

UPTOWN

Hometown Legislative Action Day

Municipal authority over municipal issues — the concept of Home Rule — is at the heart of every legislative issue South Carolina municipalities face today. It has been said repeatedly that municipal government is the government closest to the people. “Municipal officials know cities and towns and understand better than anyone else how issues debated in Columbia will impact their municipality,” said Howard Duvall, MASC executive director. This is why attending the Hometown Legislative Action Day in Columbia is so important.

The annual gathering of municipal officials in Columbia each February has traditionally been called the MASC Winter Meeting and Legislative Event. This year, MASC changed the name to more accurately reflect the meeting’s purpose — *legislative action*. Plan

now to be in Columbia on February 18 for *Hometown Legislative Action Day*.

The entire day will focus on advancing MASC’s top legislative initiatives. Attendees will be given the tools to take the hometown message to the Statehouse.

Municipal officials will physically take their message to the Statehouse on February 18. After the opening general session, Hometown Legislative Action Day will move to the Statehouse. MASC will request that the House and Senate adopt a concurrent resolution recognizing the day as *South Carolina Hometown Day*. It is imperative to have every inch of the gallery in each chamber and the lobby packed as the Senate and the House recognize S.C. municipal officials.

During the 2003 Annual Meeting, incoming MASC President Lillian

Flemming called for a year of collaborative partnerships. Hometown Legislative Action Day is an opportunity for municipal officials to develop, maintain and improve collaborative partnerships with state elected officials. It is also an opportunity for municipal officials to learn about the top municipal issues being debated and how Home Rule is at the center of all legislative decisions affecting municipalities.

The concept of Home Rule was embraced by S.C. voters in 1973 and was intended to give municipalities the authority to meet the challenges and opportunities that exist in their respective communities. When the General Assembly passed the enabling legislation in 1975, it neglected to provide local governments with fiscal Home

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Support H3530

Municipal officials will push for early approval of H3530 when legislators reconvene in January. H3530 corrects the revenue shortfall caused by the Telecommunications Act of 1999. The act calls for a 0.75 percent business license tax on the telecommunications industry to go into effect January 1. This decrease from the traditional 3 percent franchise fee will cause a \$20 million shortfall for South Carolina municipalities, according to a recent study by the University of South Carolina. H3530 calls for a more reasonable tax of 1.25 percent.

By supporting H3530, legislators will have the opportunity to fulfill promises made in 1999. Legislators promised municipalities they would not lose revenues because of the act. The act’s intent was to level the playing field for

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Effects of bankruptcy on utility billing

When a utility customer files a petition for bankruptcy, is the municipality able to recover any unpaid utility charges incurred before the filing? Can a municipality apply a customer security deposit to satisfy a portion of the pre-bankruptcy petition debt? Will the municipality be able to collect future utility service charges? Can utility service to a customer in bankruptcy be terminated?

The state of our economy, with its high unemployment rate, has caused bankruptcy court filings for both individuals and businesses to increase. Those seeking bankruptcy protection are often utility customers. As a creditor and continuing service provider of a debtor in bankruptcy, a municipality is subject to federal bankruptcy laws. These laws present challenges and hurdles in handling and collecting utility charges.

Federal bankruptcy laws do offer some specific protections for utility service providers. By using these laws, a municipality can seek certain “assurances” of payment for post-bankruptcy petition utility charges and can terminate service if post-petition payments are not made. The federal bankruptcy laws also provide an additional avenue of protection if the utility’s post-petition charges can be characterized as “administrative expenses” of the debtor’s estate. “Administrative expenses” are the “actual, necessary costs and expenses of preserving the estate.”

The bankruptcy act provides a debtor “breathing space” and organizes assets so a response can be made to creditors’ demands. This response, depending on the type or “chapter” of bankruptcy, can result in (1) Chapter 7 — liquidation of the debtor’s estate and payment (partial payment or elimination) of the various debts, (2) Chapter 11 — reorganization of assets and debts, or (3) Chapter 13 — adjustment of debts with a repayment plan in the case of a wage-earner.

Once a bankruptcy petition is filed under any of these chapters, the bankruptcy act imposes an “automatic

stay” on efforts to collect monies owed before the filing date of the petition (pre-petition debt) (11 U.S.C. Section 362). Among other things, the automatic stay prohibits bringing or continuing civil actions to collect the pre-petition debt or to impose a lien on the debtor’s property. A creditor, unless excepted or released by the court from the automatic stay, must abide by the stay and follow the bankruptcy procedure to be entitled to receive payment for pre-petition debt. Creditors who violate the stay can be sued by the debtor for actual damages, attorneys’ fees and punitive damages. Violators of the stay are also subject to punishment by the bankruptcy court under its contempt powers.

Under the bankruptcy procedures, a creditor (such as a municipal utility service provider) should file a proof of claim for pre-petition debt. This is a good practice, even if the debt to the utility is listed on the schedule of debts filed by the debtor. The utility’s proof of claim should be filed with the bankruptcy court using the court’s prescribed form and within the specified period. The person responsible for pursuing the utility’s claim should carefully read the notice from the court concerning the manner in which the proof of claim is to be filed and the time limits for filing.

Receiving a bankruptcy notice should trigger several immediate actions by a utility. In addition to following a diary system to ensure that a proof of claim will be filed in a timely manner, the utility should “red flag” the customer account and arrange for an immediate reading of

A **Chapter 7** (of Title 11 of the United States Code) bankruptcy action is the typical “fresh start” bankruptcy in which assets are liquidated. An independent trustee reduces the debtor’s estate to cash to pay creditors. Secured creditors are the first paid. Any remaining monies are paid to unsecured creditors, usually on a pro-rata basis. In the typical Chapter 7 bankruptcy, there are no funds left to distribute to unsecured creditors. Utility providers are almost always unsecured creditors.

Under a **Chapter 11** bankruptcy, the trustee’s first aim is to reorganize the debtor’s financial affairs. A business seeking a Chapter 11 bankruptcy will usually continue operating. The trustee may operate the business. The goal is to reduce the amount of debt and create a payment plan for the remaining debt.

An individual who has a regular income (a wage-earner) or a self-employed individual can seek a debt adjustment under a **Chapter 13** bankruptcy. The trustee can arrange a repayment plan to include installment payments over a three-year to five-year period.

the customer’s service meter. As soon as the reading is accomplished, the current service account number should be closed and a new account number assigned. A special billing should then be obtained that will reflect the service

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activity and unpaid charges for the closed account. This will allow the utility to distinguish readily between the pre-bankruptcy petition period service charges, which will be the subject of the bankruptcy court proceedings, and the post-bankruptcy period service charges, which the utility may be able to collect. Another good practice should be to arrange for the municipality's attorney to become involved in the claim process at this point.

Security deposit

Under the legal theory of "recoupment," a utility should be able to apply the customer's security deposit for the closed account to the unpaid charges for the pre-petition period. Although not allowed in some states, it appears that the bankruptcy court in South Carolina does allow recoupment of unpaid charges by this method. The automatic stay does not apply to this type of recoupment. The utility's proof of claim should reflect the balance owed after application of the security deposit to the unpaid charges.

Adequate assurance of post-petition payment

Title 11 U.S. Code Section 366 deals with special protection for utility service. Subsection (b) of Section 366 requires

the debtor or trustee, within 20 days after the date of the court's order of relief, to furnish to the utility "adequate assurance of payment, in the form of a deposit or other security, for service after such date." The date of the order of relief in a "voluntary" (debtor-filed) bankruptcy is the date the petition for bankruptcy is filed. In an "involuntary" (creditor-filed) bankruptcy, the date of the order of relief may be later than the date the petition is filed. In an involuntary case, the utility may want to request that the post-petition utility charges be treated as an "administrative expense" of the debtor's estate. Ongoing businesses in particular need continued utility service to maintain operations. Administrative expenses receive priority payment from the bankruptcy court.

Section 366(b) does not set out a formula or amount for "adequate assurance of payment." Courts have ruled that the amount and type of assurance should be reasonable and based on the facts of each individual case. Things to consider are the payment history, the ability of the debtor to make ongoing payments, and the availability of status of the charges as an administrative expense. For residential customers, a good practice may be for the utility to set a post-petition

deposit requirement in line with the deposit requirement for new residential customers. For non-residential high-quantity utility users, it may be prudent to require higher deposits and/or to alter payment schedules to more closely approximate a "cash on delivery" approach. It also appears to be a good practice for the utility to take the initiative to notify the debtor or trustee of the utility's view of "adequate assurance" rather than simply wait for, and react to, the customer's proposal within the 20-day period.

An agreement with the debtor or trustee on "adequate assurance" should include a provision for termination of service if payments for the post-petition period are not promptly made. Even without such an express agreement, it appears that a utility can terminate for non-payment for post-petition charges. To avoid a charge of unlawful discrimination against the debtor, a good practice is for the utility to follow its usual procedure for pre-termination notice, hearing and right-to-cure.

As with any overview, this article is general in nature and does not deal with all circumstances or with all applications of the law. The municipal attorney should be consulted before taking action.

Bankruptcy and Utility Service

11 U.S. Code Section 366

- (a) Except as provided in subsection (b) of this section, a utility may not alter, refuse, or discontinue service to, or discriminate against, the trustee or the debtor solely on the basis of the commencement of a case under this title or that a debt owed by the debtor to such utility for service rendered before the order for relief was not paid when due.
- (b) Such utility may alter, refuse, or discontinue service if neither the trustee nor the debtor, within 20 days after the date of the order for relief, furnishes adequate assurance of payment, in the form of a deposit or other security, for service after such date. On request of a party in interest and after notice and a hearing, the court may order reasonable modification of the amount of the deposit or other security necessary to provide adequate assurance of payment.



For Sale

■ The Town of Smoaks has for sale two fire trucks. One is a 1976 F-750 Ford Pumper; the other is a 1976 American LaFrance Pumper. For more information, call Paul Fender at 843.562.2400.

Hometown Legislative Action Day continued from cover

Rule. Actions by the General Assembly in recent years have repeatedly eroded municipal authority. It is time to reintroduce the concept of Home Rule to state legislators, including its importance to a healthy state and how current legislative issues are adversely affecting municipal authority.

How to prepare for Hometown Legislative Action Day:

1. Contact your senators and representatives and tell them about Hometown Legislative Action Day on February 18.
2. Read the January issue of *Uptown* to learn more about the Home Rule Act of 1975.
3. Read the special *Legislative Alert* you will receive just prior to the meeting and become familiar with MASC's legislative priorities.
4. Ask for more information and clarification on the issues by contacting MASC.
5. Think about how these issues affect **your** municipality.
6. Invite your legislators to the Legislative Reception on February 18 at the Columbia Adam's Mark Hotel from 5:30 p.m. to 7:00 p.m.
7. Plan in advance to take your legislators to dinner after the reception.
8. Attend the meeting ready to learn, practice and put what you learn into action.

Support continued from cover

telecommunications companies. "It is fine to level the playing field; just don't level our cities in the process," said MASC President Lillian Flemming. Aiken, North Augusta, Georgetown and Orangeburg will receive more than 60 percent less revenue from telecommunications companies in 2004 than if they were allowed to charge the traditional 3 percent rate.

Legislators should not provide an unfair tax protection to telecommunications companies. "It is a \$20 million annual giveaway to mostly out-of-state businesses," explained MASC Executive Director Howard Duvall. Other utilities, such as cable and electric companies, pay a reasonable tax for the privilege of doing business in a city or town. Cable companies pay a 5 percent franchise fee, while electric utilities pay 3 percent.

The \$20 million shortfall has caught many cities in a catch-22 situation. They are being forced to either cut essential services or increase property taxes. Twenty million fewer dollars means 500 fewer police officers on the streets or 500 fewer firefighters protecting South Carolina citizens. "In times like these, we cannot afford to lose these vital first responders," Duvall said.

"Because the Senate has already approved H3530 and the telecommunications industry is not opposing it, House members should act swiftly in January to pass H3530," Duvall concluded. H3530 is a reasonable telecommunications tax decrease that will prevent a property tax increase and will help cities avoid a catch-22 situation. It gives legislators an opportunity to fulfill their 1999 promise by not providing unfair tax protection to the telecommunications industry.



Classifieds

- The Town of Surfside Beach is seeking a building-zoning department director. For a complete job description and application, call 843.913.6111 or e-mail Town@surfsidebeach.org. Application deadline is December 22, 2003.
- The City of Johnsonville is accepting applications for a city administrator. Send resumé with three professional references and salary requirements to City Administrator Position, P.O. Box 428, Johnsonville, SC 29555. Position open until filled.
- The City of Columbia is accepting applications for the position of chief of police. For more information or to apply,

visit www.columbiasc.net and click on "City Jobs." Application deadline is December 15, 2003.

- The Town of Pageland is seeking applicants for a utilities superintendent. Send resumé with salary requirements and three references to Town Administrator, Town of Pageland, 126 N. Pearl St., Pageland, SC 29728.
- The City of Hanahan is accepting applications for a paramedic/firefighter. For more information, call 843.554.4221 extension 121. Send resumé to City of Hanahan, 1255 Yeamans Hall Rd., Hanahan, SC 29406, Attn: Chief Barham.

Nepotism in the public sector

by Michael Malone, Attorney, Malone & Thompson LLC

Although the law does not require anti-nepotism policies, ethics law provisions do prohibit the practice of nepotism. Municipalities may wish to consider adopting anti-nepotism personnel policies to minimize the potential for ethics law violations.

Nepotism refers to showing favoritism to relatives, especially with regard to employment. The notion that an individual can be hired or promoted based on factors other than qualifications is highly offensive to a large percentage of the working population. When employment decisions are based on relationships rather than merit, those who do not benefit from the decisions can develop a deep resentment for both the decision-maker and the organization. Unhappy employees contribute to unhappy workplaces. Unhappy workplaces are not conducive to sustained, high-quality performance.

Aside from the feelings of unfairness that are generated by nepotism, *public sector* nepotism sparks legitimate concerns related to conflicts of interest and accountability. South Carolina law addresses nepotism within the collection of statutes that pertain to "Ethics, Government Accountability, and Campaign Reform." One statute (§ 8-13-750) prohibits a public official, public member or public employee from causing the employment, appointment, promotion, transfer or advancement of a family member to an office or position which the public official, public member or public employee supervises or manages. The statute also prohibits participation in disciplinary action involving a family member. Another statute (§ 8-13-700) provides that no public official, public member or public employee may use his or her office, membership or

employment to obtain an economic interest for himself or herself, a member of his or her immediate family, an individual with whom he or she is associated or a business with which he or she is associated. Specific definitions of the terms "family member" and "immediate family" are set out in Section 8-13-100 of the State Code.

Federal appellate courts have consistently upheld the constitutionality of public sector anti-nepotism policies. The federal Fourth Circuit Court of Appeals (which covers South Carolina, North Carolina, Virginia, West Virginia and Maryland), in upholding the constitutionality of a local government's "anti-nepotism" policy, reinforced the need for and value of anti-nepotism policies in the workplace:

As has been stated before, anti-nepotism rules effectuate rational and laudable workplace goals:

avoiding conflicts of interest between work-related and family-related obligations; reducing favoritism or even the appearance of favoritism; preventing family conflicts from affecting the workplace; and, by limiting inter-office dating, decreasing the likelihood of sexual harassment in the workplace.

Waters v. Gaston County, North Carolina, 57 F.3d 422 (1995), quoting *Parks v. City of Warner Robbins*, 43 F.3d 609 (11th Cir. 1995).

Essential components of any effective anti-nepotism policy are (1) a clear statement defining the scope of the prohibited work arrangements; (2) a precise definition of "family" that addresses the issue of step-relatives;

(3) the consequence if a violation of the anti-nepotism policy occurs by marriage or promotion; and (4) a provision stating that unrelated employees involved in a romantic relationship will be treated as "family members" for purposes of the policy. Situations in violation of anti-nepotism laws cannot be grandfathered in.

The "prohibited work arrangements" component of an anti-nepotism policy might state that two or more family members are prohibited from: (1) working in the same department; (2) working for the city if one employee directly or indirectly supervises the other employee; or (3) working for the city if one employee has responsibility for reviewing the work or financial transactions of the other employee.

Nepotism in the workplace is not a new issue for local governments. Nearly 60 years ago, the United States Supreme Court commented that "the practice of nepotism in appointing public servants has been a subject of controversy in this country throughout our history."

Before adopting or amending any personnel policy, municipalities should consult with their legal counsel.



RMS Report Cards expand member-loss control capabilities

In early 2002, the South Carolina Municipal Insurance Trust (SCMIT) workers' compensation program unveiled a customized Report Card to enhance the loss control efforts of each individual member. This Report Card features detailed loss information aimed at helping members determine and focus on problem areas. Loss information is presented in summary form and is then further broken down by cause of injury, nature of injury, body part, department, day of week, month, time of day and length of employment. Comparisons between the membership as a group and each individual member are also made to give members an idea of their performance relative to others.

In 2003, Risk Management Services (RMS) expanded this idea to the South Carolina Municipal Insurance and Risk Financing Fund's (SCMIRF) property and liability program. Similar loss information is provided on several lines of coverage, including property, automobile liability, tort liability and law enforcement liability.

Each SCMIT and SCMIRF member receives these report cards annually, along with a visit from RMS staff, who guide members through the Report Card process.

"The purpose of the Report Cards is to give members a better understanding of their risks, with the aim of helping members concentrate their efforts so they can significantly reduce their total cost of risk," said Harvey Mathias, RMS director.

"The annual Report Card can be an excellent management tool if used properly, with results that save valuable budget dollars for our organization," said Shane Atkins, risk manager for the City of Spartanburg. "A primary use is

the ability to review and identify accountability within each department for their loss control effort. By comparing previous reports, I can easily see any progress made as far as the effectiveness of training or change in the procedure process."

Warren Harley, assistant city administrator for the City of Orangeburg, said, "The loss control Report Card gives you a complete picture of how well a safety program is doing. The report allows us to concentrate our safety efforts on the type of training that will promote a safer work environment. I particularly like the sections that show our losses by nature, cause and department. The Report Card is an excellent tool we can use to identify and eliminate problems."

Mathias said, "We are pleased the Report Card is so beneficial to our members. We're not aware of any competition that provides anything close to this tool."

Risk Management Services has been recognized among its peers as having developed an innovative approach to loss control. Greg Tooker of Risk Probe Inc., a consultant to National League of Cities' Mutual Insurance Company (the company that re-insures SCMIT and SCMIRF), said, "The MASC RMS approach provides a clear and objective methodology for risk factor evaluation. We congratulate MASC for its determination to move forward with this program and suggest that other organizations could well benefit by studying their example."

If you are interested in becoming a member of SCMIT or SCMIRF or would like to see a sample of the RMS Report Card, please contact Harvey Mathias at hmathias@masc.sc or 803.933.1212.

SCMIT and SCMIRF announce 2004 rates

SCMIT (workers' compensation) and SCMIRF (property and liability) boards have established the contribution rates for the upcoming year.

SCMIT's rate of increase for 2004 will be 14 percent with an additional equity enhancement surcharge assessment of 2 percent. "There are several external factors exerting a significant amount of pressure on SCMIT rates," said Harvey Mathias, RMS director. "Second Injury Fund (SIF) assessments, ballooning medical expenses, adverse Workers' Compensation Commission rulings and a decaying legal environment are making providing workers' compensation coverage considerably more expensive for everyone." (These factors will be a topic during the upcoming Hometown Legislative Action Day.) Mathias noted, however, that several members have been able to reduce their contributions through implementing strong safety and loss control programs that prevent claims from occurring at all.

The SCMIRF board announced there would be no rate increase this year. "No rate increase for 2004 is good news, especially in light of the fact that our main competitor, the state's Insurance Reserve Fund, is raising rates on all lines of coverage (except automobile liability and medical professional) 45 percent," said Mathias. "This situation illustrates exactly why these programs were created in the first place."

If you have any questions about SCMIT or SCMIRF, call Harvey Mathias at 803.933.1212.

2004 State Revolving Fund interest rates released

The State Water Pollution Control Revolving Fund, a program of the Office of Local Government, provides long-term, low-interest loans to help public water systems finance the cost of facilities necessary to achieve or maintain compliance with the Safe Drinking Water Act.

The State Revolving Fund's (SRF) interest rates for FY 2004 were recently released. Cities are encouraged to take advantage of these extremely low rates.

For more information, contact David Price of the South Carolina Department of Health & Environmental Control at 803.898.3993 or Trish Comp of the Budget & Control Board at 803.737.3808.

Clean Water SRF

3.00%	Standard Rate	Applies to all systems with more than 10,000 population and all systems with median household income (MHI) greater than the state MHI (\$37,082), regardless of size
2.00%	Small System Rate	New incentive rate for small systems and takeover of non-viable systems <ul style="list-style-type: none"> • System population less than 10,000 and system MHI less than state MHI; or • Takeover of entire non-viable wastewater system serving residential customers, regardless of population size or MHI
1.00%	Hardship Rate	System population less than 10,000, system MHI less than state MHI, and level of effort (LOE) more than 1.15% <ul style="list-style-type: none"> • LOE is annual cost of sewer based on 6,000 gallons monthly; usage divided by system MHI
2.00%	Nonpoint Service Rate	Nonpoint source projects (such as stormwater) up to \$4 million per borrower <ul style="list-style-type: none"> • 25% of cost must apply to best management practices

Drinking Water SRF

2.50%	Standard Rate	Applies to all systems with more than 10,000 population, and all systems with MHI greater than state MHI (\$37,082), regardless of size
1.50%	Small System Rate	New incentive rate for small systems meeting the following criteria: <ul style="list-style-type: none"> • System population less than 10,000; and • System MHI less than state MHI Optional extension of term to useful life, up to 30 years
1.00%	Hardship Rate	System population less than 10,000; system MHI less than state MHI and LOE more than 1.15% <ul style="list-style-type: none"> • Extension of term to useful life, up to 30 years, required
1.00%	Capacity Development Rate	Takeover of any non-viable community water system

Focus on Technology

Paperless council meetings

More and more municipalities across the nation are moving toward paperless council meetings. By streamlining the process for all staff involved, from department heads to clerks to councilmembers, the municipality can make better use of its resources.

Moving toward paperless council meetings is much more than purchasing new equipment and training employees on new software. It is a policy change that requires careful study and consideration to make it successful. It must include all personnel involved in preparing and reviewing documents for council meetings and the supporting processes and technology.

While the transition to a paperless council meeting may seem overwhelming, it can be phased in based on your staff commitment, budget and technological resources. Where do you begin? Consider the following approach:

1. Determine your starting point.

Examine and fully document your current process in detail. Determine who is involved and what role they play in the process. Document the cycle from beginning to end, including all time lines and key players. Gather and

IIMC Conference topics

Human Resource Issues

Hometown Security

Managing Your Municipal Code

review council packets from various meetings to include a wide variety of documents.

2. Identify problems and solicit feedback.

Beginning with key staff, spend time with departments that submit packet materials to see what problems they encounter and how they would like to see the system improved.

3. Identify needs. Review the information gathered with the information technology staff to determine how technology can improve or change the process. Determine hardware and software needs. Determine who will need access to the hardware and/or software. Put a price tag on each item and be sure to include fees for purchase, installation, licensing, training, maintenance and upgrades.

4. Develop a plan. After determining your needs and developing a budget,

prioritize the needs and develop a step-by-step time line for implementation. Be sure to allow time for installation, training and testing. Coordinate the time line for the new process with staff deadlines. Make sure you work around any particularly heavy workloads for key staff involved in the transition.

5. Get the green light. After developing a comprehensive plan, review the project plan with councilmembers, managers, administrators and other key players. The project will need their stamp of approval to be successful, both in terms of funding and their commitment and willingness to use new technology.

6. Brief key staff. Once your plan has been approved, take time to brief all staff involved. You'll likely run into some resistance or hesitation. This is the time to sell the advantages to all involved. If it is helpful, bring in a clerk or councilmember from another town that has already implemented paperless council meetings. Review the time line in detail and be clear about all roles and responsibilities.

7. Implement the plan. Begin to implement the plan. Whether it is a large-scale or a small-scale project, the results will make it worth the effort.

Municipalities across the country have taken the concept of a paperless meeting to a higher level — media streaming council meetings. See the related technology article on page 11.

A panel discussion on paperless meetings will be featured at the IIMC Region III Meeting on January 29, 2004 at Kingston Plantation in Myrtle Beach.

Top five reasons to move toward paperless meetings

1. Improve the level of service to councilmembers and citizens by expanding the availability of packets and supporting materials.
2. Improve communication within the city and with constituents.
3. Improve staff and council efficiency and effectiveness.
4. Reduce the costs associated with preparation, copying and filing.
5. Eliminate bulky packets, which are difficult to flip through and may have poor copy quality.

2003 Achievement Award Winner

Population Category 10,001-20,000: City of Greer

With the help of generous community donations, Greer police officers provide Christmas to more than 500 needy children each year

The Greer Police Department firmly believes early intervention diverts at-risk children from the juvenile justice system and improves their quality of life. Greer's Cops for Tots provides an unforgettable experience for these at-risk children. The program began in 1988 when two police officers bought a Christmas tree, food and toys for a family that would not have had a Christmas otherwise. A Greer businessman heard about the officers' generosity and personally donated the needed items the following year.

Recognizing the program's potential to affect at-risk children, the City invited the entire community to participate in Cops for Tots. The public generously responded. Toys and money poured in to provide Christmas for 40 needy children. Each year, the number of children helped has increased. Last year, Cops for Tots provided a bag full of high-quality gifts to more than 500 qualified, needy children. This was possible because of community involvement. Local businesses gave generous monetary donations. Local clubs and groups contributed money and toys. High schools competed to collect the most toys. Sunday school classes raised money for toys, and a local church provided its meeting hall space for Santa's Workshop.

On the day the children visit Santa's Workshop, a local restaurant provides a free lunch for the children and their parents. The children get their picture taken with Santa and receive a copy of the photo. Children are individually escorted into the workshop by an officer, who encourages them to pick out their gifts.



Above: Police officers help each child pick out the gifts of their choice.

Right: When children visit Santa's Workshop, they have their picture taken with Santa.



The uniting of a community and its law enforcement officers to better the lives of at-risk children makes the Cops for Tots program an award-winning endeavor.

For more information about this project, contact Captain Jolene Vancil at 864.848.2159.

MASC recognizes and encourages innovations and excellence in local government through its Achievement Awards. Started in 1987, the program provides local government officials and employees

the opportunity to receive deserved recognition for superior and innovative efforts in local government. The program also provides a forum for sharing the best public service ideas in South Carolina. For more information, visit MASC's Web site at www.masc.sc or call Christie Zeller at 803.933.1215.

Award-winning community builders

The Community Builders Awards Program recognizes and celebrates the hard work, dedication and success of its member programs. Each year, the achievements of its members make South Carolina a state of unique “communities of place” that celebrate each town’s past while working for a positive future. At its Annual Meeting at the Newberry Opera House October 23-24, Community Builders presented 27 awards for 2002-2003 achievements. Following are highlights of just a few of the many award-winning endeavors.

The 2003 Outstanding Public/Private Partnership Award was given to the City of Bennettsville and Bennettsville Loft Apartments for a successful partnership that has resulted in a \$3.2 million renovation of six historic buildings in downtown Bennettsville. Twenty-two upper-story apartments and eight new storefronts were developed to attract businesses to the downtown area while at the same time giving the area a much-needed “people-presence.” This revitalization effort has created a domino effect, inspiring adjacent property owners to invest in the appearance of their buildings.

Community Builders presented the 2003 Outstanding Public Improvement

Award to the City of Orangeburg for its Streetscape Project. Sensitive to the concerns of Orangeburg’s downtown merchants, the City took a pro-active role in involving merchants and property owners in a public input process before beginning the streetscape project. Merchants were encouraged to participate at all planning sessions, and citizens were invited to public meetings to take part in developing the plan. After construction began, merchant meetings were held regularly to keep them informed on what would be happening in their areas during the process. City employees were on hand at all times to assist with parking, entering and leaving these areas and even carried heavy items for customers who needed help. Newspaper articles notified citizens ahead of time when certain areas and intersections were closed to traffic. When completed, the City had added granite curbs, brick pavers, underground utilities, a three-tier water fountain surrounded by seat walls for public viewing, trees and plantings, period street lighting and benches: all elements of a beautiful new streetscape. “It is the most pedestrian friendly site I have ever seen,” said Community Builders Director Bill Steiner.

Community Builders encourages all towns to celebrate their uniqueness and build toward a positive, revitalized community. For more information about these projects or others, contact Nancy Brown at 803.933.1224.

Community Builders’ 2003 Award Winners

Outstanding Board: Hartsville Downtown Development Association

Outstanding Board Chairman: Martin Goodman, Main Street Beaufort, USA

Outstanding Public/Private Partnership: City of Bennettsville and Bennettsville Loft Apartments

Outstanding Promotional Program: Program Calendar of Events, Conway Main Street Program

Outstanding Promotional Event: RenoFest Bluegrass Festival, Hartsville Downtown Development Association

Gaines Jontz Rehabilitation Award: 1058 Grille, Orangeburg

Gaines Jontz Rehabilitation Award: Harrison Music Company, Bennettsville

Gaines Jontz Outstanding New Sign: The Midnight Rooster Coffee Shop, Hartsville

Outstanding New Construction: X-DOS, Sumter

Outstanding Public Improvement: Orangeburg Streetscape Project

Outstanding Development Project: Booksmiths, Conway

Outstanding Business Development Program: Hartsville Downtown Shoppers Club

Master Merchant: Bobby and Mike Hamilton, Hamilton Office Supply, Bennettsville

Public Service Award: Mayor Benjy Rogers, Bennettsville

Home Town Hero: Fred Boatwright, Orangeburg

Ben C. Boozer Distinguished Service Award: Dan Mackey



Once complete, the City of Orangeburg’s Streetscape Project added underground utilities, trees and plantings, and period street lighting.

Local governments use media streaming to serve citizens

When you hear the word “mpg” (pronounced “em-peg”), visions of illegally downloading Britney Spears’ newest hit from Napster come to mind. However, access to higher-speed Internet connections has made the terms “mpg,” “streaming video” and “streaming audio” commonplace in city halls across the country.

The District of Columbia (www.dc.gov) offers live video feeds from its two cable stations over its “Best of the Web” Web site. From their desktops, laptops or palm pilots, citizens can watch city council meetings, public hearings and public interest shows. The Web site also allows viewers to access the stations’ programming schedules, buy videotapes of prior telecasts and view archived telecasts using its on-demand video feature.

Offering live council broadcasts over the Internet is not just for large cities. Hemingford, Nebraska (pop. 993), broadcasts its council meetings (www.hemingfordtelephone.com). “A public-private partnership allowed this project to proceed,” said Peggy Sheldon, city administrator/clerk/treasurer. The local telephone company provides microphones, equipment and

operators for meeting broadcasts. The service allows residents of the rural community to be aware of what their government is doing without attending meetings. The meetings are backed up on compact discs so they can be referenced in the future.

The City of Virginia Beach’s Web site (www.vbgov.com/e~gov/estream) allows citizens to not only view live meeting broadcasts, but to also search archived council meeting video clips using a drop-down menu. Viewers choose which portion of the meeting’s agenda they want to watch. Virginia Beach is also using its e-stream service as a public education/relation tool. The site offers an array of streaming videos on such topics as water safety, terrorism and emergency preparation, mosquito control, police recruitment, property assessment and recycling. Media streaming has proven to be a popular service. Recent Web statistics show that more than 200 individuals viewed an average of 13 video clips each during September.

Streaming media is becoming an attractive method for delivering training and information to municipal officials, both appointed and elected. “Webinars”

The Municipal Association of South Carolina has taken the first step to provide media streaming from its Web site. Visitors can access video clips from the 2003 Achievement Award winners (www.masc.sc/Misc/achievement.htm). To best view the video files, viewers must use Internet Explorer (version 5.5 or higher), Windows Media Player (version 7.0 or higher) and a broadband Internet connection (i.e., cable modem, DSL).

are online presentations that provide a simple and easy way to view live presentations. Members of the International City/County Management Association can view webcasts from the association’s September annual meeting. The webcasts allow members who could not attend the meeting to still benefit from some of the educational sessions.

To view streaming broadcasts, users need either Windows Media Player or Real Player software. Both can be downloaded from the Internet for free.

News Briefs



■ In October, S.C. Business Licensing Officials Association members elected their 2003-2004 board of directors. President — Steffanie Dorn of Greenwood; Vice President — Darrell “Rusty” Lameo, MBL, of Kiawah Island; Secretary/Treasurer — Patricia Fowler of Williston; Members At-Large — Kathy Barnes of Hilton Head Island, Linda Cox of Spartanburg and Lex Kirkland of Aiken; Past President — Jodie Dudash, MBL, of Greenville.

■ In October, S.C. Municipal Finance Officers, Clerks and Treasurers Association members elected their 2003-2004 board of directors. President — Thomas Chandler of Florence; Vice President — Tina Wicker, CMC, of Newberry; Secretary/Treasurer — Charlotte Cheatham, CMC, of Edgefield; Members At-Large — Tammy Barkley, CMC, of Cayce, Hilda Hopper, CMFA, of Clover, Dennis Locke of Spartanburg and Steven Thomas of Conway; Past President — Belinda Harper, CMC, of Seneca.

■ Central, Clemson and Anderson recently won a 2003 Program Excellence Award for

Outstanding Partnerships: Intergovernmental Cooperation (population 50,000 or less) for the Clemson Area Transit 4 University System. The award was presented by the International City/County Management Association.

■ The S.C. Department of Public Safety, Office of Justice Programs, announced availability of funds for juvenile justice grant programs for local governments. Application deadlines vary. For more information, contact Laura Whitlock, program administrator, at 803.896.8713 or visit the MASC Web site (www.masc.sc) under “Resources,” “Grants.”



Educational Opportunities

Hometown Connection

■ **January 27**, municipal officials from Anderson, Cherokee, Chester, Fairfield, Greenville, Lancaster, Oconee, Pickens, Spartanburg and York counties visit with their state legislators. Officials should meet at MASC's office at 1411 Gervais Street in Columbia at 10:30 a.m.

S.C. Municipal Finance Officers, Clerks and Treasurers Association

■ **January 28-30**, will host the International Institute of Municipal Clerks Region III Meeting at Kingston Plantation in Myrtle Beach.

S.C. Municipal Elected Officials Institute of Government

■ **February 17**, will hold Sessions A & B at the Adam's Mark Hotel in

Columbia. Session A is open to any S.C. municipal elected official. Only elected officials who have attended Session A can register for Session B.

MASC

■ **February 18**, will hold Hometown Legislative Action Day, MASC's 30th Winter Meeting and Legislative Event, at the Adam's Mark Hotel in Columbia. See story on page 1.

S.C. Utility Billing Association

■ **March 10-12**, will hold its Annual Meeting at the Embassy Suites Hotel in North Charleston.

S.C. Association of Municipal Power Systems

■ **March 23**, will hold its Legislative Event at Seawell's in Columbia.

Hometown Connection

■ **March 30**, municipal officials from Aiken, Allendale, Bamberg, Barnwell, Calhoun, Lexington, Orangeburg and Richland counties visit with their state legislators. Officials should meet at MASC's office at 1411 Gervais Street in Columbia at 10:30 a.m.

Hometown Connection

■ **April 27**, 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.



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