



UPTOWN

a publication of the municipal association of south carolina



2022 Legislative Session Ends

Session Brings Leadership Changes, Completion of More Advocacy Initiatives

The second year of South Carolina’s 124th General Assembly gaveled to a close at 5 p.m. on Thursday, May 12. Legislators plan to return to Columbia in June to complete work on the state budget before the end of the state’s fiscal year on June 30.

This year’s legislative session was the last chance for Senate and House members to pass bills before the process begins anew in January for the next two-year session. Bills that did not pass

this year will have to be reintroduced and start the legislative process from the beginning in order to become law.

Leadership changes

This session saw changes in both the House and Senate leadership. The death of longtime Senate Finance Committee Chairman Sen. Hugh Leatherman in November 2021 brought

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a new chairman to the committee: Sen. Harvey Peeler. With the resignation of Sen. Peeler as president of Senate, the members elected Sen. Thomas Alexander to the post in January.

The House of Representatives saw the longtime Speaker of the House Rep. Jay Lucas resign as speaker after he announced he will not seek reelection to the House in 2022. Rep. Murrell Smith was elected as the new Speaker of the House in May. Other retirements in the House will lead to the election of new committee chairs, as well as a new House majority leader, since the current leader, Rep. Gary Simrill, will also not seek reelection in November.

Advocacy Initiatives update

The Municipal Association's board of directors adopted the 2021 – 2022 Advocacy Initiatives at the beginning of the two-year session, and several passed by the end of the regular 2022 session. Fully funding the Local Government Fund and a post-traumatic stress disorder treatment program for first responders were both included in the state budget. The state allocation from the American Rescue Plan Act included funding for statewide broadband expansion, while Senate and House members approved legislation that reforms aspects of law enforcement.

Several bills that Association staff negotiated on behalf of cities and towns passed and became law. The enabling

legislation that distributes the opioid recovery settlement funds to cities, towns and counties passed, while legislation that allows cities to participate in county e-waste programs was sent to conference committee.

While the Association has seen positive legislative action on many of the 2021 – 2022 Advocacy Initiatives, staff pursued further work to help stop, amend or negotiate bills to prevent harmful effects for cities and towns. That work included preserving local authority in bills that did everything from legalize medical cannabis to regulating the flavors and ingredients in vaping products.

There were several bills introduced addressing the Association's Advocacy Initiatives that never received action, beyond referral to a committee. A bill that would allow cities and towns to annex enclaves in their municipal boundaries and a bill that would allow cities and towns to produce a "less than" audit as a way of limiting auditing expenses were both introduced, but never received action in a subcommittee or committee.

Look for a more detailed overview of the legislative session in the 2022 annual legislative report, which will be available at the Municipal Association's Annual Meeting in July and online. Also, check out the list of dates and locations for the Municipal Association's upcoming Regional Advocacy Meetings at www.masc.sc (keyword: Regional Advocacy Meetings). This article was written at the end of the regular session and is accurate as of May 13, 2022.



Cities Should Purchase Cyber Insurance and Implement Best Practices

Cyber insurance is critically important for municipalities. With ransomware attacks targeting municipalities more than any other industry — even more than schools or healthcare organizations — a perfect storm for major disruptions exists since municipalities are also often the least-equipped to handle a cyberattack. Many municipalities don't even have basic cyber security measures in place — multifactor authentication, also known as MFA; endpoint detection and response, or EDR; and data backup.

Because of their vulnerabilities to cyber attack, insurers increasingly see municipalities as uninsurable. Municipalities are facing several steep challenges when seeking cyber insurance:

- Many insurers are refusing to serve municipalities.
- Insurers are raising premiums to a very high level.
- Most insurers are tying lower premiums, or any premium at all, to a municipality implementing cyber best practices.

Below are questions and tips for municipal officials to consider when navigating the cyber insurance environment.

Why is acquiring cyber insurance so problematic for municipalities right now?

In the last year, the cyber insurance market has hardened significantly, which means that premiums are increasing and the number of insurance carriers is decreasing. At the same time, there have been increased cyberattacks on municipalities, such as the 2021 incident in the City of Oldsmar, Florida, where a hacker attempted to poison the city's water by dangerously increasing the quantity of lye in the water. Insurers have also perceived that many municipalities have failed to implement cyber controls.

Between all of these issues, many commercial cyber carriers have left the municipal cyber insurance market. The lack of available insurance carriers has

dramatically decreased the insurance limits that are offered, increased the premiums, and increased deductibles.

Given these challenges, how can municipalities make sure they can acquire cyber insurance for a price that's as affordable as possible?

In order to be considered for cyber insurance, municipalities should proactively assess their cyber controls and mitigate any vulnerabilities. At a minimum, cyber carriers expect cities to take these steps:

- Have multifactor authentication in place.
- Use Microsoft Office 365 as well as Office 365 Advanced Threat Protection.
- Pre-screen emails for malicious attachments and links.
- Back up key servers and data at least monthly.
- Use isolated backups that aren't connected to the city's network.
- Regularly test restoring data and information backups.
- Conduct regular phishing training.

If a municipality doesn't have those controls in place, they may be ineligible for coverage or they may face higher premiums and deductibles.

In what ways is the Municipal Association of SC helping members with cyber insurance?

Members of the Municipal Association of South Carolina-sponsored property and liability program, the South Carolina Municipal Insurance and Risk Financing Fund, receive a limited amount — \$100,000 — of cyber coverage directly through SCMIRF. If a SCMIRF member city applies and is approved, then SCMIRF will pay the cost of a commercial cyber liability policy that provides higher limits and coverage for first-party losses which are losses experienced by the insured city. This covers things like data breach forensics, identity monitoring, breach coaching, data or systems restoration, extortion costs — hackers can lock out a system and demand a ransom — and business interruption.

The coverage also provides for third-party coverage for those who are not the policyholder but who experience losses. This covers items like damages, judgments and settlements.

Risk Management Services is offering a cyber liability tabletop training exercise for SCMIRF members on August 9. Find details at www.masc.sc (keyword: Association Training Calendar). Cybersecurity will be one of the topics discussed during Tech Talks at the Municipal Association's Annual Meeting. Learn more about the meeting at www.masc.sc (keyword: Annual Meeting).



Using American Rescue Plan Funds for Revenue Loss



The American Rescue Plan Act provided funds for municipal governments nationwide to respond to COVID-19 disruptions, including premium pay for essential workers and economic recovery efforts. Cities and towns can also use their ARP allocations to offset revenue loss and pay for government services in an amount equal to what they lost as a result of the pandemic. Generally, ARP funds that are used to replace lost revenue can be used for infrastructure, public safety and other traditional governmental services.

Cities that choose to go this route with their ARP allocations are subject to reporting and compliance requirements issued by the U.S. Department of the Treasury.

Here are suggestions for how to calculate a city's revenue loss:

Two choices for determining revenue loss

Cities can choose between one of two options for the calculation:

- a **"standard allowance" of \$10 million**, where the Department of Treasury assumes that as much as \$10 million of revenue has been lost, even in cases where the ARP allocation is less than \$10 million, or

- **by estimating the actual revenue lost**, according to the Department of Treasury's formula. This option allows a city or town to determine the exact amount of revenue that was lost as a result of the pandemic, and then use that amount for government services.

Calculating revenue loss

The easiest option for claiming revenue loss in most cities and towns is the "standard allowance." Since the majority of cities and towns in the state each received less than \$10 million in ARP funds, the standard allowance frees a city from the more complicated task of calculating its actual revenue loss.

However, if a city or town chooses to estimate its actual revenue loss, then the Department of the Treasury's Final Rule specifies the formula for doing so. The Final Rule employs a mathematical formula for determining "counterfactual" revenue, which is the revenue that would have been received if the pandemic had not occurred. By comparing counterfactual revenue with the revenue actually received, cities can then report the exact amount of revenue lost because of the pandemic.

The best way to handle the mathematical formula is to use the Revenue Loss Calculator created by the Government Finance Officers Association. The calculator is a Microsoft Excel document available on the Municipal Association of SC's website, www.masc.sc (keyword: ARP). The website's resources also include the Final Rule and other ARP guidance.

To get ready to use the calculator, a city should first determine the "base year revenue amount," which is revenue as it stood prior to COVID-19 disruptions. This will be the revenue collected during the last fiscal year that ended before January 27, 2020.

Users will also need to know the rate of revenue growth during the three fiscal years ending before this date. This will help determine what the rate of growth would have been in the counterfactual revenue.

Cities can use the calculator to estimate counterfactual revenue, using the base year revenue and a growth multiplier. The difference between counterfactual revenue and actual revenue is the city's revenue loss.

For questions on American Rescue Plan issues, contact Legislative and Public Policy Advocate Erica Wright at ewright@masc.sc or 803.354.4793.

Business Licensing Essentials: Records Retention

Every month in 2022, the Municipal Association's Local Revenue Services is hosting "Business Licensing Essentials," a series of virtual training sessions on the processes needed to administer business license taxes correctly, efficiently and in a way that makes life easier for those doing business inside a city or town. The session on business license records retention will take place Wednesday, June 8, from 10 to 11:30 a.m. Learn more at www.masc.sc (keyword: business licensing essentials).

The SC Public Records Act sets the requirements to retain and ultimately destroy public records. Cities and towns



should maintain their business license records for at least seven years. If they then decide to destroy the records, they must notify the SC Department of Archives and History of the destruction. Retaining business licenses records from past years is important in cases where a business is delinquent in paying taxes since a taxing jurisdiction is authorized

to collect taxes on the current license year and up to the last three license years.

The SC Freedom of Information Act also has implications for business licensing data. Releasing any information that would allow someone to determine a business's gross income is exempt from release to the public. For example, a municipality cannot release the amount of business license tax a business paid, since this could allow for a calculation of the gross income amount. However, business license records may be released with financial information redacted.

Find the recordings of past meetings online at www.masc.sc (keyword: business licensing essentials).

ASSOCIATION HIGHLIGHT

SC Business License 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 new version of the *SC Business License Handbook*.

The handbook received a major update in 2022 to address the South Carolina Business License Tax Standardization Act, or Act 176, a sweeping new law that made many changes to how cities and towns handle business license tax administration. The law requires a standard business license year among all taxing jurisdictions around the state, standard deadlines for payment due dates and refunds, acceptance of a standardized license application, a standard class schedule, appeals process, and a requirement that cities and towns accept renewals through the new Local Business License Renewal Center.

The handbook explains all laws governing business licensing in South Carolina and how officials can correctly follow the them, and then administer and enforce their business licensing programs. This includes classifying businesses, determining and verifying gross income for tax purposes and setting rates. One section addresses businesses for which applying the law can be difficult — everything from contractors and peddlers to coin-operated amusement machines and even fortunetellers.

Find the SC Business License Handbook at www.masc.sc (keyword: business license handbook). Also, the Municipal Association's Local Revenue Services is hosting monthly virtual training sessions for business licensing. See page 4 for more information.



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 and are eligible to participate in the Advanced Institute. Register for the September 20 courses “Forms of Municipal Government” and “Municipal Economic Development” at www.masc.sc (keyword: MEO).

The three forms of municipal government in South Carolina — council, mayor-council and council-manager — have plenty of differences, but they also have similarities as well.

Question: Of the four powers listed below, three of the powers belong to the full council, no matter which form of government the municipality uses. Which of these statutory powers does not rest with the council under every form of government?

- a. Appointing a municipal attorney and municipal court judges
- b. Electing a mayor pro tempore from its membership
- c. Appointing the municipal clerk
- d. Exercising sole authority to adopt laws and policies

The answer is below. Information on how all three forms of government operate can be found in the *Forms and Powers of Municipal Government* handbook at www.masc.sc (keyword: forms of government handbook).

Answer: C, appointing the municipal clerk. In the council-manager form, the manager — not council — appoints the clerk.



Legal Rules for Municipalities Accepting Donations

In 1995, during the trial of Susan Smith for murdering her sons, the Union County attorney asked the SC attorney general an unusual question: Could the county accept contributions from the public to pay for the prosecution? In an opinion issued January 25, 1995, the SC attorney general determined that the county government could accept such contributions if they were used for their intended purpose.

Although the facts were unique, the attorney general's analysis applies to any donation of property — equipment, funds, real estate or other forms of property.

May a local government accept a donation?

Yes, South Carolina law almost certainly confers the power to receive donations. Even before the Home Rule Act in 1975, the South Carolina Supreme Court upheld a gift of land to a city. In an 1896 case, *McIntosh v. City of Charleston*, cited by the attorney general, the Court stated that it was “reasonable and just” that municipalities “may be the objects of public and private bounty.”

May a donor impose conditions on the gift?

Generally, yes. As noted in the leading treatise on municipal law, *McQuillin's Law of Municipal Corporations*, “a municipality is authorized to accept a grant subject to reasonable restrictions and conditions, by which it is bound when the grant is accepted.”

In many cases, the failure of the municipality to observe the conditions of a donation will render the gift invalid, meaning that the municipality might have to return the donation.

Are there conditions to which a municipality may not agree?

Yes. The municipality must have the legal power to perform the function to which the donation is restricted. For example, a donation could require that the municipality use the gift to support religious education. This use would likely violate the First Amendment, so the municipality could not agree to those terms.

Once the donation is accepted, it becomes public property, and the use of the donation must serve a public purpose. The municipality could not agree, for example, to accept a gift to use for the exclusive benefit of a private person.

Finally, the municipality cannot bind the governmental functions of future councils, including by accepting a donation condition. For example, consider a donation requiring the municipality to agree not to annex a certain parcel of land. Annexation is a governmental function, and a municipality may not agree to forbid future councils from exercising that function, so it would be improper for the council to agree not to annex the parcel in the future.

Must the municipality accept a donation?

No. The municipality always has the right to refuse a donation. In fact, the

municipality should carefully consider the costs and benefits of any offered donation.

Will the donation impose future costs on the municipality, for example, by requiring expensive or time-consuming maintenance? Will it create an appearance of impropriety? Could accepting the donation imply that the municipality will favor the donor in future procurements? Will it overly restrict the municipality in the future, such as by influencing its decision-making processes?

Is a donation to a municipality tax-deductible for the donor?

Potentially, but this is a complex question. At a minimum, the donation must be used exclusively for public and governmental functions. Because the question is complex, municipalities should instruct donors to consult their own attorneys. They should not guarantee that the donation will be tax-deductible. Ideally, the municipality will provide a receipt that includes

- basic information about the donation — the name of the municipality, date of the donation, the amount or item donated and use of the donation;
- a statement that no goods or services were received in return for the donation; and
- a notice that the donors should consult with their own tax professionals about deductibility.

Is That Donated Property Worth the Risk?

Cities and towns sometimes find themselves the recipients of donated property parcels when the owners decide they would like to give it away for the public good. Councils are often eager to accept these gifts and find ways to use them. First, however, they need to consider the risks involved, and whether the benefits outweigh those risks.

City-owned properties can be a source of premises liability claims. For a municipality to protect itself against these claims, it must be able to demonstrate that it exercised reasonable care to protect individuals from harm resulting from known conditions. This also applies to conditions of which the municipality should have had knowledge.

A city can help protect itself by establishing procedures for accepting a property. The procedures should include determining whether the property has potential problems. Donated properties can often have environmental hazards like asbestos and underground storage tanks. Many donated buildings are vacant or partially occupied, and have damage from fire, neglect, vandalism or a lack of utilities. The procedures should call for the city to determine whether there is any deferred maintenance on the property, such as windows or roofs in need of replacement. Councilmembers also need to ask themselves if the property is truly useful for the city.

As the city evaluates the property, it can gain insight and identify concerns by involving several staff members:

- the city attorney,
- the staff member responsible for risk management, and
- the head of the department that would take over the property.

The city should also consult with its property and liability insurer to determine what coverage limitations may apply.

Although the city may want to modify a donated property, 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. The city should not assume that a donated property is free of asbestos, no matter its age or condition. Contact the SC Department of Health and Environmental Control for a list of certified property inspectors.

Contamination from underground storage tanks may also increase the city's liability exposure. Conduct an assessment to determine if underground storage tanks are present, and if removal or cleanup is required. Cleanup must be done by companies that are certified by DHEC.

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.

NEWS BRIEFS

Several municipal officials around the state recently graduated from the SC Economic Development Institute, which is sponsored by the SC Department of Commerce and SC Economic Developers' Association. The graduates include **Sabina Craig**, development project manager, City of Aiken; **Hannah Davis**, development manager, City of Florence; **Clint Moore**, assistant city manager, City of Florence; **Tim O'Briant**, economic development director, City of Aiken; and **Neil Parsons**, administrative services director, City of Hardeeville.

Southern Living named the **City of Charleston** the No. 1 city among its 2022 list of the South's best cities, and the **City of Greenville** the No. 1 southern city on the rise. The list of best small towns in the South included the **City of Beaufort** in the No. 1 spot, as well as the cities of **Aiken** and **Travelers Rest**. The cities of **Clemson** and **Columbia** appeared on the list of best Southern college towns.



Annual Meeting to Focus on Diversity, Equity and Inclusion

At a time when city governments around the state and nation are embracing diversity, equity and inclusion programs — often known as DEI — to improve their ability to serve their communities and their employees, the Municipal Association’s Annual Meeting will host a session explaining how these efforts work and why they matter. The Annual Meeting will take place July 14 – 17 in Charleston.

Kelvin Waites, who joined the City of Myrtle Beach as its first director of diversity, equity and inclusion in January, will speak at the session.

“As one of the fastest-growing metropolitan statistical areas in the county, we have people from all over, with all different backgrounds come to our city,” said Myrtle Beach City Manager Jonathan “Fox” Simons, discussing the purpose of the DEI position. “We want to be an organization that is reflective of our community, and one where folks feel their voices are being heard. We want our team members to be representative of our community.”

Before joining the City of Myrtle Beach, Waites acquired decades of law enforcement experience, including his most recent position as the chief of the Georgetown Police Department. He also served in the U.S. Army. Waites said this background helped build the communication and organizational skills for his newest job, which he described as “the opportunity of a lifetime.”

In describing the function of the job, Waites notes that “diversity” often leads people to think of racial identity, but that the concept is much more expansive.

“There’s age, there’s gender, there’s sexual preference, sexual identity, there’s veteran status, there’s disability. There’s so many different things that go along with being diverse,” he said.

Equity, Waites said, is often confused with equality.



Kelvin Waites is Myrtle Beach’s director of diversity, equity and inclusion. Photo: City of Myrtle Beach.

“Equality is exactly what it says — everyone has got the same tools in their hands, we’re passing those tools out. Equity is making sure everyone has the tools that they need in order to be successful,” he said. “As leaders, we are challenged and tasked with making sure that we find a way for every employee to be successful, because if they win, we win. When we win, the community wins.”

In explaining inclusion, he said that he has often heard the argument that a given organization is inclusive because everyone “has a voice,” but he likes to ask if the voices are actually being heard. Waites will demonstrate this by covering his mouth with his hand and muffling his words — the voice is present, but it has no meaning.

Since starting in his position, Waites has worked at developing assessments and surveys to identify gaps and challenges in Myrtle Beach’s diversity efforts. He has also built a committee for the purpose, asking each city department head to nominate a department representative to serve on it.

In explaining to a city official who is unfamiliar with DEI programs why they might need one, Waites noted that

“looking at things through a DEI lens gives you the opportunity to do better, and be better, as it relates to your workforce.”

“Everybody wants to be a reflection of the community that they serve,” he said. “But in addition to that, from an ‘equitable’ lens — are your employees having a positive experience at work? If the answer is ‘no,’ then we have work to do.”

Simons said that achieving the city’s diversity goal, “there has to be some hard conversations, and we need someone with Kelvin’s skills to lead those discussions and guide us. Because at the end of the day, organizations that embrace DEI as a culture are much more likely to be successful.”

Other 2022 Annual Meeting concurrent sessions

The DEI session during the Annual Meeting will be one of several concurrent sessions taking place on July 14 and 15. Here are the others:

- **Policing and the Reform Movement: What Councils Need to Know** – The SC General Assembly and the U.S. Congress have considered legislation that affects high-risk, critical tasks in law enforcement. This session will cover these critical tasks and what officials need to know about managing the risks associated with law enforcement.
- **Keeping the Party Safe (geared toward cities with populations of 20,000 and above)** – Learn how the City of Columbia established a Hospitality District Task Force to keep visitors in entertainment districts safe.
- **Economic Development (geared toward cities and towns with populations of 5,000 to 20,000)** – What are the tools, law changes, and knowledge that small-to-medium-sized cities and towns need to succeed in economic development?
- **Police Reform and Incivility (geared toward towns with populations of**

less than 5,000) – The issues of police reform and incivility are affecting small cities and towns everywhere. Learn about these issues and ways to minimize disruptions.

- **Social Media Pointers and Pitfalls for Elected Officials** – Explore the legal issues of using both official and personal social media accounts, and learn how to use social media effectively.
- **Five Questions to Ask Your Business Licensing Officials** – Learn the five

questions elected officials should ask their business licensing staff to find out if their city or town is complying with the SC Business License Tax Standardization Act

- **Do You Really Need to Leave the Room? Conflicts of Interest and Recusals** – Learn about recent economic interest rulings from the SC Ethics Commission.
- **The SC Election Commission's Role in Municipal Elections** – Get resources for answering questions

about election integrity, and learn about the commission's plans for promoting municipal elections in 2023.

Find more details and agenda information about the Annual Meeting at www.masc.sc (keyword: Annual Meeting) and by downloading the Association's app from the App Store or Google Play by searching for "Municipal Association of SC." All hotel reservations must be complete by June 13 and all registrations must be complete by July 1.

Five Questions to Ask Your Business Licensing Officials

Act 176, the SC Business License Tax Standardization Act, is an important law for every city and town with a business license tax to understand and follow. The law standardizes requirements for business licensing administration, which provides businesses an easy way to pay their business license taxes to local governments across the state. The law created requirements such as a May 1 – April 30 business license year, use of a standard class schedule, and use of a standard appeals process.

By following the law, cities and towns can help preserve business licensing as a critical revenue source.

During the Municipal Association's Annual Meeting in July, the Association's Manager for Local Revenue Services Caitlin Cothran will explain five key questions that city officials should ask their business licensing staff to ensure the city is complying with the law. Here's a preview of the questions:

1. Are our business license ordinance and practices compliant with Act 176?

Act 176 is a complex law, so following it is a complicated process. The Municipal Association created a new model business license ordinance in 2021 that complies with Act 176. The Association has strongly encouraged cities and towns to repeal any pre-Act 176 business license ordinances and replace them with the model ordinance.

While using the carefully vetted model ordinance is strongly recommended, cities



who choose not to do so should at least have their ordinances reviewed by their attorneys and the Association to ensure its compliance with Act 176.

2. What documents does our business license ordinance require from a business at renewal time?

The purpose of Act 176 is to make the business licensing process easy for businesses. Cities should do away with any cumbersome practices, such as requiring more than one proof of income, or setting additional requirements about income or identity verification not required in the law.

3. Is our city accepting payments from the Local Business License Renewal Center?

Act 176 required the establishment and use of an online portal known as the Local Business License Renewal Center, which allows businesses to report, calculate and pay business license taxes in all jurisdictions where they operate. Act 176 requires all jurisdictions to accept business license tax payments made through the Renewal Center, which

is hosted by the SC Office of Revenue and Fiscal Affairs and supported by the Municipal Association.

For cities not yet using it, leaders need to ask whether the city will be able to start using it before the 2023 business license renewal process begins. To use the Renewal Center during the 2023 cycle, cities need to have their business license ordinances compliant with Act 176, and they must set up a Renewal Center account with the Municipal Association by January 25, 2023.

4. Are we sending out renewal notices far enough in advance of the April 30 due date?

Because the standard license year now begins on May 1, cities should send business license renewal notices to businesses no later than January 31.

5. Does our business licensing staff attended the SC Business License Officials Association Training Institute?

The BLOA Training Institute is a three-year program that instructs municipal officials in proper business licensing administration and prepares them to take the Accreditation in Business Licensing Exam. Learn more at www.masc.sc (keyword: ABL).

Officials can also attend monthly virtual training sessions to learn more and ask questions. Learn more on page 4.

Find full details for the Annual Meeting, taking place July 14 – 17, at www.masc.sc (keyword: Annual Meeting).



City of Conway staff join the ribbon cutting for their downtown mural, painted entirely by employees. Photo: City of Conway.

Public Art Celebrates Community Connections

City-sponsored art is about more than making buildings, buses and byways look better. It's about creating a sense of place — where people come from, what they've been through and how they see themselves.

Creating an artistic representation of a town's identity is a low-cost way to build a sense of community among residents. When cities pursue projects creatively, they can find unexpected places for art to appear, and can even establish an entirely new attraction for tourists to visit.

Paint by numbers

In downtown Conway, a new city-employee-created mural is adding to the local identity. All 315 of the city's employees

worked on the mural, filling individual sections of it in with paint

"It started with a photograph," said Mary Catherine Hyman, deputy city administrator. "The fire chief took a photograph of the Main Street bridge and from there the city administrator took the photograph and made it look more impressionistic. I converted it to a paint-by-numbers [project]."

The effort took about a month and many late nights. In the end, it brought employees together and gave each painter a feeling of ownership of the portion they painted.

"It seemed insurmountable when we started. People would come on their lunch hour or at night. It was exciting and

thrilling to them," said Hillary Howard, executive director Conway Downtown Alive. "I think it's really important that employees feel like they play an important role in the city. We want them to take ownership of their place of employment and to showcase talents they didn't even realize they had."

The paint for the project — about 100 gallons in 60 different colors — was a donation from a local paint store. As the image emerged, residents didn't know what the completed mural would depict. It became a talking point on social media as observers tried to guess the subject matter.

Now, the mural — one of several in downtown — has become a photo destination for residents and visitors alike.

“Different departments got to work together that don’t really spend a lot of time with each other,” Hyman said. “We discovered some artists we didn’t know we had, and as we were painting the public would stop and ask questions. We love it now because you see so many folks stopping by to take photos.”

Welcome to Beaufort, have a seat

The City of Beaufort aimed to expand the availability of places for people to sit while enjoying the natural beauty of the historic port city. It involved its public art program in the process, so that the seating could double as artwork that told Beaufort’s story.

“One of the things our convention and visitors bureau mentioned in surveying tourists, they wanted places to sit,” said Downtown Manager and Events Coordinator Andrea Hackenberger. “So we thought of places where the bench could highlight an attraction or a point of history.”

The first phase of six benches were built by Beaufort’s local Habitat for Humanity with materials — costing about \$400 for each bench — provided by the Cultural District advisory board. Next, the project asked local attractions to sponsor a bench, and those sponsors contracted individually with the artists to paint them.

“The artists have been so creative in telling the story of what makes Beaufort, Beaufort,” Hackenberger said.

The city located each of the finished benches near the sponsoring attraction. The biggest hurdle was finding locations that were also not in a SC Transportation Department right of way, which is often where the sponsors wanted to put them. The benches are now mostly placed on private property.

The second phase brought another six benches. Now in its third — and likely final — phase, the city is again reaching out to find sponsors for the popular benches.



A paint-by-numbers plan allowed all Conway staff employees to easily get involved in the mural-painting process. Photo: City of Conway.

“People love the locations we’ve placed the benches,” Hackenberger said. “The one on the bluff is probably the best location because it looks onto the river.”

She added that a local resident who enjoyed the program decided to sponsor that bench.

Connecting trash and artistic treasure

Of the City of West Columbia’s many pieces of public art, one of its most popular has been its project of taking something not known for its beauty — the fleet of sanitation trucks — and covering them with the works of local artists.

“Before we started the [city’s] rebranding process, we had discussed having artists put paintings on sanitation trucks, but we couldn’t have them down that long,” said Kelli Ricard, director of events and publications for the city.

The city came up with a compromise. It would commission art — at \$2,000 a piece — from local artists, not painted directly on the trucks, that would then be transferred onto wraps that could be installed on the trucks quickly.

“We actually gave the artists the size of the area that the art would cover on the truck and asked them to create artwork that was proportionate to the finished size, and up to 4 feet long,” Ricard said. “We wanted the larger size art to provide the best definition for the final product, and to be able to hang the [original] art at city hall.”

The wraps, made by a local company, are guaranteed for five years and can be cleaned of anything a sanitation truck can throw at it, including graffiti.

“You can clean it with bleach and it will stay on,” Ricard said. “It’s also reflective, which helps with the safety aspect of it.”



The installation of the artwork was less than \$3,000 per truck and came out of the sanitation budget, as the trucks were going to be rebranded anyway.

The public response to the trucks has been even better than expected, Ricard said.

“One of the ideas is that we wanted residents to interact with sanitation workers in a positive way, and have them have a conversation about what was on the truck and why was it there, instead of just about picking up garbage,” she said. “The reception has been awesome. Our guys, who were already good at communicating with our residents, had something else positive to talk about.”

Residents have sent videos to the city or posted them on social media when they spot a truck around it.

“Many say on social that it puts on a smile on their face,” Ricard said.

The trucks include a QR code that people can scan with their phones to take them to online content with more information about the artists and their work.

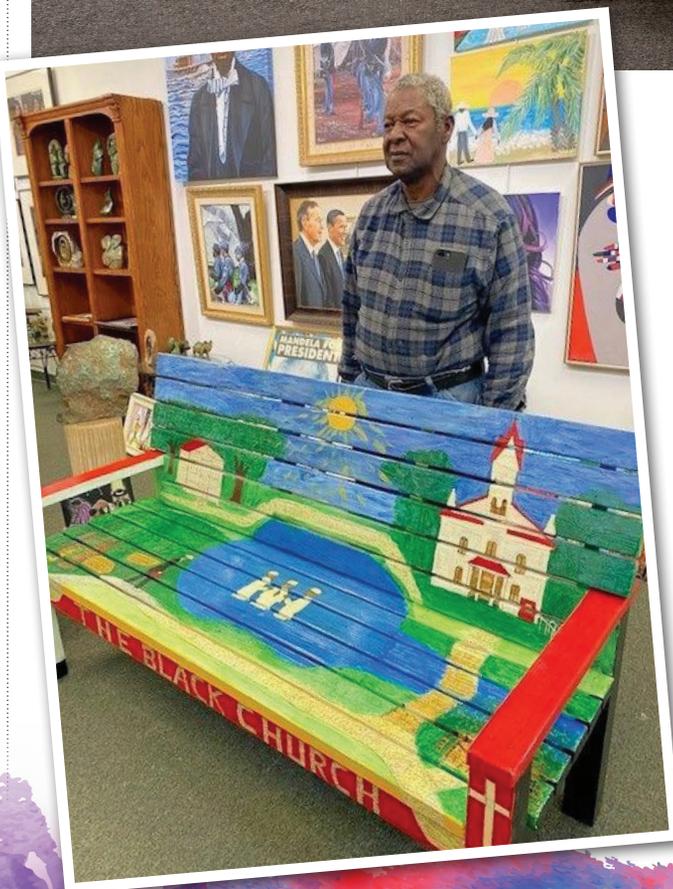
The trucks are just one piece of the public art puzzle for West Columbia, which is planning a sculpture in the area known as Triangle City. The sculpture will replace an aging fountain that needs repairs.

“I think that more art that we have installed, the more residents realize they enjoy it and like having it here,” Ricard said. “It’s becoming more and more important than they realized it would be. And we have a lot of artists who live in West Columbia ... If you incorporate those local artists and local companies, the buy-in is even better and helps people relate to what you are pushing out.”

When cities find a new and unusual canvas for their public art, they are not just celebrating local artists and local character — they are also finding a new way to engage their residents and visitors.

Above: West Columbia used vehicle wraps to apply locally created artwork on their garbage trucks. Photo: City of West Columbia.

Left: The Rev. Johnnie F. Simmons painted a bench celebrating the historic Tabernacle Baptist Church, one of the initial works of the Beaufort Cultural District’s Bench Project. Photo: City of Beaufort.



Bringing Back the Fun After Pandemic Disruptions

Downtowns, amphitheaters and parks are alive this year, as cities are hosting festivals, art shows, concerts and other community events — some on the schedule for the first time since the COVID-19 pandemic brought large community events to a halt.

It's a welcome change for both festival-goers and event planners, who spent much of 2020 and 2021 balancing the importance of public health and community safety with the need to socialize and boost the local economy.

"I knew the pandemic was serious when the city decided to cancel Celebrate Simpsonville, our Independence Day event in July 2020," said Justin Campbell, the community relations specialist for the City of Simpsonville. "The artist, Sister

Hazel, had been booked and we'd already started promotion, but we knew large events like Celebrate Simpsonville could be a superspreader. There wasn't an option — we had to cancel it."

The story was the same all over the state in 2020. With vaccines available and more information known about the virus in 2021, cities began dipping their toes back into the live-event arena, with precautions like social distancing at outdoor movie nights, limited seating at indoor concerts and keeping masks and plenty of hand sanitizer on hand. Some cities opened wide, then scaled back as different variants of the virus roared, eased and roared again.

In 2022, cities and towns have dusted off their cultural calendars and brought

back their events and festivals, which have drawn extra-large crowds eager to be part of group gatherings. And cities used the time of disruption to reimagine and make some changes to the events.

In Abbeville, there was much disappointment when the city's popular Spring Festival was canceled in May 2020. That fall, the city hosted its Hogs and Hens barbecue and blues festival, but with limited capacity, a reduced number of food vendors and no music.

"People just got their food and left. We took precautions, paid for extra [personal protective equipment] and sanitizing. It was worth it — people wanted to attend —but it wasn't the same," said Austin Walker, Abbeville's community development director.

After canceling the Spring Festival in 2020 because of the pandemic, Abbeville brought the event back in 2021. Photo: City of Abbeville.



By May 2021, the city put precautions in place and brought back the Spring Festival.

“People were ready to celebrate and see other people and get out of the house. We had the highest ticket sales for carnival rides, the biggest economic impact ever,” Walker said.

By fall 2021, the COVID-19 delta variant was spiking, and while Hogs and Hens had good attendance, she said, attendees again tended to leave early with their food.

“They weren’t gung-ho to be around large groups of people,” she said. “I’m hoping we’ve gotten past the spikes.”

Earlier, in 2019, the city took over programming of the historic Abbeville Opera House, looking to diversify programming by adding live music and comedy acts. That effort too was forced to shut down because of the pandemic.

“It turned out to be a blessing in disguise,” Walker said. “We were able to do installation and historic preservation work. We put in a state-of-the-art sounds system that the opera house didn’t have. We did roof repairs that the building needed to keep it going for years to come. We didn’t have people in there, so we

were able to do the work to invest in its future.”

The opera house reopened at limited capacity in January 2021, and by May it was at full capacity. The first two full-capacity shows were sold out.

In Simpsonville, the city moved its 2020 summer music and food truck rodeo from its accustomed small pavilion to the much larger lawn of the Heritage Park Amphitheater, limiting crowds and requiring social distancing.

Simpsonville was one of the first places in the state to set up social distancing circles at events — with more than 100 circles drawn on the lawn, 6 feet apart, allowing small groups to socialize more safely at concerts.

“During this whole pandemic, there were lot of debates about choice. We erred on the side of trusting the public that they would be responsible so we could continue to have events,” Simpsonville’s Justin Campbell said. “It was a lot of logistics, a lot of cooperation among department heads and staff. But we got into a good groove.”

By February 2022, the city opened its newly renovated arts center. At its first event, the majority of the 300 seats were full.

Campbell said Simpsonville learned a few lessons it will hold onto from the pandemic, including a fuller appreciation for outdoor events as a way to reduce the spread of illness. For example, the city has recently renovated a dilapidated, brick potato storage shed, now known as the Tater Shed, into an open-air event space.

“We’ve come to appreciate that being outdoors is better for people and it also can be a protector against the spread” of the virus, he said.

The Town of Clover also used the pandemic to rethink some of its events, including the St. Patrick’s Day Festival, a mainstay for more than 25 years. It canceled the festival in 2020 and 2021, but brought it back this March.

“The two years gave us the opportunity to reflect on all of our events. It was a huge review process where we could



Clover’s Highland Games returned in 2021 after a hiatus. Photo: Town of Clover.

get ideas from employees, people in the community and vendors,” said Sam Green, the special events coordinator. “We asked, ‘What could help bring in larger crowds? What could we do better? How can we improve on what we have?’”

Some of those changes were implemented for the 2022 St. Patrick’s Day festival, where a new section was added to bring in more home-based businesses.

“A lot of these businesses started up during the pandemic – arts and crafts, jewelry, pottery, signage, boutiques,” she said. “We were able to allow a bunch of new, individual vendors to come out on



As a pandemic precaution, Simpsonville used marked-off social distancing circles for movies and concerts at its CCNB Amphitheatre. Photo: City of Simpsonville.

St. Patrick's Day. It was a great way to get them in front of the public.”

Clover's iconic Highland Games returned in November 2021 after a two-year break, with athletes participating from as far away as Florida and Alabama, and 15 to 20 vendors selling Scottish-themed items along with food and beer.

The town also has decided to revamp its summer event series, along with adding a food truck night once a month in the downtown area.

“We want it to bring everyone out to downtown. To socialize. To visit shops and see what Clover has to offer. It's all about trying to find ways to improve,” Green said.

And while the town's summer movies in the park were canceled the first year of the pandemic, they returned in 2021.

“Last year we were able to bring movie night back. It was still free, but we limited the amount of visitors who came in. People had to reserve their family's

8-by-8 circle,” she said. “This year, we are bringing back vendors and open seating. Everyone's ready.”

Pandemic disruptions created many difficult lessons for special events, but it also led to examples of creativity and resourcefulness. Many canceled events were keenly missed by their usual attendees, and event planners have discovered more ways than ever to make the events happen.



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Calendar

Scheduled in-person meetings are subject to change based on the Municipal Association's 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.

JUNE

2 SC Association of Stormwater Managers Second Quarter Meeting. Cooperative Conference Center, Columbia. Topics include implementing design standards through regional coordination, water quality tools and stormwater leadership.

7 Accreditation in Business Licensing Exam. Municipal Association of SC, Columbia.

8 Business Licensing Essentials – Records Retention. Virtual. See page 4 for more information.

14 – 15 Municipal Court Administration Association 101 – Session A. Municipal Association of SC, Columbia. Topics include an introduction to court administration, charges, bonds and court basics.

19 – 22 SC Association of Municipal Power Systems Annual Meeting. Sonesta Resort, Hilton Head Island. Topics include an update from the SC Office of Regulatory Staff and electric market reform in South Carolina.

JULY

13 Business Licensing Essentials – NAICS Code Update. Virtual.

14 – 17 Municipal Association of SC Annual Meeting. Charleston Place Hotel. See page 8 for more information.

AUGUST

2 Accreditation in Business Licensing Exam. Municipal Association of SC, Columbia.

2 Setoff Debt Program Training Session: New Employees of Current Participants. Municipal Association of SC, Columbia.

4 Setoff Debt Program Training Session: Interested Participants (Not Currently a Participant). Municipal Association of SC, Columbia.

9 Risk Management Services Cybersecurity for Leaders Training. Municipal Association of SC, Columbia.

10 Business License Essentials – Preparing for the Local Renewal Center. Virtual.

10 Risk Management Services Cybersecurity for Leaders Training. Municipal Association of SC, Columbia.

11 Risk Management Services Cybersecurity for Leaders Training. Municipal Association of SC, Columbia.

24 – 26 Municipal Court Administration Association Annual Meeting. Embassy Suites at Kingston Plantation, Myrtle Beach.