# UPTOWN

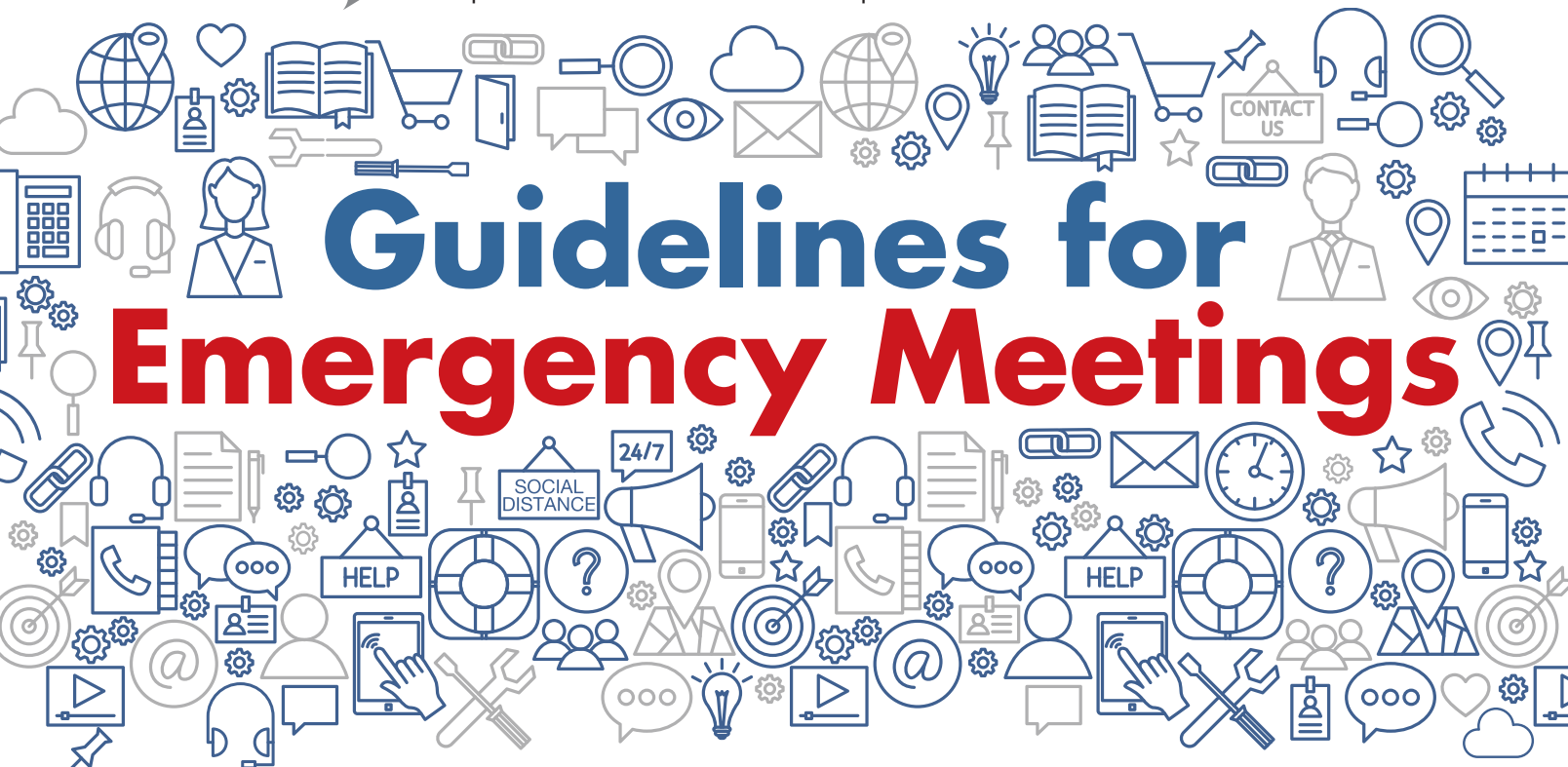**a publication of the municipal association of south carolina**

# Guidelines for
# Emergency Meetings

The many closures and cancelations resulting from the COVID-19 pandemic have led to questions on how to handle the meetings of public bodies in compliance with the SC Freedom of Information Act. In reformatting, rescheduling or canceling council meetings to respond to coronavirus concerns, municipalities should be aware of these considerations.

### Emergency meetings and ordinances

The notice and agenda posting requirements of FOIA do not strictly apply to emergency meetings (SC Code Section 30-4-80(A)). Even so, for the public benefit and out of an abundance of caution, municipalities should use every effort to comply with the notice and agenda posting requirements that would ordinarily apply.

South Carolina law provides that to meet public emergencies, municipal councils may adopt emergency ordinances (SC Code Section 5-7-250(d)). Emergency ordinances require the affirmative vote of at least two-thirds of the members of council present, but only one reading is required.

The emergency powers of council are limited in scope and time. Emergency ordinances automatically expire in 60 days, and emergency meetings must be clearly approved by council and limited to appropriate purposes.

Councils may consider adopting a declaration or emergency ordinance that, among other things, describes the method by which council will meet during the period of interruption and specifically authorizes participation by phone or other electronic means.

## In This Issue

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## Participating by phone or electronically

The SC Attorney General's office has interpreted FOIA to allow individual councilmembers to participate in council meetings by phone or other electronic means, provided that all persons in attendance — councilmembers, staff, media and members of the public — are able to hear all discussion and participate as appropriate.

Local ordinances may require that councilmembers be physically present to count toward a quorum. Municipalities should consult with their attorneys to be sure that quorum requirements are satisfied during the emergency.

For telephonic or electronic meetings, municipalities should:

- provide a call line or videoconference by which all members of the public are able to participate and address the governing body;
- post a timely written notice that informs members of the public of the method by which they may participate remotely;
- distribute an electronic copy of the agenda packet to be considered, equivalent to the physical agenda required under FOIA; and
- record the telephonic or electronic meeting and provide the public with access to such recording.

Municipalities that have conducted meetings by telephone or other electronic means have reported that background noise from participants has been a problem. Subject to the requirement that members of the public be allowed to participate to the same extent as if they were in a physical meeting, municipalities may consider conducting telephonic or electronic meetings on a platform that allows the host to mute participants. There are multiple free or low-cost platforms with this ability.

*Learn more and find a model ordinance for providing emergency procedures for public meetings at www.masc.sc (keyword: coronavirus disease).*

# Take Advantage of the 2020 Compensation Survey Results

The online compensation survey of the Municipal Association of South Carolina offers an easy way for cities and towns to compare their employees' pay with other cities around the state. Using this tool allows municipal leaders to spend less time researching pay data when they are deciding how to set compensation levels competitively.

The results of the 2020 survey are now available online. Users can utilize search criteria to generate specific reports — for example, municipalities of a particular population range or specific job positions can be searched. The reports can also include the number of full-time employees or the annual payroll of a particular city or town. The website allows users to search for salary ranges, merit raise minimums or maximums, or the range of a cost-of-living adjustment. Users can export all of the compensation survey data into Excel spreadsheets and they can download the entire compensation survey report as a PDF.

Responding to the survey is voluntary for municipalities, but higher response rates increase the usefulness of the data. The Association requests survey participation from cities and towns each year in January and February.

*Find the survey at www.masc.sc (keyword: compensation survey). For more information, contact Sara Whitaker at swhitaker@masc.sc or 803.933.1240.*
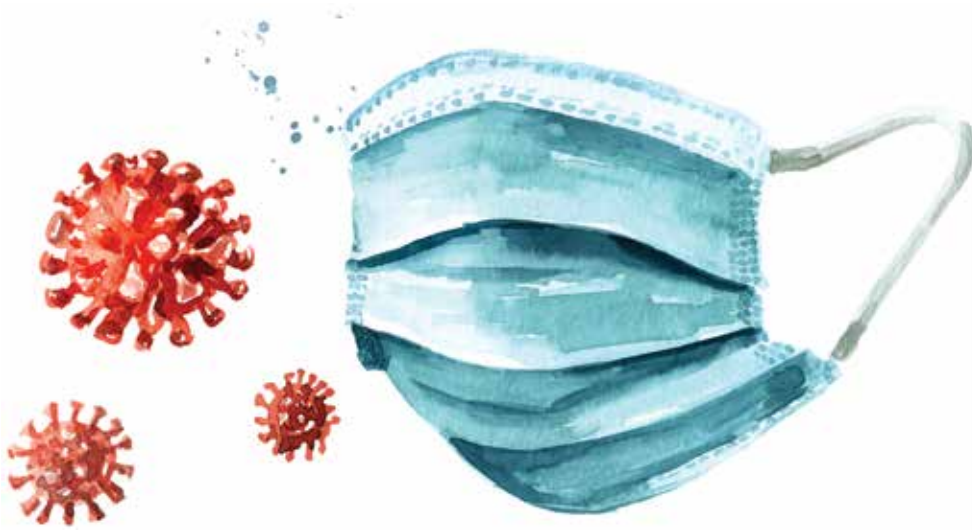
# COVID-19 Resources Available

Major disruptions due to the new coronavirus arrived nationwide in March, shutting down businesses, schools, public meetings and special events.

The Municipal Association of SC began assembling online resources at www.masc.sc (keyword: coronavirus) to help cities and towns start the process of assisting their residents and local economy, and to find ways to maintain continuity of governmental services.

Because of the rapidly evolving nature of this major public health crisis, the Association has updated the resources available to municipal officials numerous times. Here's a look at some of the material made available:

- "Municipal Resources for COVID-19" training videos featuring information from Municipal Association of SC staff to address commonly asked questions.
- Guidance on the enforcement of emergency orders and requests coming from Gov. Henry McMaster.
- Resources made available to help support small businesses with the economic distress caused by the pandemic.
- Guidance on conducting public meetings using remote participation and creating emergency ordinances. Also, other considerations for making sure that emergency government efforts are compliant with the SC Freedom of Information Act (see cover article).
- Links for material useful to local governments from many official entities including the SC Department of Health and Environmental Control, Federal Emergency Management Agency, and the Occupational Health and Safety Administration.

## COVID-19 Impacts on the Municipal Association's Annual Meeting

The Municipal Association of SC Annual Meeting is now planned for a shorter schedule on July 16 – 18 at the Charleston Place Hotel, with an agenda focused on COVID-19 recovery.

The Association will not use the usual online registration process with designated representatives this year. Each city will be responsible for registering for the meeting on the Association's website, and for making hotel reservations by contacting the hotels. The deadline to register for the meeting is June 29.

*Find more information as it becomes available at www.masc.sc (keyword: Annual Meeting).*

# NEWS BRIEFS

# Frequently Asked Questions
# COVID-19 and the ADA



Cities and towns have had many questions related to human resource issues surrounding COVID-19. Although all existing human resource laws, regulations and legal principles still apply, various governmental agencies are urging that employers utilize compassion and relax certain policies and requirements to the extent possible.

Some of these questions can be answered by an Equal Employment Opportunity Commission guidance document *What You Should Know About the ADA, the Rehabilitation Act, and COVID-19.* This guidance was updated March 19, 2020, and the following is an excerpt:

### How much information may an employer request from an employee who calls in sick, in order to protect the rest of its workforce during the COVID-19 pandemic?

During a pandemic, ADA-covered employers may ask such employees if they are experiencing symptoms of the pandemic virus. For COVID-19, these include symptoms such as fever, chills, cough, shortness of breath, or sore throat. Employers must maintain all information about employee illness as a confidential medical record in compliance with the ADA.

### When may an ADA-covered employer take the body temperature of employees during the COVID-19 pandemic?

Generally, measuring an employee's body temperature is a medical examination. Because the CDC and state/local health authorities have acknowledged community spread of COVID-19 and issued attendant precautions, employers may measure employees' body temperature. However, employers should be aware that some people with COVID-19 do not have a fever.

### Does the ADA allow employers to require employees to stay home if they have symptoms of the COVID-19?

Yes. The CDC states that employees who become ill with symptoms of COVID-19 should leave the workplace. The ADA does not interfere with employers following this advice.

### When employees return to work, does the ADA allow employers to require doctors' notes certifying their fitness for duty?

Yes. Such inquiries are permitted under the ADA either because they would not be disability-related or, if the pandemic were truly severe, they would be justified under the ADA standards for disability-related inquiries of employees. As a practical matter, however, doctors and other health care professionals may be too busy during and immediately after a pandemic outbreak to provide fitness-for-duty documentation. Therefore, new approaches may be necessary, such as reliance on local clinics to provide a form, a stamp, or an email to certify that an individual does not have the pandemic virus.

### If an employer is hiring, may it screen applicants for symptoms of COVID-19?

Yes. An employer may screen job applicants for symptoms of COVID-19 after making a conditional job offer, as long as it does so for all entering employees in the same type of job. This ADA rule applies whether or not the applicant has a disability.

### May an employer take an applicant's temperature as part of a post-offer, pre-employment medical exam?

Yes. Any medical exams are permitted after an employer has made a conditional offer of employment. However, employers should be aware that some people with COVID-19 do not have a fever.

### May an employer delay the start date of an applicant who has COVID-19 or symptoms associated with it?

Yes. According to current CDC guidance, an individual who has COVID-19 or symptoms associated with it should not be in the workplace.

### May an employer withdraw a job offer when it needs the applicant to start immediately but the individual has COVID-19 or symptoms of it?

Based on current CDC guidance, this individual cannot safely enter the workplace, and therefore the employer may withdraw the job offer.

# Online Planning and Zoning Training Now Available

The six-hour mandatory orientation training for planning and zoning and elected officials, as well as relevant staff, is now available online from the Municipal Association of SC. There is no charge for the training, and no need for in-person proctors or facilitators. Individuals can complete the training from any laptop, tablet or mobile device with internet connection at any time.

The Municipal Association began offering this training after an amendment to the SC Comprehensive Planning Act made training a requirement for officials. The South Carolina Planning Education Advisory Committee approved this curriculum, which teaches the tools necessary for officials and staff to perform their duties responsibly and effectively.

The online training comes in the form of six, one-hour sessions, and includes video exercises to complete using the *Comprehensive Planning Guide for Local Governments,* knowledge check quizzes and other reinforcement activities. Each of the sessions provides its own completion certificate and the Municipal Association also creates course transcripts for municipal planning officials.

*Learn more about available planning and zoning training, as well as other resources, at www.masc.sc (keyword: planning and zoning training).*



## MEO Municipal Elected Officials Institute of Government

# Testyourselfmonthlyquiz

## True or False:

South Carolina's Freedom of Information Act grants two basic rights — the right to access public meetings and the right to access public records.

# Answer: True

The South Carolina Freedom of Information Act provides for two basic rights — notice of and access to public meetings and access to public records. South Carolina's Freedom of Information Act, sometimes referred to as the "Sunshine Law," was passed by the South Carolina General Assembly in 1987. The law is rooted in the philosophy that the best government is a transparent and accessible government.

*The Municipal Elected Officials Institute of Government offers in-person and online courses. To register for the on-demand courses, go to www.masc.sc (keyword: MEOI) and log in with your user identification number and password. The on-demand courses can be accessed 24/7 from any computer, tablet or mobile device that has internet connection and may be taken in any order.*

# Make Sure Coverage Is Ready for Hurricane Season

South Carolina has been no stranger to serious hurricanes in recent years. Hurricane Matthew came in 2016, Florence in 2017 and Dorian in 2019.

As a very slow-moving storm, Florence brought two flooding events — one from the extreme rainfall and a second from the river drainage after the storm. The SC Emergency Management Division counted nearly 600 homes as either severely damaged or destroyed by the storm.

While officials in cities and towns should focus on planning for future storms, they should also focus on making sure that their own properties are adequately covered by insurance if a big storm were to hit the area after hurricane season begins June 1. The best way to do this is to maintain a complete list, or schedule, of assets needing insurance coverage.

"Checking over property schedules can help prevent a property from being valued incorrectly or prevent a city from discovering that a property was not covered only after a loss. Make sure that all assets, including newly built facilities or newly acquired assets, are added to the schedule," said Heather Ricard, director of the Municipal Association of South Carolina's Risk Management Services.

The SC Municipal Insurance and Risk Financing Fund, administered by the Municipal Association, provides appraisals at no charge to members about every five to seven years for buildings that have valuations at or above a certain amount. For coastal areas, which often have the greatest exposure to hurricane damage, these appraisals are available for all buildings valued at $10,000 or greater. For inland locations, the threshold is a $100,000 valuation. In between appraisals, values are trended to keep up with inflation.

Here are a few key issues to consider when checking on insurance coverage ahead of time:

- Understand the amount of money that would be paid if a building were to be destroyed. Consider whether insurance would cover the building at replacement cost or on a basis of actual cash value. Coverage written on an actual cash value basis, such as for automobiles, would include a deduction for depreciation, which moves the potential payout lower over time even though the cost of replacement would not decline.
- Know whether coverage includes a coinsurance provision, which requires cities to cover a certain percentage of the value of buildings and building contents. If a city does not insure the property for this minimum amount and experiences a loss, then the city would have to pay a coinsurance penalty amount before any deductibles are applied.
- Know whether buildings are located inside high-hazard flood zones, which are any zones beginning with the letters A or V. The National Flood Insurance Program offers a maximum coverage of $500,000 for a building and $500,000 for contents. If a building is in a high-hazard area and is not insured to these amounts, then any claims payments may be a payout on top of the NFIP coverage. The Federal Emergency Management Agency offers a Flood Map Service Center at msc.fema.gov.

# Association Highlight:
## Setoff Debt Collection Program

The Municipal Association of SC operates the Setoff Debt Collection Program under a 1992 amendment to the Setoff Debt Collection Act. Every December, the program compiles a database of delinquent accounts and debts owed to its participating municipalities. The Municipal Association then submits this information to the SC Department of Revenue.

From there, DOR matches the claims list with refunds due to taxpayers. When matches exist, DOR sets off the debt, notifies the taxpayer of this and forwards the amount collected to the Association. The Association, in turn, forwards the amount collected, minus a $25 administrative fee per offset, to the entities that made claims. The Department of Revenue also collects $25 from the debtor for every successful setoff. These collection costs are charged in addition to the original debt amount.

*Learn more about the Setoff Debt Collection Program, including requirements for participation and mandatory training sessions, at www.masc.sc (keyword: setoff debt).*

# OSHA Standards Can Make Public Works Safer

The Occupational Safety and Health Administration has standards which promote safe, healthy workplaces when enforced. A number of these standards help guard against the hazards found in public works jobs.

Employers should be sure to fully understand these standards and that more information can be found at www.osha.gov as well as the South Carolina OSHA website, scosha.llronline.com. Here's a quick description of some to review:

## Fall Protection (Standard Nos. 1910.28 and 1910.29)

OSHA's guidance on preventing injuries and deaths from falls focuses on planning, providing equipment and training. These standards cover everything from guardrails to ladders, scaffolding, roof work, open holes, floorspaces, harnesses and anchor points.

## Confined Space (Standard No. 1910.146)

Confined spaces — manholes, tunnels, trenches and sewer stations, among others — have limited or restricted means of entry and exit and they are not designed for continuous occupancy. They bring such hazards as limited airflow, hazardous gases or the potential for cave-ins.

Working safely in confined spaces means that there should be a team outside monitoring the work and those involved should have confined space entry training. There should be a proper confined space entry permit and workers should determine atmospheric conditions before entering.

## Trenching and Excavation Safety (Standard No. 1926.651)

Appropriate trenching safety means that workers locate all underground utilities before beginning work. It also means providing safe entry and exit points. Trenches that are 4 feet or deeper should have ladders located every 25 feet and trenches 5 feet or deeper should have cave-in protection. With trenching, everything needs to be sloped, shielded or shored.

## Lockout/Tagout (Standard No. 1910.147)

Controlling the release of hazardous energies, such as electrical, mechanical, hydraulic, pneumatic and chemical, when disabling machinery, has been one of the most frequently cited safety violations in South Carolina. The OSHA lockout/tagout standard protects against the release of these hazardous energies and employees who work in areas where these hazards exist must be trained in these procedures.

## Hazard Communication (Standard No. 1910.1200)

OSHA's Hazard Communication Standard requires that employers must provide information identifying hazardous chemicals and why they are hazardous in a way that employees will be able to understand. The standard involves labelling, safety data sheets with a specific format, training, protective equipment and measures to reduce exposures as much as possible.

## Motor Vehicle Inspections (Standard No. 1926.601)

This standard calls for the inspection of vehicles before they are used and at the beginning of each shift. It also advises that vehicle operators use a safety checklist to verify the safety of everything from rearview mirrors to wiper blades, fluid levels, headlight adjustments, brakes, lighted signals, fire extinguishers and others.

## Personal Protective Equipment (Standard No. 1910.132)

Personal protective equipment minimizes exposure to hazards that cause serious workplace injuries and illnesses. Personal protective equipment may include items such as gloves, safety glasses and shoes, earplugs or muffs, hard hats, respirators, coveralls, vests and full bodysuits.

# June Is Time to Report Unclaimed Funds

The South Carolina Uniform Unclaimed Property Act requires all entities holding unclaimed funds, including local governments, to review records each year and attempt to return those funds.

In some cases, the entities cannot locate the owner. In those cases, they must send the funds to the State Treasurer's Office. The office, which uses the website southcarolina.findyourunclaimedproperty.com, has reported that it has returned more than $329 million to owners.

Municipalities might hold unclaimed funds in several forms:

- Accounts payable – Unpaid credit balances, which can include uncashed payroll checks.
- Courts and jails – Overpaid bail bonds or leftover inmate account funds.
- Parks and recreation – Deposits for facility rentals.
- Water/sewer funds – Deposits left when customers end service.

The State Treasurer's Office provides a reporting and remittance timeline:

1. By June 30 – Cities must review records for any unclaimed property.
2. July to October – Attempt to locate the property owner by sending the owner a notification form letter to the last address on file. In the absence of a valid address, entities are not required to send a letter.
3. By November 1 – Send electronic unclaimed property report and remittances to the State Treasurer.

*The State Treasurer's website (www.treasurer.sc.gov) provides a form owner notification letter as well as information on how to create reports in acceptable formats and remit funds. The site also allows users to search for unclaimed property they may be owed by entering their name and city of residence.*

# 19 Graduate From BLOA Training Institute

The spring meeting of the SC Business Licensing Officials Association Training Institute graduated 19 municipal and county officials from the program.

The institute is designed to improve the professional and administrative skills of business licensing officials. The institute's three sessions include topics on general licensing, problem areas and personal development. The spring session topics included duties and authorizations of business licensing officials in South Carolina, an overview of municipal and county government as well as business license administration. The graduates will receive the Accreditation in Business Licensing designation, upon passing a comprehensive, written exam.



*The graduates are Jacquelyn Adams, Town of Springdale; Shannon Altman, Town of Hampton; Shaine Beal, City of Hanahan; Laura Boatright, City of Forest Acres; Goliath Brunson, City of Columbia; Katie Butler, City of Columbia; Stephanie Cousar, City of Rock Hill; Jessica Gress, Town of Sullivan's Island; Constance Humphries, City of Florence; Michelle Johnson, Horry County; Jennifer Lisby, City of Orangeburg; Gerard Maxted, Town of Mount Pleasant; Amanda Phillips, Town of Kingstree; Karen Polhemus, Horry County; Sharon Redmond, Town of Lyman; Veronica Speaks, City of Columbia; Devin Stevenson, City of Lancaster; Greg Williams, City of Columbia; and Erin Witherspoon, City of Florence.*

# MCTI Graduates Six Officials

The South Carolina Municipal Clerks and Treasurers Institute gained six new graduates this March. MCTI is a three-year program providing municipal clerks and treasurers with skills critical to their profession.

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

Completion of MCTI satisfies the education requirements for the certifications offered by the International Institute of Municipal Clerks as well as the Association of Public Treasurers of the United States and Canada. Those seeking IIMC's Certified Municipal Clerk designation also need to complete a capstone project. MCTI is scheduled as six sessions, each taking place over 2 ½ days. Participants can begin the program at any point and are encouraged to attend sessions consecutively.

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



*The spring 2020 graduates are Lisa Chapman, City of Easley; Sarah Johnson, City of West Columbia; Barbara Junior, Town of Brunson; Crystal Parker, City of West Columbia; Marlene Rollins, City of Johnsonville; and Patricia Salley, Orangeburg County.*

# Reassessing Business License Tax Rates Properly



The business license tax is a critical source of revenue that many cities and towns use to fund the services they provide. Revenue from business licenses can comprise up to one-half of general fund revenues in some cities. Maintaining this valuable funding mechanism means that cities need to be committed to business-friendly practices. Cities also need to show they are willing to standardize business licensing practices across the state.

The Municipal Association of SC has pushed for standardization of business licensing for several years. The intensive work during the 2019/2020 session of the South Carolina General Assembly on H4431, the business license standardization bill, has brought the topic of standardization even further to the forefront.

A critical aspect of standardization, one which should be a goal for all municipalities, is the conversion of each city's business license ordinance to the North American Industry Classification System codes for business license assessments.

First established in 1997, NAICS codes are commonly-accepted identifiers of industries among governments and businesses in the United States, Mexico and Canada. All businesses use a NAICS number to help identify themselves when filing their state and federal tax returns. The NAICS codes are also used to divide businesses into similar classes within the Municipal Association's model business license ordinance.

Cities and towns that currently do not use NAICS codes to classify businesses within their business license ordinances are strongly encouraged to begin use of this system.

H4431 will require the conversion to a standardized class schedule to be revenue neutral for each city or town. Ensuring revenue neutrality of the business license tax after conversion to the standardized class schedule is similar in concept to the process cities go through during reassessment of property values every five years.

*Find business license resources, including the model business license ordinance, at www.masc.sc (keyword: business license tax). Learn more about NAICS codes at www.naics.com.*

# Fulfilling the 'Core Need' of Transit

## Cities Find Creative Ways to Expand Public Transportation

*In Columbia, COMET bus riders can get free 45-minute usage of the Blue Bike SC bicycles. Photo: Sean Rayford.*

In July 2019, after years of research and planning, Rock Hill became the state's first public transit system to start up from the beginning with all electric buses. My Ride Rock Hill uses seven Proterra buses running four routes along the city's main corridors. The buses, which have USB charging ports at every seat, free Wi-Fi, bike racks and infotainment screens, run 7 a.m. to 7 p.m. Monday through Saturday, and 9 a.m. until 5 p.m. Sundays.

"We decided to start fare-free, using electric buses to be ahead of the transit curve," said Katie Quinn, communications manager for the City of Rock Hill. "For us, electric buses made good financial sense since they're less expensive to maintain over the life of the vehicle and environmentally friendly. The buses have no tail pipe and produce zero emissions. They're extremely quiet and look modern."

The city also decided to make the system free to ride, believing it was important to remove any barriers to transit — especially for those most in need of public transportation.

"Free service benefits lower-income members of our community," Quinn said. "Likewise, city council wanted to attract college students and visitors to ride the system, and making it easy to ride was the most effective way to do that."

The results? My Ride Rock Hill set a goal of 4,100 passenger rides a week by the end of its first full year. It passed that goal two months into service. Now, after just seven full months of service, it is averaging more than 5,000 passenger trips per week.

"The feedback we receive has been overwhelmingly positive. Riders constantly comment on the ease of use of the system, the friendliness of the drivers, and the great service My Ride offers them. Our partners — Winthrop University, Family Trust Federal Credit Union and Piedmont Medical Center — help us to promote My Ride to their employees, customers and students, and our social media engagement continues to climb," Quinn said.

In Rock Hill, like other cities around the state, finding ways to provide public transportation can be critical, particularly for people who live in areas of the city with limited access to health care and shopping. A group of Rock Hill residents identified transportation in 2015 as the greatest needed service in the city. In addition, a survey of Winthrop University students found 33% of students on campus didn't have a car, and prospective students were concerned about limited access to transportation.

College students, along with Upstate residents, are the main users for the Clemson Area Transit, or CAT Bus, system in Clemson. CAT is a public service provided fare-free by Clemson University, the cities of Clemson and Seneca, the towns of Central and Pendleton, the SC

*Blue Bike SC has 18 bicycle stations around downtown Columbia. Photo: Sean Rayford.*

Department of Transportation and the Federal Transit Administration.

Seneca was the first municipality in the country to switch to an all-electric fleet in 2015, when it used a $4.1 million grant from the Federal Transit Authority to replace its diesel buses with five Proterra electric buses, along with adding charging stations and shelters. The city also used money from the South Carolina Department of Transportation's vehicle acquisition program and an FTA Livable Communities grant. The overall CAT Bus system has also purchased electric buses to use system-wide, as it transitions to a more environmentally friendly transit service.

Meanwhile in Columbia, the COMET bus system has partnered with the city's bikeshare program, Blue Bike SC, which has bikes available at 18 stations around the downtown area. The city partnered with Canadian-based bike share company Bewegen Technology to start the Blue Bike program, with Blue Cross Blue Shield of SC as the main sponsor. Riders of the COMET buses can show their bus pass to a driver and receive a code that can be used for a free 45-minute use of a bicycle.

"We wanted to address the first-mile-last-mile connection for our transit riders. This was a quick, simple way to provide additional mobility for those that are in downtown Columbia," said John Andoh, executive director of the COMET. "Sometimes when you get off a bus,

you're still not at your destination. This is another way to get people closer to their destination."

Andoh said the bus-bike partnership started about a year ago. "We will do more marketing and outreach to ensure there's value in it for our transit riders. We need to be sure that people are aware it's available at no additional cost," he said.

He suggested that any municipalities looking to pursue a bikeshare program should plan to include the transit agency as a partner. Andoh also stressed the importance of the partner organizations working together on the agreement and on deciding where the bicycle docking stations are located.

The ability to help people get around in a municipality — to a doctor's office, a store or workplace — is the goal of public transit plans, which can also improve quality of life for a city's residents.

In Rock Hill, Quinn described transportation as a core need that contributed to other problems, such as unemployment and homelessness.

"We regularly hear stories of people finding jobs or being free to travel after years of not having access," she said. "We've also heard from numerous social service agencies around Rock Hill thanking us for what My Ride has meant to their clients. Shortly after the start of full service, we heard from a men's shelter in the city that four of their clients were able to find jobs thanks to the reliable transportation that My Ride provided them."

And while it may be rare for a city to start a public transportation system today, Quinn believes the rewards are worth the cost.

"The best advice in general is to not be afraid to take the risk," she said. "By starting fare free, it's easy to use, drivers don't have to worry about checking fare cards, and transportation isn't a financial barrier."



*My Ride Rock Hill launched with an all-electric fleet of buses in 2019. Photo: City of Rock Hill.*
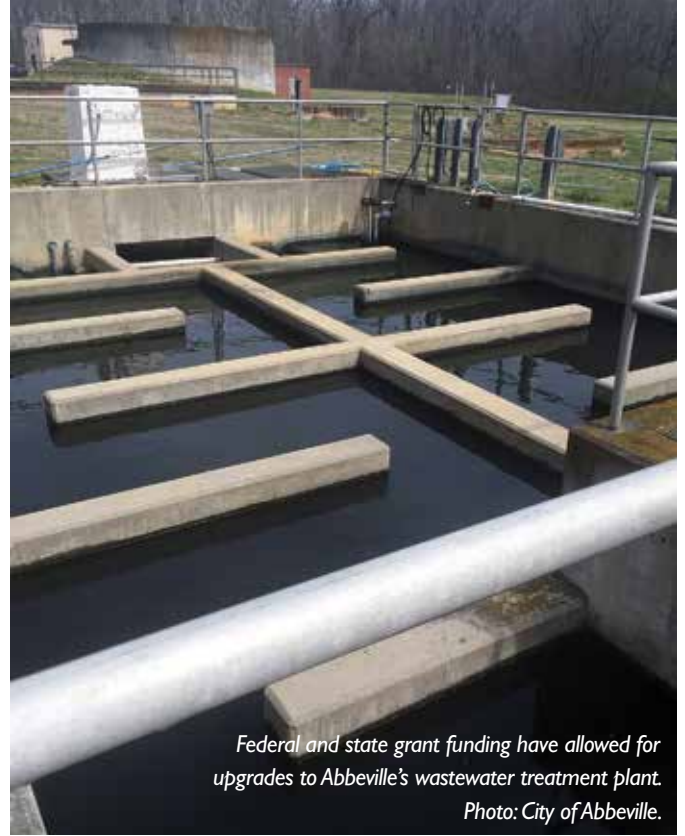
**Infrastructure**



*Federal and state grant funding have allowed for upgrades to Abbeville's wastewater treatment plant. Photo: City of Abbeville.*

# Infrastructure Partnerships Lead to Success

*By Liz Rosinski, Senior Program Manager, SC Rural Infrastructure Authority*

As Henry Ford once said, "Coming together is a beginning; keeping together is progress; working together is success."

It is no secret that for nearly all of South Carolina's cities and towns, there is a tremendous need to invest in water, sewer and storm drainage infrastructure. As the costs to invest continue to increase, no single system, funding agency or local government can do it alone. The foundation for working together is generally centered on shared values and objectives. Upgrading and expanding infrastructure to protect public health and the environment, as well as attracting economic opportunities, are such examples.

Communities that work together, whether it's helping a nearby utility system with repairs or spare parts, even in the middle of the night; providing operating and billing services; or partnering with state and federal agencies to coordinate funding for upgrades and improvements, will see results that could not have been accomplished independently.

One of the greatest challenges to make critical water and sewer improvements is identifying and accessing appropriate financial resources. Often, the revenues and expenses of a utility limit what can be accomplished. Additional funding options, such as loans and grants from state and federal agencies, allow cities to leverage local dollars to carry out large scale projects.

The South Carolina Rural Infrastructure Authority wants to put communities in a position for success. A funding partnership was formed with other federal and state infrastructure agencies in an effort to coordinate and market available resources. Known as the SC Infrastructure Funders Coordinating Committee, the group meets regularly to identify solutions to infrastructure challenges and promote sustainability.

For the City of Abbeville, a well-planned and coordinated effort was necessary to address SC Department of Health and Environmental Control requirements at its wastewater treatment plant. After several discussions and meetings about various funding sources over the past few years, the city received grant funding for improvements to the treatment plant from the U.S. Economic Development Administration and RIA. In addition, the city also received a loan from the State Revolving Fund. The partnership between these three funding sources, combining state and federal dollars, is an example of how working together can lead to a successful outcome. Construction is underway on the $4 million project, including improved aeration, mixing and upgrades to sludge handling, and is expected to be complete by March 2021.

"This has been a lengthy process which started a few years ago when the need for the wastewater treatment plant upgrades became apparent," said Abbeville's Community Development Director Mike Clary. "For small communities and utility systems, these types of funding sources are invaluable and offer us the ability to make the necessary improvements which will best serve our customers."

Several years ago, five towns in rural Hampton County joined forces to form the Lowcountry Regional Water Authority. While the systems were not initially interconnected, it became necessary for the neighboring towns of Gifford and Brunson to connect to improve their water supply capacity and reliability as well as improve their fire protection. This project was funded with grants from the RIA and the Community Development Block Grant.

For South Carolina cities and towns, there is a growing recognition of the need to work together and form partnerships with other agencies to improve the quality of life for residents and ensure a sustainable future.

*The RIA assists communities with financing for qualified water, sewer and stormwater infrastructure. Approximately $100 million in infrastructure financing is available annually through its grant and loan programs. To learn more, visit www.ria.sc.gov.*

# 'C' Funds Support Local Roads

The "C" fund program operates as a partnership between South Carolina's counties and the SC Department of Transportation. It provides funding from a part of state gasoline tax revenue for the improvement of state, county and city roads as well as other local transportation projects.

The program first grew out of efforts in the 1940s to pave rural dirt roads that were a part of the state system.

## Funding increases from "C" funds

The "C" fund program distributes funds to each county based on population, land area and rural road mileage. The program also allows for counties that contribute more to the "C" fund than they collect to receive a donor bonus allocation.

The "C" fund portion of the state gasoline tax was 2.66 cents per gallon before a new state law caused it to begin increasing annually in FY 2018-2019. The gasoline tax is 3.325 cents per gallon. In FY 2021-2022, when the new calculation of the tax is fully phased in, the portion will be 3.99 cents per gallon.

Counties must use the additional funds that result from the increase exclusively for repairs, maintenance and improvements to the state highway system. For FY 2019-2020, the state is distributing $96.5 million in total. Some of the counties with the highest apportionments during this time, not including the donor bonus, are Greenville County with $4.9 million, Richland County with $4.2 million and Horry County with $4.1 million.

## Awarding "C" funds for projects

Each county has a County Transportation Committee. The CTC selects and approves projects to be supported by "C" funds. The CTCs also develop procedures for accepting applications for eligible projects as well as ranking projects and determining which it will fund. There are no requirements in state law for how each CTC awards projects.

In most cases, the legislative delegation of that county appoints the committee's membership. However, in some cases, county council serves as the CTC. This is the case in Abbeville, Chester, Clarendon,

Jasper, Lexington and York counties. In Allendale, Barnwell, Beaufort, Berkeley and Dorchester counties, the county council appoints the members of the CTC.

## Restrictions on "C" funds

CTCs must use at least 25% of each county's "C" funds for construction, improvements and maintenance of infrastructure that is part of the state highway system. Also, CTCs must use proceeds from the additional funds that come out of the cents-per-gallon increase that began in FY 2018-2019 for repairs, maintenance and improvements to state highways.

Beyond those restrictions, CTCs can use the funds for local road projects. They may also carry forward any uncommitted funds from one year into the next, as long as the amount does not exceed 300% of the county's total "C" fund apportionment for the most recent year.

*Learn more about the "C" Fund Program at www.scdot.org/projects/c-program.aspx. The webpage includes links to the transportation plans for each of the counties.*

Infrastructure

**Infrastructure**

# A Day in the Life of a
# *Stormwater Manager*



*Kim Jones is Bluffton's division manager for watershed management. Photo: Town of Bluffton.*

Everyday work for a stormwater manager in South Carolina can range from testing the DNA of E. coli bacteria found in a stream to helping a developer relocate a federally-protected species of plant.

The biologists, engineers and infrastructure managers who work for those cities and towns that manage their own stormwater systems are protecting the waterways from pollutants that run off from homes, industries and developments.

Often, the water they protect is part of the town's drinking supply. Ultimately, all rivers lead to the marshes and beaches along the coast, the home of the state's seafood industry and the biggest asset in the state's tourism inventory.

Organizations responsible for stormwater management have a checklist of responsibilities based on their size. There is only one large Municipal Separate Storm Sewer System, or MS4: the SC Department of Transportation. There are a few medium-sized ones: the cities of Columbia and Greenville, and Richland County.

For the 70 small MS4s, stormwater responsibilities include educating the public about stormwater pollution and monitoring for pollutants, as well as permitting construction sites and making sure contractors follow best practices to keep pollutants out of waterways. With such a variety of responsibilities, stormwater managers always have the same goal: clean water for everyone.

Tanya Strickland has worked with North Augusta's stormwater management team since 2004. A biologist by training, she started her career with the SC Department of Health and Environmental Control working with stormwater inspections, and is now stormwater manager for the city.

Strickland and her team are responsible for several waterways, but Pretty Run Creek is their priority. The creek ultimately empties into the Savannah River, which provides the city's drinking water.

"My guys have to get to every drain in that sub-basin every year and make sure they're clean — not clogged — and nobody is polluting in them," Strickland said. "We've done aerial infrared surveys in the coldest months looking for warm water coming in. We've walked, tested the lines, looked for breaks, anything where our sewer lines may be leaking in to the creek."

Construction sites can be the biggest polluters. For those, Strickland's team is responsible for doing the inspections for both city and state stormwater permits. If a contractor has failed to follow what's known as best practices to prevent sediment, and all the pollutants that bond to it, from entering the waterways, her team can issue a report requiring corrective measures. If those are still not made, her team can issue a stop-work order.

"You don't want to do that. You don't want to put all these people out of work for a day. But that's how important it is to us," Strickland said.

Recently, when water in Pretty Run failed testing for allowable levels for E. coli contamination, Strickland's team performed a DNA test to determine the source. It was coming from deer living near the stream. While Strickland's findings don't make it easy to cut off that source of pollution, finding the source of pollutants is key to watershed management, especially along the coast.

In Bluffton, Kim Jones, division manager for watershed management, is responsible for three watersheds that include the May, Okatee, Colleton and New rivers. On the coast, these "rivers" don't flow downstream as they do elsewhere. "The May River is a finger of the ocean poking into the land," said Jones, a biologist and ecologist. "It is fed by the tides and it is the backbone of our community."

For generations, people have been hand-shucking the oysters harvested from the river. Residents have learned to swim in the May River and it is a key recreational waterway. But, by its nature, it is susceptible to lingering pollutants.

"Most rivers flush pollution downstream," Jones said. "When you have the tides feeding your river, it sloshes pollutants back and forth as the tide comes and goes. It takes 60 days for something that enters the headwaters of the river to wash out."

After a particularly heavy rain washes pollutants into the river, Jones and her staff have to test to be sure it is safe to harvest those oysters.

"Our biggest concern is fecal coliform. It's everywhere and it's persistent," she said. "We have done very robust microbial source testing."

A major source of the fecal coliform problem is individual septic systems along the river. Jones and her team take an education approach to fixing that problem, explaining what not to put into septic systems and how it affects the river, such as in 2009, when shellfish beds



*Tanya Strickland is North Augusta's stormwater manager. Photo: City of North Augusta.*

were closed and the town went through a yearlong watershed plan.

Up the coast, Hillary Repik is also dealing with tidal rivers, rising sea levels and aging infrastructure in the Town of Mount Pleasant. Repik always had an interest in marine biology, but studied business in college. She said that background helps her be a better asset manager for the town, where she has worked for 25 years in a variety of jobs. She is working on a certification in stormwater management and is a past president of the SC Association of Stormwater Managers and the Southeast Stormwater Association.

"I've operated a backhoe and laid pipes before and had to understand those systems, not just on paper, but how does it really work in the field," Repik said.

Mount Pleasant's recent growth has led to new developments tying into older stormwater systems. All streams lead to the town's iconic waterway, Shem Creek, which is home to restaurants, recreational businesses and shrimping and seafood operations.

One recent weekend, Repik was out in the field with the fire department to recover a fuel spill that went in a storm drain, but examples like that aren't the only stormwater emergencies. Frequent flooding from heavy rains, hurricanes and a general rise in tide levels cause damage to be repaired on a regular basis.

"We found ourselves constantly requesting emergency money," she said.

To meet the stormwater system's growing demands, the town created its own



*Hillary Repik serves as Mount Pleasant's stormwater division chief. Photo: Town of Mount Pleasant.*

"rainy day" fund. Whenever stormwater fee collections exceeded their needs in any given year, the extra went into an infrastructure maintenance fund from which the town spends about $1.5 million a year on repairs. The goal, she said, is to focus more on maintenance instead of repairs to older systems and to build better infrastructure as the town continues its rapid growth.

"Many of us were around for Hurricane Hugo and we know what can happen," she said. "Knowing that we will have damage, can we anticipate those needs and get those resources where they should be?"

# Calendar

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

## MAY

**Please note that all Municipal Association events are canceled through the end of May as a COVID-19 precaution.**

## JUNE

**4 SC Association of Stormwater Managers Second Quarter Meeting.** Seawell's, Columbia.

**10 – 12 Main Street SC Directors Retreat.** Beaufort, SC.

**23 – 24 Municipal Court Administration Association 101 – Session B.** Municipal Association of SC, Columbia. Topics include dispositions, finalization and an introduction to court financials.

## JULY

**16 – 18 Municipal Association of SC Annual Meeting.** Charleston Place Hotel, Charleston. The Annual Meeting will have a shortened schedule and agenda focused on COVID-19 recovery. Find more information as it becomes available at www.masc.sc (keyword: Annual Meeting).

**28 Setoff Debt Collection Program Mandatory Training Session for Interested Participants.** Municipal Association of SC, Columbia.

**30 Setoff Debt Collection Program Mandatory Training Session for New Employees of Current Participants.** Municipal Association of SC, Columbia.

## AUGUST

**2 – 5 SC Association of Municipal Power Systems Annual Meeting.** Embassy Suites Kingston Plantation, Myrtle Beach.

**5 SCMIT and SCMIRF Workers' Compensation Nuts and Bolts.** The Phillips Market Center, West Columbia.

**11 Main Street South Carolina New Director Orientation.** Municipal Association of SC, Columbia.

**11 SC Business Licensing Officials Association ABL Exam.** Municipal Association of SC, Columbia.

**26 – 28 Municipal Court Administration Association of SC Annual Meeting.** Hyatt House Charleston, Charleston.

## SEPTEMBER

**3 SC Association of Stormwater Managers Third Quarter Meeting.** Seawell's, Columbia.

**9 – 11 Municipal Clerks and Treasurers Institute – Year 2, Session B.** Hyatt Place Columbia/Downtown/The Vista, Columbia.

**22 Municipal Elected Officials Institute of Government: Municipal Economic Development and Forms of Municipal Government.** Regional councils of governments area locations.

**30 – October 2 Municipal Technology Association of SC Annual Meeting.** Hyatt House Charleston, Charleston.