

UPTOWN

Preparing for Hometown Legislative Action Day on February 22

There are only a few weeks left to prepare for MASC's annual legislative meeting, Hometown Legislative Action Day, on February 22. The meeting will give attendees an opportunity to learn more about top legislative issues facing South Carolina municipalities and a chance to meet with legislative delegates and express to them the value of cities and towns and the impact legislative decisions have on South Carolina municipalities.

Before making your trip to Columbia, there are several things you should do to prepare for Hometown Legislative Action Day:

- Contact your senators and representatives and tell them about MASC's Hometown Legislative Action Day on February 22.
- Invite your legislators to the Legislative Reception on February

22 at the Columbia Marriott from 5:30 p.m. to 7:00 p.m.

- Plan in advance to take your legislators to dinner after the reception.
- Attend the meeting ready to listen, practice and put what you learn into action.

During Hometown Legislative Action Day, we will visit the Statehouse. MASC has requested the South Carolina House and Senate adopt a concurrent resolution recognizing February 22, 2006 as South Carolina Hometown Day. We must pack the galleries and Statehouse lobby as the Senate and the House recognize the impact South Carolina municipalities have on the state and the importance of all levels of government working together.

Prior to Hometown Legislative Action Day, attend the Municipal Elected Officials Institute of Government on Tuesday, February 21, to learn more about your responsibilities as an elected official.

To graduate from the Institute, elected officials must complete Session A, Session B and the five core courses. Core courses are broadcast via satellite throughout the year. Session A must be taken before enrolling in Session B. On-site registration on Tuesday, February 21, is from 8:00 a.m. to 9:00 a.m. Sessions are held from 9:00 a.m. to 5:30 p.m.

For more information about Hometown Legislative Action Day or the Municipal Elected Officials Institute of Government, visit MASC's Web site, www.masc.sc.

Municipal Elected Officials Institute of Government February 21

Session A topics

- Conducting Public Meetings
- The City as an Employer
- An Overview of Local Government
- Planning and Zoning
- Team Building and Goal Setting

Session B topics

- Municipal Annexation
- Mergers and Consolidation
- Business License Tax Administration
- Municipal Finance
- Ethics and Municipal Governance
- Liability of Municipalities and Elected Officials

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When disaster strikes, who's in charge?

Emergency powers for South Carolina local governments

Taken in part from Viewpoint, the Appalachian Council of Governments newsletter

If a disaster the magnitude of Hurricane Katrina struck tomorrow, would your city or town be able to mobilize quickly and — more importantly — know who's in charge? News accounts out of Louisiana during and after the hurricane depicted chaos due in large part to leaders of various levels of government butting heads over who was to blame for the problems with emergency response.

Could this same type of chaos break out in South Carolina during an emergency? Not if we take steps to ensure every level of government knows what its individual powers and responsibilities are in these situations. Our mayors and county council chairs are not assigned extraordinary emergency powers by state law. What's more, city and county councils must play a critical role in managing a major catastrophe. Significant government disaster response will be dictated more by emergency legislative ordinances than executive proclamations.

Sections 5-7-250(d) and 4-9-130 of the 1976 South Carolina Code of Laws provide that city and county councils may enact swift emergency ordinances to protect the health, safety and welfare of their residents:

"... To meet public emergencies affecting life, health, safety or the property of the

people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be designated as such and shall contain a declaration that an emergency exists and describe the emergency. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment."

Several cities, including Myrtle Beach, Charleston, Greenville and Columbia, have enacted ordinances granting the mayor the authority to declare an emergency curfew with the power to restrict individuals' movements and limit the sale of alcohol, firearms, explosives and gasoline during the curfew. In mayor-council, council-manager, council-administrator and council-supervisor city/county governments, the chief executive still retains authority over departments that would directly respond to disasters.

However, in South Carolina, legislative authority does not go away, and many critical and long-term decisions

must still be made or approved by council. Excessive independent action by the chief executive and failure to seek legislative approval could potentially lead to personal liability for resulting injuries, deaths or damage to property.

All South Carolina cities and counties have adopted, or are in the process of adopting, the National Incident Management System (NIMS) and the Incident Command System (ICS). NIMS and ICS outline a chain of command and span of control for emergency response and determine who makes life-and-death decisions at the scene of a disaster. State law remains unchanged, however, as to who makes critical policy decisions. Home Rule does not cease during a catastrophe.

So who's in charge during a disaster? Talk to your city/county attorney, formally establish functions and roles for elected officials, review emergency plans, enact necessary emergency preparedness ordinances and consider conducting a planning exercise. Do these things before an emergency occurs, and you won't have to wonder who's in charge.

Share your recipe for success in the 2006 Municipal Achievement Awards

Do you smell the aroma of sweet success in your city? If so, share your recipe for success by entering the 2006 Municipal Achievement Awards and let others get a taste of what is happening in your municipality.

MASC will recognize the winners at the 2006 Annual Meeting in July. Winning entries are featured in a video shown at the Annual Meeting, in the Achievement Awards brochure, in *Uptown*, during Hometown Network broadcasts and on the MASC Web site.

MASC will mail entry information by February 9, and the information will also be available on MASC's Web site at www.masc.sc under the "Featured Links" section of the home page. Proposals must be submitted by March 8. Judging will take place April 3.

Master planning for information technology is imperative for municipalities

by City Administrator Charles Martin, Finance Director John Potter and IT Manager Chuck Usry, City of North Augusta

Every city is becoming more dependent on information technology (IT) for improved efficiency and, more importantly, to better serve its citizens. It is hard to imagine doing our jobs today without computers literally at our fingertips.

In the world of local government, the concept of planning is nothing new. All of us are involved at some level with planning for land use, capital improvements, parks and recreation, and water, sewer or storm water systems. The size of our jurisdiction, the available funding and personnel often dictate to what level we plan, but we all plan — or we should.

But where is our master plan for information technology? Where do we want our IT operations to be in one year or in two, three or five years? Simply counting the number of desktops or laptops we need and determining how much money is left over after buying police cars and sanitation trucks will not suffice.

Those cities that can envision where they want their information technology to be in the next year or two, three or five years and can map out a plan accordingly will be better served than those that go from one year's budget to the next, purchasing what is available after other city needs are met. These year-to-year cities will never achieve what needs to be accomplished and will spend more money and waste more time and effort not getting there.

A strategic or master plan for information technology is a must-have for every city. The size and complexity of this plan will vary depending on the size of a city's operations and its resources. It is imperative that every

city has an IT plan. City staff must know where they want to go, when they want to get there, what steps must be taken to reach this destination and how much they are willing to spend to get there.

Developing an information technology master plan

Step one: Develop a vision

Simply put, a city should want to provide the highest level of service with the most efficient use of modern technology for the least amount of financial and personnel resources. The vision must be there, and it must be clearly stated for all to see and understand. The trite term "paperless workplace" is often used. There is no such place, but this term is meaningful. It means to automate all possible business procedures and obtain the best business solutions — in this case, computer programs — available for each department. It means every department must be able to communicate with every other department. Databases should be searchable by everyone, including citizens. Eliminate the paper shuffle. Provide citizens with access to as much information as rapidly as possible with the least amount of effort. Adjust to new technology as it becomes available.

Step two: Hire an expert guide

The world of technology is complex and changes each day. Someone with knowledge and experience needs to guide you through the process, especially the technical part.

Step three: Prepare the plan

In preparing an IT master plan, consider the city as a whole. Every function,

every department and every employee is part of this whole. There needs to be one plan that addresses the city as one unit. The plan can be complex, or it can be simple, depending upon the needs of the city.

Step four: Lay the plan out to everyone

Communicate the plan to those who you are counting on to implement the plan — the employees who can make it work or prevent it from doing so.

Step five: Budget the plan

Information technology is expensive. Few can afford implementing their plan in one budget cycle. Costs associated with hardware, software and personnel need to be prioritized and laid out over a multi-year cycle.

Step six: Follow the plan

A lot of time, energy and money will be spent creating a plan. Stick with it, and always keep the next step in mind.

Step seven: Adjust

The fact that information technology is constantly changing is a given. As good as a master plan may be, a city must be able to adjust to these changes, sometimes in midstream. Who wants to develop and follow a plan, only to have it be immediately outdated?

Step eight: Do it all over again

By the end of the plan's timeline, there will be a need to reassess all aspects of this plan, even if you were successful in making mid-course corrections. The IT world is changing just that fast.

The future of your city is closely connected to information technology. Are you prepared for tomorrow?

South Carolina Community Development Association reshapes its vision

The South Carolina Community Development Association's (SCCDA) board of directors is reshaping the vision of the statewide association and taking on new challenges in the community development arena. During its annual board retreat in December, SCCDA leadership agreed that building vibrant and sustainable South Carolina communities through development, partnerships and education is the core value and purpose of SCCDA.

For years, the MASC-affiliated association has provided a forum for learning about the community development process through workshops and seminars. SCCDA has traditionally offered a fall meeting and an annual spring meeting. During the retreat, the board members agreed more needs to be done to facilitate discussions across community and economic development disciplines.

"SCCDA is not so much changing as it is expanding and becoming more holistic," said Carol Mason McMeekin, SCCDA president. "Through new partnerships and cooperative agreements, the association will provide additional educational opportunities for its membership."

During the fall retreat, several key groups were identified as potential partners, including Main Street South Carolina, the South Carolina Association of Planners, the South Carolina chapter of the American Institute for Architects and the South Carolina Economic Development Association.

SCCDA also plans to increase its membership. The association's current membership includes municipal, county, regional and state community

"SCCDA wants to offer a forum that welcomes public, private, for-profit and nonprofit community-minded individuals and organizations. We will encourage partnership building through education, idea exchange and networking."

— Carol Mason McMeekin, president of the South Carolina Community Development Association

development professionals; employees of private companies and nonprofits with an interest in community development; elected officials; and volunteers.

"The purpose remains to promote community and economic development to sustain South Carolina communities," said McMeekin. "However, I feel SCCDA can perhaps best achieve this purpose by providing an environment in which to foster partnerships and build bridges among interested parties."

Beppie LeGrand, manager of MASC's Main Street South Carolina program, will be the staff liaison between MASC and SCCDA. Her goal is to see SCCDA be the statewide association that provides leadership, education and networking opportunities to professionals and citizens within the broad field of community development.

"We support community development as a profession that blends knowledge and expertise from many disciplines," LeGrand said. "Research, teaching and practice are important to both the public and private sectors. We plan to provide many opportunities to learn what's new in the profession, to exchange ideas, to access the most current research and trend information available and to share professional expertise."

As part of the new direction, the board also discussed ideas for marketing SCCDA around the state and will be developing a new Web site in 2006.

The board met again in January to begin finalizing the plans for the 2006 annual meeting. Look for information about this important meeting, during which SCCDA will launch its new vision and educational format.

Look for SCCDA on MASC's Web site under the "Affiliates" link, or contact Beppie LeGrand at blegrand@masc.sc or 803.933.1231.

Save the date!

South Carolina Community Development Association

2006 Annual Meeting

Sunday, May 21 thru
Tuesday, May 23

Embassy Suites,
Kingston Plantation

Myrtle Beach, SC

SC Municipal Personnel Association name change reflects updated focus of the profession

by Tracie Barnes, human resources manager for the City of Beaufort and 2006 first vice president of South Carolina Municipal Human Resources Association

In August 2005, the South Carolina Municipal Personnel Association's (SCMPA) board of directors proposed to revise its name to the South Carolina Municipal Human Resources Association (SCMHRA). The change was initiated as part of a pro-active effort to stay up to date with the HR professional community. At the SCMPA Annual Meeting in November, the membership voted overwhelmingly to accept the name change.

Since its emergence in the early 1900s, the personnel — or human resources — field has become a distinct and important profession, with employers acknowledging the link between motivated employees and a successful organization. Today, the term “human resources” has overtaken “personnel” as the primary reference for practitioners of critical managerial-level work focused on employee-oriented improvements to the bottom line.

Although the term “personnel” is still used interchangeably with “human resources,” their meanings are not the same. “Personnel” describes the task of administering policies and procedures to the individual, while “human resources” incorporates much more, such as managing the individual's growth and development within the organization.

“The human resources role is vital to any organization, but especially to municipalities,” said Joan Roland, past president of the SC Municipal Personnel Association. “The employees are working for the community, and they need to be taken care of so they will be able to serve effectively. Even if a city or town isn't very big and doesn't have a huge budget or many benefits, you do have what brought these employees to work for you, and they need to feel they are

wanted and needed. HR professionals can be any person, from payroll administrators and clerks to managers and more. They are responsible for a lot of functions, ranging from insurance and pay to safety and complaints.”

The drive for the organization's title change is interwoven with the history of HR and how the field has adapted over the years. In the early 1900s, many businesses and government entities viewed their employees as interchangeable parts of a machine. Employee welfare and safety were secondary to the goal of maximizing efficiency and production to reap greater profits. Little, if any emphasis was placed on the employee's needs.

In the 1920s, the combined studies of psychologists and employment experts gave rise to a new principle known as human relations, which helped inspire employee-focused government regulation and reform. In the latter half of the 20th century, human relations morphed into personnel administration, followed by HR.

John Atkinson, 2006 SCMHRA president said, “The name change from Municipal Personnel Association to Municipal Human Resources Association was an effort to help our association keep up with the ever-changing role of the human resources field. The current board will explore new and improved methods to share information and better prepare our members with the knowledge they need to deal with our rapidly changing environment.”

Atkinson stressed that the organization's goals remain the same: 1) to foster and develop interest in sound personnel administration, 2) to encourage the most advanced technologies in the field of personnel administration, 3) to disseminate

information to members and 4) to exchange ideas among members.

In addition to accepting the name change, the SCMHRA board also voted to develop a scholarship program for aspiring members to access advanced training. The SCMHRA-sponsored scholarship program enables recipients to participate in educational opportunities they may not be able to afford otherwise. Scholarship money may be used to attend SCMHRA trainings, in addition to certification programs offered by the Society for Human Resource Management (SHRM).

At the fall SCMPA Annual Meeting, three members were awarded \$500 scholarships to pursue additional studies in the HR field. The money and opportunity afforded by the scholarship award can help prepare members for career growth and improve service delivery within their respective municipalities.

The scholarship winners for 2005 are Cynthia Brown of Summerville, Pamela Bodkins of Simpsonville and Patricia Kay of Clemson.

For more information about SCMHRA, contact Natalie Viers at nviers@masc.sc or 803.933.1254.

The 2006 Model Employee Handbook for South Carolina Municipalities is available from MASC. Copies may be purchased for \$10 during Hometown Legislative Action Day on February 22 or by contacting Michelle Willm at mwillm@masc.sc or 803.933.1259.

Cities are the economic engines that drive their region

A new Census Bureau report confirms what municipal leaders have known for a long time — South Carolina's cities and towns are the economic engines of their region.

South Carolina's mid-size to larger municipalities experience a daytime population spike when workers who live outside city limits commute in for work. According to the Census Bureau report, which is based on 2000 data, municipalities such as Anderson, Florence, Spartanburg, Myrtle Beach, Beaufort and Orangeburg double their population during the daytime.

Greenville's population of 56,000 swells to more than 110,500 during the day. This 97 percent increase ranks as the highest in the country among US cities with at least 50,000 residents. Columbia joins Greenville as having one of the biggest daytime population swells, with a 60 percent increase during the day.

Commuters are drawn to city centers because the majority of the state's hospitals, institutions of higher learning, government offices, law offices and financial services are located within city limits. According to the *Greenville News*, "... city officials say the numbers show the city is the Upstate's economic hub — the place where the jobs are."

John Lummus, Anderson County economic development director, agreed the central city is critical to an

area's economic growth. He commented in the *Anderson Independent Mail*, "The city of Anderson's increased daytime population was evidence of its growth as a business hub and a good economic sign for our area."

Substantial increases were reported for smaller municipalities, too. According to the Census Bureau, more than 5,000 people commute to Walterboro each day to work. Walterboro has the third-highest increase in daytime population in the state.

"Walterboro is the economic engine that drives this county," said David Smalls, president of the Walterboro-Colleton Chamber of Commerce. Nearly half of the county's approximately 38,000 residents live just outside city limits.

"We're not pulling as many people from outside of the county, but Walterboro is a vehicle that is providing jobs for the rest of the county," Smalls concluded. He believes the report's findings can be used as a tool to entice small business entrepreneurs who may otherwise shy away from the city's smaller nighttime population.

Greenville Mayor Knox White told the *Greenville News* that he "wants more residents living in the city to keep it vibrant. The city has tried to make neighborhoods more attractive to bring in families. The city has been losing residents for about 30 years,

largely to suburban growth. ... The high increase in daytime population also comes because state annexation laws limit the city's ability to annex homes, holding down its ability to extend its borders and take in more residents. ... The thousands who come to the city during the day, including tourists and visitors, use roads, enjoy parks and require police and fire protection — all services they aren't paying property taxes to support."

A recent editorial in *The State* noted, "Columbia's numbers show that while people might prefer to live in the suburbs or nearby counties, the Capital City still is the focal point of the region. People travel to Columbia to work, play and go to school. Considering Columbia is in the midst of the biggest building boom in its history, expect its population and the number of daily visitors to rise. The result will be a strong core city that serves as a strong development engine for the entire Midlands."

The Census report generated substantial news coverage around the state and helped drive home the valuable role South Carolina cities and towns play in the economic success of their regions.

More details on the report can be found online at www.masc.sc/Municipal%20News/SC%20City%20Workers%202000.xls.



The role of the municipal attorney in a small town

Earning a juris doctorate degree and passing the South Carolina Bar are not the only credentials an attorney needs to practice municipal law for a small city or town. A degree in patience is also required.

"It's a very challenging job," explained Greg Ohanesian, attorney for the City of Bennettsville.

According to Ohanesian and other attorneys hired by smaller towns, the advice given to councilmembers isn't just of the legal kind. General advice on how to get the city's work done can be a big part of the job.

"It is so much more than giving my legal opinion on annexation or zoning issues," said Holly Wall, attorney for the Town of Andrews. "I am more like the troubleshooter for the little things that come up."

These small items run the gamut. Attorneys for smaller towns field questions about politics and personnel matters. Other times, they find themselves in the role of mediator.

"I call it diplomacy," Ohanesian said. "But it can be difficult to keep the peace among everyone, because these people are your friends, too."

In fact, every citizen, it seems, is a friend or family member in a small town. Like the mayor or administrator, attorneys are also stopped at the grocery store or at church by friends and family members wanting their water bill adjusted or better police protection. "I find myself doing a lot of nurturing," said Ohanesian. "I think attorneys in larger cities may be a little more insulated than we are."

Danny Crowe, who is the attorney for two municipalities, including a town with a population of about 3,000, said, "Just as most employees of small towns wear multiple hats, the municipal attorney can have the opportunity to assist

the small town in more ways than just drafting ordinances and defending claims."

It is just this way in Manning. City Attorney William H. Johnson researches condemnation laws, performs title searches and issues letters to property owners. The same type of work and process are required by all South Carolina attorneys tackling condemnation or demolition, no matter the size of the town. But it is Johnson who takes working for a small town one step further.

Paul Bjorkman, administrator for the City of Manning, said, "To ensure that we keep this process moving forward in accordance with state law and local ordinances, our attorney meets on a monthly basis with city staff. We have a good working relationship with him."

Many smaller towns depend on attorneys such as Johnson because they do not have an administrator or a manager to oversee the town's daily operations. "In these cases, the town is relying on the attorney for many administrative things," said Johnson, who is also the attorney for the Town of Summerton.

When asked what advice Wall would give other attorneys serving small towns, she replied, "Don't be afraid to suggest doing things differently." The way things have always been done in the past isn't always the right or most effective way. Ohanesian added that being accessible to councilmembers and staff was important for attorneys employed by smaller towns.

During the South Carolina Municipal Attorneys Association's (MAA) recent Annual Meeting, Ohanesian, Johnson, Wall and Mary Powers-Norrell, attorney for the City of Lancaster, served on a panel addressing "The Municipal Attorney in Small Towns: The Practice and the Problems." MAA provides annual training sessions for municipal attorneys.

News Briefs



■ The 2006 *Comprehensive Planning Guide* is available from MASC. The guide explains in detail the legal issues involved in zoning, discusses liability in enforcing zoning regulations and includes the latest changes to the Comprehensive Planning Act. The guide is intended to be a reference tool for local officials who administer planning and land use regulations. Copies may be purchased for \$15 during Hometown Legislative Action Day on February 22, or by contacting Michelle Willm at 803.933.1259 or mwillm@masc.sc.



Classifieds

■ The City of Beaufort is accepting applications for the position of city manager. Send cover letter, application, resumé with references and salary history to: Attn: Human Resources Manager, City of Beaufort, PO Box 1167, Beaufort, SC 29901. For more information, call 843.525.7070 or e-mail employment@cityofbeaufort.org.

■ The City of Fountain Inn is accepting applications for the positions of city administrator and gas manager. Send resumé to Sandra Woods, City of Fountain Inn, 200 North Main Street, Fountain Inn, SC 29644 or via fax at 864.862.4812.

■ York County is accepting applications for the position of assistant county engineer. For an application, visit the York County Human Resources Department at 6 South Congress Street, York, SC 29745 or online at www.yorkcountygov.com.

Additional jobs are posted on MASC's Web site at www.masc.sc/misc/jobs/htm.



Educational Opportunities

Municipal Elected Officials Institute of Government

■ **February 21**, will hold Sessions A and B at the Columbia Marriott.

MASC

■ **February 22**, will hold its Hometown Legislative Action Day at the Columbia Marriott. See related article on page 1.

Municipal Elected Officials Institute of Government

■ **March 2**, will present "Basic Budgeting for Municipal Officials." The session will be broadcast via satellite to the 10 regional councils of government.

SC Utility Billing Association

■ **March 8-10**, will hold its Annual Meeting at the Francis Marion Hotel in Charleston.

SC Municipal Clerks and Treasurers Institute

■ **March 15-17**, will hold its Spring Training Session at the Clarion Town House Hotel in Columbia.

SC Association of Municipal Power Systems

■ **March 22**, will hold its legislative event at Seawell's in Columbia.

Hometown Connection

■ **March 28**, 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.

Managers' Forum

■ **March 31**, the managers' first quarter meeting will be held from 9:00 a.m. to 1:00 p.m. at the South Carolina Hospital Association in Columbia.

Hometown Connection

■ **April 25**, 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.

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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