debated school choice bills, along with the permitless carrying of guns.

While Municipal Association of SC legislative staff worked on the state budget and bills related to the Association's Advocacy Initiatives, there were other bills related to affordable housing, bond reform, and tobacco flavoring that Association staff worked on throughout the session.

Several Advocacy Initiatives progress

Municipal officials adopted a comprehensive list of challenges facing cities and towns. The 2023 – 2024 Advocacy Initiatives represent solutions to those challenges through legislative action. While some saw action during the last six months and became a priority, others will take work during the months when House and Senate members are not in session. Here is an overview of those initiatives that received action.

Advocacy Initiative: Protect the authority of cities and towns to regulate short-term rentals within municipal boundaries.

Status: H3253 would prohibit cities and towns from banning and regulating short-term rentals. The bill was introduced and received two subcommittee hearings toward the end of the legislative session. The subcommittee did not take action on the bill and it remains active for the 2024 session.

Several attempts to pre-empt local regulation of short-term rentals through budget provisos were also opposed.

Advocacy Initiative: Support traffic safety measures including a ban on "squat trucks" and other local safety ordinances.

Status: S363 prohibits motor vehicle modifications that result in a motor vehicle's

front fender being raised 4 or more inches above the height of the rear fender. S363 was passed by the House of Representatives and the Senate and signed into law by the governor.

Advocacy Initiative: Support statewide hate crimes legislation.

Status: H3014, the Clementa C. Pinckney Hate Crimes Act, was introduced and passed by the House of Representatives. The Senate Judiciary Committee also approved this bill and sent the bill to the floor. At adjournment, three senators were objecting to the bill thereby preventing debate.

Advocacy Initiative: Allow cities and towns under a certain revenue threshold to complete a compilation of financial statements instead of a full audit.

Status: S31, the bill that allows cities and towns with less than \$500,000 in total revenues the option of providing a compilation of financial statements instead of a full audit, was passed by the House and Senate. Gov. McMaster vetoed the bill, and the Senate voted to override the veto. At press time, the bill awaited an override vote in the House.

Advocacy Initiative: Support stronger penalties for illegal fentanyl trafficking and possession.

Status: H3503 is the bill that creates a criminal offense for trafficking fentanyl and was passed by the House of Representatives and is on the Senate calendar for debate. The Senate passed S153, a similar bill related to fentanyl trafficking. That bill remains in the House Judiciary Committee.

Find out more about the legislative session at the Municipal Association's Annual Meeting, taking place in Greenville on July 27 – 30. Find full details at www.masc.sc (keyword: Annual Meeting). Also, look for a more detailed overview of the legislative session in the 2023 annual legislative report, which will be available at the Annual Meeting in July and online.

Check out the list of dates and locations for the Municipal Association's upcoming Regional Advocacy Meetings at www.masc.sc (keyword: Regional Advocacy Meetings). This article was written at the end of the regular session and is accurate as of May 12, 2023.

Municipal Clerks and Treasurers Institute Recognizes 2023 Graduates

The South Carolina Municipal Clerks and Treasurers Institute gained three new graduates in its April 2023 session. MCTI is a three-year program providing municipal clerks and treasurers with skills critical to their profession.

The 2023 graduates are Shannon Bowers, the town clerk of the Town of Chapin; Margot Martin, the chief financial officer of the City of Anderson; and Sheri Medina, clerk/treasurer for the Town of Surfside Beach.

Graduation from the program requires participants to complete more than 120 hours of classroom instruction on topics such as business license management, accounting and municipal law.

Completion of MCTI satisfies the education requirements for the certifications offered by the International Institute of Municipal Clerks as well as the Association of Public Treasurers of the United States and Canada. Those seeking IIMC's Certified Municipal Clerk designation also need to complete a capstone project. Participants can begin the program at any point and are encouraged to attend sessions consecutively.

Learn more about the program at www.masc.sc (keyword: MCTI).



The **Town of Mount Pleasant** was named a 2023 All-America City Finalist by the National Civic League. The award, given to 10 communities each year, recognizes those municipalities engaging in innovative, inclusive and effective efforts to address their challenges.

South Carolina Department of Parks, Recreation & Tourism announced the most recent award recipients of the Undiscovered South Carolina grant program. Cities receiving funding included the **City of North Augusta** for the Sharon Jones Amphitheater Expansion, and the **City of Rock Hill** for the Rock Hill BMX Facility Sidewalk Connector.

Southern Living magazine's 2023 list of the South's best cities included the **City of Charleston** in the No. 1 spot, making note of its walkable downtown, shops and restaurants, as well as the **City of Greenville**, citing its food scene, parks and trails. The magazine's list of the best small towns included the cities of **Beaufort, Folly Beach** and **Georgetown**, as well as the **Town of Bluffton**.



Building a Communication Plan Before the Crisis

Scandals, threats to public safety, interruptions in municipal services — there are many types of crises that municipal governments can face. When they come, they're fast and chaotic, with residents and news media looking for answers.

Even so, local elected officials have steps they can take before, during and after a crisis to make managing the crisis event smoother. Here's some key points on communication that officials should consider before, during and after an emergency.

Before the crisis

Designate a media contact, and make sure all city officials know to refer questions to this person.

The media contact should be knowledgeable, well-spoken, accessible, and ideally have regular contact with the media, which builds trust. Even when information is coming in from multiple sources on city staff, ask all media queries to flow through one contact who can ensure all questions are answered accurately and consistently.

When possible, the contact should not be a police or fire chief who have other critical roles in a disaster. The contact will nonetheless need access to leaders and staff to gain the information to do their jobs — putting someone in front of reporters who lacks the information to address critical topics is its own recipe for disaster. Consider also the need for alternates for the inevitable times when the main media contact is not available.

Take time to rehearse.

Problems can grow into emergencies because there was no planning. Running rehearsals for events like natural disasters or other life-threatening events can help city officials think through issues and see where procedural problems could arise.

During the crisis

Keep employees updated.

City council and staff should receive information before it's released to the media, or at least at the same time. In some cases, city leaders should call a staff meeting or conference call to provide the information which will allow staff to work effectively.

Give a statement.

Crises often involve sensitive subjects, especially if deaths, injuries or crimes have taken place. There may be a temptation to avoid being reasonably forthcoming out of a desire to protect

victims and police investigations. However, in the absence of real information, rumor and speculation can thrive.

The city can position itself as the best source of information by providing a reasonable amount of information in updates. Consider including background information, a sense of how the city will proceed or investigate, and information on how residents or businesses might be affected by the crisis.

Do not use phrases like "no comment" or "we have no information."

When officials say "no comment," residents can easily assume the city has something to hide. Going ahead with the information that can be released, even when the whole story isn't available yet, helps to maintain trust. There are plenty of alternatives to "no comment:"

- "I don't have an answer for that yet. We've just learned of the situation and are working to get more complete information."
- "We're still in the process of bringing the situation under control, so I cannot speculate on the cause of the incident."
- "We're [preparing a statement/putting together information] on that now. I should have something to give you shortly."

After the crisis

Be ready to give updates.

Major stories are likely to remain in the headlines after the initial crisis has passed. Residents and the media will have questions about long-term effects, the ongoing safety of those involved and any investigations or criminal charges to come out of the event.

Debrief city staff on communications efforts.

Reviewing how communication helped — or didn't — during the crisis can help the city be better-prepared for the next time.

Debriefing should involve asking questions about the process:

- Was the media contact available and prepared?
- Is there a better process for handling questions?
- Were the channels of communication with the public adequate?

Talking about these issues honestly will improve the city's response to the next crisis.

Protect Lives and Secure Property Before Severe Weather Strikes

The dangers and the costs of severe storms are high, and they're rising.

The National Oceanic and Atmospheric Administration has recorded a rise of extremely expensive "billion-dollar" hurricanes in recent decades, or storms that have cost \$1 billion in damages to the United States. From 2016 to 2021, it calculated a total cost of \$507.9 billion, or about half a trillion dollars.

In South Carolina, some of the more notable hurricanes in recent years have included Hurricane Matthew in 2016; Hurricane Florence, which brought significant flooding in 2018; and Hurricane Ian, which struck the state in 2022 only after making a much more devastating hit on Florida. Ian recorded 161 fatalities, and with a cost of \$113 billion, it became the third-most costly tropical cyclone ever recorded.

Another major insurance cost comes from the category of severe convective storms, which can be hailstorms, tornadoes, straight-line winds and lightning. Many insurance groups, like CoreLogic and Aon, have offered rising estimates of the annual costs of these storms, which have reached about \$17 billion as of 2023.

The time for much of the state's severe weather arrives with the formal beginning of the Atlantic hurricane season on June 1. Historically, the frequency of storms peaks in September, and the season formally ends November 30.

As cities and towns prepare for severe weather, here are several important considerations:

- **Review the city's emergency action plan.** Supervisors need to make sure that employees are trained on their roles and responsibilities.
- **Develop a dismissal plan for employees.** Employees who can be dismissed need enough time to leave work and either get home safely or evacuate before severe weather strikes.
- **Review the city's business continuity plan.** How will critical operations continue to function? How will essential employees operate during the emergency, and how will they travel to and from work?
- **Consider the location of the cities' vehicles and equipment.** Relocate vehicles and equipment to areas less prone to flooding, and do not store all of them in one place, if possible.
- **Conduct a tornado drill so employees know assembly points.**
- **Develop an emergency communications plan.** In recent years, cities have made effective use of social media in major storm events, but it's important to remember that online communication is not necessarily used by everyone in the community, so television and radio still have a place.
- **After a catastrophic storm, carefully photograph all damages.** Be sure avoid making repairs to a property until after completing an inspection or talking with an adjuster. Secure any damaged property to prevent further loss. This can include loose

items, windows, doors and roof covers. When necessary, move items away from roof leaks and low-lying areas, and be sure to move important paperwork, computers and other equipment to a safe location.

The National Hurricane Center maintains preparation resources to help residents understand flooding and wind risks, emergency supplies, forecasts, evacuations, shelter and cleanup. Learn more at www.nhc.noaa.gov/prepare/ready.php.

2023 Atlantic Hurricane Season Storm Names

| | |
|----------|----------|
| Arlene | Lee |
| Bret | Margot |
| Cindy | Nigel |
| Don | Ophelia |
| Emily | Philippe |
| Franklin | Rina |
| Gert | Sean |
| Harold | Tammy |
| Idalia | Vince |
| Jose | Whitney |
| Katia | |

Be Prepared for First Amendment Audits



Imagine a stranger arriving at city hall, walking through the lobby and hallways, video recording everything and everyone — employees, or maybe utility customers paying their water bill. When asked, the person will not provide identification or an explanation for his recording, but will act confrontationally, declaring an intention to remain at city hall, recording, no matter what.

This situation has all the hallmarks of a “First Amendment audit,” in which the person involved asserts a First Amendment right to record video in public places. It often results in tense encounters with public employees and officials, and many participants will upload these videos to YouTube.

When the person recording encounters demands to leave or face potential arrest, he will assert that the local government involved “failed the audit.” Understanding the law is key for all officials who might encounter these situations.

Legal background of First Amendment audits

Because of cellphones, most people now have video cameras in their possession at all times. After high-profile police encounters in New York, Baltimore and Ferguson, Missouri, activists are increasingly filming encounters between police and suspects, and federal courts have been highly protective of the rights of individuals to film police officers in public places.

Courts have established that video recording of police encounters is a form of speech protected by the First

Amendment. The case of *Fields v. City of Philadelphia* stated that the First Amendment provides the public a “right to record — photograph, film, or audio record — police officers conducting official police activity in public areas.”

First Amendment auditors soon began exploring more wide-ranging possibilities, since the federal cases affirm a right to film “public officials” in “public places.” Many first amendment auditors now move throughout a public building and video everything, both as a demonstration and as a test to see if they will be stopped or arrested.

The First Amendment is not absolute. The Supreme Court has recognized that there are certain locations where the government can limit speech.

The most protected areas are “traditional public forums” such as streets, sidewalks, parks and town squares, where governments may impose only very limited speech regulations. Other areas within public property are known as “nonpublic forums,” such as police and fire stations, public schools, courthouse lobbies and hallways, and the interior of government office buildings. Here, governments may impose significantly more restrictive regulations.

Preparing for First Amendment audits

These audits tend to be uncomfortable and even disruptive, but there are practical ways to plan for them:

- **Make employees aware and train them to avoid overreacting.** Public-facing employees should have some

familiarity with these audits, the right of someone to film public employees in public places and how to respond. The best defense is awareness of the law and simple patience — videos of employees responding calmly, deflecting or defusing inflammatory statements they hear, do not make interesting YouTube content.

- **Identify and mark nonpublic forums.** Auditors might try to enter private areas such as hallways, offices and other workspaces, but the municipality has a right to mark these as nonpublic and to impose reasonable regulations on recording in them. Nonpublic forums include areas where under ordinary circumstances, visitors must be invited before entering.
- **Consider rules about harassment.** Some auditors may engage in conduct that rises to the level of harassment. They might invade the privacy of private residents, or target a single employee for recording repeatedly and at length. Municipalities can adopt appropriate regulations about such harassment and abusive behaviors.
- **Consult with the municipal attorney before adopting regulations.** The rules are complex and First Amendment violations can result in monetary liability.

The Municipal Association offers a recorded video presentation on First Amendment audits. Learn more at www.masc.sc (keyword: First Amendment audits).

What to Consider When Annexing State-Owned Property

In some cases, a city or town might want to annex property owned by the federal or state government. Although such property is not subject to property taxes, it might allow the city or town to establish contiguity with other parcels or might otherwise serve municipal goals.

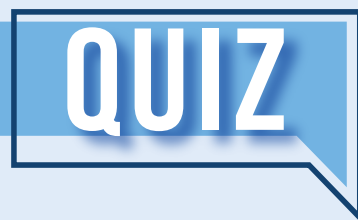
SC Code Section 5-3-140 establishes rules for annexing property owned by the federal or state government. The rules are largely comparable to the 100% annexation method and require that the federal or state government “petition” the municipality for annexation.

For annexations of property owned by the State of South Carolina or its agencies, the SC Department of Administration requires several items before the state will provide the annexation petition. An explanation of these requirements may be found on the Department of Administration’s website at https://admin.sc.gov/real_property/annexations.

The state requires the municipality to hold a public hearing on the proposed annexation and provide minutes of the hearing to the Department of Administration. Ordinarily no public hearing is required for 100% annexations, so a municipality hoping to annex state-owned property should be sure to remember the public hearing requirement.

The Department of Administration also requires the city or town to waive the right to charge franchise, stormwater drainage, or other fees to the state for services provided to the property for as long as the property is owned by the state. The state’s petition form contains standard fee waiver language, and the Municipal Association encourages cities and towns to consult with their municipal attorneys in order to analyze and understand the legal effects of the fee waiver.

Learn more about annexation processes in the Municipal Association’s Annexation Handbook, found at www.masc.sc (keyword: Annexation Handbook).



TRUE OR FALSE:

Economic development is always a long-term process.

TRUE When cities and towns pursue an economic development strategy, they cannot expect a short-term process or to have all of their hopes fulfilled through a one-time project.

Leaders should instead expect a continuous process, and should drive it with a sound, formalized economic development plan. Such plans provide a comprehensive overview of the local economy, sets policy direction for economic growth, and identifies strategies, programs and projects to improve the local economy.

Several economic development topics are covered in the *Handbook for Municipal Officials in South Carolina* found at www.masc.sc (keyword: municipal official handbook), such as grants available through the Rural Infrastructure Fund, incentives through the Textile Communities Revitalization Act and incentives through the Abandoned Buildings Revitalization Act.

The Municipal Elected Officials Institute of Government offers in-person and online courses. “Municipal Economic Development” will next be offered in-person at several regional councils of governments locations on September 19. Learn more at www.masc.sc (keyword: MEO).



LAW ENFORCEMENT POLICIES

POST-ACADEMY FIELD TRAINING

Act 218 took effect in 2023, requiring all law enforcement agencies to adopt and implement a set of minimum operational standards. The law allows departments to establish additional standards that are more restrictive.

The Municipal Association's Risk Management Services drafted model policies for each of the standards, available for use by all cities and towns at www.masc.sc (keyword: law enforcement model policies). Departments that are not SC Municipal Insurance Trust or SC Municipal Insurance and Risk Financing Fund members should reach out to the SC Criminal Justice Academy for policy questions.

The fifth model policy on the list is "Post Academy Field Training," which lays out ongoing training requirements for officers after they complete their initial certification through the SC Criminal Justice Academy. The post-academy training needs to be at least four weeks long, although the policy allows for a shorter program for officers with existing law enforcement training.

The newly hired officers undergoing the post-academy training would receive ongoing evaluation from an assigned field training officer, including daily observation reports. The policy also sets requirements for the field training officer, including three years of police experience, two years of evaluations and no major complaints, and an ongoing schedule of training.

The SC Municipal Insurance Trust and SC Municipal Insurance and Risk Management Fund offer a law enforcement hiring process guide. Find it at www.masc.sc (keyword: SCMIT, SCMIRF) and find more information about all law enforcement policies (keyword: Act 218).



Association Highlight: Municipal Technology Association of SC

Many municipal job positions have specific training and networking needs, and the Municipal Association of South Carolina's affiliate associations offer opportunities to meet those needs.

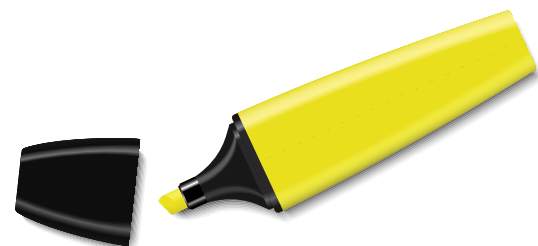
The Municipal Technology Association of SC promotes municipalities' effective use of technology. MTASC exposes its members to a broad range of technology systems, platforms and solutions. The training serves

IT staff and those with GIS responsibilities, in addition to employees who work in other departments but have technology-related duties.

Each year, MTASC offers its members training through a couple of regular meetings. The 2023 Spring Meeting covered cybersecurity updates, the Multi-State Information Sharing and Analysis Center, using GIS and drone technology together, and the evolving relationship of IT and

employee retention. The 2023 Annual Meeting will take place September 20 – 22 at the Hilton Myrtle Beach.

Learn more about the Municipal Technology Association of SC at www.masc.sc (keyword: MTASC).



Small City Summit to Examine Code Enforcement

Leaders from South Carolina's smaller cities and towns will have a chance to take a closer look at the issues most important to their communities during the Municipal Association's first-ever Small City Summit, taking place in Greenville on Thursday, July 27. Code enforcement will serve as one of the topics for the conference.

Because unsafe construction and building alterations pose a significant threat to life and property, cities and towns adopt and enforce building codes to reduce risks to public safety. City building officials and fire marshals are responsible for enforcing building codes, and some cities in the state contract with their counties or private companies to enforce building codes.

Here are some of the basics of how building codes work:

Where do building codes come from?

The International Code Council writes and updates the building codes that are required by South Carolina law. State law found in SC Code Sec. 6-9-50 tasks the South Carolina Building Codes Council with approving and modifying ICC codes for the state.

South Carolina's codes council is comprised of public and private building industry officials who are appointed by the governor.

What building code is currently in effect?

The 2021 South Carolina Building Code, also known as the 2021 International Building Code with SC modifications, is the most current code that cities must adopt and enforce for building, residential, fire, mechanical, electrical and plumbing work. Cities are not allowed to opt out of enforcing these mandatory codes. However, South Carolina cities are not required to adopt and enforce the administrative policies or procedures within the code. Instead, cities may adopt their own administrative policies and procedures.

What happens when the ICC changes its code?

If the ICC changes its code, the SC Building Codes Council reviews the change and votes on whether to adopt it for South Carolina. No action is required by a city, but it must enforce the change. Building officials and contractors across the state receive training on the changes as part of their state-mandated training requirements.



Small City SUMMIT

Thursday, July 27

SpringHill Suites Greenville Downtown
200 East Washington Street



Municipal Association
of South Carolina

What training is required for a building official?

To enforce building codes in South Carolina, building officials must be certified by a nationally-recognized organization to conduct building code enforcement. Once certified, building officials must register with the SC Building Codes Council.

Building officials must complete at least 24 hours of training every two years to maintain their registration with the Codes Council. All municipalities enforcing building codes must employ or contract with a certified building official. Any inspectors who are not building officials may only inspect areas in which they are certified.

How are disputes about building codes addressed?

Cities may appoint a construction board of appeals to hear and rule on disputes about building code and fire code enforcement.

About the Small City Summit

Some of the other topics for the summit include law enforcement policy changes now required by state law, outsourcing of municipal services, city planning for small cities, business licensing and municipal legal requirements such as budgets, audits and monthly council meetings.

The summit will have a separate registration from the Municipal Association's Annual Meeting, with a deadline of July 13. Seating availability is limited, and the Association will give registration preference to those municipalities whose populations are 3,000 residents or fewer. The event will have no hotel block, and those attendees who will not attend the Annual Meeting should make hotel arrangements on their own. Those who attend both events will have their hotel rooms reserved during the Annual Meeting registration process handled by their city.

Learn more at www.masc.sc (keyword: Small City Summit).

7 Reasons Municipal Employees Should Not Use Unapproved Software

By Kevin Howarth, Marketing Content Manager, VC3

MALWARE

While applications like TikTok are grabbing the most headlines, these stories mask a deeper problem for municipalities — TikTok is not doing much differently than other common social media, productivity, financial, and entertainment apps in the marketplace today. They mostly all collect sensitive data, introduce cybersecurity risks and open cities and towns up to legal liability.

As an article by GCN points out, the risks of “shadow IT” — the unauthorized use of software by employees — heavily impacts local government. According to the article:

“Many agencies and organizations have no idea what devices and applications their teams are using, and they have no visibility into who’s creating data, where it’s being stored and how it’s being shared. That opens them up to tremendous risk, and they can’t manage risk they can’t see.”

You need to put policies in place to prevent employees from downloading unauthorized software. If you’ve been unconcerned up to this point, ask yourself these questions.

1. Who is patching and updating the software?

Software needs regular patching to fix bugs and security holes, along with updates to improve performance. With authorized software, your IT staff or vendor oversees this updating and patching. If an employee downloaded the software, then critical security holes could stay open to attackers for months.

2. How do you know you haven’t downloaded a virus or malware?

Employees mistakenly downloading viruses and malware remains a leading way that cities and towns suffer disruption and permanent data loss.

3. What happens if your employee needs helpdesk support?

Let’s say your employee runs into a problem with an unauthorized cloud spreadsheet application. The file got corrupted and then they lost access to it. Your IT staff or vendor may try to help, but success is not guaranteed.

Why? When your IT staff or vendor supports authorized software, they have installed it, updated it, patched it, maintained it, monitored it, and established a relationship with the vendor. None of that knowledge and support exists with unauthorized software.

4. Are you sure that your employee isn’t breaking the law?

This problem crops up with software that stores documents and communications outside of official government channels. When you receive an open-records request, what do you do if employees are using personal cloud software like Google Docs, Yahoo email, or a file-sharing service like Dropbox?

5. What happens if you lose data?

While an employee might back up data stored on unauthorized software, don’t hold your breath. It’s probably not happening, not happening frequently enough, or not being tested to make sure they can restore data if it’s lost. Authorized software is usually backed up professionally and overseen by IT staff or a vendor.

6. Do unauthorized people have access to data?

Government data within applications such as financial software, document management systems and email is usually locked down and only accessible by authorized users. With unauthorized software, who has access to sensitive data? What if your employee accidentally publicly shares a Dropbox link to documents containing sensitive information?

7. What happens when software conflicts with the employee’s machine or device?

People often do surprising things when they download software. If they have an old desktop or laptop, they may download new software that the machine or operating system just can’t handle.

Next steps

It’s hard to police the use of authorized software and root out all unauthorized software. While the problem may never fully go away, you can take these steps:

- Create a policy about unauthorized software and the consequences for using it.
- Remind employees of security risks like data breaches, data loss and breaking the law.
- Provide a list of approved, authorized software and a contact number for questions if employees want to confirm the use of particular software.

Kevin Howarth is the marketing content manager at VC3, the Municipal Association’s technology partner.

Do You Have a Social Media Comment Policy?

Many cities and towns use social media to share information about services, operations, events and even emergencies. Social media allows users to respond to posts, and they might post offensive messages.

Deleting these offensive messages has First Amendment considerations, and many municipalities have handled this by posting a social media comment policy, providing an objective basis for any deleted comments.

Officials should develop these policies in consultation with their municipal attorney, and make sure they are posted to their social media accounts. On Facebook, for example, cities often post the policy under “About,” and then “Privacy and Legal Info.”

Purpose of the social media profile

Many policies state the social media account’s purpose. The city might indicate that the account is for communicating topics that matter to residents, local businesses and visitors, and provides information on the city’s projects and programming.

Some policies note that the city welcomes comments and questions, but the account provides a moderated, limited forum — not a traditional public forum.

First Amendment case law recognizes a traditional public forum, which could be a public sidewalk, park, town square, or a virtual space, where individuals may speak with few regulations. A limited public forum is a place where the government allows expression for

a particular purpose or on a specific topic — for example, the public hearing during a council meeting. Distinguishing a government’s social media as a limited forum provides the basis for moderating comments.

Types of prohibited comments

Policies typically provide objective, generally applicable rules for content that moderators may remove. Here are typical examples:

- Irrelevant or repetitive content, known as “spam.”
- Content that is obscene, profane, violent or pornographic.
- Content that attacks or harasses people based on factors like race, color, religion, gender, sexual orientation or religion.
- Overtly threatening or defamatory content.
- Promotions, advertising and solicitation.
- Statements that advocate or encourage illegal activity.
- Sensitive personal identifying information, such as addresses or phone numbers.

Although a city may adopt general, objective rules to moderate content, it cannot discriminate on the speaker’s viewpoint. For example, a city may not delete posts or ban users simply because the speaker is critical of the city, its employees, or its services. In addition, when removing comments, officials should make a record of the deleted material for any potential disputes.

Cybersecurity Checklist for Municipalities

Cyber attackers are always looking to exploit the IT vulnerabilities of municipalities to steal information and money — often by holding data and computer systems for ransom and shutting down the regular business of the city or town. Attacks can come as ransomware, viruses and cyberattacks.

Municipalities can use these tips to protect information, detect vulnerabilities and respond and recover if an attack occurs.

Protecting information

- Train employees on policies and how to detect common cyber threats. Technology staff and others can train users by showing them examples of incoming emails identified as phishing attempts, where hackers pose as trusted senders to gain access to sensitive information such as login credentials, or trick users into

clicking links or opening attachments that will download malware into a computer.

- Use multifactor authentication, which uses two or more factors to verify a user’s identity before providing access to a system or account.
- Use endpoint detection and response, which automatically monitors users’ devices for threats and responds to it automatically.
- Use antispam and email filtering tools. This can stop viruses and malware before employees could click on it.

Responding to cyber attacks

- Back up data onsite and offsite, and test the backups regularly. Offsite service provides greater security against security breaches.
- Have a cyber incident response plan. These plans should include preparation for a business-disrupting incident. They

should cover steps to take once a breach is detected to reduce and ultimately recover from the damage.

Insurance

- Purchase cyber liability insurance. This can be a critical part of cyberattack protection, but the liabilities that many local governments face — a lack of multifactor authentication, a lack of endpoint detection and response and a lack of data backup — are causing insurers to see municipalities as uninsurable. Taking these steps can make municipalities eligible for insurance and help them control premium costs.

Members of the SC Municipal Insurance and Risk Financing Fund have access to the eRiskHub as a resource for innovative cyber risk management solutions. Learn more at www.masc.sc (keyword: SCMIRF).

Putting a Face to Social Media Presence



As public information coordinator for Greer CPW, Alison Rauch handles its social media as well as its other communication efforts. Photo: Greer CPW.

Cities and towns across South Carolina are using social media to build greater resident engagement and share important messaging. Platforms like Facebook, Twitter, Instagram, YouTube and LinkedIn have expanded their influence to diverse audiences, and can serve as effective resources for sharing information and opening conversations — especially when they forgo a formal tone.

Lexington Town Council tasked the town's staff with reconceptualizing its social media presence in 2019 because of low engagement levels and participation from its community.

“Council really wanted to develop a way to connect with the people of the [town] and they saw a huge opportunity with social media,” said Communications Manager Laurin Barnes, who began in her role in 2019 with a background in social media management and broadcast journalism.

At that time, the town's existing Facebook page was strictly formal, with posts consisting of press releases, meetings agendas, and other day-to-day government operations. Communication was a one-way street, Barnes said. To inspire more conversations, the town found success by transitioning to a friendlier tone.

“What works is seeing things that people want to interact with and share with their friends — things that people can relate to,” said Barnes.

Agendas and heavy black-and-white text didn't work, she added, but more lighthearted content like dogs, parks and people crafting plans, did.

Barnes, along with Marketing Assistant Kaylee Cuthbertson, handle posts and respond to engagements and interactions in real time, even after business hours. In four years, the town's Facebook page following has grown 267%, from 9,673 to over 26,000 followers.

“It's not an 8-to-5 kind of thing. We keep our phones on us and we try to respond immediately if we know the answer, and

if we don't, the next business day or whenever we can get the answer for people,” said Barnes. “We keep it engaging in that way.”

Barnes recommends communicating among staff to handle social media, and not being afraid to take risks.

“You can tell by the numbers whether it works or not; so, it's just basically seeing what works and continuing that from there,” she said.

In Greer, Alison Rauch heads a department of one as the public information coordinator for the Commission of Public Works. Only the second person ever in the role, Rauch has served for the past seven years, overseeing communications between the utility provider and its customers. With a background in broadcast journalism, Rauch attributes social media skills she used in her former career to the work she does currently, where public works information can be highly technical and complex, requiring synthesis and explanation so that it has meaning for those who aren't experts.

“I try to ‘dumb down’ the information so that I understand it, so I can then transfer and translate that over to our customers. I think that's the advantage of me being in the position that I'm in,” she said.

Rauch said that when she was first hired, the CPW's social media consisted of a lot of liking and sharing of content, so she tied content in with special calendar days to get the message across. Using the first day of summer as an example, Rauch indicated that she may do a giveaway online of summer pool toys for kids, but contestants must be CPW water customers.

“I'm trying to engage with our customers but also playing off of special holidays on the calendar that also tie back into our utilities,” she said, adding that in order to be entered, customers must first like the page and share the graphic.

Other examples of engagement include giveaways of trees around dial 811 messaging, “Greeropoly” board games, and partnering with Cole’s Bait Shop & Kayak Rental for kayak passes to Lake Robinson, the source of the city’s drinking water.

“I just try to think creatively for things that customers would be interested in, and that way I can capture more followers and continue to educate them,” said Rauch, noting that Greer CPW often picks up followers during inclement weather or power outages. “I try to maximize when I get those followers so I can continue educating them about special messages and things that we have going on at Greer CPW.”

In addition to special messaging like “call before you dig,” to highlight the importance of avoiding damage to utility lines, Rauch also noted other educational messages like reasons for not pouring grease down the drain or flushing baby wipes.

“I feel like there’s a good balance of a lot of fun that’s on our social media but then there’s also that, ‘hey, let me educate you about something,’ too.”

Over in the City of Tega Cay, Social Media and Information Specialist Gretchen Kalar is busy managing four Facebook pages, as well as Twitter and Instagram accounts and a YouTube channel. Now just a few months into the job, Kalar filled a new position for the city.

Although the social media accounts were already established before her arrival in Tega Cay, Kalar manages all posting schedules and has successfully grown the city’s Facebook page to more than 12,000 followers — a number which compares to the city’s population of 12,832.

“The council meetings are livestreamed on our YouTube channel and, for the social media side, we make sure people can

see the link in case they weren’t able to go,” Kalar said, adding that she recognizes many people from the council meetings for their work and dedication with shout-outs on social media. “We want to showcase that on our social media for the respective departments that [that] needs to go out on.”

Another interesting facet of Tega Cay’s social media presence is its regular showcasing of municipal employees.

“Usually when we have a new employee, we share them, say a little about them, where they’re from, what their background is, and that’s always nice to show their faces to the community, but I really want to hone in on this new project of, ‘why Tega Cay?’” Kalar said. “[The employees] have great stories, so I’m working on putting those videos together.”

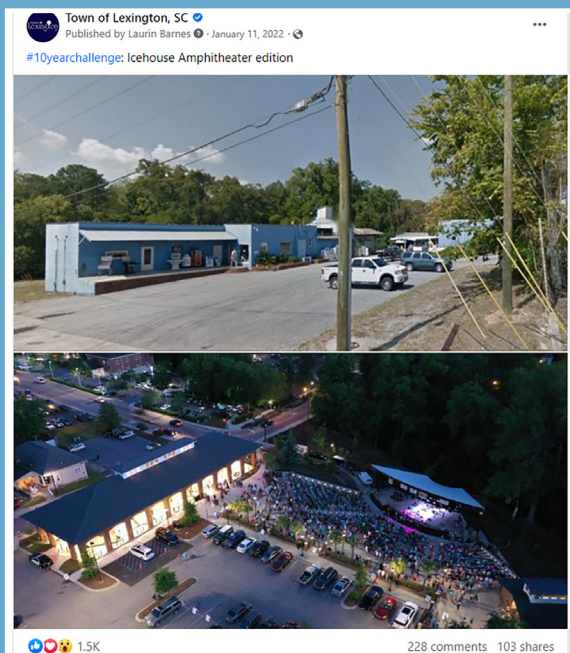
Kalar said that photos perform very well in building engagement.

“[Photos] can also tell a story; I know a lot of police departments have officers that will change tires on vehicles; not a call for service but, you know, somebody just needs help,” she said.

Striking the right tone on social media is an ongoing process.

“[There] has been a lot of trial and error of trying to figure out what I’m comfortable with posting that is “funny” versus information that needs to get out to the public,” Kalar said. “Just try it out. If it doesn’t work, you learn, and if it does work that’s awesome, keep doing it. It’s all a learning curve.”

As municipalities recognize the need for greater engagement across their social media platforms, many are harnessing the platforms as tools for disseminating government information and public works messaging using a warmer and friendlier tone, and one that is worth a like.



The Town of Lexington’s social media took advantage of a popular trend of sharing 10-year-old photos for comparison by illustrating the dramatic change in its Icehouse Amphitheater development. Photo: Town of Lexington.



The dedication of Tega Cay’s Catawba Park in April provided an opportunity for photos to share on social media. Photo: City of Tega Cay.

Apps Allow New Kinds of Resident Communication



Imagine driving home from work and noticing a pothole in the street. There's no way to immediately alert the public works department — it's 6 p.m. and city hall closed at 5:30 p.m. Or, in another situation, imagine having a tip for the police department, but not feeling comfortable calling 911 about it.

For those in Camden or Marion — or several other municipalities around the state — a mobile device app can help in these cases. Camden launched Connect Camden SC, a mobile resident engagement app powered by GOGov in February. The Marion Police Department's new app, meanwhile, allows residents to be informed about emergency situations or submit tips to help solve crimes.

“City staff can only find so many potholes and can only find so many tree limbs. This empowers people in the community to make sure the city staff is aware of a street light that's out or a pile of yard debris that needs to be picked up,” said Kat Spadacenta, Camden's Main Street program manager, who is also involved with the app's operation.

Spadacenta stressed that the app is for non-emergency requests, not for urgent response service needs from police or fire departments. The app was spearheaded by Camden City Manager Jonathan Rorie along with staff and department heads in offices like public works, who recognized there was a gap in reporting concerns or receiving services when city hall was closed, she said.

The city works on a 10-day window to get to every service request, but some of the larger needs are not completed that quickly.

“Some [issues] are bigger than citizens may actually realize, or some of the issues may be a little more complicated, like a sidewalk repair. That's not something where we can get out there the next day and pour 200 or 300 square feet of concrete,” Spadacenta said.

But the app does get the information to the appropriate staff — and residents receive a response if they download and register their email address on the Connect Camden SC app. Residents can submit requests while logged in to receive an acknowledgment and allow city staff to follow up with any questions. Once staff completes the service, the reporter gets a notification. App users can also report issues anonymously without providing an email address or name.

Through the app, the city can send push notifications to registered users to notify them of issues like a power outage or a sewer line break that closes a road.

The city has shared information about the new app with the business community, residents, civic organizations and real estate agents, and the city website directs residents on how to download the free app.



The Connect Camden SC app allows users to report issues ranging from potholes to streetlight outages to downed tree limbs. Photo: City of Camden.

“The more people who download the app, the better way of communicating with the public the app will be,” Spadacenta said.

The kinds of requests that users can make are divided by topic, with crew chiefs in various departments alerted through the app and by email when a request comes in. Those alerts also go to an assistant city manager and Spadacenta, who regularly check in to see if concerns have been received, addressed and closed out in a timely manner. So far, the results have been positive, she said.

“Citizens appreciate that it’s one more communication tool that they have. While not everybody would say we are getting to them as quickly as they’d like, we are able to plan better when we see multiple requests of the same nature come in, add them to the schedule and be able to address them as a group as opposed to running all around town,” she said. “It allows us as staff to be more efficient in handling service requests.”

In Marion, Police Chief Tony Flowers said the idea for a police department app started with input from members of crime watch teams who wanted to be alerted to important events in the city. Flowers considered phone alert services, but decided an app would allow the department to do more than simply push out alerts.

The police department app, created through StackBench, can be personalized by both the department and the public. The department can send encrypted information to officers, staff and teams. It also gives residents an easy way to contact the department, and provides links that connect the public with other resources they may need — the SC Department of Social Services, SC Law Enforcement Division, the SC Department of Motor Vehicles and others.

“We also have a tab for crime trends that lets the community know what type of calls our officers are responding to monthly as well as arrests made, warrants issued and traffic citations issued. We also provide a yearly total of the information,” Flowers said. “There is a ‘Most Wanted’ tab which provides a photo, name and charges for someone that is currently wanted by the Marion Police Department.”

The department developed the app to improve its communication with the public.

“The app allows us to keep the public aware of what is happening in real time and it is another way they can communicate with us without us coming to their residence, as some people are hesitant about talking to us for fear of harassment or retaliation from individuals who may see them, especially in high-crime areas,” Flowers said.

Residents can submit tips to the police department anonymously, or they can include their name, phone number and address so the department can follow up.

Flowers said the police department has four administrators who can send out notifications of things like road closures and traffic accidents that may affect traffic. The app is monitored continuously, and any time someone sends in a tip, the group is alerted through the app on the phone and by email.

“We have only had the app up and running since the end of January, and have received several tips from citizens that have assisted our officers in solving cases,” he said.

The cities agree that the use of apps as a way for cities and their residents to communicate is likely to grow more common.

“This is probably a lot easier, and in some ways more comfortable, for some of our citizens to utilize rather than make the phone call to city hall,” Camden’s Spadacenta said. “We know a portion of our population does prefer to get on the phone and talk to somebody. We have not taken this tool and substituted it for any other. We’ve added it to what we already were doing.”

Connect With Your Community!

With the City of Marion Police Department's **new mobile app**, you can get easily access to:

- **Current Road Closures**
- **Submit Crime Tips**
- **Upcoming City Events**
- **Local Resources**
- **Job Opportunities**
- **and much more!**

Download on the **App Store** | **GET IT ON Google Play**

Need assistance downloading and installing the app? Visit the Marion Library on Saturday, March 25th @ 10am for **FREE Smartphone for Beginners Class!**

MCLS
Marion County Library System
Marion • Mullins • Nicholls • Rockledge

The Marion Police Department launched its mobile app in February 2023. Photo: City of Marion.



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Calendar

For a complete listing of the Association's training opportunities, visit www.masc.sc to view the calendar.

JUNE

- 1 SC Association of Stormwater Managers Second Quarter Meeting.** Cooperative Conference Center, Columbia. Topics include stormwater law, Lexington County's Post-construction Stormwater Control Structure Maintenance Program, and resource collaboration among central Savannah River-area organizations.
- 4 - 7 SC Association of Municipal Power Systems Annual Meeting.** Embassy Suites, Myrtle Beach. Topics include preparations for electric vehicle impacts, recruiting and retaining employees, First Amendment audits, lineman training and the Municipal Electric Territory Program.
- 7 - 9 Main Street SC Directors Summer Retreat.** Best Western Sea Island Inn, Beaufort. Topics include experiential retail, diversified workforce, marketing data, branding, media and promotion.

13 Setoff Debt Program 2023 Advance Spring Training Session: Current Participants. Municipal Association of SC, Columbia.

20 Business Licensing Essentials - Coin and Amusement Devices, SC Department of Revenue. Virtual.

27 - 28 Municipal Court Administration Association 101 Session A. Municipal Association of SC, Columbia. Topics include charges, bonds and court basics.

JULY

- 18 Business Licensing Essentials - Class Schedule Changes.** Virtual.
- 27 Small City Summit.** SpringHill Suites, Greenville. Topics include law enforcement policy changes, code enforcement, outsource outsourcing of municipal services, city planning for small cities, business licensing and municipal legal requirements such as budgets, audits and monthly council meetings.
- 27 - 30 Municipal Association of SC Annual Meeting.** Hyatt Regency, Greenville. Topics include retail recruitment, Riley Institute resources, legislative developments, required law enforcement policies, strategic

communication and civility, business licensing, workforce development and civic engagement.

AUGUST

- 1 Setoff Debt Program 2023 Annual Training Session: New Employees of Current Participants.** Municipal Association of SC, Columbia.
- 3 Setoff Debt Program 2023 Annual Training Session: New Participants.** Municipal Association of SC, Columbia.
- 15 Business Licensing Essentials - Local Revenue Services Programs, Where to Find Reporting, Local Collections.** Virtual.
- 23 - 25 Municipal Court Administration Association of SC Annual Meeting.** Marina Inn at Grande Dunes, Myrtle Beach.

SEPTEMBER

- 7 SC Association of Stormwater Managers Third Quarter Meeting.** Cooperative Conference Center, Columbia.
- 13 - 15 Municipal Clerks and Treasurers Institute, Year 2, Session A.** Hilton Columbia Center.