

# UPTOWN

## Cities and towns for a better South Carolina

**W**ith more than 500 in attendance, the Municipal Association of South Carolina's Hometown Legislative Action Day (HLAD) was a great success. Governor Mark Sanford, Mayor Joe Riley of Charleston, Senator Jim Ritchie of Spartanburg and MASC President Tom Peebles, mayor of Hilton Head Island, all discussed the essential value of SC cities and towns to the future of South Carolina and the importance of local officials having the authority to make decisions locally.

"It is easier to have a higher level of political involvement at the municipal level than at the state or federal level. Wherever possible, I think you need to send power and authority to the most local level because that allows the maximum degree of self-determination,"

Governor Sanford said. The governor's embrace of local self-determination is heartening and bodes well for possible changes that enable cities and towns to reach their full potential.

As the luncheon speaker, Senator Ritchie articulated his appreciation and support for South Carolina's cities and towns. He recounted the myriad of governmental reforms passed and being considered by the legislature and noted how municipal needs have not been addressed.

Senator Ritchie believes that South Carolina's current annexation laws can result in duplicating and sometimes overlapping infrastructure and services that drive up costs and decrease revenues needed for maintenance and expansion. Consequently, he told the

audience of his plans to introduce legislation that helps municipalities better serve their growing communities by modernizing South Carolina's outdated annexation laws. (See related article on page 4.)

Mayor Joe Riley of Charleston rallied the audience around the value of municipalities. He pointed out how municipalities are the economic engines and social hubs of South Carolina and how the prosperity of municipalities and their regions is intertwined. Convention centers, hospitals, universities, sports arenas and other marquee assets are located in our cities and towns, but serve many. Their central locations enable

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**April 2005**

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### MASC's 65th Annual Meeting

**M**ASC's 65th Annual Meeting kicks off July 28 on Hilton Head Island at the Marriott Beach and Golf Resort. Don't miss out on this time to network with municipal officials from across the state, gain valuable information to help you better serve your constituents and renew your enthusiasm for serving the citizens of your city.

MASC will mail conference registration information to all municipal officials and patrons on May 11. MASC will also place the registration brochure on the MASC Web site ([www.masc.sc](http://www.masc.sc)) at noon on May 11.

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# Cities having success with GovDeals

Employees of the cities of Anderson and Lake City are firm believers in the saying, "One man's trash is another man's treasure." Without leaving city hall, they are selling municipal surplus such as police cars, computers and holiday decorations to the highest bidder at a live Internet auction.

GovDeals is an Internet auction service for government surplus and abandoned and confiscated properties that allows municipalities to buy or sell surplus goods online. The secret to this service is being able to provide an environment for bidders to view products and conduct business at a time that fits their schedule. "They never have to worry about a rainout date and re-scheduling or being 'too hot' or 'too cold' during their auction," said Steve Kranzusch, GovDeals marketing director.

"It's amazing how GovDeals is able to quickly sell items we've been trying to sell at local auctions," said Cherline Miles, clerk for Lake City. "And their service is so simple to use."

GovDeals requires no special software, although Internet access and a digital camera are necessary. Buyers can search the GovDeals site for items of interest. GovDeals also uses e-mail, regular mail and faxes to actively advertise items to buyers

## What does it cost?

- GovDeals fees **paid by the municipality** are 7-1/2 percent of the final sales price.
- At the end of the online auction, GovDeals will send **to the municipality** an itemized summary of all items sold, the final sales price and the commission per item.
- Payment to your municipality is received within 30 days from the receipt of the invoice.

## How do I get started?

- Contact GovDeals at 1-800-613-0156 and discuss your specific needs. GovDeals will schedule a personal appointment.
- Execute a Sellers Agreement, including terms and conditions you require of buyers.
- Select a project manager at your municipality as a primary contact to arrange for on-site training by GovDeals. Staff will need access to a digital camera and Internet connectivity.
- Once training is complete, your municipality is ready for its first sale.

who have expressed an interest in a specific piece of municipal equipment. "We work with **cities** to notify traditional buyers locally, but we also provide statewide, regional and national buyers," said Kranzusch. "Traffic on our site is continually growing, which means more buyers and a higher number of competitive bids."

At the City of Anderson, buyers were competing over one specific item recently showcased during its online auction. "Most of the bids are from local people, since our bid rules state buyers have to pick up the items in person, but bids on a vehicle have come as far away as Alabama, where the auction company is based," said Mark Cunningham, city information services director. "It's a great service. We'll never have to accept a low price again or transport equipment back to town hall that doesn't sell."

*If your municipality is interested in learning more about GovDeals, call Steve Kranzusch at 1-800-613-0156, extension 149, or visit the GovDeals Web site at [www.govdeals.com](http://www.govdeals.com).*

## Annual Meeting continued from cover

"We are introducing an additional way to make hotel reservations this year," explained Michelle James, MASC's director of education and training. "In addition to sending reservations by mail or hand delivering, officials can reserve their hotel rooms by phone or online, using a credit card to secure the reservation."

MASC strongly encourages all patrons and exhibitors to make reservations at the Crowne Plaza, Hilton or Palmetto Dunes Villas to leave as many rooms as possible for municipal officials at the Marriott. Municipal Association staff is working with the Marriott to ensure exhibitors not staying at the Marriott will have

convenient access to the hotel for loading and unloading.

Mark your calendar now and make plans to be part of the Municipal Association's 65th Annual Meeting, July 28-31. The pre-registration deadline is July 5, and the hotel reservation deadline is June 20.

# Urban density annexation: A new approach for South Carolina

Experts in municipal government have long considered North Carolina's annexation law to be one of the best in the country. In the 1930s, the North Carolina General Assembly made a public policy decision declaring if an area is urban in nature, it should be municipal. As a result, the North Carolina annexation law allows municipalities to expand to their natural boundaries each year by ordinance.

In a recent study for the North Carolina League of Municipalities, David Rusk said because of North Carolina's annexation law, "North Carolina's central cities are among the USA's most economically healthy cities, maintaining socioeconomic balance with their surrounding areas; are dominant job centers; are among the USA's most fiscally healthy cities with high bond ratings; and because of (in part) its healthy central cities, North Carolina's metropolitan areas experience dynamic economic growth."

In South Carolina, Senator Jim Ritchie of Spartanburg recently introduced three bills to amend the South Carolina annexation law. One of these bills, urban density annexation, takes the North Carolina approach by allowing municipalities to annex an area if it reaches certain population and density requirements.

The federal government defines an area as urban if it has a population density of 1,000 persons per square mile (or 1.56 persons per acre). The density requirement in Senator Ritchie's bill is more stringent. It requires 2.3 persons per acre, which is 50 percent higher than the federal government's standard.

Municipalities are the centers of commerce, government and cultural

To use the proposed annexation method, the area to be annexed must meet one of these standards:

- Have a resident population of 2.3 persons per acre.
- Have a combination of a resident population of one person per acre and 60 percent of the area subdivided into tracts of three acres or less. Sixty-five percent of the subdivided tracts must be one acre or smaller.
- Sixty percent of the area must be developed for residential, commercial, industrial, institutional or governmental use, and 60 percent of the residential tracts must be three acres or less.
- All tracts are used for commercial, industrial, governmental or institutional purposes.

In all cases, the area must be contiguous to the municipal boundaries and not included within the boundaries of another municipality.

and recreational activities in their region. Because of the quality of life provided by a municipality, the region develops, and growth occurs on the fringe of the municipal limits. South Carolina's restrictive annexation laws have caused special-purpose districts to be created to provide municipal-type services in these growing areas. South Carolina has the second-highest number of special-purpose districts in the country, resulting in fragmented government and inefficient delivery of municipal-type services.

Urban density annexation would allow South Carolina cities to expand into these urban areas so that both the city and the urban area remain economically, financially and politically healthy. Economically, these areas will receive municipal services, such as police and fire protection, in a more efficient and effective manner. Additional police and fire personnel can ensure a quicker response time to emergencies and lower fire insurance premiums. Financially, the city will remain healthy because all those benefiting from municipal services will provide the funding required for providing these services. Urban density annexation also provides property owners a way to protect their investments through planning and zoning. Finally, expanding the municipal boundaries brings suburban citizens fully into the community's decision-making process by giving them a voice at the ballot box.

Ritchie's urban density annexation bill does not give municipalities the uncontrolled ability to expand their boundaries. The legislation contains checks and balances. It requires the city to follow set procedures before annexing an area, and it requires the city to meet service delivery standards once the area is annexed. Prior to annexing the area, the city must determine if the area meets the population and development criteria. Then it must prepare a service delivery and financial impact report in addition to conducting an informational meeting with residents and property owners of the area considered for annexation. The city must also conduct a public hearing with the property owners and

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# Chlorine: A lurking danger for municipalities?

The January train wreck in Graniteville was a grim reminder of the dangerous effects of a chlorine gas leak. A Norfolk Southern train carrying a large quantity of chlorine collided with a parked train and released a deadly cloud of chlorine gas. As we learned, exposure to the gas can be fatal. Local government employees often find themselves on the front line of these types of disasters as first responders to the scene. One month after the Graniteville accident, 15 Columbia firefighters were rushed to the hospital after being exposed to a toxic level of chlorine gas while working a house fire. Granular chlorine stored in the house smoldered during the fire and produced toxic levels of chlorine gas.

Municipal employees also risk exposure to dangerous levels of chlorine gas from the large amounts stored at water and wastewater treatment plants. Stored in either 150-pound or one-ton cylinders, the chlorine is used as a cleaning agent. While there are other methods of purifying water and wastewater, none seem to be as cost effective as chlorine gas.

Using chlorine comes at a cost, namely the potential of an accidental release. Chlorine, in low concentrations, has an irritating and suffocating odor that causes the eyes to burn, the nose and throat to tickle and breathing difficulties. In higher concentrations, as in Graniteville, it can cause chest pain, vomiting, fluid buildup in the lungs and ultimately death. Chlorine, at high-enough concentrations, can kill within a few breaths.

At a bare minimum, municipal employees need to understand the dangers of chlorine gas. If an employee

is expected to routinely handle chlorine gas, the municipality must conduct documented training on respiratory protection, personal protective equipment, container handling and storage, proper connection/disconnection of cylinders and emergency procedures.

Municipalities must also take steps to ensure the general public is protected from chlorine being stored by the municipality (particularly in nearby proximity to the storage area). This includes putting warning systems in place. At higher storage levels, the municipality needs to design evacuation plans and emergency response protocol as required by the Environmental Protection Agency's (EPA's) Risk Management Plan.

From a practical standpoint, keeping chlorine out of sight of would-be vandals is one of the most important steps. Municipalities should construct walls and enclosures to ensure public access to municipal chlorine sources is restricted.

South Carolina Municipal Insurance Trust (SCMIT) members will receive training materials for their employees on chlorine. MASC's risk and safety services staff can help members assess their chlorine exposures. OSHA ([www.osha.gov](http://www.osha.gov)) and the EPA ([www.epa.gov](http://www.epa.gov)) have excellent chlorine resources available in hard copy and on their respective Web sites.

*South Carolina Municipal Insurance Trust is a self-funded workers' compensation program administered by MASC. The Risk Management and Safety Services Program helps members of the Association's self-funded insurance programs build effective safety and health programs.*



## Classifieds

■ The City of Rock Hill is accepting applications for a textile corridor re-development manager. Submit resumé to the Human Resources Department, City of Rock Hill, PO Box 11706, Rock Hill, SC 29731.

■ The City of Georgetown is accepting applications for the position of city administrator. Submit resumé to HR Manager, City of Georgetown, PO Drawer 939, Georgetown, SC 29442 or e-mail [sfulton@cogsc.com](mailto:sfulton@cogsc.com).

■ The City of Greenville is accepting applications for a budget analyst. Send resumé and cover letter to Human Resources, PO Box 2207, City Hall, Greenville, SC 29602.

## Urban density

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residents to allow them to comment on the proposed annexation. Once the city has complied with the necessary pre-annexation procedures, it may annex the area by ordinance. Immediately on the annexation's effective date, the city must provide police and fire protection, solid waste collection and street maintenance services at the same level provided to other citizens within municipal boundaries. If the city is unable to meet the timetable for providing the services, citizens in the area can ask to have their property taxes rebated.

"We are hopeful, through the debate on this legislation, our partners — citizens, business leaders and other state elected officials — will realize the value of municipalities to the future well-being of our state and assist in passing this legislation," said Gary Cannon, director of intergovernmental relations for MASC.

# Thirty-nine graduate from Municipal Elected Officials Institute

**T**hirty-nine municipal officials graduated from the South Carolina Municipal Elected Officials Institute of Government during MASC's Hometown Legislative Action Day in February. The Institute is sponsored by the Municipal Association in cooperation with USC's Institute of Public

Service and Policy Research and Clemson University's Strom Thurmond Institute. Institute topics address the varied concerns of local government such as powers and duties of elected officials, finance and planning/zoning. The next session, "You've Been Elected — Now What?" and "The

Freedom of Information Act in South Carolina," will be broadcast via satellite to the 10 regional councils of government May 5. For more information, visit [www.masc.sc](http://www.masc.sc) or contact Sophia Johnson at 803.933.1236 or [sjohnson@masc.sc](mailto:sjohnson@masc.sc).



The winter 2005 graduates of the Municipal Elected Officials Institute of Government are, in alphabetical order, Nancy Anderson of Chester, Jay Arrowood of Greer, Leslie Baker of Society Hill, Grant Bumgarner of Travelers Rest, Rozia Burison of Estill, Robert Butler of Saluda, Dyan Cohen of Darlington, Gary Crawford of Hanahan, Ronnie Crawford of Chesnee, Mike Dawson of Summerville, Jay Dover of Clover, Thomas Gaskins of Society Hill, William Gaskins of Hartsville, Rickey Holland Sr. of Calhoun Falls, Tameika Isaac-Devine of Columbia, Jack Kinder of Andrews, Grady Ellis Lark of Honea Path, King Lowery of Timmonsville, Wayne McCall of Travelers Rest, Zenobia Newton of Society Hill, Robin Owens of Brunson, Stephen Perkins of Tega Cay, Brian Petersen of Liberty, Thomas Reid of Gaffney, Michael Sheriff of Liberty, Marilyn Smart of Brunson, William Sumner of Lancaster, Kelly Wallace of Society Hill, Jack Wilkes of Winnsboro, Janie Wilson of Blacksburg and Terry Wright of Brunson. (Note: Not all graduates listed appear in photo.)



Additional winter 2005 graduates of the Municipal Elected Officials Institute of Government are, in alphabetical order, Larry Carr of Mount Pleasant, Delores Cooper of Awendaw, Cindy Jordan of Maudlin, Bonnie Maxwell of Ware Shoals, Alvin Maynor of Olar, Carl Shults Jr. of Inman, Martha Smith of Woodruff and Ivory Wilson of Conway.

## Municipalities must amend vested rights ordinances by July 1

On August 8, 2004, Governor Sanford signed the Vested Rights Act. Current case law allows a property owner to be “vested” with the right to develop his property as approved by the local government planning process at the time a building permit is issued. The Vested Rights Act allows the municipality to establish, by ordinance, the vesting at any time before the building permit is issued, but no earlier than the first approval of the project by the local governing body.

To establish a point of vesting other than the date the building permit is issued, local governments must amend their local planning and zoning ordinances by the Act’s effective date, July 1, 2005.

MASC has prepared a model ordinance, which is posted on the MASC Web site at [www.masc.sc](http://www.masc.sc).

*For further information about this change, contact Gary M. Cannon at 803.933.1203 or [gcannon@masc.sc](mailto:gcannon@masc.sc).*

## Cities and towns continued from cover

businesses and residents to conveniently accomplish the needs of their busy lives.

Mayor Riley inspired attendees. “We’re used to thinking of the future. That’s our job. When we build a park, we’re building for the future. When we plant a tree, we’re building for the future. I ask us to think about 50 years from now, not in terms of our specific cities, but about the state of South Carolina and what our responsibility is to make this wonderful state as good as it can be 50 years from now.

“It should be the ‘golden era’ of South Carolina, its best time. It will not be the ‘golden era,’ however, unless we have strong, healthy and vigorous cities and towns. It is our responsibility as stewards of the future to get that word out and have it

become a basic element of policy in South Carolina.”

MASC President Tom Peeples, mayor of Hilton Head Island, not only spoke of the value of cities to our state, but also of the need for true Home Rule. “Democracy is a great thing. Our citizens elect us because we have articulated a vision for our city or town that is in step with their vision. And we take our responsibility seriously to work hard and achieve this vision. But in order to meet the vision of our communities, the General Assembly must make available to municipal governments an array of tools and resources and give us — municipal elected officials — the authority to make decisions that are best for our cities and towns.”

## News Briefs



■ The City of North Charleston received a Housing Achievement Award in the Public Sector category from the South Carolina State Housing Finance and Development Authority. Seven awards were presented to celebrate innovation, best practices and excellence in the affordable housing arena.

■ In January, SC Municipal Insurance Trust members elected their 2005 board: Chairman — Stephen Riley of Hilton Head Island, Vice Chairman — Sam Bennett of Clinton, Members At-Large — Mel Pearson of Camden, Jim Duckett of Lexington, Joey Tanner of Georgetown, Darene Stankus of Florence, Al Cothran of Aiken, Steve Willis of Lancaster and James Taylor of Gaffney.

■ The South Carolina Forestry Commission, in cooperation with the US Forest Service, is offering a matching grant program for the 2005 Urban and Community Forestry (U&CF) Financial Assistance & Partnership Program. The program provides funding for projects that improve the management, conservation and maintenance of the tree resource in and around South Carolina communities. The funding cycle is July 1, 2005 through June 30, 2006. Deadline for proposals is May 6, 2005. For more information, contact Gloria Freeman at 803.896.8846 or [gfreeman@forestry.state.sc.us](mailto:gfreeman@forestry.state.sc.us).

■ The City of Greenville and design partner URS Corporation were recognized with the 2005 Engineering Excellence Awards for the design and construction of the roadwork on the International Center for Automotive Research (ICAR) and Millennium Campus. The award was presented at an awards banquet in Columbia hosted by the South Carolina chapter of the American Council of Engineering Companies, an organization that recognizes engineering achievements “which demonstrate the highest degree of merit and ingenuity.”



## Educational Opportunities

### SC Association of Municipal Power Systems

■ **April 13**, will hold its Annual Legislative Dinner at Seawell's in Columbia.

### Municipal Technology Association of SC

■ **April 14**, will hold a meeting at the Lexington Municipal Complex. Topics include "Freedom of Information Act and Technology," "Disaster Recovery" and "Network Security."

### Municipal Managers

■ **April 15**, will hold a Quarterly Meeting at Seawell's in Columbia.

### SC Association of Municipal Power Systems

■ **April 20-21**, will hold its Lineman Safety Training and Competition at the Pine Island Club at Lake Murray.

### SC Municipal Finance Officers, Clerks and Treasurers Association

■ **April 21**, will hold its Spring Meeting at Seawell's in Columbia. Topics include "Fines and Fees Auditing," "Workers' Compensation," "IIMC and National Certification" and "Meeting Agendas and Minutes."

### Hometown Connection

■ **April 26**, municipal officials from Abbeville, Chesterfield, Clarendon, Darlington, Edgefield, Greenwood, Kershaw, Laurens, Lee, Marlboro, McCormick, Newberry, Saluda, Sumter and Union counties visit with their state legislators. Officials should meet at MASC's office at 1411 Gervais Street in Columbia at 10:30 a.m.

For more information about these meetings or other MASC meetings not listed, please call 803.799.9574, or visit our Web site at [www.masc.sc](http://www.masc.sc).

### SC Business Licensing Officials Association

■ **May 4**, will hold its Spring Meeting at Seawell's in Columbia. Topics include "Business Licensing Procedures," "Real Estate Licensing," "The Freedom of Information Act" and "Conflict Management in the Field."

### Municipal Elected Officials Institute of Government

■ **May 5**, will present "You've Been Elected — Now What?" and "The Freedom of Information Act in South Carolina." The session will be broadcast via satellite to the 10 regional councils of government.



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