UPTOWN

MASC Municipal Association of South Carolina

a publication of the municipal association of south carolina

Business License Standardization Is the Law — Now What?

The South Carolina General Assembly overwhelmingly passed the SC Business License Tax Standardization Act in September 2020, bringing a resolution to years of attacks on the business license tax. For many cities and towns across the state, it also marked the need to transition to a new way to administer the business license tax.

While the task of complying with the new law may seem burdensome, the benefits of standardizing business license tax administration statewide will make doing business in cities easier. It will also ensure the tax's stability as a municipal revenue source against possible future efforts to eliminate it.

What does the law require?

The new law, Act 176, standardizes many elements of business license tax administration that were previously determined by individual municipalities.

Effective January 1, 2022, Act 176 will require cities and towns that levy a business license tax to

- Issue a business license for a period of May 1 to April 30.
- Calculate the tax based on a business' gross income for the previous calendar year or its previous fiscal year.
- Use the law's definition of gross income.
- Accept a standardized application approved by the SC Revenue and Fiscal Affairs Office.
- Use the law's standardized class schedule.
- Allow businesses to make renewal payments through an online payment system hosted by the SCRFA.
- Use the law's standardized appeals process.
- Set rates for the 2022 license year to prevent a revenue windfall in the first year of compliance with the law.

Standardization: New Law, New Action

Getting started with compliance

The Municipal Association maintains an extensive menu of resources for cities and towns that levy the business license tax.

Municipal officials should familiarize themselves with the model business license ordinance, the Business Licensing Handbook and the Business Licensing Officials Association, which has provided specialized business license training to municipal staff since 1985.

To help municipalities comply with Act 176 by the end of 2021, a diverse group of Association staff has developed a phased implementation plan for cities and towns to use While these staff members will provide hands-on assistance to municipalities as

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they move toward compliance, there is critical work municipal licensing officials can do to ensure their city or town's success.

Steps to take immediately

Assign a six-digit North American Industry Classification System code to each of the businesses that have a current license. The law's standardized class schedule uses the latest edition of the NAICS codes to place businesses into appropriate rate classes. All cities and towns must begin using the 2017 edition, six-digit NAICS codes found at www.census.gov/eos/www/naics/.

Export each business license record into a standardized Excel spreadsheet after the correct NAICS codes are assigned. The Association can provide the spreadsheet needed for this step. This action is needed so that municipal and Association staff can review records to help with compliance with the law.

Once the records are exported, each municipality should have someone review them for errors. Municipal staff will want to ensure there are no obvious flaws with the records like transposed numbers or formatting problems.

Second, someone should analyze the city's license data to ensure each business is properly classified as required by the law. The Municipal Association maintains the standardized class schedule.

Finally, municipal staff must analyze the data to determine the tax rates for each class to ensure the city or town does not gain a revenue windfall in the first year of implementation. After the first year, municipal councils may set business license tax rates to meet their city's fiscal needs.

Municipal Association staff have developed training and a spreadsheet model to help municipal staff members conduct these analyses themselves. However, for those that do not have the capability to conduct the analyses, Association staff can assist.

What to expect

The initial data analysis and rate setting will be the most difficult part of complying with Act 176. That phase of compliance will be ongoing through spring 2021. After that, cities and towns should expect to:

- **Adopt a new business license ordinance to comply with Act 176.** The Association strongly recommends cities and towns adopt its model business license ordinance by December 31, 2021.
- **Reach out to businesses with information about the licensing changes.** As soon as possible, begin reaching out to businesses about the changes Act 176 will bring to the licensing process. The Association can assist municipalities with templates and messaging if requested.
- **Direct staff to Municipal Association training on the new law and online license renewal payment portal.** The Association will conduct frequent training sessions for municipal staff members. These will address, most importantly, how to use the online business license renewal payment software developed by the Association and hosted by the SCRFA.

For more information, contact Melissa Harrill at mharrill@masc.sc or Caitlin Cothran at ccothran@masc.sc. Also, visit www.masc.sc (keyword: standardization).

Local Business License Renewal Center Basics

Act 176, which standardizes the business license tax process, requires cities and towns to standardize their business license practices by January 1, 2022. It also calls for the establishment and use of an online business license renewal payment portal to be hosted and managed by the SC Revenue and Fiscal Affairs Office. The portal is known as the Local Business License Renewal Center.

While the law does set the beginning of 2022 as a deadline for standardization, it does not set a deadline for cities and towns to begin using the portal. Instead, the law states that jurisdictions must provide access to the portal for reporting, calculating and paying business licenses, "subject to the availability and capability of the portal."

As its name suggests, the license renewal center will only process the renewal of existing business licenses. Cities and towns that issue business licenses will still need to issue new licenses as they do now without using the portal which will allow them to retain control over issuance or denial of a license.

While the law calls for the portal to be made available to businesses, it does not set the system as the only means of handling license renewals. Licensing cities and towns are still required to accept payments in person, by phone or by mail.

The specific steps of business license standardization aim to make the process of licensing easier for businesses, especially those who must obtain licenses in multiple jurisdictions. The online portal is no exception. It will enable businesses to make payments and report income to multiple cities and counties as needed, all at one time. The system will then remit the entire taxpayer payment directly to the taxing jurisdiction.

Cities and towns who are ready to get started with the portal can do so by having their primary business license staff person contact the Municipal Association's Fran Adcock, collections analyst, at fadcock@masc.sc or 803.933.1201. They will then be able to create an account for the jurisdiction and upload their existing business license data.

Then, businesses looking to renew licenses can select participating jurisdictions where they operate and create an account for their renewals at www.localblrenewal.com. Inside the system, they can update their information as needed, report revenue, apply deductions and upload necessary documents. They can track their renewals through the system and respond to requests for feedback from cities and towns during the process.

Learn more about the business license standardization process at www.masc.sc (keyword: standardization).

New Members of the Municipal Association Board

At its November meeting, the Association's board of directors updated its composition.

Mayor Jason Stapleton, former mayor of the Town of Williston, resigned as the third vice president of the board to become a county magistrate. Mayor Barbara Blain-Bellamy of Conway was elected by the board to serve as third vice president and fill Stapleton's unexpired term.

NEWS BRIEFS

Main Street Walhalla is now an Aspiring member of the Main Street South Carolina program. At the Aspiring level, communities receive three years of hands-on guidance to build local capacity as they work to boost their downtown economy.

Members of the **South Carolina Business Licensing Officials Association** recently elected their 2020 – 2021 board of directors. The new board includes **President Pam Davis,** business center director, Richland County; **Vice President Lakesha Shannon**, business license administrator, City of Columbia; **Secretary/Treasurer Amyee Rogers**, administration supervisor, Town of Pendleton; **At-Large Members Karine Thomas**, business licensing director, City of Hartsville; **Alten Driggers**, supervisor, Horry County; **Joy Krutek**, business license administrator, Dorchester County and **Past President Shaun Greenwood**, city administrator, City of Forest Acres.

The **SC Municipal Finance Officers, Clerks and Treasurers Association** recently elected its board of directors for 2020 – 2021. The new officers are **President Annette Moore**, clerk/treasurer, Town of St. George; **Vice President Cammie Hayes**, director of finance and general services, City of North Augusta; **Secretary/Treasurer Amanda Childers**, clerk/treasurer, Town of Harleyville; **Directors Erika Moore Hammond**, clerk, City of Columbia; **Joel Seavey**, finance director, City of Clemson; **Barbara J. Denny**, finance director, City of York; **Amber Barnes**, assistant town administrator, Town of Pendleton; and **Past President David Seifert**, chief financial officer, City of Greer.

Hometown Legislative Action Week Coming February 1 – 5

Get ready for a Hometown Legislative Action Day like you've never experienced before. It's not just one day — it's an entire week of virtual content, information, tips and valuable insight into the 2021 legislative session.

To continue to stay safe and help stop the spread of coronavirus, the 2021 Hometown Legislative Action Week will be an ongoing virtual event, with content releasing beginning February 1. City and town officials everywhere can watch all of the videos from a laptop, smartphone or tablet, all through the Municipal Association's website, www.masc.sc.

Members of the Municipal Association's advocacy team will speak about the 2021 Advocacy Initiatives, sharing details on the issues, stakeholders and the benefits of each of the initiatives to cities and towns. Elected officials at the state and federal level will also share information on important issues that impact cities and towns directly. Finally, the advocacy team will share tips on how officials can talk to legislators to gather support for the advocacy initiatives. The best thing about
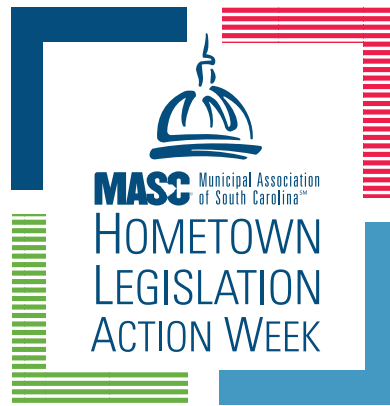
this? Attendees will be able to access this information anytime.

Registration

Those interested should register through www.masc.sc so they will be the first to receive the videos and other content by email each day during the week. There is no fee to register.

Afterward, be sure to follow the legislative content available through the Association's social media platforms — https://www.facebook.com/MuniAssnSC. StrongSCcities and www.twitter.com/

MuniAssnSC. Updates on the advocacy initiatives will be posted as they move through the legislative process.

Join the Association for Hometown Legislative Action Week beginning on February 1, when Association staff will truly bring the State House dome to all city and town officials' homes.

Municipal Elected Officials Institute of Government

Municipal Elected Officials Institute of Government courses, which have in the past taken place the day before or after Hometown Legislative Action Day, will this year be virtual sessions taking place in January. Sessions A and B will take place January 19. Two Advanced MEO sessions, "Advanced Budgeting and Finance" and "Advanced Leadership and Governance," will take place January 21. For more information, visit www.masc.sc (keyword: MEO Institute).

For more information on virtual Hometown Legislative Action Week, contact Scott Slatton (sslatton@masc.sc) at 803.933.1203.

Reminders for the 2021 Achievement Awards
Deadline: February 10

The deadline to apply for the Municipal Association's 2021 Achievement Awards, honoring excellence in local government programs, is coming up on Wednesday, February 10. Applications are available at www.masc.sc.

Municipalities with a population of 20,000 or less have the option of competing in either a population or subject category. Those with a population of greater than 20,000 can compete only in one of the five subject categories. As in past years, projects need to be largely complete to be eligible, and cities and towns can submit a specific project only one additional time if they do not win.

For those competing in a subject category, the awards judges

will evaluate both the written entry and a virtual, oral presentation. The presentations will take place on March 1 and 2, at a time assigned by Municipal Association staff after receiving all entries.

Each virtual presentation must last no more than 10 minutes. After each presentation, the judges will have 10 minutes for questions. While developing a presentation, keep these points in mind:

- Cities and towns may use more than one presenter. However, make sure each presenter knows that time limits are strictly enforced. Presenters can be elected officials, municipal staff, project partners or residents. Paid consultants or vendors may not be presenters.
- Audiovisual aids like videos or PowerPoint presentations are allowed during the virtual, oral presentations.

The Association will recognize award winners at the Annual Meeting on Hilton Head Island on July 24.

For more information on the Achievement Awards, contact Meredith Houck at 803.933.1215 or mhouck@masc.sc.

Association Highlight
Annexation Handbook

The Municipal Association of South Carolina offers city officials and staff access to publications covering a wide variety of local government topics. This includes the *Annexation Handbook*.

This guide offers an overview of the three methods of annexing contiguous property provided for by state law. It also takes a look at the policy considerations of annexation, including whether a specific annexation is in the financial best interest of a city or town; public perception of the process; and zoning considerations for properties being annexed. The handbook also provides sample forms, notices, resolutions and other documents used in the process.

Find the Annexation Handbook *at www.masc. sc (keyword: annexation). Annexation is one of the topics discussed in Session B of the Municipal Elected Official's Institute of Government, next offered as a virtual course January 19. Learn more on the Association's website (keyword: MEO Institute).*

MEO Municipal Elected Officials
Institute of Government

Testyourselfmonthlyquiz

True or False: A budget work session does not require public notice.

Answer: *False.*

Any gathering of a simple majority of the municipal council members, whether in person or by electronic means, to discuss or act upon matters over which the public body has authority is a public meeting. All public meetings, regardless of the name used to describe the gathering, such as work session or committee meeting, must follow the public notice and agenda requirements in state law, including a minimum 24 hours advance notice of the meeting.

The Municipal Elected Officials Institute of Government offers online courses. In-person classes will resume when COVID-19 activity drops to safe levels. The Institute will host sessions A and B virtually on January 19. On January 21, the Institute will host "Advanced Budgeting and Finance" and "Advanced Leadership and Governance" virtually. To register, go to the Municipal Association's website at www.masc.sc and log in with your user identification number and password.

Beginning-of-Year Checklist

The start of a new calendar year is a time for councils to complete several action items required by state law. There are other steps officials can take that will improve the budgeting process as well. Here are some things to consider as the new year begins:

Annual notice

Public bodies, such as councils, committees and commissions, are to comply with the annual notice of meetings requirement in the SC Freedom of Information Act. It should provide notice of all planned regular meetings where a quorum will attend during the calendar year. This is useful not only for the public and media, but members of the public body as well.

Finance reporting

The beginning of the year is a good time to submit the Local Government Finance Report, which is generally due to the Revenue and Fiscal Affairs Office by March 15. The revenues and expenditures to be reported should be those from the most recently completed fiscal year. Cities and towns with a July 1 start date for their fiscal year should have a completed financial statements audit by January. Municipalities that do not submit this report on time face the penalty of losing 10% of the municipality's share of the Local Government Fund.

Also remember that cities and towns have 13 months after the completion of a fiscal year to complete an audit and submit it to the State Treasurer's Office — February, for a city with a January 1 fiscal year start date. The penalty for not submitting this audit is a withholding of 100% of the city's share of state revenues, including local option sales tax, where applicable.

Budget calendar

Prepare a budget calendar, and have council adopt it by a motion and vote. This helps everyone understand the agreed-upon dates, duties and council responsibilities in preparing the municipality's annual budget. January serves as a good time for setting a calendar, because councils can do it while also setting the meeting calendar for FOIA compliance.

Mid-year budget review

For those whose fiscal year begins July 1, January is a great time to take a look at the budget to see how expenditures are lining up with it. This helps staff to bring needed adjustments to council for consideration. Because councils adopt the budget by ordinance, the only way to amend it is also by ordinance. It's also a good idea to host a public hearing when amending the budget.

Begin the new budget process

The annual budget process can begin with a look at the current budget as it stands at mid-year, along with a request for the new budget's proposed expenditures from department heads and other key leaders, with deadlines for submission. Leaders can then begin the process of projecting revenues, and refining them during the spring as current-year revenues come in and available information becomes more accurate.

Consider a goal-setting and planning session

The Municipal Association of South Carolina's two field services managers, Charlie Barrineau and Jeff Shacker, help with goal-setting sessions for city and town councils — a way of combining the goals of each councilmember into consensus about what to address in the coming years. For councils who have not taken part in these sessions, participating in them at the beginning of the year can help them draft priorities and work plan items that will inform the budget process, including specific funding needs. Learn more about field services at www.masc.sc (keyword: field services).

The Handbook for Municipal Officials in South Carolina *has more information on FOIA compliance and preparing, adopting and executing a budget. Learn more at www.masc.sc (keyword: municipal officials handbook).*

TOP FIVE THINGS

Newly Elected Officials Need to Know

1 Taking on a leadership role

As they transition from campaigning to governing, newly elected officials need to broaden their focus from their campaign issues to all of the concerns and challenges facing the community. As a new addition to the team of a municipal government, councilmembers need to listen to all the voices speaking about the community's needs. Successful leaders are those who work with other members of council, city staff and others in the best interest of everyone. They also find ways to transform an agreed-upon vision into concrete policy directives.

2 Understanding the city or town

Make sure to be familiar with the municipality's history, its form of government and its ordinances. Get up to speed by reviewing the council meeting minutes of recent years, the services the city offers and the roles and responsibilities of those who work for the city.

3 Understanding the budget

Review the current budget, as well as the budgets and financial statements from previous years. These documents can illustrate the city's priorities, and how much funding and support the goals have received. Councilmembers carry the ultimate responsibility for monitoring the budget.

4 Conducting meetings effectively

Attending council meetings and work sessions is not enough. Councilmembers need to develop an understanding of what is going on before they arrive at the meeting and come prepared to work. Understand the rules of procedure, including how items go onto the agenda. In advance of each session, review the agenda and any information about what council will discuss.

5 Following the SC Freedom of Information Act and SC Ethics Reform Act

These critical laws help ensure public officials are held accountable for their actions. Be sure to understand the requirements of both the SC Freedom of Information Act and the state's Ethics Reform Act, both of which establish rules that councilmembers must follow when conducting the city or town's business. Read about the specific provisions of each at www.masc.sc (keywords: FOIA, ethics act).

To help newly elected mayors and councilmembers transition into their new roles, the Municipal Association has developed an on-demand course, "The Five Basics of Effective Governing." The course provides basic information about municipal governance that is helpful during an official's first few months in office. Find information at www.masc.sc (keyword: five basics).

New Advocacy Initiatives Include Budget Requests

The Municipal Association board of directors approved the 2021 Advocacy Initiatives that encompass all areas of municipal government. Most of these issues require a change in state law through legislation in order to go into effect, but others rely on funding in the state budget.

The Advocacy Initiatives below would require funding in the state budget for implementation.

Firefighter Healthcare Benefit Plan

In September 2020, the General Assembly passed a law establishing the Firefighter Healthcare Benefit Plan. This law creates a supplemental insurance policy for paid and unpaid firefighters who are South Carolina residents and diagnosed with cancer. The firefighter is entitled to:

- a one-time benefit of $20,000,
- an annual out-of-pocket expenses reimbursement of up to $12,000, and
- a $75,000 death benefit.

The bill did not include any funding when it passed and legislators did not pass a budget in FY 2020-2021, as the state is instead relying on a continuing budget resolution to fund state government. Cities and towns are requesting the General Assembly provide recurring money in the FY 2021-2022 state budget to fund this benefit plan for firefighters.

Post-Traumatic Stress Disorder

Each year since 2016, the General Assembly has included $500,000 in the state budget to fund a groundbreaking program assisting first responders suffering from post-traumatic stress disorder, or PTSD.

The state-funded PTSD program provides an insurance policy for first responders that reimburses out-of-pocket treatment expenses, so officers and firefighters can focus on getting well without worrying about their healthcare bills. The total funding appropriated is evenly split between the SC Law Enforcement Assistance Program and the SC State Firefighters Association.

With the PTSD program, firefighters and police officers can receive the medical services needed to allow them to get back to work. Connecting those whose jobs put them in contact with mental trauma with all available resources can help them as they work to get back to a healthy life. Cities and towns continue to advocate for this valuable financial resource for first responders.

Local Government Fund

In 2019, the General Assembly passed a bill changing the formula that determines the level of funding for cities and towns under the Local Government Fund. The law now requires the Local Government Fund to increase or decrease by the same percentage that the state general fund is projected to increase or decrease. The change in each new year cannot exceed 5% of the appropriation amount in the current fiscal year.

Because of the fiscal circumstances created by the pandemic, the General Assembly did not pass a state budget for the fiscal year ending 2021. Instead, it passed a continuing resolution to fund the state at current fiscal year 2020 levels. This left the Local Government Fund at the same funding level as 2020. As the General Assembly's regular session begins this month, legislators will start to debate a budget for FY 2021-2022. Cities and towns will continue to advocate for funding the Local Government Fund based on the new law.

For more about the Association's Advocacy Initiatives, visit www.masc.sc (keyword: advocacy).

Taking Action on Small Wireless Facilities

As part of the ongoing move to 5G networks, telecommunications companies are deploying small wireless facilities. These are low-powered wireless access points, offering high data transmission rates and faster data for users than has been available through traditional cell towers.

The improved speed of the facilities comes with limited range, however, so there will be many of them positioned on utility poles in high-demand areas. They are likely to appear in densely populated areas, like downtown districts, or in areas with high periodic demand, like beaches or football stadiums.

Telecommunications companies have pushed for preemptive laws and regulations at the federal and state level to help them deploy these facilities. In South Carolina, the Small Wireless Facilities Deployment Act took effect in September 2020. The new law preempts most local control over deployment within municipal rights-of-way. Even so, there are still several proactive steps cities and towns can take using the new model ordinance distributed by the Municipal Association of SC.

What's in the new law?

The Small Wireless Facilities Deployment Act requires municipalities to allow the deployment of such facilities within their rights-of-way on certain conditions:

- Local land use rules must treat small wireless facilities as a permitted use, subject only to administrative review.
- The municipality must approve or deny applications for the facilities within 60 days. They must also approve or deny applications for new, modified or replacement poles within 90 days.
- The law limits municipal fees and rates charged for the installation and maintenance of small wireless facilities.
- The law allows municipalities to enforce provisions that impose reasonable aesthetic, stealth and concealment requirements on small wireless facilities. Municipalities may also have different — and more stringent — rules for decorative poles within design districts, historic districts, and underground utility districts.

Changes from the previous model ordinance

In general, the new law is consistent with the Association's previous model ordinance. The law also allows municipalities to enforce regulations on the appearance of small wireless facilities, as long as those rules comply with the law.

Many local ordinances already in effect have aesthetic requirements that will be considered compliant with the new law. However, two key changes will likely require local action:

- Municipalities must identify and designate design districts, historic districts, and underground utility districts by official action. Many already recognize design districts and historic districts through zoning ordinances, but they may not have not officially designated underground districts, and will need to do so.
- Previous law — and the model ordinance — exempted those retail telecommunications services who pay business license taxes under SC Code Section 58-9-2220 from paying several fees for small wireless facilities. The exemption covered application, attachment and occupancy fees. The new law removes this exemption, so municipalities may now charge the full fees and rates permitted by the law.

Local actions required

The Municipal Association has released a new model ordinance for small wireless facilities. Municipalities that adopted the prior model ordinance should plan to repeal their existing ordinances and to replace it with the new version.

The revised model ordinance gives cities and towns a method for designating design, historic and underground utility districts. It also reflects the fees and rates allowed by the new law and removes the exemption for retail telecommunications services.

Municipalities that adopted local ordinances that they did not base on the model ordinance should review those ordinances to ensure their ordinance complies with the law. Given the growing importance of small cell facilities, those that have not yet adopted any regulations should consider using the model ordinance.

Find the model ordinance at www.masc.sc (small wireless ordinance).

Amplifying
the Mask Message

As cities and towns passed face mask ordinances last summer to combat COVID-19, some turned to marketing and communications departments to help spread the message of the importance of wearing masks to a sometimes skeptical public.

Communication campaigns popped up in municipalities statewide – from large banners erected in downtowns to Instagram posts with local businesses and neighbors pledging to wear face coverings.

The Florence Forward Pledge program, for example, started after the city adopted an emergency face covering ordinance, requiring face coverings to be worn when people enter a business that is open to the public. The program sought to encourage businesses to commit to the safety of their employees and the public by following state and federal safety guidelines, said Hannah Davis, development manager for the City of Florence.

Each participating business received information to help keep employees and customers safe, and a door decal to remind patrons that the business was following COVID-19 safety protocols, she said.

"The 30,000-foot answer [for why the campaign was important] is that we have got to show a united front, especially with a pandemic that's been so politicized. It's important that we put out the facts, put out why it's important to our community and amplify the message in a consistent way," Davis said.

Some cities, including Florence, modeled their pledges and campaigns after Greenville, the first municipality in the state to enact a face covering ordinance. After passage, Greenville quickly pushed out its "Mask Up. Life is Waiting."

Above: Dr. Eric Ossmann speaks at a press conference in front of Greenville's mask campaign signs. Photo: City of Greenville. Right: A Florence Forward Pledge decal hangs in a business window. Photo: City of Florence.

campaign, which drew on locals to explain the importance of masks to slow the spread of the virus and allow life to return to normal, said Beth Brotherton, director of communications and neighborhood relations in Greenville.

The campaign was announced by Mayor Knox White at one of the city's media briefings with local physicians.

"We chose local, recognizable people — a mom blogger, a high school football star, a popular restaurant owner — and chose taglines that we hoped people would connect with. 'I wear a mask because … we all miss school.' 'I wear a mask because … fall isn't the same without football,'" Brotherton said.

The campaign ran at a time when schools had not yet decided on their attendance and athletic plans.

"We also included a small business owner so citizens could recognize that

another closure or stay-at-home order could be devastating to entrepreneurs who were barely hanging on to their livelihoods," Brotherton said. "We used a bride-to-be because it seemed like everywhere you looked on social media people were talking about delaying weddings, hosting them on Facebook live or limiting guests to only immediate family. The tagline was 'I wear a mask because … I've dreamed of this day my whole life.' We didn't want to be heavy-handed. We just wanted people to think about the impacts."

To make the campaign visible, Greenville erected 5-by-7-foot A-frame signs around downtown, along with smaller signs at entrances to local attractions. They also added streetlight banners.

"The campaign certainly got a good response on social media," Brotherton said. "Lots of people took selfies with the posters downtown. It was fun to see how people did really connect with the message. I think the campaign, combined with the ordinance, did exactly what we hoped it would do. It made mask wearing more 'acceptable' and less 'weird.'"

The face-covering campaigns around the state also drove home the importance of municipalities working with other area organizations to broaden a city's reach.
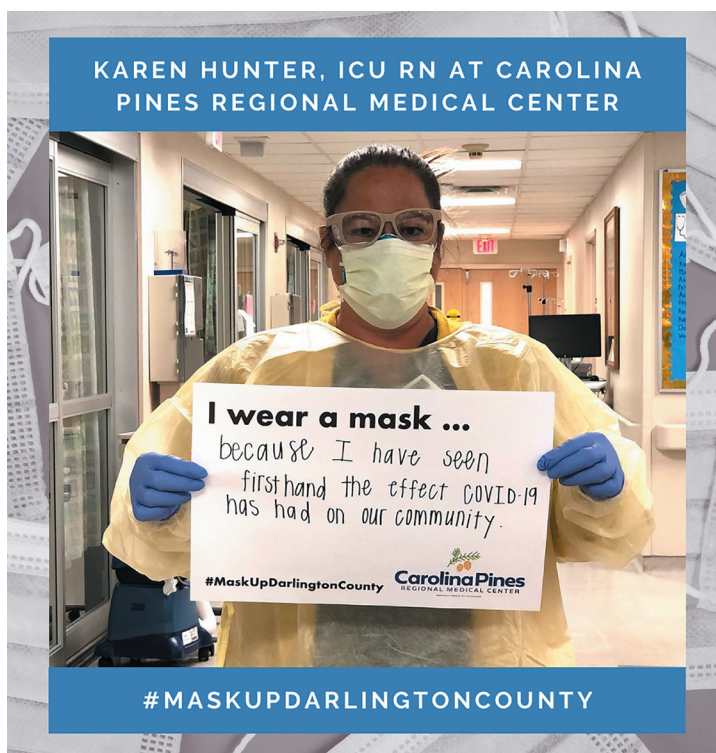
In Hartsville, which also had a mask ordinance, the city worked with Darlington County, the school district and Carolina Pines Regional Medical Center on the "Mask Up Darlington County" initiative. The collaboration began while the Darlington County School District was discussing back-to-school plans.

"All organizations wanted to make one large — and loud —push to encourage residents to mask up in order for COVID-19 numbers to decrease, therefore meaning students could return back to the classrooms," said Lauren Baker, Hartsville's director of tourism and communications.

Communications representatives from each organization met to create a consistent, branded campaign to show they were all on the same page. They used the same signs, but changed out the organizations' logos.

"We allowed the individuals to write their own personal reasons for wearing a mask. These real-life reasons and scenarios allowed the campaign to hit home for people on different levels. These photos and videos were then dropped into one template and posted across all organizations' social media pages," Baker said.

According to analyses by the SC Department of Health and Environmental Control, cities with mask ordinances saw COVID-19 numbers drop during the campaigns. Looking ahead, cities say they have learned lessons from the successes and missed opportunities of the mask wearing campaigns they can build on in the future.

KAREN HUNTER, ICU RN AT CAROLINA PINES REGIONAL MEDICAL CENTER

I wear a mask ... because I have seen firsthand the effect COVID-19 has had on our community.

#MaskUpDarlingtonCounty   Carolina Pines REGIONAL MEDICAL CENTER

#MASKUPDARLINGTONCOUNTY

The "Mask Up Darlington County" effort was a partnership between Darlington County, the City of Hartsville, Carolina Pines Regional Medical Center and the Darlington County School District. Photo: City of Hartsville.

"The biggest lesson I learned, as a communications department of one, is the strength in collaboration," Baker said. "While I was responsible for the scheduling, branding and posting, it was great to have other organizations feeding me a diverse group of content. This allowed the campaign to have a greater impact in the community as a whole, not just in the direct city that we serve."

Davis said Florence was actually a few months behind with implementing its program, and an earlier start may have generated more participation than the 36 businesses that had opted in by early November.

"We need to find a more effective and efficient way to get the word out about future participation-oriented programs and convert interested parties to real users of the programs. On the plus side, we found a whole new set of skills within our staff to create these user-generated platforms utilizing GIS. In the future, we plan to implement this type of opt-in program should the need arise. We see it potentially being very useful for documenting calls for service, or hurricane response," Davis said.

In Greenville, Brotherton said the success of the city's efforts reminded her that public health marketing campaigns must be simple, real, personal and not "boring."

"Numbers and data are important and can certainly help you tell the story, but at the end of the day it's about showing people why they should give a darn. Answering the question, 'Why should I care?' In this case you should care not only because you have elderly parents who have been unable to see their grandkids, or people with preexisting medical conditions who are at severe risk of complications or death if exposed, but because we desire the more everyday things of going to a ballgame, eating at our favorite restaurant and being able to go to school to see friends," Brotherton said.

Greenville is now taking lessons learned from the public health campaign to launch new campaigns. Brotherton said when her office got an assignment for a tree preservation campaign, she was told, "'We were thinking something like the 'mask up' campaign.' So, I'm thinking you'll see a lot more photos of real people in relatable situations coming from the City of Greenville.'"

Communications

Talk of the Town
Cities Reach Out to Residents, Visitors

Communications

Whether it's an employee or department dedicated to public information, a company contracted to post to social media or even a mayor updating the town's website, many cities and towns are working to keep their residents informed.

That information can range from business openings to public safety and weather alerts. Online tools have created an expectation that information be available instantaneously, which has created challenges, but it has provided new opportunities as well. Communication offices — whether they are set up formally or develop in a more informal way — can help municipalities overcome communication challenges and build new connections.

"A great day in my job is feeling that I have communicated something to our community that they may not have known about the City of Newberry," said Elyssa Haven, public relations coordinator for Newberry. "Having lived in Newberry all of my life, there are still times I learn something new about our community and I love having the platform to share that whether it be through a press release or on social media."

Haven was a reporter for Newberry's local newspaper before joining the city. She started writing press releases as part of her administrative assistant job before taking over communications full time in 2018. The newspaper often publishes Haven's write-ups of city council meetings.

Haven also works with the city's tourism staff to help promote events on the town's website and in quarterly newsletters.

"Over the years, communication has become much faster than it used to be — not necessarily more than it used to be, but faster," Haven said. "I think that social

Shawn Hill, foreground, of SK Signs, Designs & Marketing, provides communication services for the Town of Port Royal. Photo: SK Signs, Designs & Marketing.
Right: Carolyn Grant, Hilton Head Island's communications director, prepares for a ribbon cutting at Lowcountry Celebration Park. Photo: Town of Hilton Head Island.

media and the internet has been a big part of driving that demand for quicker information."

To that end, the city has joined with Newberry County to allow residents to opt in for an emergency text messages app. Residents can choose the information they want to receive by text, from weather and traffic to reminders about team sports and events.

For this information, Haven relies heavily on the police and fire departments, as well as the tourism and event staff.

"I can't be everywhere," she said. "We have a great team of people here at the city. I don't ever feel like I'm doing it alone."

In Elgin, Melissa Emmons first entered office as mayor with a goal of getting information to residents quickly. She is now in her second term, but has always worked to help the town communicate. She began by helping with content for a new town website several years ago and recently took over communications duties full-time.

"It's what the town needed," Emmons said of her regular communications that include social media posts as well as website updates. "When I came on board, a lot of decisions were being made and [residents] would not find out about it until we read an article about it after the fact. My goal was to keep the community informed. If they are informed, they are going to be engaged."

Left: Elyssa Haven is the public relations coordinator for the City of Newberry. Photo: City of Newberry. Right: Elgin Mayor Melissa Emmons helps with many of the town's communication efforts. Photo: Town of Elgin.

Emmons writes a monthly column for Elgin's newspaper — typically, a recap of the monthly council meetings. She maintains the town's website and also handles all social media posts. She has found that Facebook is the platform of choice for Elgin's residents, and has also started tweeting town news as well.

"When I am home and there's nothing going on, I will find a task," she said. "I can post an upcoming event or I can post something on social media. It's so easy today, you can do so much from a cell phone."

As with other tourism-heavy communities, the Town of Hilton Head Island has visitors as a key audience for its communication as well as residents, and partnerships can help reach this group, whether it's with the Chamber of Commerce or the island's rental companies.

At the beginning of the pandemic, the town began sending enewsletter updates from the town manager, Communications Director Carolyn Grant said. The town sent these out daily, often with accompanying videos. Rental companies helped distribute key information from the town to visitors about the town's mask ordinance and other precautions, and Grant said she sometimes receives questions from those who are traveling to the island.

Grant has a team with two other staff members to help with the website, social media, graphic design and video. On social media, issues like the mask ordinance have caused some to complain repeatedly. Even so, Grant said she has gotten traction with the audience by focusing on positive news — things like the Mayor's Honored Islander Awards, a new park opening, or a Fire Rescue captain being deployed to Wisconsin to help with COVID-19 patients.

"When the public sees government in action, or sees that a project we're working on will benefit the community as a whole, I think they appreciate getting that kind of news," she said.

She encourages staff to send her news of their projects and efforts, reminding them that something as simple as filling potholes is valuable information, and that ongoing projects need ongoing updates.

"I always just tell them, if you give me a sliver, I can make a big slice out of it," she said.

In the nearby Town of Port Royal, Shawn Hill from SK Signs, Designs & Marketing keeps the town's audience updated through weekly newsletters and social media posts focusing on topics ranging from things to do in town to trash pickup changes. During the pandemic,

Hill also has helped city council move its regular meetings to an online format.

After six years of maintaining the city's social media channels and posting photo from its many festivals, Hill said he has an understanding of what news the city leaders want to highlight.

"They respect or appreciate our knowledge of social media and the fact that we know when the residents are on so we don't blind post, we post it strategically," Hill said. "For us, it's more about the reach rather than engagement."

He is able to share information across platforms that helps bring attention to the area as well as keep residents informed. Working with the town clerk, who writes press releases on town business, Hill distributes them to a wider audience through the weekly enewsletter.

Hill said that operating as a local business likely gave his company a boost when the town was looking for someone to help with its communications. He added that being a third-party vendor allows them to bring a fresh set of ideas for content.

Communications are a critical but often overlooked part of municipal governance. Cities and towns can find many ways to use available resources to communicate effectively, often by using creativity, flexibility and a willingness to connect with local talent.

Communications

Communications

Policing Off-Duty Social Media Activity

Social media has emerged as a critical platform for local governments and public officials, and has grown into an expectation for governmental communication. Governments using social media have some restrictions that other entities do not face, including the First Amendment's guarantee of freedom of speech.

Even beyond official messages, municipal leaders have to ask — what kind of regulation is appropriate when employees use personal social media accounts to post thoughts about their families, politics and their jobs?

There have been court cases involving municipalities disciplining employees for off-duty social media activity. The cases have held that employees do not sacrifice their First Amendment rights by accepting government jobs — but at the same time, government employers can still impose consequences for off-duty behavior.

The United States Supreme Court has aimed to balance these competing concerns with a two-part analysis:

1. Does the employee's speech relate to a "matter of public concern?" If not, the employer can regulate the employee's speech, the same as if they were a private employer.

2. If the speech does relate to a public concern, then the court will work to balance the government's interests as an employer with an employee's right to expression and the public's right to hear that expression.

The case *Liverman v. City of Petersburg*, decided in 2016 by the U.S. Court of Appeals for the Fourth Circuit, can illustrate the issues involved.

The case began in 2013, when an off-duty police officer posted a message on his personal Facebook page suggesting that his police department promoted inexperienced officers to the position of instructor.

Another officer from the same department, who was also off duty, responded to say, "How can ANYONE look up, or give respect to a SGT in Patrol with ONLY 1½ years experience in the street? Or less as a matter of fact. It's a Law Suit waiting to happen."

The police department's social media policy prohibited using social media to make negative comments on the "internal operations" of the department. The policy also disallowed using social media to criticize "specific conduct of supervisors or peers that impacts the public's perception of the department." The police chief, using this policy, disciplined the officers.

The officers then sued the department, claiming that the policy and its application violated their First Amendment rights. The court, using the balancing test, found that the speech related to a public concern, and so the disciplinary action was unconstitutional.

"While we are sensitive to the Department's need for discipline through the chain of command," the court wrote, "the policy here and the disciplinary actions … would, if upheld, lead to an utter lack of transparency in law enforcement that the First Amendment cannot countenance."

The Constitution's guarantee of freedom of speech means that for governments, employee speech will always be more complicated than it is for other employers. Determining whether a specific discussion involves a matter of public concern can be difficult. Before drafting a social media policy that covers after-hours employee behavior, and before disciplining an employee, municipalities should consult with their legal counsel.

The October 2020 issue of Uptown *included an article, "Balancing Social Media and the First Amendment," which addressed the issues of moderating social media user comments on a government account, as well as First Amendment considerations for the personal accounts of elected officials. Find the article at www.masc.sc (keyword:* Uptown*).*

Be Ready to Write Effectively

Writing happens throughout municipal operations, in everything from drafting a council meeting agenda or resolution to crafting inter-office email or responding to the media. Writing well can be the difference between conveying a message correctly, or undermining a message.

These writing tips can help with writing for any audience:

1. **The first draft is never the best product.** Edit, rewrite, then edit some more. Rest between drafts. Let someone else look at a draft, then edit some more.

2. **Editing and proofing are different processes, and both are important.** Editing is the process of making changes for such reasons as clarity, flow of ideas and factual accuracy. Proofing is the process of looking for grammatical, spelling or punctuation changes to correct.

3. **Active voice almost always wins out over passive voice.** This is the difference between "the person took the action" and "the action was taken by the person." For example, consider saying "The mayor cut the ribbon to officially open the new park" is more effective than "The ribbon was cut by the mayor to open the new park."

4. **Use simple words for impact.** There are many examples:
   - "Find out" instead of "ascertain"
   - "Send out" instead of "disseminate"
   - "Use" instead of "utilize"
   - "Best" instead of "optimum"
   - "Explain" instead of "find an explanation for"

5. **Know the difference between "it's," and "its."** The first means "it is" and the second is possessive. This is the difference between "it's time to go" and "the bag fell on its side."

6. **Know when to use "I" and when to use "me."** For example, "he is going with John and me" is correct. Think of it without John, so that it reads "he is going with me." A writer who leaves John out of the sentence would not write, "He is going with I."

7. **Understand the difference between "that," "which" and "who."** "That" is used for essential clauses in a sentence, for example, "the car that crashed into the tree could not be salvaged." "Which" appears in nonessential clauses and often requires a comma, for example, "the car, which is blue, crashed into the tree." When comparing "that" to "who," "that" refers to an object while "who" refers to a person.

8. **Know when to use "affect" and "effect."** "Affect" is a verb, "effect" is a noun, as seen in "the effect of the storm on the sports schedule will affect games for the reason of the year."

9. **Understand compound modifiers.** These are phrases acting together as an adjective modifying a noun, generally require hyphens. For example, with "city-owned street," "city-owned" acts as an adjective telling the reader what kind of street it is. Hyphens are not used, however, when the phrase contains an adverb containing an "-ly," for example, "highly praised officer."

10. **Keep sentences parallel.** "She likes reading books, watching movies and going to the library" would be correct. It would be incorrect to write "I like reading books, watch movies and to go to the library."

Calendar

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

Scheduled in-person meetings are subject to change based on COVID-19 restrictions in place at the time of the meeting. Information about events and how members can access the virtual events will be updated on the Association's website.

JANUARY
19 Municipal Elected Officials Institute of Government Sessions A and B. Virtual event.

21 Municipal Elected Officials Institute of Government Advanced Budgeting and Finance, and Advanced Leadership and Governance. Virtual event.

FEBRUARY
1 – 5 Hometown Legislative Action Week. Virtual event.

MARCH
15 – 17 SC Utility Billing Association Annual Meeting. Embassy Suites Kingston Plantation, Myrtle Beach.

25 Municipal Technology Association of SC Spring Meeting. Seawell's, Columbia.

APRIL
16 Municipal Court Administration Association of SC Spring Meeting. Seawell's, Columbia.

20 SCMIT/SCMIRF Hazard and Analysis Mitigation Training. Walterboro Wildlife Center.

21 SCMIT/SCMIRF Hazard and Analysis Mitigation Training. Newberry Fire House Conference Center.

22 SCMIT/SCMIRF Hazard and Analysis Mitigation Training. Dillon Wellness Center.

MAY
2 – 5 Building Officials Association of South Carolina Annual Meeting. Embassy Suites, Myrtle Beach.

3 – 5 SC Community Development Association Annual Meeting. Sonesta Resort, Hilton Head Island.

19 SCMIT/SCMIRF: Fair and Impartial Policing: Understanding Bias and Duty to Intervene. Cooperative Conference Center, Columbia.

JUNE
13 – 16 SC Association of Municipal Power Systems Annual Meeting. Sonesta Resort, Hilton Head Island.

JULY
21 – 25 Municipal Association of SC Annual Meeting. Hilton Head Marriott.

AUGUST
10 SCMIT/SCMIRF Diversity and Inclusion Training. Moncks Corner Train Depot.