



UPTOWN

a publication of the municipal association of south carolina

2020 LEGISLATIVE SESSION ENDS



The legislative session of the past year was one unlike any other that South Carolina has ever experienced. The arrival of the COVID-19 pandemic in the spring brought all legislative activity to a halt, but lawmakers returned to Columbia several times during the summer and fall to finish pending business. The second half of the 123rd General Assembly came to a close on September 24.

Even with the setback from the coronavirus, cities and towns can count numerous major wins, including greater revenue flexibility as well as new business-friendly measures. Bills that were introduced during the 2019 session received last-minute action, and a conference committee met to distribute the second

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round of federal funding. House members chose not to adopt a budget for 2020, instead they are relying on a resolution to continue funding state government at fiscal year 2020 levels.

Legislators passed two bills to distribute the federal Coronavirus Aid, Relief, and Economic Security Act, or CARES Act. This federal funding was designated to aid cities, towns, businesses, nonprofit organizations and colleges and universities that were affected by the pandemic. Cities and towns could apply for reimbursement from both phase one and phase two funding measures.

Bills Passed by the General Assembly

Business Licensing Standardization Approved

H4431, the business license bill that was amended to include standardization language which is fair to both cities and businesses, was passed by both the House

and Senate on September 23, shortly before the end of session, after a conference committee met and worked out the differences. The effective date of the bill is January 1, 2022.

Flexibility with Hospitality Revenue

Introduced in 2019, S217 allows cities and towns to use hospitality tax revenue for flooding and draining mitigation in tourist-related areas. It was passed by the House and Senate in the final week of session, after being amended to extend the due date for local governments to submit comprehensive plans to December 31, 2021, because of the interruptions related to COVID-19.

Firefighter Health Benefit Plan

Passed by the House and Senate, S1071 creates the Firefighter Cancer Health Care Benefit Plan. The plan provides a supplemental insurance policy for paid and unpaid firefighters who are South Carolina residents if they are diagnosed with cancer. The firefighter is entitled to a one-time benefit of \$20,000, an annual



The passage of H4431, the business license bill, means that South Carolina's cities and towns are now required to standardize their business license practices before January 1, 2022. For years, many municipalities have been working voluntarily toward standardization to improve the ease of the licensing process for businesses, with a standardized application, a model business license ordinance, and standardized licensing years and due dates. The new law means these steps are now mandatory for every municipality.

The Municipal Association is developing guidance to assist cities and towns with implementing the provisions of the bill. The guidance will include instructions on adjustments to local ordinances, rate schedules and more. Learn more at www.masc.sc (keyword: standardization).

out-of-pocket expenses reimbursement of up to \$12,000 and a \$75,000 death benefit. There was no funding attached to the bill. Legislators plan to include money for this benefit in the fiscal year 2021-2022.

Broadband Expansion

H3780, the Broadband Accessibility Act, passed the House and Senate in the final week of session. The bill allows the state's electric cooperatives to provide broadband internet service within their territories and up to two miles outside of their territories. They may provide broadband service in partnership with their own broadband affiliates or with existing communications service providers.

Small Cell Deployment

H4262, the SC Small Wireless Facilities Deployment Act, was passed by the House in 2019, amended and passed by the Senate on September 23. The next day, the House passed the bill as amended by the Senate. H4262 provides rules under which small cells may be deployed within public rights-of-way across the state. It specifically allows cities and towns to regulate the appearance of small cell facilities and it provides municipalities the authority to designate design districts where more stringent appearance standards may be required. The bill allows municipalities to charge fees for the deployment of small cells, but those fees are capped.

For more information, visit www.masc.sc (keyword: advocacy) for resources related to legislative action.

2020 Legislative Session Timeline

The legislative session that would prove to be dominated by pandemic disruptions began normally in January. The Senate and House of Representatives began debating education reform, business licensing, the state budget with an unprecedented surplus and telecommunications.

Soon, however, COVID-19 brought the session's original schedule to a halt.

March 17 – 19: The Senate met to approve the release \$45 million to the SC Department of Health and Environmental Control to combat the spread of the coronavirus in South Carolina. The House met to concur with the Senate bill. The House and Senate then adjourned until Jay Lucas, speaker of the House, and Harvey Peeler, the president of the Senate, deemed it necessary to call them back into session.

April 8: House and Senate members returned to debate a budget bill to continue funding state government and a sine die resolution governing future legislative action.

The Senate introduced and adopted a sine die resolution that governed when each chamber could return to session in Columbia and what bills could be debated. The House did not take action on the resolution. The House and Senate each passed their own versions of a continuing budget bill, both of which fund state government at current levels.

May 12: Both chambers returned to complete work on the continuing budget resolution and the sine die resolution. House and Senate members adopted a sine die resolution that returned legislators back to Columbia in September. Legislators also adopted H3411, a continuing budget bill that includes language that appropriates recurring funding for fiscal year 2020-2021. Items funded with nonrecurring funds in the current fiscal year budget are not included in the continuing budget bill.

June 23 – 24: Legislators returned to Columbia again to pass legislation that distributed federal CARES Act funding in response to the COVID-19 pandemic.

September 15 – 16, 22 – 24: General Assembly members returned to debate pending legislation, including the business license bill, the state budget, the flexibility bill and remaining CARES Act funding.

The General Assembly adjourned on September 24 at the call of chair as outlined in the sine die resolution.

NEWS BRIEFS

Four South Carolina officials earned the Accreditation in Business Licensing designation after completing the three-year Business Licensing Officials Training Institute and passing the exam. The officials were **Shannon Altman**, finance director/human resources, Town of Hampton; **Goliath Brunson**, business license

supervisor, City of Columbia; **Katie Butler**, business license inspector, City of Columbia; and **Sharon Redmond**, business license official, Town of Lyman.

Two Main Street South Carolina programs obtained a COVID-19 Economic Stabilization Grant from Main Street South Carolina to help

provide targeted assistance for local needs. **Main Street Hartsville** and **Main Street Laurens** each received \$3,500. Hartsville will use funds to help customize its Main Street program website. Laurens is providing one-on-one marketing guidance for downtown businesses.

Checking Over Public Works Trucks for Safety



Going through all the steps of inspecting a public works truck before putting it into service can allow safer operations. Here are some items to consider when checking over a truck and its contents.

Vehicle inspection



For the vehicle itself, it begins by checking the depth of the tire treads, looking for any leaking fluids, and inspecting mirrors and windshields for damage. Also, be sure to regularly inspect the brakes, horn, seatbelt and back-up alarms.

Fire safety



According to Occupational Safety and Health Administration requirements, any vehicle used to transport combustibles or flammables should have a 20 B:C fire extinguisher, preferably mounted in a place where workers can get to it easily in case of an emergency. There should always be a first aid kit in the vehicle. All flammables, such as gasoline, need to be in a container, approved by Underwriter Laboratories or the SC Department of Transportation, with a self-closing lid and spark arrestor for any amount over 5 gallons. For containers with a capacity of 5 gallons or less, an approved plastic gas can is appropriate.

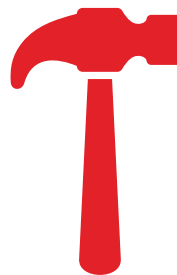
Chemicals

All chemicals on a truck need labels that specify the contents. The truck should also have a safety data sheet, or SDS, for all chemicals on it. For every specific chemical, make sure employees know what personal protective equipment they need to wear according to the SDS requirements. Make sure also that they understand the emergency procedures needed if they experience chemical exposure to their eyes.



Tools

Any tools used for lifting — for example, a floor jack, bottleneck jack, chain and slings — should all have a load rated capacity that is legible. All tools should be inspected for damage before workers use them.



All drop cords in use should have a ground pin where they plug in, which often appears as a rounded prong below the other two prongs. Check also to see if there are cuts or abrasions on the cord's outer insulation. If the user can still pull the cord's outer jacket back over the internal wires, then the cord can be patched with electrical tape. If the internal copper wire cannot be covered over by

the outer insulation and remains visible, that cord must be taken out of service. Cut it at the damaged section and add a new replacement end to repair the damaged cord. Be sure to check the polarity with a polarity tester to ensure proper wiring of the replacement end.

All guards should be on the side of grinders and saws and not disengaged or wedged open. If there is a chainsaw on the truck, the truck must also have chaps, a hardhat with full face shield, hearing protection and safety glasses for the operator. All welders should have the terminal lug boots on the welding leads on the welding machine. There can be no cuts in the welding lead within 10 feet of the stinger.

Ladders

Inspect all ladders for any cracks or deformations in the fiberglass. Also, make sure that all cautions and limitation stickers are still legible, not faded or damaged.



The SC Municipal Insurance Trust and SC Municipal Insurance and Risk Financing Function will host a virtual Public Works/Utilities Risk Management Training on December 9. Learn more at www.masc.sc (keyword: training calendar).



Association Highlight:

SC Community Development Association

Many municipal job positions have specific training and networking needs, and the Municipal Association of South Carolina's affiliate associations offer opportunities to meet those needs.

The South Carolina Community Development Association provides educational forums for its members to address

economic and community development needs. Members include municipal, county, regional and state community development professionals as well as employees of private companies with an interest in community development, elected officials and volunteers.

Past meetings of SCCDA have offered sessions on topics such as affordable

housing, community engagement, downtown revitalization as well as planning and zoning. This October, SCCDA transitioned its Fall Meeting to a virtual event.

Learn more about SCCDA at www.masc.sc (keyword: SCCDA).



Test yourself monthly quiz

True or False:

South Carolina courts have ruled that a local ordinance is a legislative enactment and presumed constitutional upon adoption.

Answer: True.

Ordinances have the presumption of constitutionality, but they can be challenged. The burden of proving that a local ordinance is invalid rests with the party challenging the ordinance. The 2011 case *Sandlands C & D, LLC v. Horry County* established a two-step judicial review process that courts can follow to make a determination on the ordinance's validity. First, the court determines

whether the local government has the power to enact the ordinance — in other words, whether there has been any preemptive legislation by the state. If the court finds that the local government did have the power to pass the ordinance, then it determines whether the ordinance is consistent with the South Carolina Constitution and Code of Laws. If the court finds that it is, then the ordinance is valid.

The Municipal Elected Officials Institute of Government offers online courses. In-person classes will resume when COVID-19 activity drops to safe levels. To register for the on-demand courses, go to the Municipal Association's website at www.masc.sc 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.

OFFERING SERVICES ONLINE HELPS CITIES AND RESIDENTS

Many cities around the state were offering permitting and payment systems online even before COVID-19 hit — a move officials and staff were thankful for when the pandemic disrupted life and closed offices last spring. Other municipalities moved quickly to set up procedures to help companies submit building permits or residents pay their water bills without visiting city offices.

In North Myrtle Beach, the building permitting system entered the virtual world in September 2019. Builders and property owners go online to submit plans, communicate with city staff members, apply for an inspection, view the inspection results, turn in any necessary forms and print a certificate of completion at the end of the process.

At one time, the city had not allowed customers to make payments online, “but once COVID came, we flipped that switch and allowed people to do everything online,” said Suzanne Pritchard, the senior planner and urban designer with the City of North Myrtle Beach.

When North Charleston moved into its new city hall in 2009, the facility became a one-stop shop for permitting. Residents could move from office-to-office to submit, review and pay fees at various departments within the same building.

“Now we’ve taken our permitting approach one step further and made it all virtual,” said Ryan Johnson, North Charleston’s public relations and economic development coordinator.

“As I always tell people, our job is to make sure our buildings are safe and adhere to codes because we want them open as quickly as possible,” he said. “We



Courtney Heyward of the North Charleston Executive Department attends to residents’ needs using the city’s online Citizen Support Center. Photo: City of North Charleston.

want parks open and sidewalks fixed and potholes filled and everything else to run smoothly and grow and improve. Especially considering we’re facing a shortfall in revenue this year because of COVID-19, which is not easy by any stretch of the imagination.”

He said moving services to a digital platform has helped the staff, residents and businesses.

“It’s convenient because people are able to submit all their plans at one location and it goes to everyone all at the same time to be reviewed, so it speeds up the process. Especially in our building, planning, fire inspections and our stormwater inspections in public works,” Johnson said.

All of the city’s registration and payments for athletics, recreational activities and court costs also are online.

City leaders stress that if customers don’t have access to the internet, paper

applications are still accepted. Some municipalities have kiosks for payments or internet access available in city buildings.

Pritchard said North Myrtle Beach’s decision to move to new permitting software began with a general upgrade of the city’s outdated system.

“We wanted to bring more accessibility to everyone. We didn’t envision the COVID future during this whole process, where city hall would be closed. We wanted people to be able to come in and talk, but it was also important to have that ability [to work with] people who couldn’t get down here,” Pritchard said.

The reaction at first was mixed. Developers and builders accustomed to doing large volumes of permits had to change their workflow. Once they realized that someone didn’t have to come to city hall for each permit and wait until the process

was complete, they appreciated the easier, more efficient process, according to Pritchard.

It also was important for North Myrtle Beach to be able to customize its software to fit its needs, and be able to change the online forms or substitute questions quickly.

“We had a lot of staff time learning the system and being able to create the forms and use the forms, but we now can make changes on the fly when something happens like we close city hall.”

Choosing and customizing its software also allowed North Myrtle Beach to look strategically at its whole process of issuing permits — something Pritchard recommends for other cities looking to transition to online permitting.

“Really figure out what you want. If you were building the perfect building permit process, what would that be? What are the important parts that were being missed? How can we better coordinate with departments like public works and finance?”

The North Myrtle Beach system is not limited to file uploads and it works for more than building permits. For example, the city realized it could use the same system to develop a plat review process, so residents and developers can submit plats online to the planning department for review.

“Because it’s a citywide license, we can use it for any form that needs to be reviewed. There are no limits on files, so that’s awesome,” said Pritchard.



York City Hall offers a bill payment kiosk in its lobby. Photo: City of York.

Cities also offer multiple ways to pay for services like utilities or court fines, including in-person, online and through night drop boxes. The City of York offers those options along with a kiosk in the city hall lobby where customers can pay bills.

“The night drop box has been very convenient for those who work outside the city. It is a safe, secure, locked safe where they can drop their payments off,” said Barbara Denny, York’s finance director. “Offering to accept their payments over the phone is something

we added with the closing of our lobby due to COVID.”

Allowing online payments offers a quicker and safer way to provide payment than through the mail system, Denny said.

“It was difficult in the beginning as the system we use requires you to put in the account number along with the service address. As residents learned the system, they commented how it is great to be able to pay at any time of day or night. It also offers them to set up an account, with their own password, so they can conveniently pay quickly each month,” she said.

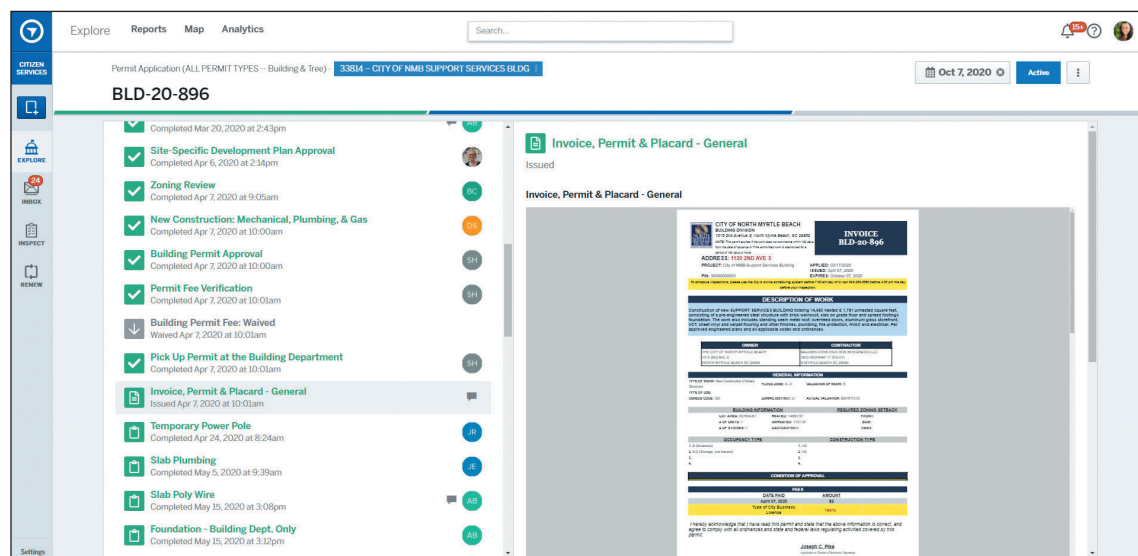
She said adding the ability to process payments online has reduced in-house payment and foot traffic by 40% to 50%, opening up staff time to work on other projects.

“One of the things I like best with the online system, is that when there is an issue with a payment, I can log in and search quickly to find the payment and explain to the customer why it was rejected. This saves time,” Denny said.

As technology improves and options grow, cities can implement changes that make conducting business more convenient and economical.

Advice from Johnson in North Charleston for those cities looking at moving more of their services online?

“Just do it. Government lags behind private industry, but eventually we get there. We started streaming city council meetings in 2011. Now everybody is doing it. By using the technology that’s out there, we make things more open and transparent,” he said.



North Myrtle Beach allows builders and property owners to handle necessary paperwork online through its building permitting system. Photo: City of North Myrtle Beach.

ECONOMIC DEVELOPMENT TOOLS

Bailey Bill

The following article is part of a series about economic development tools and how to use them.

The Bailey Bill is one of several property tax incentives available to cities and towns to encourage historic property rehabilitation. The law, found in SC Code of Laws Section 4-9-195 and Section 5-21-140, derives its name from former Rep. James Bailey.

The Bailey Bill allows local governments to lock in a special property tax assessment, based on the property's fair market value as it stood before rehabilitation, for a period of no more than 20 years. During this time, the property owner's local property tax payments do not factor in any increases in value because of eligible renovations.

The amount that the taxpayer saves can be significant, especially when combined with other available incentives. As such, the savings can make restoration projects economically feasible in situations where they otherwise would not be, providing an effective catalyst to spur revitalization in historic districts.

Creating a Bailey Bill ordinance

To use the special assessment and maximize benefits, city and town governments need to set goals and push for cooperation with county governments. The first step in the process is to adopt a Bailey Bill ordinance that creates definitions on how the process will work locally. At minimum, the ordinance should define

- what historic structures qualify for the special assessment,
- how much money needs to be invested to qualify,
- what is a qualified rehabilitation expenditure,
- who certifies compliance of the rehabilitation project, and
- how long the special assessment will be offered.

Ideally, the city and county governments adopt identical ordinances. This allows property owners to maximize benefits by abating a portion of both city and county taxes. This requires

considerable discussion, negotiation and coordination between officials from both local governments.

Since local governments set their own Bailey Bill rules, those looking to establish a new ordinance can look to the incentive structure found among those who have already created an ordinance. Beaufort, Camden, Columbia and Fort Mill are among those who have created Bailey Bill incentives, as well as Beaufort, Greenville and Richland counties.

Bailey Bill certification

Once an ordinance is in place, property developers looking to benefit from the incentive will need to receive Bailey Bill certification for their targeted property from the taxing entity or entities.

Properties can receive preliminary certification for a two-year period if the owner applies for and receives a historic designation by the taxing entity and the proposed rehabilitation receives approval



The Think Tank on Main at 206 Main Street in Uptown Greenwood, a project which used Bailey Bill incentives, now features office space for entrepreneurs. Photos: City of Greenwood.

by the appropriate reviewing authority. A board of architectural review, the SC Department of Archives and History or another qualified historic preservation entity can grant this approval.

Final Bailey Bill certification requires that

- the property has its historic designation,
- the completed rehabilitation has approval from the appropriate authority, and
- the project has incurred minimum expenditures for rehabilitation as defined by the ordinance.

A property that receives final certification has a final valuation equal to the fair market value at the time of preliminary certification. Once a property is certified, it can potentially lose its certification as well. SC Code Section 4-9-195(E) covers the reasons, which include loss of historic designation and loss of approval on the rehabilitation work.



The interior of the Think Tank on Main in Uptown Greenwood incorporates historic murals into the design. Photo: City of Greenwood.

Learn more about other economic development tools, including abandoned buildings credits, historic rehabilitation

credits and textiles communities revitalization credits, at www.masc.sc (keyword: economic development tools).

Virtual Sessions Keep the Training Going

The interruption of in-person meetings in 2020 as a pandemic precaution has not stopped online training opportunities from the Municipal Association.

The Municipal Elected Officials Institute of Government, for example, replaced in-person sessions for the fall with online courses in October, but it has also maintained a variety of online, on-demand training sessions. The on-demand courses address such topics as budgeting and municipal finance, forms of municipal government, the SC Freedom of Information Act, municipal economic development as well as municipal governance and policy.

In the spring, the Association launched the “Online Orientation Training for Planning and Zoning Officials.” That six-hour course, available to elected officials as well as relevant staff at no charge, covers a state training requirement for all officials working in that area.

In the fall, Risk Management Services began to host online training sessions. It launched “Workers’ Compensation Nuts



and Bolts” for members of the SC Municipal Insurance Trust and SC Municipal Insurance and Risk Financing Fund. This fall, it will host several virtual trainings for SCMIT and SCMIRF members:

- November 10 – RMS Annual Members Meeting, featuring prerecorded content. No registration will be needed.
- December 9 – Public Works/Utilities Risk Management Online Training. No registration will be needed.

Many of the Municipal Association’s affiliate associations are also creating online versions of their scheduled annual meetings and quarterly meetings. These are still coming up for November and December:

- November 5 — the SC Association of Stormwater Managers will host its Fourth Quarter Meeting virtually.
- November 12 to 13 – The SC Municipal Human Resources Association hosts its Annual Meeting. Topics will include preventing abuse of employee policies, workplace diversity and accessibility as well as the new W-4 form.
- December 4 – SC Municipal Attorneys Association Annual Meeting and Continuing Legal Education Seminar.

Find the latest information on virtual meetings and sessions at www.masc.sc (keyword: training calendar).

Sharing Safety Tips for the **HOLIDAYS**

End-of-year holidays bring plenty of safety concerns, including fire hazards. Many cities and their fire departments take this time to raise awareness about risks associated with holiday activities by sharing safety materials or even staging demonstrations of fire risks.

Thanksgiving turkeys

The National Fire Protection Association counts Thanksgiving as the worst day of the year for home cooking fires, and deep fryers are part of the reason why. Those who use turkey fryers need to keep them outdoors and away from structures include carports, vegetation and garages. Keep the grease fryer on a firm, level surface with a 3-foot safety zone. Before placing the turkey in the fryer, make sure it has thawed and excess moisture is removed. Never allow children or pets around the turkey fryer and never leave an unattended cooking apparatus. It is a best practice to have a charged, inspected fire extinguisher available and close by if an accident occurs.

Holiday decorations

Live Christmas trees can become extremely dry — and extremely flammable — without proper and regular watering. The NFPA calculates that fire departments around the nation respond to an average of 160 fires that began with Christmas trees each year. Those fires are responsible for about three deaths, 15 injuries and \$10 million in property damage each year.

Municipal staff and residents who choose to have live trees in their town halls or homes should always ensure that they maintain moisture in the tree for as long as they display it. The U.S. Consumer Product Safety Commission website, www.cpsc.gov, offers a video



example showing the difference in flame resistance between a dried-out live tree and a well-watered tree. The dry tree, if exposed to a spark, can rapidly erupt into large flames. If using an artificial holiday tree, make sure it is labeled fireproof by a recognized testing laboratory.

Check the ornaments, decorations, and lights for labels indicating they are approved by Underwriters Laboratories, commonly known as UL, or an independent testing laboratory. Keep in mind that the use of extension cords and overloading the circuits also can cause fires. Do not plug any more than three strings of lights into each other, and make sure to inspect the light strings for worn or damaged insulation or lightbulbs. If the insulation shows signs of damage on the electrical cord, discard the cord and install a new one. Turn off, unplug or extinguish all decorations before leaving town hall or the municipal building. Also, be aware

that ornaments may look inviting to small children, so do not allow them to eat or swallow any ornaments or decorations.

Anyone hanging or installing decorations and lights needs to be mindful of ladder safety and the importance of using the right ladder. When using a step ladder, never step off the ladder except at ground level, and maintain three points of contact at all times. When stepping off of an extension ladder onto a roof or other working platform, make sure the ladder is secured from potential displacement, and that it reaches 36 inches above the platform.

Keep all flammable items away from holiday candles and never leave lit candles unattended. A great, safe alternative is to use battery-operated candles.

The National Fire Protection Association website, www.nfpa.org, offers safety documents that can serve as a starting point for communication on fire safety.

Update Your Information with the Municipal Association

The time has come again for all South Carolina municipalities to review, update and verify their information on the Municipal Information Dashboard.

To maintain the accuracy of all submitted information, the Association allows only one person from each municipality to handle the update: the municipal clerk or the clerk's designee. This year's deadline is Monday, November 23.

Updating this information every year helps the Association make sure it can effectively engage with cities and towns on a number of key issues. With correct and updated contact information, the Association can provide

- updates on legislative action at the State House that can greatly impact local government operations;
- registration opportunities for meetings, conferences and workshops, including the Association's Annual Meeting; and
- other training opportunities from the Association's affiliate organizations and Risk Management Services.



Every year, the Association publishes a directory featuring contact information for all 271 municipalities. The directory also lists out the specific form of government for each city and town and the regular schedule of council meetings and the names of all elected officials and certain staff positions.

The directory is available in print, and also online at www.masc.sc (keyword: municipal online directory).

For assistance, or to make a new designation for the person to handle the update, contact Joanna Ayers at jayers@masc.sc or 803.933.1259.

Time for the 2021 Compensation Survey

Every year, the Municipal Association of SC reaches out to city clerks and human resources staff to ask them to update their cities' compensation information for the Association's online compensation survey. The information they provide allows for an annual report of the wages and salaries paid to South Carolina municipal employees and elected officials.

Competitive pay is one of the most critical tools that cities and towns have to attract and retain employees. Local governments have to compete for job candidates who are also being targeted by state agencies, county governments and the private sector. Data on current salary ranges can help cities and towns maintain an edge.

The Association makes the data from its compensation survey available through its website, www.masc.sc. Municipalities can use this online tool to make sure that their compensation scale is competitive with other municipalities with comparable populations and budgets.

Responding to the survey is optional, but the Association encourages all municipalities to complete it every year, since widespread participation makes the data more useful. The 2021 survey will be available for data entry from January 4 to February 26.

For more information, visit www.masc.sc (keyword: compensation survey).



Finding Socially Distant Workarounds for Arts and Culture

The coronavirus pandemic hit just as cities and towns were gearing up for spring festivals and summer arts and cultural events. Event restrictions meant that many programs and events aimed at giving families local entertainment or education options were in danger.

In South Carolina, the cancellations have led to some creative workarounds, creating new ways to celebrate culture and community and offer family-friendly activities.

In Newberry, the summer tradition of free outdoor movies transitioned into a cultural throwback, as the city created a pop-up drive-in theater experience. The city set up a 40-foot blowup screen in a city parking lot and used an FM transmitter to allow attendees to listen to the film using their car stereos rather than over loudspeakers.

Mary Alex Kopp, Newberry's tourism and events manager, said the drive-in setup accommodates about 50 cars. Assuming four people per car, that would total 200 attendees — a little less than the event's usual crowds when people brought chairs and blankets to sit together under the stars.

Drive-in movie theaters have faded so much from their heyday that most attendees had never been to one, leading to unfamiliarity with the process. Kopp

and her team made a short video explaining drive-in rules and etiquette, while also explaining why people couldn't bring their golf carts — state law prohibits driving golf carts on roads after dark. They also explained why pandemic restrictions meant that families needed to stay in their cars.

In the fall, Oktoberfest serves as one of the most important events on Newberry's cultural calendar. The city's largest outdoor festival features arts and food vendors to help celebrate the town's German heritage. Rather than cancel it, the city decided to move the entire event online.

The virtual festival ran for two weeks and included about 30 artisans and craftspeople selling their goods in a virtual vendor fair. Restaurants offered takeout "taste of Oktoberfest" menus and recipes for traditional German dishes that could be made at home. The event also featured lots of at-home activities for kids as well as contests with prizes.

"There is an authenticity to the celebration because of the heritage of the area," Kopp said. "Many people treat it like a homecoming when they come back to visit family and friends. It's sad that we can't do it in the same sense that we always do, but it's nice to try to give them something."

The City of Walhalla did not host its annual Oktoberfest this year, but it has worked to give residents and visitors some ongoing arts and culture opportunities. During the pandemic, Walhalla's small size has worked to its advantage, said Libby Imbody, director of Main Street Walhalla.

"If we have an event and the maximum size we can have is 250 people — that's a good-sized event for us," Imbody said.

Instead of larger outdoor events with vendors and activities all packed together on Walhalla's traditional Main Street, Imbody helped create several smaller events with venues spread further apart.

"Being able to host smaller events to get a couple of vendors out there helps that community that has really had their livelihood taken away by COVID," Imbody said.

"These artists, these makers, are also local small businesses. We need to help out that maker community that has lost a ton of work because there are no events."

One event, the "Dog Days of Summer," focused on bakers and craftspeople who make things for pets.

"People came with their dogs throughout the day," Imbody said. "It was not a huge crowd, but it just kind of keeps it going and keeps Walhalla on people's minds."



The City of Newberry transitioned its free outdoor movies into a drive-in movie theater in a parking lot. Photo: City of Newberry.

The town waived its vendor fee at its farmers market and extended the dates through September.

Walhalla also turned its kid-centric “Summer Nights on Short Street,” which usually takes place inside museums, into take-home activity kits that parents could pick up and use at home with their children. Families would sign up on Facebook for the event then drove by and picked up the activity kits in advance of the weekend.

“Parents could come by and get their stuff, like coloring sheets, different activities, recipes, instructions for games, YouTube and Spotify playlists for each event,” Imbody said. “It was a crash-course, last-minute thing, but we had great sponsors for that.”

The smaller, more frequent events have been a hit with residents and local businesses.

“We want to take this idea of these smaller events and carry it on post-COVID,” Imbody said. “Our merchants have been happy with it. They say, ‘Let’s do it every weekend.’”

For one city, the response to the pandemic’s effect on arts and culture was something they could accommodate all along with a virtual museum. Now, the alternative to museum visits they created has actually increased their “visitors.”

The Bertha Lee Strickland Cultural Museum and the Lunney Museum in Seneca tell the stories of the African American experience as well as the story of one of the town’s prominent white families in the late 19th and early 20th centuries — the Lunneys.



Libby Imbody distributes activity kits for the “Summer Nights on Short Street.” Photo: City of Walhalla.

The directors of the two museums, Shelby Henderson and Nick McKinney, work together to create exhibits that tell these stories. When the pandemic hit, they worked quickly to put their limited resources into exhibits online.

“One of the advantages or disadvantages of a small museum is that because you have limited staff, it’s a lot easier to

pivot,” said McKinney, who added that his role is to help convert Henderson’s vision into reality — even when it’s virtual.

“When you’re a larger institution, it takes longer to turn and try to get something new out because so many people and different moving parts are operating, he said. “Trust me, we would love to have more moving parts, but in some ways, it has its advantages, and this is one of those ways. We can say, ‘Our new focus is this, how do we make it happen?’”

The result is a collection of virtual exhibits hosted on the museums’ own websites, found at www.blscm.org and www.lunneymuseum.org.

These virtual exhibits have shown how a socially distant option can create new opportunities, even during the pandemic, since they have drawn more visitors than the museums themselves drew when they were open. More importantly for Henderson, the exhibits are getting visitors who are coming back multiple times.

“A huge parameter for me was people clicking on it a second time, a third time,” said Henderson, who helped the Bertha Lee Strickland museum get started four years ago. “We are close to triple what our visitation would be in person if we had been open.”

The pandemic has limited the way cities and towns have been able to host in-person gatherings. Even so, creative changes made by local leaders have allowed for new ways to involve residents and businesses in their communities.



The Bertha Lee Strickland Cultural Museum offers has offered virtual versions of its exhibits online. Photos: City of Seneca.

Plan for the Risks With Special Events

Many special events have gone on hiatus as a result of the pandemic. Event planners delayed or canceled events even before Gov. McMaster's Executive Order 2020-50 in August, which spelled out occupancy limitations for public gatherings. Several guidance documents have come about to help planners determine the questions to ask when moving ahead with an event, including the Centers for Disease Control and Prevention's *Readiness and Planning Tool*, found at www.cdc.gov.

The governor's accelerateSC pandemic task force, meanwhile, created some documents to help with this decision making. These guides, found at www.accelerate.sc.gov, include *Guidelines for Re-opening Festivals & Special Events* and *Guidelines for Re-opening Mass Gatherings or Large Community Events*.

Planning and preparation for future special events is still happening, and so cities and towns will still need to consider many risks beyond the pandemic for the events they host. For events like festivals, concerts, sports and fireworks displays, risk coordinators and other key municipal staff should form a special events committee and start special events planning far in advance. Stakeholders such as police, fire and public works should meet to determine the types of special events that occur within the city, identify risks, develop effective controls, and assess the potential impact on the city, residents and local businesses. City officials should also consider designating one staff member to serve as a coordinator of all special event activities and oversee the special events committee.

When planning events, cities need to answer several questions to determine how best to protect both residents and city assets. First, what could go wrong at the event? What preventive measures can be



taken against these negative outcomes? If something does go wrong, how will the city or town pay for it?

"Drafting a special events policy and having it reviewed by the city attorney is a key way to manage the risk that a special event can create," Heather Ricard, director of the Municipal Association of SC's Risk Management Services, said. "Another good practice is for cities to require applications for third parties wanting to use city property for an event, so that the city can properly manage any liability aspects of the event."

Most liability insurance policies have exclusions that can affect special events, and municipal officials should be familiar with the exclusions stipulated in their policies.

Activities commonly excluded by liability coverage

- Communicable diseases, including the coronavirus
- Bungee jumping and similar amusement devices
- Fireworks displays
- Skateboarding
- Parachuting and hang gliding
- Airplane, helicopter or ballooning rides and shows

- Archery
- Mechanical amusement devices
- Zoos
- Traveling carnivals and circuses
- Rodeos
- Trampolines and rebounding equipment, commonly known as bounce houses
- Concerts organized and promoted by third parties

Hiring a contract event coordinator or contractor to host a special event may remove the burden of planning the event from city staff. However, the municipality should vet and screen the contractor to ensure the contractor has the experience and expertise to oversee the event. The city or town should obtain a copy of the contractor's insurance policy prior to the event and call to verify coverage with the issuing agent the day prior to the event. Be on the lookout for activities that aren't covered by the city's insurance policy and ensure that the contractor's policy covers activities excluded by the city's insurance. If not, the city could be held liable in the event of a claim. Be careful not to exercise too much control over the event and the contractor, this could result in the event no longer being managed independently.

MAIN STREET

• South Carolina •

Annual Reinvestment Statistics

Main Street South Carolina is a technical assistance program that empowers communities as they revitalize their historic downtowns, encouraging economic development and historic preservation. Learn more at www.masc.sc (keyword: Main Street).

Reinvestment statistics are based on 2019 data.

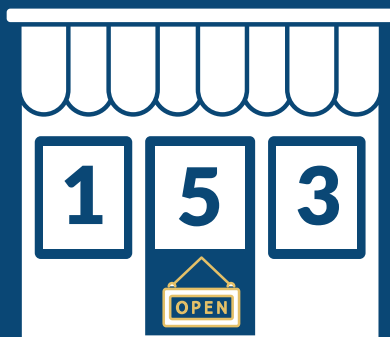
\$80,000

AVERAGE
ORGANIZATION
BUDGET



743

New Jobs



New Businesses



Private
94.6%



Construction and
Rehabilitation
Projects



Volunteer
Hours



Municipal Association of South CarolinaSM

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Calendar

To ensure the safety and well-being of our members, the Municipal Association of SC will host its training sessions and meetings through at least the end of 2020 virtually when possible.

Information about events and how members can access the virtual events will be updated on the Association's website.

NOVEMBER

3 Main Street SC New Director Orientation.

5 SC Association of Stormwater Managers Fourth Quarter Meeting.

10 Risk Management Services Annual Members Meeting.

12 - 13 SC Municipal Human Resources Association Annual Meeting.

16 uptown: november 2020

DECEMBER

4 SC Municipal Attorneys Association Annual Meeting and Continuing Legal Education Seminar.

9 SCMIT and SCMIRF Public Works/Utilities Risk Management Training.

2021

FEBRUARY

3 Municipal Elected Officials Institute of Government, Advanced Institute and Advance Continuing Education.

MARCH

15 - 17 SC Utility Billing Association Annual Meeting.

25 Municipal Technology Association of SC Spring Meeting.

APRIL

16 Municipal Court Administration Association of SC Spring Meeting.

MAY

2 - 5 Building Officials Association of South Carolina Annual Meeting.

3 - 5 SC Community Development Association Annual Meeting.