UPTOWN

a publication of the municipal association of south carolina

Roads, records, retirement
New laws bring changes

The South Carolina General Assembly addressed several bills in the 2017 legislative session that will have a significant impact on cities and towns. New laws and pending bills pertain to business licensing, open records, road funding, the state pension system and other areas.

Business licensing

Business licensing legislation took center stage in the 2017 legislative session, following two years of conversations between business leaders and municipal officials interested in standardizing and streamlining business license practices across cities and towns. The dynamics of the debate changed when House members introduced two bills that moved the focus from standardization to drastically cutting city revenues and creating tax inequities for small businesses due to special tax exemptions.

City officials were key in communicating the importance of standardizing the business license process without decreasing local revenues. These bills were recommitted to the House Labor, Commerce and Industry Committee on March 1 for further work.

The S.C. Freedom of Information Act

Gov. Henry McMaster signed a bill in May that makes substantial changes to the Freedom of Information Act, benefiting the public and open government.

A public body now has 10 days, rather than the previous 15, to determine if it can respond to a FOIA request for records less than 24 months old. However, the new law extends the number of days from 15 to 20 that public bodies have to make this determination for records that are more than 24 months old.

A public body must now produce requested records within 30 days following its final determination about the availability of the records when they are less than two years old. They have 35 days to produce records older than two years. The requesting party and public body can agree in writing to further timeline extensions.

Public bodies can now deny a FOIA request that they believe is overly broad, unduly burdensome, vague, repetitive or otherwise improper. These and any other disputed requests would go to a circuit court for an order.

Details of the changes can be found at www.masc.sc (keyword: FOIA).

Road funding

The new road funding bill that passed in May raises the gas tax by a total of 12 cents by 2022 to generate more than $350 million in new money for repair and maintenance of state roads.

The new law also increases funding for the C Fund by about half over the next six years, eventually reaching approximately $115 million. The C Fund is a partnership between all counties and the state Department of Transportation to fund improvements. This means cities and towns will have $40 million in new money they can tap from their County Transportation

Association's executive
director to retire

*By Mayor
Bill Young,
Walterboro,
Municipal
Association
of SC President*

A Greek philosopher once said "The only thing that is constant is change," and that has certainly been true for the Municipal Association over its 87-year history. We have successfully adapted to change while maintaining a stable foundation for our membership.

A big change ahead of us in the coming months is the retirement of our executive director, Miriam Hair.

Miriam announced in June that she will retire on December 31, 2017, after 32 years with the Association. She came to the executive director position in 2008 after serving as deputy executive director for 10 years. During her career with the Association, Miriam led development of most of the association's long-standing and successful programs such as the Municipal Elected Officials Institute, 12 affiliate organizations and the collection programs.

We all know Miriam as someone who has passionately given of her time and talents to make this Association a leader on many fronts. We will miss her leadership.

Our Association is unique is so many ways. We have always embraced change and risen to the occasion when change occurs. But we are also committed to maintaining a stable organization that can withstand the challenges change brings. One aspect that speaks to our stability and strength is the fact that we have had only five executive directors in our 87-year history.

Our intention for the Association's sixth executive director is to continue on the path of seeking out opportunities that will make our cities and towns stronger. Our search for the next executive director is already underway. I have appointed a search committee to work with the board of directors that will select the best possible candidate for the job.

I look forward to seeing you at the Association's Annual Meeting in Hilton Head Island in July and hearing any suggestions you may have as we work through this process.

Committees for projects on state roads within their boundaries.

The General Assembly also created a menu of new tax credits to help state residents offset the additional tax they will pay at the pump. The tax policy change that impacts cities and towns is the reduction in the property tax assessment ratio for manufacturers. The manufacturing property tax assessment ratio will drop from 10.5 percent to 9 percent, but the General Assembly has set aside up to $85 million to offset the potential decrease in property tax revenue to cities, counties and schools.

The Revenue and Fiscal Affairs Office estimates it will take at least 10 years before the offset reaches $85 million. And if it does, a circuit breaker provision in the law will not allow the potential loss of property tax revenue to exceed $85 million. Once the total reduction in manufacturing property tax reaches $85 million, then the percentage of the reduction to property owners is proportionately decreased.

Pension system

The debate over fixing the state pension system bled into the state budget debate when House and Senate members disagreed about how to distribute state funding to cover some of the cost of the increase in employer contributions to the pension fund.

The pension reform bill pays down the unfunded liability of the state retirement system and reduces the assumed annual rate of return from 7.5 percent to 7.25 percent. The new law also increases the employer contribution rate for the S.C. Retirement System and Police Officers Retirement System by 2 percent effective July 1, 2017. The employer contribution rate increases another 1 percent each year from 2018 through 2023, ultimately producing an employer rate of 18.56 percent for SCRS and 21.24 percent for PORS. It caps the employee contribution rate at 9 percent, effective July 1.

The state budget funds 1 percent of the 2 percent increase in the SCRS and PORS employer contribution rates. This recurring appropriation goes directly to the Public Employee Benefit Authority, and the 1 percent is credited toward the employer's liability owed. The funding reduces the employer contribution rate for SCRS from 13.56 percent to 12.56 percent and PORS from 16.24 percent to 15.24 percent.

Municipal elections

H3150 removes the authority to declare a winner without conducting a special or general municipal election when only one candidate registers to run for office. This change is effective for filing periods on or after January 1, 2018. The filing period changes from 10 days to eight for partisan special elections to fill a vacant seat. The date for these special elections moves from the 18th Tuesday following the vacancy to the 20th Tuesday following the vacancy. These changes are effective for filing periods on or after May 4, 2017.

Read the year-end legislative report to get details on all of the bills passed in 2017 at www.masc.sc (keyword: legislative report).

Advocacy meetings start in August

Municipal officials have 10 opportunities each fall to learn about legislative issues and take part in establishing the Association's legislative initiatives by attending a Regional Advocacy Meeting.

These meetings, which are for elected officials and city staff, will feature discussions about pending business licensing legislation, the work of a legislative committee on pension reform and other issues. Time will be set aside for municipal officials to share matters of importance to their city.

"The Regional Advocacy Meetings are the starting point for the Association's work in the upcoming legislative session each year," said Reba Campbell, the Association's deputy executive director. "Discussions with local officials at these meetings determine our priorities, and it's important that elected officials and city staff attend to get their local issues heard."

The meetings will be held from 11 a.m. until 1 p.m., and lunch will be included. The locations are organized by council of governments region, but officials may attend any session that is convenient.

There is no charge for the meetings, but registration is required for an accurate head count for lunch and handouts.

August 15 – Myrtle Beach Historic Train Depot

August 16 – Garage at Whitner Economic Development Office, City of Anderson

August 17 – Main Street Junction, City of Union

August 23 – The Arts Center, City of Orangeburg

August 24 – Lawton Park, City of Hartsville

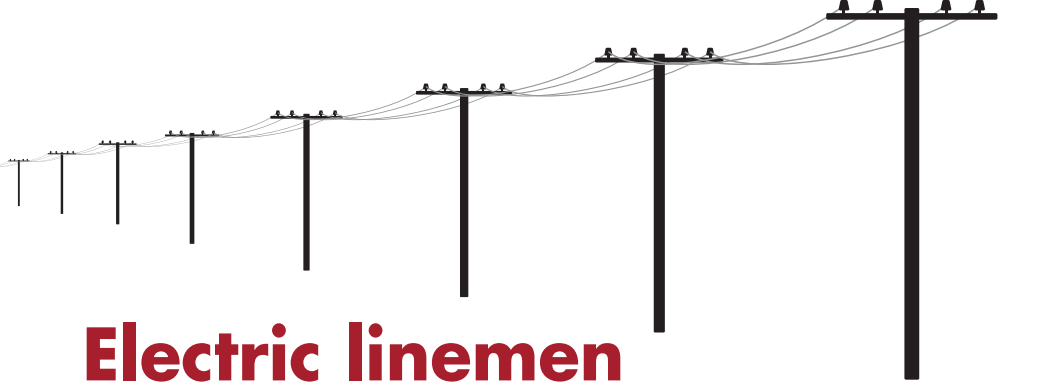**September 11 – Swan Lake Visitor's Center, City of Sumter**

September 20 – Coliseum Club North at the North Charleston Coliseum

September 21 – Colleton Museum and Farmer's Market, City of Walterboro

September 27 – Lexington Town Hall

September 28 – The Arts Center, City of Greenwood

To register, visit www.masc.sc (keyword: RAM).

Electric linemen compete, share know-how

The South Carolina Association of Municipal Power Systems held its annual lineman training sessions in April. Fifteen of the 21 member-utilities attended the training, and eight utilities competed in events, such as the crossarm changeout, knot tying, hurtman rescue, speed climbing and others. The events are timed and judged on how well participants follow proper procedures.

"Through this competition, we are promoting safe work habits and proper procedures," said Eric Budds, deputy executive director for the Municipal Association.

"This also supports one of SCAMPS' core missions of providing mutual aid during times of disaster. The linemen have a chance to get to know one another before they have to work together under post-emergency conditions."

On the first day, the Orangeburg Department of Public Utilities won the speed climbing event, the Greenwood Commissioners of Public Works won second place, and the Greer Commission of Public Works won second place in knot tying. Linemen for Easley Combined Utilities won the remaining events during the two days of competitions.

MEO — Municipal Elected Officials Institute of Government

Test**yourself**monthly**quiz**

True or False: Council's work is done once a strategic plan is prepared and adopted.

Answer: False.

A strategic plan is a collaborative process used to develop a road map for a city's future vision and the goals, priorities and actions necessary to achieve that vision. Steps in the process include community input, plan development, implementation and monitoring. Council should be involved throughout the process and use the plan to guide policy decisions and the allocation of resources to advance the plan's goals.

The Municipal Elected Officials Institute of Government offers in-person and online courses. Elected officials who complete all of the required coursework graduate from the institute. Register for the September 26 courses, "Municipal Economic Development" and "Forms of Municipal Government," at www.masc.sc (keyword: MEOI).

Training was key for Sandy Hook communicator

Keep the victims at the top of your mind. That's the first thing that comes to Lt. Paul Vance when he recalls the most important lessons from communicating after a tragedy.

Vance, who recently retired from the Connecticut State Police, was the most prominent public information presence during the 2012 Sandy Hook shooting, when a gunman fatally shot 20 Sandy Hook Elementary School students and six adults in Newtown, Connecticut.

"You have to think about the victims at all times, every time you open your mouth to articulate to the people who want to know that they're safe, who want to know what occurred," Vance said.

He credits his training with helping him keep the local community and national and international audiences informed.

"People would ask me, 'How did you do that? How were you able to stand there and articulate the news, the information, knowing in your head what you saw and what you encountered?'" said Vance.

"My response usually is: 'It was hard, but it was something I had trained for.'"

Vance acknowledges that sometimes the training can seem too repetitive.

"Many times we throw our hands up and say, 'how many more times am I going to hear this?'" he said. "But in reality, it's like CPR. You go back and get recertified and recertified and recertified. When the bell hits, you've got to react. You don't have time to think. The training has to kick in, that's what helped me as a PIO for this tragic event."

A major-scale crisis requires a long list of entities — local, state, federal, fire, emergency management and others — to be at the table, said Vance. They should all cooperate to ensure a single, clear message.

"They all have contacts in the press, and what was important here was we needed to make sure our message was consistent, timely and accurate, and not self-serving for anyone," Vance said

Specifically, he said, that means no picking and choosing reporters to give information to and also making sure that "no one's response or anyone's involvement was more important than anyone else's. Sometimes people get wrapped up in what they did."

Responding to the mass-casualty event meant coordinating a host of different components, including a strategy to interact successfully with the media and one to provide personal follow-up to the community. In the case of the Sandy Hook massacre, this follow-up took the form of a trooper liaison program that paired a trooper with each victim's family for ongoing care.

There is at least one other ancillary component that all communicators should keep in mind — a public entity's staff.

"It's something that we all hopefully do in this day and age in public safety response, but we've got to make sure we include everyone and not just boots on the ground at the scene," said Vance. "There are many other people we need to be concerned about, call takers, maintenance people inside the facility."

In short, don't overlook the less visible staff members who were supporting responders from behind the scene.

"That is huge," Vance said.

Vance will present communications lessons learned from the Sandy Hook massacre at the August 29 training on crisis management for city PIOs and on August 30 at the Risk Management Services communication training for municipal officials. For more information, visit www.masc.sc (keyword: crisis communication), or contact Venyke Harley at vharley@masc.sc .

NEWS BRIEFS

Beaufort City Councilmember **Stephen Murray**, Cayce Assistant City Manager **Shaun Greenwood**, Columbia Planning Director **Krista Hampton** and Municipal Association Legislative and Public Policy Advocate **Scott Slatton** graduated from Leadership S.C.

Abbeville Assistant City Manager **Blake Stone**, Clinton Director of Community Development **Jerre Threatt,** Columbia Business Development Manager **Sergio Aparicio**, Columbia Marketing Manager **Brieanna Logue**, Laurens Mayor **John Stankus**, Manning City Administrator **Scott Tanner**, Rock Hill Events and Marketing Coordinator **Liam Kyle**, Rock Hill Key Accounts Coordinator **Laura Little** and Mount Pleasant Assistant Town Administrator **Katherine Hendricks** graduated from the S.C. Economic Developers' Institute.

The International Code Council Region VIII Chapter named **Buddy Skinner**, building codes administrator for the City of Greenville and president of the Building Officials Association of SC, its 2017 Inspector of the Year.

The Veterans of Foreign Wars recognized **Lt. Robert Sharpe** of the West Columbia Police Department for his work in the community. He was chosen in the law enforcement category as the local, state and national VFW chapter winner.

United States Census Bureau

Getting ready to make the 2020 census count

Thomas Jefferson led the first census in 1790. The federal government wanted to know the name of the head of each family and basic information about the household.

It's much more complicated now, and there's a lot more at stake — $400 billion annually.

The federal government uses census data to direct funds to state and local governments to improve infrastructure and provide public services. That means this once-every-10-years endeavor to count every United States resident has real implications for cities and towns. Local governments are in a unique position to encourage participation.

The U.S. Constitution mandates the process, which determines the number of seats South Carolina and every other state has in the U.S. House of Representatives. With each new round of the census, officials collect information about changing demographics.

The 2020 Census will require counting approximately 330 million people in more than 140 million housing units nationally. This means the U.S. Census Bureau must create an address list of every housing unit, maximize the response rate, and follow up with those who do not respond.

Q and A with Lisa Blumerman, associate director for decennial census programs for the U.S. Census Bureau

Why is it important for cities and towns to have accurate census data?

"Accurate data reflecting changes in your community are crucial in apportioning seats in the U.S. House of Representatives and deciding how hundreds of billions of dollars in federal funds per year is allocated for projects like new hospitals, roads, schools, public safety and other critical infrastructure investments.

Businesses use census data to decide where to build factories, offices and stores. Developers use the census to decide where to build new homes. Local governments use the census for public safety and emergency preparedness. Residents use the census to support community initiatives involving legislation, quality-of-life and consumer advocacy."

**What role can city and town leaders play in encouraging residents to participate in the Census?**

"As we approach 2020, the Census Bureau wants to ensure that everyone is counted. In doing this, the Partnership Program plays a critical role in ensuring

that everyone is counted once, only once, and in the right place.

Developing partnerships with tribal, state and local governments; community-based organizations; faith-based groups; schools; businesses; the media; and others, we can reach our shared goal of counting all residents in the 2020 Census. By being informed about the census process, residents are more likely to respond to the census questionnaire. As a trusted voice in the community, local leaders can encourage the residents of the community to respond to the 2020 Census.

In 2019, local leaders can get involved in the Complete Count Committee program to help ensure a complete and accurate count. Additionally, local leaders can facilitate preparations for 2020 by participating in the Census Geographic Partnership Programs designed to ensure the accuracy of tabulations for the Census. These include programs designed to update the legal boundaries and addresses for cities and towns. The link to the programs available for tribal, state and local governments can be found at www.census.gov/geo/partnerships."

A representative from the U.S. Census Bureau will provide more information at 2 p.m., July 20, during the 2017 Annual Meeting session, "Making the 2020 Census Count." For more information, visit www.masc.sc (keyword: annual meeting).
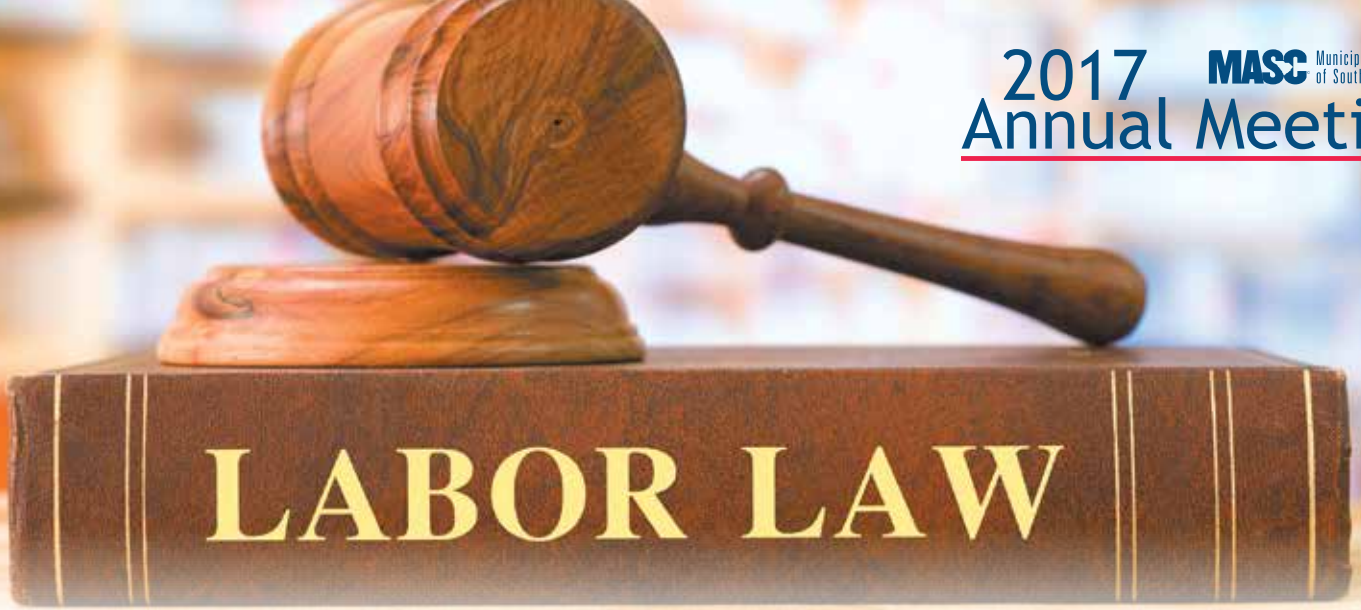
Marijuana use and drug testing policies in South Carolina's workplaces

As the legal use of recreational and medical marijuana spreads across the states, employers and employees grapple with how to handle company policies that ban employees' use of marijuana. Unlike some substances, marijuana can be detected in the user's system for weeks past the use. So, while South Carolina residents may travel to states where recreational marijuana is permitted, South Carolina employers may retain their policies banning certain activities, including marijuana use.

Drug-free policies in South Carolina workplaces

Employers can, and should, have employee handbooks. A well-written handbook will let employees know what is expected of them, including behaviors that may result in disciplinary action. Frequently, these policies ban the use of illegal drugs, prescription drugs without a prescription or the consumption of alcohol on the job. While some occupations, like commercial truck driving, require testing for substance use and abuse, drug and alcohol screening may not be appropriate or desirable for every employer.

Contents of a drug-free policy

If an employer chooses to require drug testing, the handbook policies should be clear on when testing is permitted or required and what substances are prohibited. Certain times may be more appropriate to test for drugs than others, such as pre-employment, after any workplace incident or accident, prior to a promotion or testing may be conducted randomly among all employees. In addition to when to test, an employer must decide what substances to test for and what is prohibited.

A basic six-panel test looks for THC (in marijuana), cocaine, opiates, amphetamines, PCP and ecstasy. Many employers test for additional substances, such as alcohol, methamphetamines, or prescription drugs like barbiturates, benzodiazepines and methadone.

Must a South Carolina employer allow medical marijuana use?

More than two dozen states now permit the use of medical marijuana. A few of these states restrict employers from firing employees who use medical marijuana unless the employee is shown to be impaired on the job. However, medical marijuana remains illegal under federal and South Carolina law, and it remains permissible for a company to ban employees' use of pot, even for medical purposes in South Carolina. Do not be concerned about the American's with Disabilities Act requirement for a reasonable modification for disabled workers, either, as that requirement does not extend to illegal substances.

Consequences for employees

Employers might consider the consequences to employees who violate a drug policy as increasingly more employees find themselves subject to disciplinary action or termination after use of marijuana in a state where pot is legal but it remains against their employer's policy back home. Employers may adopt a zero-tolerance policy where any positive result of the use of a controlled substance without a valid prescription results in termination. Alternatively, employers may remove the employee from duties where safety is a risk until the employee passes a drug screen. In any event, the employee handbook should be clear in identifying the potential consequences for employees who violate the substance use and abuse policy.

Gignilliat, Savitz & Bettis, LLP provided this article. It should not be considered legal advice. Cities and towns should consult their legal counsel.

These human resources challenges and others will be featured at a breakout session at 3 p.m., Thursday, July 20, at the Annual Meeting.

2017 Annual Meeting
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Tech talks give glimpse of what's new

Technology is advancing so rapidly that it can be hard to keep up. The Municipal Association with its technology partner, VC3, will offer Tech Talk sessions during the Annual Meeting. These 15-minute sessions are designed specifically for elected officials and municipal staff. During these sessions, attendees can learn about a variety of technology topics in a short amount of time.

1. Protecting City Data
Security threats are on the rise and will likely only increase. From malware to ransomware to phishing schemes, find out how to protect the city's networks and data from security threats and learn about the steps to take if a breach were to occur.

2. Disaster Recovery: A Real Life Case Study
The unthinkable can happen. And in March, it did. Hear how one local government organization lost three of its buildings to a fire and how its disaster recovery plan allowed the organization to continue operations, despite the disruption.

3. Microsoft Office 365: What's New?
Nearly all of us use Microsoft's suite of products in some capacity. Find out how to use Microsoft Office 365 to save the city money and increase productivity.

4. Resident Engagement through Online Forms
City officials are always looking for new ways to engage with their residents. Find out how easy-to-use online forms can encourage people to get involved in what's happening in their city.

5. Putting New Technology to Work
Technology plays an ever-increasing role in almost all areas of life. Explore new technologies that cities are using to solve problems and meet residents' needs.

6. Social Media in a Crisis
Social media has become a critical emergency response tool for cities. Learn how municipal officials have used social media to keep residents and visitors informed in an emergency.

7. GIS for Small Towns
Geographic Information Systems can help cities of all sizes improve their delivery of services. Explore cost-efficient GIS services for small towns, along with ways this technology can help with streetscaping, asset planning and public safety services.

8. Navigating Social Media Policies and Content
A personal social media account is easy to manage, but what about the city's official account? Learn how to avoid missteps and develop content that will engage and inform residents about everything from boil water advisories to city events.

9. Drones: Love Them or Hate Them?
Drones can be controversial. Find out how two South Carolina cities have embraced this mobile video technology to market events, inspect buildings and solve problems.

The Municipal Association's Annual Meeting will be held in Hilton Head Island, July 20 – 23. For more information, visit masc.sc (keyword: annual meeting).

2017 Annual Meeting
MASC Municipal Association of South Carolina℠

Get the Annual Meeting app

The Association's app is a one-stop shop for all things related to the Annual Meeting, July 20 - 23.

With the app, attendees can read about each session, create a personalized schedule and set reminders for each agenda item. The app allows users to take notes and export them after the meeting, access attendees' and exhibitors' contact information, and communicate directly with speakers, exhibitors and patrons.

Download it from the App Store or Google Play by searching for MuniAssnSC.

The app will automatically update with the 2017 Annual Meeting information for anyone who has downloaded it for past meetings. A limited function web version is available at mobileapp.masc.sc.

To learn more about the app, contact Sarita Chourey at 803.933.1206 or schourey@masc.sc. Additionally, Association staff will be available at the Annual Meeting to provide assistance.

Tax Increment Financing in South Carolina

Tax Increment Financing is a public finance tool that municipalities use to help revitalize an area that has become, or is in danger of becoming, run down or blighted. A TIF allows municipalities to incur debt for the redevelopment of a project area and use the additional property tax revenue generated by the redevelopment projects to pay off that debt.

The municipality must first draft a redevelopment plan outlining the proposed projects to be financed before issuing bonds. Once the municipality adopts an ordinance approving the plan, the amount of taxes each taxing entity receives during the TIF is capped at the current tax amount.

However, the redevelopment of the project area will, theoretically, cause the assessed value of the property in the project area to increase, leading to higher tax revenue for the municipality. The municipality will use this increase in tax revenue, known as the "increment," to repay the bonds. Once the TIF is over, all taxing entities will receive tax revenue based on the full assessed value of the redevelopment project area.

What are the benefits of successful TIFs?

Not only does a TIF allow municipalities to improve or prevent blighted areas at no tax increase to taxpayers, but it also encourages additional private investment in the redevelopment project area. This additional private investment further increases the assessed value of the properties within the redevelopment project area, thereby aiding an area with challenged economic and physical development due to lack of investment, inadequate infrastructure and blighted conditions.

Municipalities across South Carolina have enjoyed the benefits of successful TIFs. For example, the City of Columbia's Innovista Redevelopment Plan provided for street, bridge and utility system improvements; construction of new public facilities including parks and promenades; and land acquisition in the area between the Greek Village and Gervais Street.

Several successful TIFs in South Carolina prove that, with proper planning, they can be greatly beneficial to municipalities. The City of Cayce implemented a TIF to help finance land acquisitions and improvements for its collaborative effort with West Columbia in creating the Riverwalk Park. The City of Myrtle Beach successfully implemented a TIF to fund parking and street infrastructure improvements to the area left vacant by the deactivation of the Myrtle Beach Air Force Base. Most recently, the Town of Lexington successfully implemented a TIF for its roadway and intersection improvements to the Corley Mill/Sunset Boulevard Gateway Corridor just opposite River Bluff High School.

Why don't we use TIF for more projects?

While TIF is a useful tool for many municipalities, both the redevelopment project area and the redevelopment plan are subject to strict state law before implementation. First, the redevelopment project area must be a blighted, conservation or agricultural area located within the municipality's boundaries.

Additionally, the redevelopment project area requirements hold an area ineligible for TIF unless the sound growth and redevelopment of that area cannot be accomplished without public intervention. State law also requires each project to be publicly owned. Examples include projects such as recreation facilities, water and sewer facilities, energy infrastructure, public transportation and more.

South Carolina law also requires that the redevelopment plan include a comprehensive proposal for redevelopment, outlining not only the reasons for the area's current underdeveloped status, but also the municipality's strategy for alleviating such conditions and thereby enhancing the tax bases of the affected taxing entities. This proposal must be approved by each taxing entity affected by the TIF, including counties, cities or towns, school districts and special purpose districts.

Additionally, municipalities may not deviate from the plan's proposed budget and must annually remit any surplus TIF funds, defined as any funds not required for payment of the bonds, to the other taxing entities. They also must formally amend the redevelopment plan by ordinance and with all taxing entities' approval in order to use excess funds for additional projects not identified in the development plan.

Parker Poe law firm provided this article.

That gift horse? Look at it closely

When private residents, businesses and others offer to donate property to cities, local officials should first perform due diligence to determine if the benefits of ownership outweigh any risks.

To formalize this process, the city could establish a property donation acceptance procedure.

Creating and consistently adhering to set criteria for the acceptance or refusal of property protects the city from the significant liability that can result from owning a piece of property with environmental hazards. Those hazards can include both chemical contamination and physical structures, such as dangerous trees and structurally deficient buildings. The property donation acceptance procedure could also include a framework to determine if the property is appropriate for its proposed use.

It is prudent to involve the city attorney, the city's staff member responsible for risk management or liability claims, as well as the head of the department in which the property will be used to identify and address relevant concerns early.

Cities should also consult with their property and liability insurer to determine what coverage exclusions or limitations may apply.

For instance, it is common for donated properties to have been vacant for some time prior to the donation offer. This presents particular risks due to a lack of maintenance or lack of necessary utilities, which can mean undetected water leaks or other damage caused by extreme temperature fluctuations.

Vacant properties also face a higher risk of vandalism, so theft of copper wiring, for instance, may have occurred.

To reduce liability exposure, a public entity must demonstrate it exercised reasonable care to protect residents from harmful conditions the city knew about or should have known about. The city is responsible for determining the condition of any property under consideration.

An environmental engineering consulting firm should conduct a Phase 1 Environmental Site Assessment before the city decides to accept the property. This assessment must be performed in general compliance with the American Society for Testing and Materials Standard E-1527-13. The Comprehensive Environmental Response, Compensation and Liability Act of 1980 prompted the development of ESAs to help determine liability regarding environmental contamination of real estate properties.

A Phase 1 ESA usually involves visual onsite inspection of the property and adjacent property, a review of state and federal agency database records, determination of historical property uses and ownership, analysis of potential environmental hazards, and interviews with people knowledgeable about the property, such as a superintendent, owner or plant manager. Depending on the findings, a Phase 2 ESA may be necessary. This would include taking samples of soil, water, paint or moisture readings.

The possible presence of asbestos is a particular consideration.

Cities may want to accept a donation with plans to modify the property. However, the renovation or demolition of most properties is subject to state and federal asbestos regulations as well as Occupational Safety and Health Administration standard 1926.1101, which regulates asbestos exposure for employees.

Beginning in 1973, the U.S. Environmental Protection Agency banned several types of asbestos-containing materials. But many flooring, insulation and roofing products that contain asbestos are still legal. These substances are called chrysotile or amosite, among other names. Therefore, it is not safe to assume that a donated property, regardless of its age or condition, is free of asbestos. The S.C. Department of Health and Environmental Control has a list of certified property inspectors, as well as information on possible exempt properties.

Taking these steps as part of a city's decision-making process to accept or decline a donation can prevent harm to residents and city staff and save the city effort, time and liability costs down the road.

Design ideas build community

Garvin Design Group has redesigned several historic buildings, such as those in the City Market space in downtown Columbia.

Parks, streets, parking amenities — and the sometimes-overlooked spaces in between them — are rich opportunities for community development.

Sometimes that means restoring a historic building or making incremental cosmetic improvements to a storefront or sidewalk. Other times, community development through design can mean focusing on people instead of their automobiles.

"We've really got to design for humans. That's the parent pushing a stroller, that's the person in a wheelchair," said Allen Davis, director of the City of Charleston's Design Division, which is part of the city's Department of Planning, Preservation and Sustainability, during a panel discussion at the Mayor's Bike and Walk Summit in Columbia in May.

For example, Charleston officials have been discussing imminent repairs to the Low Battery seawall.

"The engineered solution today is just to fill the wall, make the wall opaque," Davis said. But doing so would have an unintended outcome. Very young children and those who use a wheelchair or mechanized transportation, along with other members of the public, would lose their view of the water.

"Why have a waterfront promenade when you can't see the water? It has to do with equity, and it has to do with universal design," he said.

Davis instead described a more inclusive possibility. It would involve raising the entire walkway, eliminating the parking along the Low Battery side of Murray Boulevard, expanding the walkway to accommodate more pedestrians, strollers and wheelchairs, and inserting a buffer between the vehicular travel way and waterfront walkway. Importantly, the seawall would be rebuilt so that it's not opaque, allowing everyone to experience the view of the Ashley River through it.

Diversity, variety and vibrancy

But what about occasions when not only seawalls, but also entire neighborhoods, are up for improvement?

One way to develop community is to put pedestrians front and center by giving residents the opportunity to walk to where they want to be, whether it's a place to get a cup of coffee, a barber shop or a movie theater.

"The more commercial centers, commercial nodes you can provide in neighborhoods, in places where people already are, the better," Davis said. "I know that's hard, because a lot of residents don't want the commercial. Then when you develop the commercial aspects of the neighborhoods or new town centers, the people who were against it were the first ones there on opening day."

Designing for community development also means avoiding missteps.

If, for instance, a fire destroys two buildings and leaves two downtown lots empty, don't parcel the space out into two identical pocket parks.

"The human being is drawn to diversity and variety and vibrancy," said Randy Wilson, president of Community Design Solutions and frequent trainer for the Main Street SC program.

"The biggest recipe for boring spaces downtown is repetition, having it all be the same."

Instead, said Wilson, lay some grass down until a permanent structure can be built. Make one part of the park "active" with public games, such as cornhole or giant checkers, leaving a wall blank for public movies, and install a swing instead of just benches.

The adjacent piece of land could be a more passive park and feature trees and places to sit. And remember: If the plan is to eventually replace the buildings, "never put stuff in there that it's so permanent that people get mad when you put a building there," said Wilson.

He recommends cities and towns secure relatively easy, incremental gains as a way to change perception of a space before making major physical transformations.

"Probably the first principle is figuring out how to do the least expensive gestures you can do that are going to have the biggest visual impact," Wilson said. "You

Community Development

The Department of Planning and Development for the Town of Mount Pleasant created Planning College for residents to learn about land use, zoning, permitting and other topics. Photo: Town of Mount Pleasant.

When community development runs on people power

The personal touch, some TLC, a patient explanation and a campaign to pay it forward.

These are all ways that some cities and towns are seeing community development successes through direct interactions between municipal staff members and residents.

In the Town of Mount Pleasant, the pace of growth brought frequent public debates and questions over zoning and development decisions. So the Department of Planning and Development created the bi-annual Planning College, a two-semester program that familiarized residents with the land use planning, zoning, development and permitting process. The Planning College helped residents make sense of the rules, procedures and roles of various boards, and ultimately act as ambassadors for the town.

The department also began holding Meet and Greet events that involved building inspectors and staff who informed residents about town facilities and services and generated interest in the Planning College.

One of the initial purposes of the town's public outreach program was for residents to be able to put a face with a name and meet town staff members in person, said Christiane Farrell, director of Mount Pleasant's planning and development department.

"With so much communication now being through emails and other digital means, we have limited opportunities to speak with and meet people in person. Meet and Greet allows our residents to meet staff and to spend time asking questions and learning more about our role in the community," she said.

"Planning College is another opportunity where residents can participate and where they can learn more about planning processes directly from staff over the course of about 10 weeks. In building these personal relationships and also by helping residents build knowledge and understanding of the process, we can build a sense of community and encourage greater civic engagement."

In the City of Columbia, community development staff held a four-hour homebuyer workshop to help residents with navigating the home buying process, honing money management skills, understanding credit and getting a mortgage loan. The city holds workshops several times a year to educate the public about the benefits of owning a home.

"The City of Columbia's Community Development Department understands that homeownership is still one of the best ways families can build generational wealth," said Gloria Saeed, the city's director of community development.

"Homeownership contributes toward building strong communities and neighborhoods by providing tax revenues that are used to improve our schools, maintain roads and infrastructure and deliver basic service needs, such as police and fire protection."

'Kindness is explosive'

In May, employees of the City of Travelers Rest and its police department collected $150 among themselves to pay the power bill of a resident who had been arrested for allegedly trying to exchange stolen goods for cash at a retail store.

However, in the course of the arrest, the officer realized the woman needed help. She said her ex-boyfriend had assaulted her and her 6-year-old child, and she had to quit her job because she had no one at home to take care of her children. She said her electricity was about to be shut off because she could not pay her bill.

The officer's actions were part of something larger, however. In Travelers Rest, the police department has taken the lead on a new community building initiative.

Just a few days before the arrest, the police officer, who asked not to be named, attended a workshop put on by Leon Logothetis, a motivational speaker who hosts the "The Kindness Diaries" TV show on Netflix and is promoting the concept of kindness worldwide.

"I thought of Leon and his speech (during the arrest)," recalled the officer. But he said he would have helped the woman regardless of the workshop, because, he said, helping someone in need is human nature.

Travelers Rest Police Capt. Randy Fisher coordinated the workshop with Logothetis and has led the department's own kindness campaign, which includes passing out cards that encourage recipients to commit an act of kindness and then pass the card along to someone else.

"If they email us, we'll ask where the kindness took place, so we can map them and see how far they went," said Fisher, who has created a website, thekindnessfactor.com.

He detailed future plans, including a Kindness Square and Kindness Café and Bicycle Emporium. The square is envisioned to be a landscaped sitting area with benches and tables where residents may play chess or use as a gathering

"The Kindness Diaries" host Leon Logothetis conducted a kindness workshop at Travelers Rest City Hall. Photo: City of Travelers Rest.

space. The café would function similar to a police substation, where young people could learn how to repair bikes, and those in need might receive refurbished bikes.

"Kindness is explosive, and connecting with the community we serve should be our first priority," Fisher said. "The rest will fall into place from there."

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can then build credibility and confidence to tackle tougher issues and slightly more expensive gestures."

For example, he said, instead of immediately prioritizing new building facades, building renovations and roadway improvements, consider starting with quick-impact, low-cost improvements. Examples include lights hung in an alley, bistro tables, colorful umbrellas and landscaping, public art on the sidewalks, giant checkers or chess, and other interactive opportunities placed on public spaces.

Wilson also urges cities to consider how they can initially improve a greater number of buildings rather than making dramatic renovations to only a few.

"You take some of the typical components that are normally used on a building, such as paint, signs, awnings and lights, and you only offer that component in a given grant cycle," he said. For example, in a given funding cycle, the city might only address building awnings, followed by another period when the city only funds signs.

"If you were to do a traditional façade grant program to an overall façade of a

building that's 25 to 30 feet wide and two stories tall, and all you have available to spend is $5,000 - $10,000, then you are likely only able to affect one or two buildings," said Wilson. "But if you were to do signs, now you can touch 10, maybe 20 buildings with news signs, and all of a sudden you're having a pretty strong impact by virtue of touching so many buildings."

Next step — Take the same approach except with new coats of paint instead of with new signs.

Historic spaces draw the public

When architect Scott Garvin, president of Garvin Design Group, begins renovating or reimagining historic buildings, he starts by researching the building's original story and character. The finished building or space fosters community development simply by attracting people to it.

Garvin favors mixed-use spaces as a way to give consumers an assortment of reasons to visit a space and embraces unusual historic features. Stripping the clutter from historic spaces, such as a lean-to or extraneous walls and infill features that were added in the mid-1900s,

can also help reveal buildings' distinctive character from the 1800s.

New construction, too, has plenty of potential to bring life to a city space and invite people from diverse demographic groups.

"The No. 1 rule is it needs to belong to its place or setting, then it needs to be welcoming and friendly and invite people in, and thirdly, the building should reflect the activity of function that's inside," Garvin said. "You should see hints of that in the exterior and design."

He is renovating the former restaurant Hennessy's on Columbia's Main Street. The structure had a basement that extended under the sidewalk and an awkward mezzanine that was added in recent decades, among other unusual characteristics.

Garvin said he asked the city if he could cut holes in the sidewalk to create a courtyard, and the city allowed it, a decision that facilitated the creation of a unique sunken courtyard.

"People are going to love going there. The building was sort of telling me, 'This is what's cool about me, this long skinny, slender space without the mezzanine.'"

Colleton Commercial Kitchen trainees. Photo: City of Walterboro.

Cities use food to build COMMUNITY

It all started with a piece of land that nobody knew what to do with.

City of Landrum officials were hoping someone would build a house on the awkward, rectangular acre, even though there was a bog on it that flowed with water in the summertime.

But when a prospective buyer offered a very low bid, Landrum officials decided to change course and find a better use for it. Early this year, Landrum City Administrator Rich Caplan approached the local school district superintendent with the offer of letting students use it as a vegetable garden.

"He said, 'Terrific,'" Caplan recalled. And so for $1 per month, the city began leasing the land to the school district for its Landrum High School agriculture students.

The students are expected to design and build raised garden boxes in the fall. They haven't decided what to do with the vegetables they'll harvest, but options include selling the produce at the Landrum Farmers Market, serving it in the school cafeteria to encourage healthy eating or donating the produce to local food banks. Meanwhile, a local florist found out about the city's plans with the high school and wanted to get involved.

"He said, 'What's going to happen there?'" said Caplan. "'I could maybe contribute a greenhouse.'"

The florist wanted the students to grow flowers that he could then buy to sell in his shop, further linking the students to their community and local economy.

"I could have hugged him," said Caplan. "We didn't advertise that."

The City of Landrum, which is close to the North Carolina border, has applied for a grant to supply the students with gardening tools and a shed from a community foundation that serves the city but is located in Polk County, North Carolina.

With its 1 acre of land and a creative plan, Landrum leaders are in a position to build connections among city government, the public schools, a local business and its customers, and potentially even a local food bank and its clientele, if those

programs receive some of the students' fresh vegetables.

Learning to cook with local produce

Landrum is not the only city that has found a way to strengthen community bonds through its strategic use of food.

In the City of Mauldin, mobile cooking demonstrations by an area restaurant will show visitors to the city farmers market how to turn the fresh, local produce for sale there into healthy meals.

"The local aspect of it is when you show people that it's really easy to cook with fresh ingredients, and they find out at the market that those ingredients are extremely accessible — you can grab 'em and make (meal) plans for the weekend and week — it connects them with those farmers," said Keira Kitchings, director of Mauldin Cultural Center, which is part of city government.

Last year the owner of a restaurant and catering business in nearby Greenville brought his mobile burners and equipment to the market and gave demonstrations.

"They go around and look at what vendors are selling that day and come up with recipes on the fly," said Kitchings.

"Last year, they created this really easy and really healthy dish that people could do themselves. It shows people, 'Hey, find some local ingredients and find 10 minutes of time, and you've got dinner.'"

Bon Secours St. Francis Health System sponsors the BeWell Mauldin market, but the city operates it. The market runs for three months starting in June. It also offers small-group fitness classes in the amphitheater and sells local produce, dairy, eggs, honey, baked goods and gifts.

Homegrown food entrepreneurs

In the City of Walterboro, the Colleton Commercial Kitchen operates a culinary incubator where several area entrepreneurs have honed their skills with the help of kitchen infrastructure and training and then sell their goods onsite with the goal of opening a storefront in the city.

Landrum Farmers Market. Photo: City of Landrum.

"We're one of those small towns overrun with fast food options and few local options," said Matt Mardell, kitchen program manager.

"This helps us add more local options to the market, and as we say in Walterboro, 'We like to keep our bucks in the 'boro,' to ensure that the money that we spend here stays in this economy."

Mardell said, in addition to strengthening the local economy, the growth of unique, local businesses shapes the city's identity.

Others are noticing. The Colleton Commercial Kitchen, which is part of Colleton County government, draws entrepreneurs from the region and attracts tour groups sometimes as large as 80 people, along with officials from other South Carolina cities and towns who want to learn how the incubator works.

"Quite often tour groups will call (the Walterboro tourism office) and then arrange to come to our facility for a tour, get lunch, visit our museum and marketplace," he said.

"We are one big connected facility with the Colleton Museum and Farmers Market, so it's a very popular spot with tourists."

The city welcome center also helps advertise the incubator.

"When big events come to town, quite often we are the first two organizations

involved in coming together on a planning committee, and we are sought out for our event space, food producers, storage and tourist attractions," said Mardell.

He said the city tourism staff also works with the kitchen staff on local boards, such as the Eat Smart Move More board.

"The city is excited to feature and partner with the Colleton Commercial Kitchen when approached by potential new events hoping to come to Walterboro," said Michelle Strickland, Walterboro's tourism director.

In this respect, the commercial kitchen advances community development by driving commerce, crowds and festivity to the city's downtown.

The event space, capacity for food delivery, storage and preparation, and general logistics are major benefits to any event held in the city, Strickland said.

An example was the FestiVELO event. It brought more than 300 bicyclists to Walterboro for five days and four nights in November of 2016. It is returning again this November with even bigger plans for the greater Historic Downtown District and potentially greater attendance.

"The Colleton Commercial Kitchen is a key piece in moving Walterboro forward," said Hank Amundson, Walterboro's assistant city manager.

Calendar

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

JULY

20 - 23 Municipal Association of South Carolina's Annual Meeting. Marriott Hilton Head.

AUGUST

1 SC Business Licensing Officials Association Accreditation in Business Licensing Exam. Municipal Association of SC.

8 Setoff Debt Collection Program – Mandatory Training Session for New Participants. Municipal Association of SC.

10 Setoff Debt Collection Program – Mandatory Training Session for New Employees of Current Participants. Municipal Association of SC.

15 Regional Advocacy Meeting. Waccamaw COG area. Myrtle Beach Historic Train Depot.

16 Regional Advocacy Meeting. Appalachian COG area. Garage at Whitner Economic Development Office, Anderson.

17 Regional Advocacy Meeting. Catawba COG area. Main Street Junction, Union.

23 Regional Advocacy Meeting. Lower Savannah COG area. The Arts Center, Orangeburg.

24 Regional Advocacy Meeting. Pee Dee COG area. Lawton Park, Hartsville.

30 - September 1. Municipal Court Administration Association Annual Meeting. Francis Marion Hotel, Charleston.

SEPTEMBER

7 SC Association of Stormwater Managers Third Quarter Meeting and Exhibitor Showcase. Columbia Conference Center. Topics include MS4 basics, delineating impervious areas using LiDAR and color infrared photography, source tracking and DNA testing.

11 Regional Advocacy Meeting. Santee-Lynches COG area. Swan Lake Visitor's Center, Sumter.

11 South Carolina Utility Billing Association Fall Meeting. Columbia Conference Center.

12 SC Community Development Association Fall Meeting. Columbia Conference Center.

14 Main Street Managers training. Location TBD. Laurens.

13 - 15 Municipal Clerks and Treasurers Institute Fall Session - Year 2, Session B. Hyatt Place Columbia. Topics include technology in the workplace, interpersonal skills, payroll administration, risk management, time management, grants administration and notaries public.