UPTOWN

MASC Municipal Association of South Carolina

a publication of the municipal association of south carolina

New Legislative Session, More Changes

The new year is right around the corner, and with the beginning of 2023 comes a new two-year legislative session.

Legislators will return to Columbia on Tuesday, January 10, 2023, to begin the 125th General Assembly. While some things will remain the same, there will be many changes and new faces expected when lawmakers descend on the capital city to consider a new budget, changes in state law and other decisions that directly affect residents and businesses around the state. After the June primaries and November elections for the House of Representatives, new and seasoned faces

alike in the House will bring varying ideas and perspectives to the session.

Senate leadership changes

In the fall of 2021, the Senate saw changes in its leadership ranks after the passing of longtime Senate Finance Chairman Sen. Hugh Leatherman from Florence.

As the next ranking member on the Senate Finance Committee, Sen. Harvey Peeler from Gaffney was elevated to chairman according to Senate rules. Since Peeler was also the sitting Senate president and could not serve in both positions, he resigned as president. The Senate then

elected Sen. Thomas Alexander from Walhalla as its president.

Because of these changes, several Senate standing committees received new chairmen and members. Senators serve four-year terms and are not up for reelection until November 2024. At that time all 46 senators must campaign to keep their seats if they choose to return to service in the Senate. They will run in their new districts in 2024 after the 2020 census forced lawmakers to redraw district line maps based on South Carolina's population.

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House of Representatives leadership changes

The House of Representatives saw many changes to its leadership and committees even before the June primary elections.

After deciding not to seek reelection to his House seat, former Speaker Jay Lucas resigned his position as speaker of the House in order to ensure a smooth transition for new leadership. In May, the House elected Rep. Murrell Smith from Sumter as speaker and Rep. Gary Simrill as chairman of the House Ways and Means Committee.

House members serve two-year terms and run for reelection every two years if they choose. In 2022, representatives ran on newly-drawn districts based on the 2020 census population. Thirteen House members chose not to run again for their seats. With two Democrats and 11 Republicans retiring, this paved the way for many new faces at the statehouse in January. The June primary elections saw eight House incumbents lose their seats to challengers from the same political party. The November general elections took place November 8 and six House incumbents lost elections to opposing party challengers.

House members plan to return to Columbia on December 6 and 7 for their reorganizational session to elect the speaker, speaker pro tempore, reading clerk, clerk and sergeant at arms. During this reorganizational session, all House members are sworn into office and they choose seats in the chamber, the speaker of the house appoints members to committees, and committees elect their chairmen.

After this preliminary session, lawmakers come back in January ready to hit the ground running. The Senate does not have to hold a reorganizational session since its members were not up for reelection this year.

New legislation

With the start of a new two-year session, representatives and senators introduce new legislation. Bills that did not pass at the end of the 2022 session are dead and must be re-introduced as new legislation in order to advance. The bills introduced in 2023 may remain active until the end of the 2024 session.

Lawmakers can introduce a bill anytime during the session and prefiling opens before the session starts. House and Senate members can begin prefiling bills in December.

New issues

Every legislative session is unique to the social and political climate that the state is experiencing at the time. The COVID-19 pandemic, for example, forced the General Assembly to suspend its session in 2020 and only return to take up budgetary matters related to pandemic relief.

The 2022 session focused on many social issues that took up substantial debate time, such as abortion, critical race theory and women's sports. Every session, legislators must pass a spending plan, or budget, to allocate revenues for state government to operate in the new fiscal year.

Stay connected

City and town officials have several ways to stay connected with the Municipal Association legislative team during the legislative session.

- Tune into the *City Quick Connect* podcast, accessible at www.masc.sc (keyword: podcast), on Fridays for the Association's take on the week's legislative activity and news for the week ahead.

- Read the *From the Dome to Your Home* email every Friday, also available on the Association's website (keyword: Dome), during the legislative session for action alerts and explanation of action taken by lawmakers.

- Read *Uptown* every month during the session for background articles on legislative issues and other important information on municipal government. In the January issue, be on the lookout for the Municipal Association's 2023 – 2024 Advocacy Initiatives.

Clockwise starting above: RMI graduate Amber Matthews; the SCMIRF award winners were the Town of Lamar, Town of Duncan and City of Simpsonville.; the SCMIT award winners were the Town of Hickory Grove, Greer Commission of Public Works and City of Newberry.

Risk Management Services Recognizes Graduates, Award Winners

The SC Municipal Insurance Trust and SC Municipal Insurance and Risk Financing Fund recognized four new graduates of the Risk Management Institute as well as six Risk Management Services award winners during the RMS Annual Members Meeting in November.

SCMIT provides self-funded workers' compensation coverage to its member cities. SCMIRF provides all lines of property and casualty coverage, including tort liability and automobile coverage for its members. The Municipal Association sponsors both programs.

The Risk Management Institute is a continuing education program for municipal staff who have risk management responsibilities and work for cities and towns that are SCMIT and SCMIRF members.

Here are the new graduates:

- Amber Matthews, procurement and risk manager, City of Hartsville
- Ryan J. Thomas, assistant city manager, City of Greenwood
- Pamela T. Otto, human resources manager, Town of Sullivan's Island
- Randall S. Osterman, city manager, City of Florence

The annual RMS Awards recognize those SCMIT and SMIRF members who reduce their total costs and keep employees safe. RMS determines the winners using each member's record of loss experience over the previous four years.

There are three winners each for SCMIT and SMIRF, based on population divisions. The award winners receive a plaque and a $2,500 award. The 2022 winners for SCMIT are the Town of Hickory Grove, Greer Commission of Public Works and City of Newberry. The 2021 SCMIRF winners are the Town of Lamar, Town of Duncan and City of Simpsonville.

Learn more about these programs at www.masc.sc (keywords: RMS).

'Council of Errors' Coming to Hometown Legislative Action Day

From personal attacks among councilmembers to arguments with the news media to improper votes or public testimony, there are many ways for a city council meeting to go wrong. During the Municipal Association's Hometown Legislative Action Day in Columbia on February 7, a mock city council will try to find all of them.

The "Council of Errors" will be a public meeting that comically finds the worst-case scenario for many issues of municipal government, with various officials and Municipal Association staff stepping into the roles of not only the councilmembers, but also the city's attorney, clerk and even members of the media and angry residents. Meeting attendees will discuss the ways in which the meeting has failed to follow state law or has otherwise gone wrong.

For HLAD attendees looking to spot as many errors as they can during the session, here's a review of a handful of the problems that may arise. Learn more about many of these issues in the *How to Conduct Effective Meetings* handbook at www.masc.sc (keyword: effective meetings).

Adding items to an agenda

Once a meeting agenda is posted, no items may be added without an official posting of an additional 24-hour public notice. During the meeting itself, councilmembers may only add agenda items according to specific rules.

For an information-only item, council only needs to follow its adopted rules of procedure for adding items. An action item, which is not a final action and for which public comment has been or will be received at a publicly noticed meeting, may be added to the agenda by a two-thirds vote of the members present and voting. For an action item on final vote and with no opportunity for public comment, the item may be added by a two-thirds vote of members present and voting, and "a finding of an emergency or exigent circumstances," according to SC Code Section 30-4-80(A).

Calling an executive session

The SC Freedom of Information Act authorizes closed-to-the-public executive sessions under particular circumstances. The council cannot take any action in executive session except to adjourn or to return to public session. The council must vote to enter executive session, and the presiding officer must announce the session's specific purpose following the language in SC Code Section 30-4-70(A) as closely as possible.

Regulating public comment periods

State law requires public hearings for adopting an annual budget or adopting new service or user fees, but it does not require dedicated public comment periods for all meetings. When councils choose to adopt public comment periods in their rules of procedure, they should lay out the expectations for how the sessions will work and the commenter's conduct. Once the rules exist, the presiding officer should be careful to apply them consistently to all speakers.

Decorum issues

Breakdowns in civil discourse have grown more common in public meetings and other aspects of public life, and so the Municipal Association has taken on restoring civility in local government as a priority. It has created resources such as the "pillars of civility," which are numerous key points to consider when working to keep meetings calm and on track, as well as a civility pledge that councils can use as a reminder at the beginning of their meetings.

These resources, which can help both in a "council of errors" meeting and at real-life meetings, can be found at www.masc.sc (keyword: civility).

After Hometown Legislative Action Day on February 7, the Municipal Elected Officials Institute of Government will take place on February 8 at the Marriott Columbia. The hotel reservation deadline for HLAD is Friday, January 13, and the deadline to register for HLAD and the MEO Institute is Friday, January 27. Learn more and register at www.masc.sc (keywords: HLAD, MEO).

2022 Hometown Economic Development Grant Recipients Announced

The Municipal Association of South Carolina has awarded Hometown Economic Development Grants to 12 cities and towns.

Available in amounts of up to $25,000 each, the grants fund economic development projects that will produce measurable results for a municipalities quality of life, can be maintained over time and illustrate innovative practices that can be replicated in other cities. The grants have matching requirements of either funds or in-kind contributions ranging from 5% to 15% depending on the size of the municipality.

Here are the winners of the 2022 cycle:

City of Bennettsville

Downtown Business Facade Program
Bennettsville will use grant funds to continue its downtown redevelopment by partnering with local businesses to improve their facades.
Contact: Jaharra Graves, 843.479.3941

Town of Bethune

Main Street Park and Amphitheater
Bethune has partnered with Sandhill Telephone Cooperative to construct a park and amphitheater that will anchor a comprehensive main street revitalization effort.
Contact: Susan Holley, 843.334.6238

Town of Blacksburg

Lime Street Park Amphitheater
Building on its success from a previous HEDG award, Blacksburg will build an amphitheater as a town gathering space at its Lime Street Park.
Contact: Dalton Pierce, 864.839.2332

Town of Bowman

Inner Park Facilities Improvements
As part of a larger effort to make Bowman an agritourism destination, the town will use its funds for improvements and development of its Inner Park.
Contact: Ike Carter, 843.709.7670

Town of Cheraw

Cheraw Theatre on the Green Renovations
Lacking accessible facilities at its historic Theatre on the Green, Cheraw will use grant funds to upgrade the theater's facilities to ensure it remains a community space for all residents and visitors.
Contact: Rob Wolfe, 843.537.7283.

City of Conway

Downtown Business Environmental Refuse Facility
Envisioned in its Riverfront and Downtown Master Plan, Conway will use grant funds to eliminate the clutter of refuse containers and capture stormwater downtown by constructing a multi-purpose environmental refuse facility that will be made available to all of its downtown businesses.
Contact: Rosanne Dates, 843.488.7609

City of Landrum

Farmers Market Pavilion Expansion
Seeking to accommodate more community events and visitors, Landrum will use grant funds to improve a vacant property that will expand its farmers market pavilion.
Contact: Richard Caplan, 864.457.3000

Town of Pendleton

Pendleton Oil Mill Redevelopment Plan
Through a public-private partnership, Pendleton will use town funds and grant funds to clean up and make plans for the redevelopment of a decades-long blighted industrial property at the entrance to its Village Green.
Contact: Steve Miller, 864.646.9409

Town of Ridgeway

Town Park Facilities Improvement Project
Ridgeway will use grant funds to develop adequate facilities at the town's iconic School Arch and surrounding parks which draw visitors and residents year-round.
Contact: Heath Cookendorfer, 803.337.2213

Town of Summerton

Round & About Summerton Downtown Marketing Plan
In an effort to boost downtown businesses, Summerton will develop and execute the Round & About Summerton marketing plan that will seek to draw motorists and visitors off the interstate and into town.
Contact: Amanda Salka, 803.485.2525

City of Tega Cay

City Center Marketing Plan
Tega Cay will use its funds to develop a marketing plan for it first-ever mixed-use development. The City Center District, which will create a "distinctive place of community," is a key component of the city's 2015 – 2025 comprehensive plan.
Contact: Susan Britt, 803.548.3513

Town of Ware Shoals

West End Business District Storefront Project
Partnering with the town, Ware Shoals' west end businesses will get a boost from grant funds to improve their storefronts and eliminate blighted areas of the business district.
Contact: Randee Beasley, 864.456.7478.

The Municipal Association launched the Hometown Economic Development Grants in 2016 and have awarded grants each year since then. Learn more about past winners at www.masc.sc (keyword: hometown grant).

Start 2023 With Professional Development Opportunities

Education and professional development — both for elected officials and for staff — are key functions of the Municipal Association of SC. For that reason, the Association has affiliate organizations to help local officials serve their cities and towns to the best of their ability.

These affiliate groups connect peers in various fields of local government to network, learn through specially-developed training and share best practices and experiences. The associations have online listserve systems that make sharing information and best practices around the state easier and faster.

Each affiliate has a board of directors elected by its membership, and the Municipal Association provides management support to the boards.

Find all the affiliates' membership applications for 2023 on the Municipal Association's website at www.masc.sc (keyword: affiliate). The nominal membership costs provide each participant with discounted training registrations and access to that group's closed listserve.

The affiliate organizations available through the Municipal Association include these:

Municipal Court Administration Association of SC

MCAA provides training for court administrators, clerks of court, municipal judges and other employees involved in court administration.
Staff contact: Sara Whitaker

Municipal Technology Association of SC

MTASC exposes members to a broad range of technology systems, platforms and solutions. It offers training for IT staff, those with GIS responsibilities and employees working in other departments but whose duties include technology services.
Staff contact: Sara Whitaker

SC Association of Municipal Power Systems

SCAMPS focuses on legislative initiatives, mutual aid and provides training for elected officials, management staff and operational personnel of the electric cities in the state.
Staff contact: Elizabeth Copeland

SC Association of Stormwater Managers

SCASM offers quarterly training on stormwater management policies and best practices. Training addresses topics like proposed changes to stormwater regulations and case studies of innovative practices.
Staff contact: Sara Whitaker

SC Business Licensing Officials Association

BLOA promotes best practices for administering the local business and professional license tax through training, networking and the Accreditation in Business Licensing and Masters in Business Licensing credentials.
Staff contact: Elizabeth Copeland

SC Community Development Association

SCCDA training focuses on economic and community development needs, best practices and successful case studies. Members come from local and state government as well as private industry, elected positions and volunteer positions.
Staff contact: Sara Whitaker

SC Municipal Attorneys Association

The MAA annual training, designed for city and town attorneys, complies with the Supreme Court of South Carolina Commission on CLE and specialization requirements for continuing education credits.
Staff contact: Eric Shytle

SC Municipal Finance Officers, Clerks and Treasurers Association

MFOCTA training covers the diverse job responsibilities of its members. MFOCTA sponsors the Municipal Clerks and Treasurers Institute with the Municipal Association and the Joseph P. Riley Jr. Center for Livable Communities.
Staff contact: Elizabeth Copeland

SC Utility Billing Association

SCUBA trains members on utility billing, collections and customer service. Programs frequently focus on customer service skills, workplace safety and best practices in utility billing and collections.
Staff contact: Ken Ivey

SC Municipal Human Resources Association

MHRA helps members stay current on state and federal labor law and court rulings. Its trainings are accepted by national human resources organizations for continuing education credits.
Staff contact: Sara Whitaker

Current members of each affiliate association will receive a renewal notice the first week of January. Learn more at www.masc.sc (keyword: affiliate).

First Participants Complete 'MCAA 101' Courses

In 2022, the first group of participants completed the three "MCAA 101" courses. The program is among the newest offerings of the Municipal Court Administrators Association of SC, and was developed by Pam Larson, clerk of court for the City of Greenville and Kirsten Pressley, municipal court administrator for the City of Greer.

The courses are designed to provide the staff of municipal courts with the skills critical to their profession. It comes in the form of three sessions all taking place in Columbia throughout the year, with no requirement to attend all three. Session A covers charges, bonds and court basics; Session B covers dispositions, records retention, alternative sentence and reporting; and Session C covers court financials.

Those who completed the program in February 2022 program include Candy Brock, Town of Lyman; Amanda Childers, Town of Harleyville; JoJo Crumley, Town of Jackson; Katie Melton, City of Hartsville; Melody Millwood, Town of Duncan; and Erika Stinson, City of Tega Cay.

Learn more at www.masc.sc (keyword: MCAA 101).

Those who completed the program June 2022 include from left, Mandy Pitcock, Town of Summerville; Courtney Boughton, Town of Moncks Corner; instructor Pam Larson; instructor Kirsten Pressley; Christy Jamerson, City of Fountain Inn; and Victoria Higgins, Town of Clover. Not pictured: Briana Eargle, Town of Chapin.

Those who completed the program in October 2022 program include from left, instructor Pam Larson; Becky Williams, Town of Sullivan's Island; Anna Graham, City of Anderson; Patricia McTeer, Town of Hampton; and instructor Kirsten Pressley.

SC Revenue and Fiscal Affairs Seeks Ward Maps From All Municipalities

After the U.S. Census Bureau released the 2020 Census data, cities and towns began redrawing their council districts ahead of future election cycles.

Because the SC Revenue and Fiscal Affairs Office serves as the official state contact with the Census Bureau, and because it maintains official precinct maps statewide, RFA needs all cities and towns to share with it their most current ward maps.

As the official custodian of maps for the state, RFA needs each city and town district map regardless of whether or not it drew the map. Those cities and towns that elect their entire council at-large do not need to provide maps, but should still notify RFA that their entire council is elected at-large.

Those who need assistance with this process should contact Adam DeMars, SC Revenue and Fiscal Affairs Office GIS coordinator/program manager, at 803.896.9235 or adam.demars@rfa.sc.gov.

They can also contact their designated Municipal Association field services manager — Charlie Barrineau, Ashley Kellahan or Jeff Shacker. To determine which field manager serves a city or town, find the field services coverage map at www.masc.sc (keyword: field services).

Keep Your Business License Data 'Clean'

Act 176, the SC Business License Tax Standardization Act, requires jurisdictions that levy a business license tax to accept license renewal payments from businesses through the Local Business License Renewal Center, found at www.localblrenewal.com.

Business owners can use the Renewal Center to renew their business licenses in every municipality and county where they operate, all using a single payment, which simplifies and streamlines their business license experience.

For cities and towns, using the Renewal Center to renew licenses requires they upload well-vetted and correct business license data into the system. Here are several tips for keeping business license data as "clean" as possible:

NAICS codes

To comply with Act 176, all businesses must be assigned a North American Industry Classification System code, or NAICS code, to produce an account number that all taxing jurisdictions can use consistently across multiple jurisdictions and for multiple years. The codes must be six digits long.

Business licensing officials need to use the most current version of NAICS codes, which for the 2023 – 2024 licensing year, will be from the 2022 NAICS update. NAICS releases updates every five years, so these codes will remain the same through 2027.

Tax ID numbers

Businesses need a nine-digit tax identification number to use the Renewal Center. The number can be either the Social Security number of the business operator, or the federal tax identification number, which is also known as FEIN.

Business addresses

The address to be used for each business depends on whether it has a physical location inside the city or not. For those located inside the municipality, the business account should use a full and accurate **physical** address. For those located outside the municipality, the account should use a full and accurate **mailing** address.

For all addresses, make sure the state and ZIP code listed match the city or town given.

Learn more about the Renewal Center at www.masc.sc. (keyword: Renewal Center).

Business Licensing Essentials Sessions

The Municipal Association's Local Revenue Services is hosting "Business Licensing Essentials," a series of virtual trainings to help licensing officials correctly administer business licensing in their cities and towns. The sessions cover a variety of topics, and the recordings of all 2022 sessions can be found at www.masc.sc (keyword: business licensing essentials).

The December 14 session will take place from 10 to 11:30 a.m. The session will function as a "year in review," covering key issues introduced throughout the year and answering questions for licensing officials.

GatherGuard Provides Special Event Coverage

From parks to amphitheaters to meeting rooms, many cities and towns offer venue rentals for special events. These facilities can expose the municipality to liability if someone at the event is hurt or if any property is damaged.

For example, if a child is injured while playing at a rented space at a city park during a birthday party, could the city be sued? If a wedding party gets too raucous and the venue ends up damaged, who is responsible for paying for the damages? Liability insurance providers will often exclude this type of exposure from a city's policy.

For this need, the SC Municipal Insurance Trust and SC Municipal Insurance and Risk Financing Fund offer GatherGuard, which provides low-cost general liability insurance for event rentals of a venue, protecting both the event host and the municipality as an additional insured entity. Sponsored by the National League of Cities, GatherGuard replaces the Tenant User Liability Insurance Program, previously known as TULIP.

Because of the importance of this kind of coverage, those cities and towns that are not SCMIT or SCMIRF members need to consider other programs for rental and event coverage for renters of city facilities.

The event host pays premiums for the coverage based on the type of event, its duration, the number of attendees and the risk level of the event. It can provide up to $1 million of coverage for bodily injury and property damage, with liquor liability available.

The process begins with municipal staff directing a potential event host to www.gatherguard.com to answer a few questions to get a quote and purchase the coverage. GatherGuard then emails the insurance certificate to the municipality and event host.

Find more information at www.gatherguard.com or by contacting Robert Collins at navriskpolicy@masc.sc or 803.933.1279.

The Christmas "Inn" Our Town celebration has emerged as an iconic December event for Fountain Inn. Photo: City of Fountain Inn.

Planning and Logistics Create Festival Successes

The City of Fountain Inn has become known for its festivals, and the city's Community Relations Department plays a critical role in making its events a success. Its representatives — Austin Watters, Community Engagement Specialist, and Elizabeth Carpenter, Neighborhood Services Coordinator, recently presented to the membership of the SC Community Development Association about how they help make it happen, and what questions festival planners everywhere should ask themselves.

In Fountain Inn, the city sponsors the Mac Arnold Cornbread & Collard Greens Blues Festival, which began in Greenville before moving to Fountain Inn 16 years ago.

"Mac Arnold is a local music legend. He's actually from the area of Fountain Inn, so we were happy to bring his festival home," Watters said.

Other city-sponsored festivals include the large-scale, nine-day Christmas "Inn" Our Town festival, and the Independence-Day-based Fountain Inn Fireworks Spectacular. In 2022, the city added the Juneteenth Soul Food Festival.

"We had a number of performances, live poetry, music, all kinds of food vendors. We had about 5,300 people attend that event. We probably would have had more but there were a lot of other Juneteenth events going on, so we're really proud of that number," Watters said.

The presenters at the SCCDA meeting explained the steps involved in planning successful events, beginning with creating event concepts by asking what sort of cultures, demographics and interests exist in the community. A festival skillfully targeted at its audience can attract residents and visitors alike. Last year, Christmas "Inn" Our Town drew 21,000 attendees, greater than the city's estimated 2021 population of 10,995.

The Mac Arnold Cornbread & Collard Greens Blues Festival began in Greenville before moving to Fountain Inn. Photo: City of Fountain Inn.

Watters and Carpenter reviewed key logistics questions for planners to ask — not only the budget, the event funding, and whether to make it ticketed, but also how it is promoted through traditional media and social media, and whether the city possesses adequate resources for hosting. An event that attracts thousands, for example, needs significant police resources for road closures as well as traffic and crowd control.

"Will you have your public works staff there to assist in clean up?" she said. "Trash is such a big problem with festivals, there's no way to get around it, you're going to need trash cans every single block that you're on."

Planners also need to consider whether the event venue has adequate power connections, and whether it will cause a problem for local businesses and residents. Fountain Inn events often take place on Main Street and the parallel Depot Street, and a reduction in parking accessibility can be a concern.

"You have to kind of figure out is that hindrance worth it? Is having this amount of people impacted by what we're doing going to be okay for these business owners?" Carpenter said.

Attendees expect food at most any event, and Carpenter said that events will often need at least one food truck for every 700 to 1,000 people.

Food vendors need permits from the SC Department of Health and Environmental Control. Other permitting issues include the SC Department of Transportation, which must permit the closure of any SCDOT-owned street, and the SC Department of Revenue, which must permit off-premises alcohol sales.

While entertainment options can include everything from games to educational sessions with local museums, Watters noted that "nothing really keeps someone in town for longer than live music."

A well-planned and executed festival can help celebrate a community's culture, as long as its planners focus attention on its purpose and all the particulars it needs to run smoothly.

The City of Inman posted the Municipal Association's civility pledge behind its council bench, and opposite from the text of the Pledge of Allegiance. Photo: City of Inman.

Putting Civility Front and Center

Listening before speaking, treating others with respect, and finding ways to work with others even when viewpoints diverge — there are many basic lessons of civility.

But when angry attacks and infighting become commonplace in public forums ranging from the council chamber to social media discourse, it can be easy to wonder what happened to the widely agreed-upon idea that civility should be a basic part of life.

A growing sense of incivility has emerged at every level of government, including municipal government, where emotional issues can be at stake in any debate. Residents and elected officials are often concerned about undesirable development in their community, or safe neighborhoods and roadways, and tempers can flare when discussing these issues.

To combat these concerns, the Municipal Association of SC developed an initiative to promote civility in local government. At its 2022 Annual Meeting, it officially launched the initiate, and offered a variety of civility-related resources for city and town officials.

These included a "civility pledge," which can appear on meeting agendas to remind everyone involved of the value of civil behavior. The pledge reads, "I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city or town."

The resources also included a sample resolution that councils can use as a way of pledging that its members will practice and promote civil discourse.

The City of Inman is one of the first municipalities to take up this initiative, in the council chamber and the community at large, but Mayor Cornelius Huff pointed out that civility is nothing new for his city.

"Before the civility pledge was introduced by the Municipal Association, we were already doing this, but it wasn't written down," said Huff, who served on city council for three terms before being elected as mayor in 2014.

When the Association introduced the civility pledge in July, Huff was determined to bring it to Inman's council meetings.

"And it's on the wall," he added, alluding to the banner the city printed that is prominently on display in the meeting room.

This commitment to civility is restated at every council meeting — the third item on the agenda, right after call to order and the Pledge of Allegiance.

Huff noted that the City of Inman has created a community that advocates for civil engagement, and that push for working together for the benefit of all goes hand in hand with the push to revitalize the city. For the first time in over two decades, Inman is seeing a community development renaissance as it carries out its master plan for the city's renewal.

"Respecting each other was one of the biggest parts of this process. We have had so much respect for one another and their viewpoints, because it's okay to disagree, but just do it respectfully," Huff said. "I'm honored to have a council that believes in that so much — we let people speak, but we're going to respect one another's viewpoints and [together] we're going to find a solution."

Noting the change in atmosphere since the city's commitment to civility,

Huff added that "if you come to our city council meetings, we have this small room of about 35 to 40 chairs, and it is packed every single time we have a regular general meeting — it's unbelievable."

With the large attendance at meetings in mind, Mayor Huff acknowledged that a new city hall will soon be necessary.

"We've blown this room away with our civil engagements," he said. "We pull it together — we call it 'Team Inman.'"

The City of Newberry is another community where the mayor and council are making sure that civility is at the forefront. The city council passed the civility resolution in August, but Mayor Foster Senn said he did not want the idea to just come to that level of focus as a one-time thing.

"We wanted this to be our standard going forward," Senn said.

To take the city's commitment to the civility pledge one step further, City Clerk Fabrienni Chaplin took the display version of the resolution created by the Municipal Association and had it enlarged and framed to go on the wall the council chamber.

"It's right there when you come into the [room]," Senn said, adding that having the civility pledge on display is a good reminder for council to uphold its values and to get along congenially and civilly.

"Fortunately, we have a long history of our city council getting along well," he said.

Senn came onto council in 2006 and was elected mayor in 2010.

"That culture was already established, and we've continued it," he said.

Newberry's pledge to the pillars of civility extends beyond the council. Senn intends to speak about the initiative for civility in government and stress its importance at a council meeting planned for February to take place at Newberry College, with students of various disciplines in attendance.

"I'm glad that the Municipal Association did this," Senn said. "I think it's a really good reminder, because things

Newberry Mayor Foster Senn and City Clerk Fabrienni Chaplin hold a large-scale version of the city's civility resolution. Photo: City of Newberry.

happen, and you can have strong feelings about something, but if we all reign them in and make our points cordially and have a good healthy discussion, we'll all be better off and be more effective elected officials."

As for any challenges upholding the civility pledge, Senn said that council has not had any difficulties yet. "It's a quick reminder to behave when you see [the pledge] on the wall," adding that staying positive helps.

"I would recommend it to other towns," he said. "I'm glad we did it."

The cities of Inman and Newberry are proof that civility in local government is possible. Having a strong commitment to the values behind civility is a good place to start.

For municipalities interested in adopting the civility resolution, the customizable template for a resolution can be found at www.masc.sc (keyword: civility). Other resources include the nine "Pillars of Civility" developed by the Association as starting points for talking about what kind of behavior can promote healthy and respectful deliberation and debate.

Finding and Retaining Good Employees

The Goose Creek Police Department has captured attention by using the social media platform TikTok as a recruitment tool. Photo: City of Goose Creek.

In a time of low unemployment, when there are seemingly more jobs available than qualified workers to fill them, city and town leaders find themselves using many tactics to try to keep positions filled and cities running smoothly.

From offering perks like tuition reimbursement to paying relocation expenses for new hires to turning to social media channels to help reach potential workers, local leaders are pulling out the stops to try to find, recruit and retain employees.

City human resources managers agree on one thing: It's not easy.

It's also not unique — municipalities in every corner of South Carolina and across the country are facing this challenge. While jobs lost because of the pandemic have mostly rebounded, it remains difficult in the current, highly competitive job market to find workers interested in pursuing jobs in the public sector.

"Being a utility municipality, we have a need for people who have to get their hands dirty," said Robin Entrekin, director of risk management and human resources for Clinton. "Not every job we have involves the skills techies possess. Turning wrenches and laying pipe still involves manual labor. It's a struggle for sure."

And while part of the challenge may be the types of jobs, pay also plays a big role, with cities typically unable to match the salaries of private industry.

"Entry-level pay is the big thing on everyone's mind. We've done a compensation study to make sure we are internally equitable and externally competitive," said J.D. McCauley, North Augusta's manager of human resources and risk management. "We are competitive in our market, but with government, you're never competitive with salaries in the private sector."

McCauley also said the city cannot simply raise entry-level salaries because that would create salary compression and would create issues among existing employees. "Then we'd lose long-term people because our pay practices aren't equitable."

That's where benefits, work culture and other perks come into play for cities and towns across the state. "We bank on the benefit side of the house," McCauley said. "And we focus more on the employees that we have. We want to do things that create a culture where people want to be here. That's the focus of what we do that's different."

Cities push the importance of creating a culture that values its workers in various ways, a practice that helps attract new workers and hold onto good ones.

Goose Creek recently implemented a relocation incentive program after receiving an influx of out-of-state job candidates, according to Hilary VanOrsdel, human resources director for the city.

"The program reimburses moving expenses for new employees who choose to make Berkeley County their home," she said. "This has been beneficial not only for new hires, but in expediting their start date."
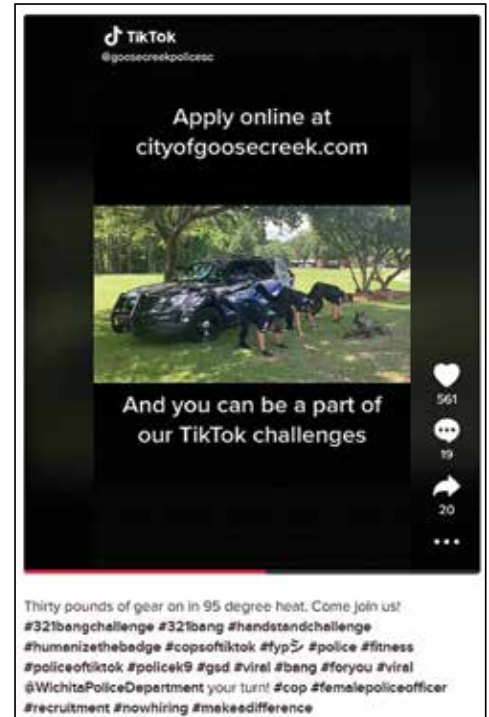
Once the workers arrive, it's important to show appreciation for a job well done.

North Augusta, for example, offers incentives such as employee appreciation events, health fairs, training sessions and tuition reimbursement programs. The city administrator and the mayor hold town hall meetings with employees to discuss concerns and receive feedback.

"We want to help our employees grow while they are here," McCauley said, adding that the city offers training and tuition reimbursement, even if it is not associated with the employee's current job. "Part of the benefit of being here is we're going to help pay for training and education so they are ready for the next step in their career, where ever that may be."

In Clinton, Entrekin said the most important step is making good hires upfront, and then doing everything possible to retain strong employees.

"We want long-term, career-minded and dedicated employees. My motto is 'no hire [at all] is better than a bad hire.' It's easy to hire a bad employee in, not so easy to get them out," he said. "We want to make it enticing to come to work for us

and then we do everything we can to keep them. We are constantly evaluating our pay scales as well as perks and benefits, but trying to keep up with inflation and competition is causing a lot of sleepless nights and gray hair these days."

Entrekin knows the city is "climbing a steep mountain trying to match dollar-for-dollar in salary with the private sector. So, we put emphasis on trying to point out our perks and benefits that can put money into the applicant's pocket in another form. "

Clinton's employee medical insurance coverage is 100% funded by the city, while spousal, children and family coverage is supplemented. And the city points out the importance of an easy travel distance to work, which can mean less money and time spent on commuting.

"While the hourly rate is less in a lot of cases, their take-home pay is more due to the realized savings. A lot of private-sector companies that directly compete with city services do have higher salaries, but often don't have the perks and benefits we can offer," Entrekin said. "Exit interviews are used to determine why a person is leaving and also to help them understand why they should stay. We've moved the exit interview to the front of the process instead of the end. If we can entice them to get them here, we think we can keep them here for the most part."

But the first step may be finding the right people – and cities are tapping into new ways to reach them.

In North Augusta, which faced substantial turnover around 2019 at a moment when many long-time employees retired, the city started creating videos that helped explain city jobs. It was a way to help educate the community on public service jobs along with recruiting potential workers.

Goose Creek has turned to social media, which has the potential of reaching candidates "anywhere, anytime," VanOrsdel said.

"TikTok has been a great tool for our police department; Chief [L.J.] Roscoe works diligently to promote her department using the latest TikTok trends," she said. "It has proved to be a

North Augusta Public Safety officers are joined by Auggie, the mascot of the Augusta GreenJackets baseball team, at a job fair. Photo: City of North Augusta.

great recruiting tool for us. Our various departments work hand-in-hand with our public information office to make sure our recruiting promotions stay relevant in the job market."

She said word of mouth remains a tried-and-true tactic for recruiting applicants, with employee referrals "one of the best complements. Don't be afraid to use your network or your coworkers' network."

And human resource leaders agree on the importance of making sure hiring managers know all of the tools available to them – whether that is factoring in education levels and experience when deciding on salaries or looking into ways to speed up the hiring process.

"Make sure your hiring managers know all the options and levers they have to get folks on board," McCauley said. "You need to educate and re-educate. It never hurts to have a training or refresh with your folks."

Health fairs are among the incentives that North Augusta offers its employees. Photo: City of North Augusta.

Give Appointed Committees Space to Work

Groups appointed by a city or town council, like the planning commission or board of architectural review, are often involved in recommendations and decisions of great interest to a community's development. This can lead city councilmembers to take an interest in the groups' actions.

Even so, the process runs the most smoothly when councilmembers avoid involvement at the level of the appointed group's work — avoiding participating in its meetings, and avoiding making public comments before the council considers any recommendations it has received.

Some types of involvement violate state law. SC Code Section 8-13-740(A)(5) prohibits municipal officials from representing a person before any component of the municipality such as appointed boards. For example, imagine that a councilmember works for a development firm. That developer then seeks approval from the architectural review board for a project. The councilmember may not represent the developer in the board's meeting.

Even in scenarios without official representation, the councilmember should avoid involvement in the board's meetings and decision making. In the case of a local planning commission, the commission members make recommendations to be voted on by council. By waiting until the group's recommendations come before the council for a decision, councilmembers can help avoid distractions and foster a better sense of impartiality in the decisions they make.

Here are several types of boards and commissions for which councilmembers should avoid involvement:

Local planning commissions

Municipalities that regulate land development must establish a planning commission. Under SC Code Section 6-29-340, the commission is empowered to

- create and revise a comprehensive plan for the municipality and recommend its adoption to council;
- make recommendations to the council on how to implement the comprehensive plan through ordinances, regulations, policies or procedures; and
- administer the land development regulations adopted by council by approving or disapproving submitted plans and plats.

Act as you would expect someone to act in your home.

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Boards of zoning appeals

A municipality that adopts a zoning ordinance may create a board of zoning appeals to enforce the ordinance. The powers of such a board, described in SC Code Section 6-29-790, include

- making decisions on appeals that arise from the administrative decisions of the municipality's zoning administrator; and
- granting or denying applications for variances or special exceptions from zoning ordinances.

The board's decisions are subject to appeal only to a circuit court, not to the council.

Boards of architectural review

Councils can establish a boards of architectural review within zoning ordinances that makes specific provisions for the protection of historic, architecturally valuable neighborhoods or scenic areas. As SC Code Section 6-29-880 notes, all of these boards' powers derive from the zoning ordinance.

When crafting such an ordinance, the council should name any restrictions to the areas under the board's jurisdiction, such as the conditions required for building, demolishing or altering the appearance of buildings. Clear language explaining the board's powers and limits is critical for its operations. Its decisions can be appealed to the board of architectural review and to circuit court, but not to council.

Local hospitality tax and accommodations tax boards

Cities and towns that enact a local hospitality or accommodations tax sometime reserve the decisions on how to divide up and disburse the H-tax and A-tax funds for the council. In other cases, the council chooses to establish an H-tax or A-tax committee to make recommendations to council for how to use these funds, although there is no requirement in law for this.

For those that appoint these boards, councilmembers should handle them as they do with planning commission actions — give the appointed board space to operate, and then take up the recommendations as they come to council.

Find information on planning and zoning boards in the Municipal Association's Comprehensive Planning Guide for Local Governments *at www.masc.sc (keyword: planning guide).*

New Year, New Annual Notice of Meetings

At the beginning of each year, public bodies must provide written notice of their regularly scheduled meetings in order to comply with the SC Freedom of Information Act.

This annual notice needs to provide a date, time and location for each of a city's regular meetings. It should include the regular monthly meeting required in SC Code Section 5-7-250(a), but it can include other meetings like work sessions as well. While public bodies should aim to adhere to their annual notice schedules, the law does not prevent rescheduling of meetings, or prevent special-called or emergency meetings.

The annual meeting notice must appear on a bulletin board in a publicly accessible place at the public body's office or meeting space. Public bodies that maintain a website must place the annual notice there as well.

The FOIA posting requirements for the annual notice are similar to the FOIA requirements for posting individual meeting agendas. Those agendas also need to be placed on a publicly accessible bulletin board at the meeting place, and on websites when available. Public bodies also need to provide these agendas to all those individuals, news outlets and organizations who request that the body send agendas to them. The body needs to publicize the agenda in this way at least 24 hours in advance of the meeting.

Annual notices and meeting agenda requirements apply to all public bodies, including these:

- City and town councils
- Public utility boards
- Planning commissions
- Boards of zoning appeals
- Architectural review boards
- All other boards, commissions and committees appointed by a city or town council

Find the Public Officials Guide to Compliance with the S.C. Freedom of Information Act *at www.scpress.org.*

SC Public Invocation Act Governs Prayer at Meetings

Current state law on how to handle prayer during meetings of a city council or other public body comes from the 2016 SC Public Invocation Act, found at SC Code Section 6-1-160. The General Assembly passed this Act so that state law could comply with the U.S. Supreme Court's ruling in *Town of Greece v. Galloway* that prayer at public meetings must not be "exploited to proselytize or advance any one [religion], or to disparage any other faith or belief."

Here are some key points from the law:

Do not coerce participation in the prayer.

The person offering the invocation can invite everyone to participate, but must not coerce participation.

Coercion can be as simple as saying to everyone in the room, "Please bow your head."

That request is coercive because it does not allow observers the option not to bow their head. However, inviting observers to participate in the prayer if they choose by saying, "You are welcome to join me in prayer," satisfies the law.

Create a prayer policy in the rules of procedure.

The law notes that the public body may appoint one of its members to deliver the invocation, a difference from earlier versions of the law which required the duty to rotate among members. The body may also elect a dedicated chaplain or choose an invocation speaker from the community. SC Code 6-1—160(B)(3) provides a procedure for keeping this election "on an objective basis from among a wide pool of religious leaders" in the community.

Address the public body in the prayer.

A public invocation is "for the benefit of the public body," according to the law, not for the public in attendance. Therefore, anyone delivering the invocation should direct the prayer to the members of the public body, rather than to anyone else.

Calendar

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

DECEMBER

9 SC Municipal Attorneys Association Annual Meeting and Continuing Legal Education Seminar. Marriott, Columbia. Topics include land use and code enforcement.

14 Business Licensing Essentials – Year in Review. Virtual.

2023
FEBRUARY

7 Hometown Legislative Action Day. Columbia Marriott. Find more information on page 4.

8 Municipal Elected Officials Institute of Government. Columbia Marriott. Topics for Session A include an overview of local government

planning and zoning; conducting public meetings; and strategic planning. Topics for Session B include municipal annexation, business license tax administration, and ethics and public accountability. Courses also include Advanced Continuing Education, as well the Advanced MEO Institute topics of public safety policy and administration and municipal utility policy and administration.

14 – 15 Municipal Court Administration Association 101 Session C. Municipal Association of SC, Columbia. Topics include court financials.

14 – 17 International Institute of Municipal Clerks Region III/Municipal Finance Officers, Clerks and Treasurers Association Spring Academy. Wild Dunes Resort, Isle of Palms. Topics include redistricting, virtual meetings and preventing municipal fraud.

28 Risk Management Services Verbal De-escalation Training: Surviving Verbal Conflict. Cooperative Conference Center, Columbia.

MARCH

2 SC Association of Stormwater Managers First Quarter Meeting. Cooperative Conference Center, Columbia.

8 SC Business Licensing Officials Association Spring Academy. Cooperative Conference Center, Columbia.

13 – 15 SC Utility Billing Association Annual Meeting. The Beach House, Hilton Head Island.

23 Municipal Technology Association of SC Spring Meeting. Cooperative Conference Center, Columbia.

APRIL

14 Municipal Court Administration Association of SC Spring Meeting. Cooperative Conference Center, Columbia.

18 Risk Management Services Competent Person Trenching and Excavation Training. Municipal Association of SC, Columbia.

19 – 21 Municipal Clerks and Treasurers Institute, Year 1, Session B. Hilton Columbia Center, Columbia.