

UPTOWN

Obligations to returning service members under USERRA

Topic scheduled for MASC Annual Meeting

by Gignilliat, Savitz & Bettis LLP

Yesterday, your personnel director received a call from a person who identified himself as Sergeant Sammy Smith, U.S. Army. He told her he had been discharged from the service and was inquiring about getting "his" job back. According to Sgt. Smith, he had voluntarily enlisted in the National Guard in January 1998. His tour of duty was scheduled to end in December 2002. In November 2002, his discharge orders were rescinded, and he was ordered to accompany his unit to Kuwait in support of Operation Iraqi

Freedom. He finally returned to the United States and was discharged April 15, 2003, some five years and three-and-a-half months after his enlistment.

Do you have any legal obligation to Smith?

Answer: Yes, provided Smith gave advance notice of his duty and was honorably discharged. Smith's rights and your obligations as his employer are set out in a comprehensive federal statute titled the "Uniformed Services Employment and Reemployment Rights Act (USERRA)" 38 U.S.C. §4301, *et seq.*

New law changes special elections

New legislation regarding special elections allows a municipality to cancel the election if only one candidate has filed for the office and no one has been declared to be a write-in. The candidate who filed is declared the winner and takes office the following Monday.

This change means write-in candidates for special elections with only one candidate must now declare their candidacy prior to the election. Candidates wishing to be a write-in on the ballot must submit their intention in writing to the clerk, who forwards the declaration to the appropriate local election authority. Write-in candidates have 14 days after the close of the filing period to submit their name as a candidate. The law does not provide a standard form for write-in candidates to declare their intentions.

Even though the law does not require it, municipalities that cancel the special election because the above requirements are met should officially inform voters the election has been canceled.

Other Annual Meeting Sessions

Law Enforcement Ethics

What Are We Being Sued For Now?

Putting the "Home" Back in
Homeland Security

Diversity as a Community Asset

The U.S. Department of Labor interprets and enforces USERRA.

USERRA gives reinstatement rights to employees serving voluntarily or involuntarily in the "uniformed services."

This includes the active and reserve components of the traditional armed

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forces and the Coast Guard and the Commissioned Corps of the Public Health Service. The cumulative service time causing the absence from work is limited to five years, but there are exceptions. For example, Smith's extension of service because of a war or national emergency is excluded from the five-year "cap." Certain types of less-than-honorable discharge from the service may disqualify the period of service. As his employer, you can request certain documentation for periods of service longer than 31 days.

The employee's only obligation under USERRA is to give you written or oral advance notice of the service and to report back to work within the time limits prescribed by USERRA. Advance notice is not required if prevented by military necessity or if giving of notice is otherwise impossible or unreasonable. The time limits for reporting back to work vary with the length of service. They range from the next scheduled workday for employees serving less than 31 days to 90 days for those in service 181 days or more.

The municipality's obligations under USERRA are much more complex. Municipalities must reinstate returning employees into (a) the job he/she would have held had he/she remained continuously employed or, if not available, (b) in the position in which he/she was employed when he/she began active uniformed service. For service times exceeding 90 days, the municipality may reinstate the employee to a position of "like seniority, status and pay" to the jobs mentioned above if the employee is qualified. The municipality must make reasonable efforts to qualify the returning employee for these positions.

Returning service members must be given all seniority-based rights they would have attained with reasonable certainty had they been continuously employed. A right is considered

Major sections of USERRA include

- Expanding coverage to specifically include Public Health Service, Coast Guard and others designated by the president in time of war or emergency.
- Placing a five-year limit (with some exceptions) on the cumulative time a person may serve in the military and remain eligible for re-employment rights.
- Requiring individuals to give written or verbal notice to their employer prior to departure for military service (with some exceptions).
- Establishing time limits for reporting back to work.
- Providing for the continuation of employer-program health insurance for 18 months.
- Requiring that an employee's military service not be considered a break in employment for pension benefit purposes.
- Requiring a person's military service be considered service with an employer for vesting and benefit accrual purposes.

seniority-based if it accrues with or is based upon an employee's length of service. Entitlement to additional paid time off after so many years of service is an example of a seniority-based right. The entitlement to rights not based on seniority should follow the same policy as that afforded employees on non-military leaves of absence.

USERRA specifically addresses pension and retirement plan rights. Generally, military service is treated as service for vesting and benefit accrual purposes. Absent service members must not be

treated as having had a break in service, and employers are liable for funding obligations for the service member in the same manner and extent as for other employees during the period of service. Employees are entitled to benefits that are contingent upon employee contributions only to the extent that the employee pays in such contributions. The statute addresses time frames for employees to pay in such contributions and the method of calculating employee contribution rates.

Other sections of USERRA prohibit discrimination or retaliation because of military service or an employee's assertion of USERRA rights. Returning employees may not be discharged except for cause for a period of time following service. The statute also requires reasonable accommodation of disabilities acquired or aggravated during service. There are "undue hardship" and "changed circumstances" provisions that give municipalities relief from USERRA in special situations. An example is eliminating positions during a reduction in force. Utilizing vacation pay and continuing insurance benefits during service are also addressed in the statute.

Obviously, the rights afforded returning service members under USERRA are varied and complex. Municipalities may find it advantageous to maintain contact with employees who are serving so that they can anticipate return dates and facilitate a seamless transition back to civilian employment. Consulting legal counsel may be necessary in some situations.

Information can also be found at the Department of Labor's USERRA Advisor at www.dol.gov/vets.

USERRA will be discussed during MASC's Annual Meeting during an education program Friday, July 11. For registration information, visit MASC's Web site at www.masc.sc or contact Nancy Walborn at 803.933.1205.

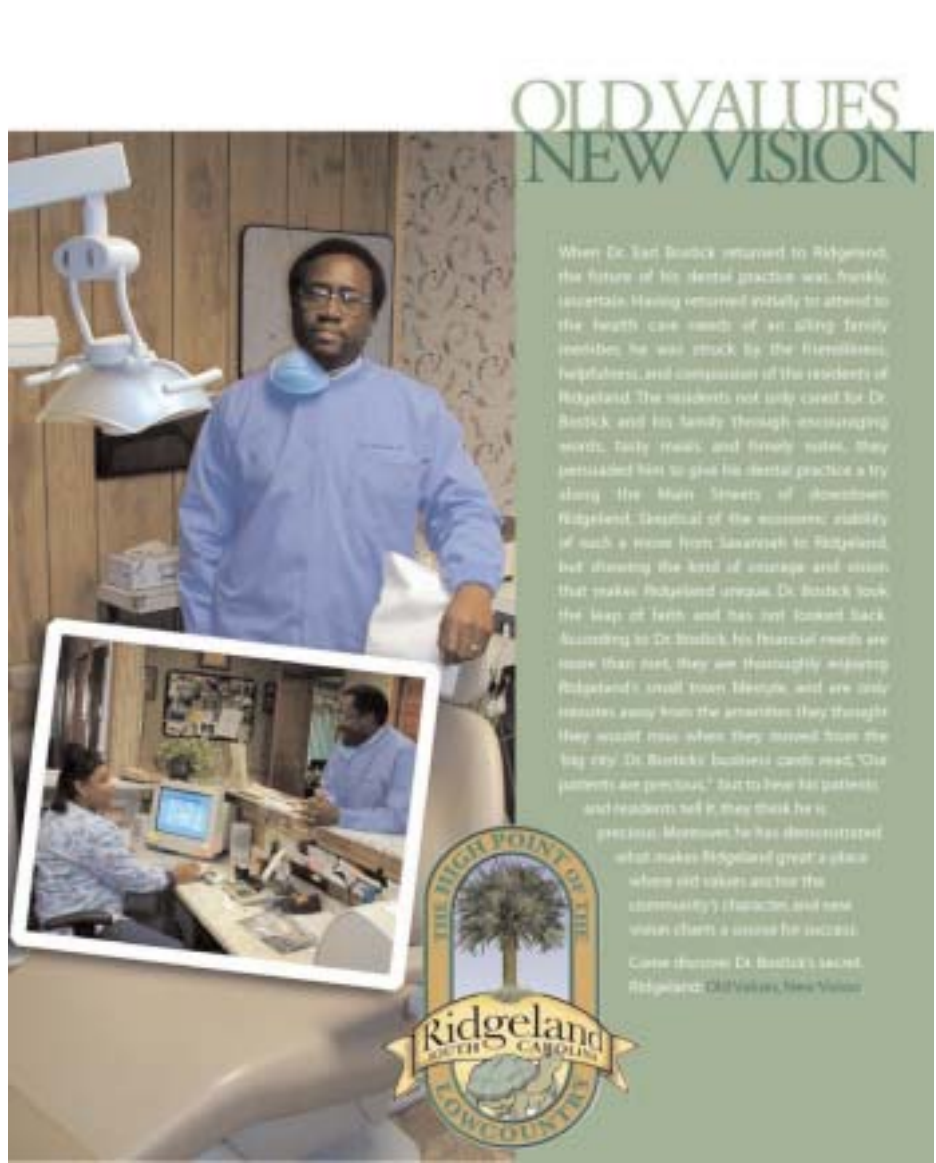
Creating a community identity

We've all driven through them: Towns that have the potential to be so beautiful and unique, if only they would spruce things up a bit and tell us what they have to offer. This was exactly what the Town of Ridgeland wanted, but it wasn't sure how to make it happen.

Community Builders, a service of the Municipal Association of S.C., specializes in this very effort by facilitating community identity charrettes. A charrette is a short, intense public input process used to address problems and opportunities and to capture the unique assets and identity of a community. Used primarily by architects and landscape architects, Community Builders has successfully provided charrettes to address everything from crafting a new economic development plan for a town to the revitalization of a downtown square.

With a community identity charrette, input is sought from the general public, local government officials, local business owners and community leaders. Based on the information gathered, the design team creates a graphic identity with a tagline, marketing pieces, advertisements and other graphic design elements to capture the community's essence. These conceptual ideas are presented to the town council and the general public at the conclusion of the charrette. In addition to the graphic design pieces, Community Builders can also conduct market analysis studies and make non-design-related recommendations for subsequent marketing efforts.

During the charrette for the Town of Ridgeland, the design team learned of the origination of the Town's name: It was named "Ridgeland" to reflect its topographical distinction as the highest point between Charleston and Savannah. Taking this historical information as a starting point, the tagline "Ridgeland: The High Point of the Lowcountry" was developed. The tagline is an intentional double entendre. It first reflects



**OLD VALUES
NEW VISION**

When Dr. Earl Bostick returned to Ridgeland, the future of his dental practice was, frankly, uncertain. Having returned initially to attend to the health care needs of an ailing family member, he was struck by the friendliness, helpfulness, and compassion of the residents of Ridgeland. The residents not only cared for Dr. Bostick and his family through encouraging words, tasty meals, and friendly notes, they persuaded him to give his dental practice a try along the Main Streets of downtown Ridgeland. Skeptical of the economic viability of such a move from Savannah to Ridgeland, but observing the kind of courage and vision that makes Ridgeland unique, Dr. Bostick took the leap of faith and has not looked back. According to Dr. Bostick, his financial needs are more than met; they are thoroughly enjoying Ridgeland's small town charm, and are only minutes away from the amenities they thought they would miss when they moved from the big city. Dr. Bostick's business cards read, "The patients are precious," but to hear his patients' and residents tell it, they think he is precious. Moreover, he has demonstrated what makes Ridgeland great: a place where old values anchor the community's character, and new vision charts a course for success.

Come through Dr. Bostick's secret, Ridgeland: Old Values, New Vision.

Advertising pieces remind locals why Ridgeland is such a wonderful place to live, work and retire.

the topographical fact that Ridgeland is the highest geographical area of the Lowcountry. However, a second, equally important interpretation is implied. The tagline conveys Ridgeland is a "cut above" the rest of the Lowcountry in terms of its people, places, and historical and recreational assets.

In addition to the new tagline, a new logo was developed that could be featured on marketing and advertising materials to foster community pride around a

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To learn more about community identity charrettes, be sure to register for and attend the pre-conference workshop, "Creating a Community Identity," offered Thursday, July 10, from 9:00 a.m. to noon, prior to MASC's 63rd Annual Meeting at Kingston Plantation in Myrtle Beach.

News Briefs



■ MASC welcomes Christie Zeller to its staff as Staff Associate for Communications. She previously worked in the Governor's Office for Victims Assistance. Zeller fills the position previously held by Shala Hainer.

■ Charlotte Cheatham, CMC, clerk/treasurer for the Town of Edgefield, has been accepted as a member in the Master Municipal Clerk Academy Program of the International Institute of Municipal Clerks.

■ Approximately 140 municipal linemen representing 14 electric cities attended the annual S.C. Association of Municipal Power Systems safety training sessions May 7 and 8. The sessions included a Pole Climbing and Hurt Man Rescue Training Competition. The Training Competition winner for May 7 was Richard Christopher from the Orangeburg Department of Public Utilities, and the runner-up was Lawrence Brooks from the City of Rock Hill. The winner for May 8 was Robby Howard from the Laurens CPW, and the runner-up was Billy Catledge from the City of Rock Hill.

■ The Town of McColl received the Community Award from the South Carolina Governor's Council on Physical Fitness. McColl was recognized for its Healthy Living Campaign. Part of this campaign is a community walking program, consisting of using pedometers to measure a walker's daily steps and a monthly community walk hosted at different sites around the area. Through this campaign, one-third of the community has committed to increasing its physical activity. The increase in physical activity has spurred interest in improving the sidewalks and providing safe walking areas.

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Non-taxed fuel schemes hitting municipalities

The Internal Revenue Service's Federal, State and Local Governments (FSLG) Office issued an alert about potential tax schemes involving non-taxed fuel. These schemes are nationwide but may have already affected several municipalities in South Carolina. Municipalities participating in these schemes may subject themselves to civil penalties.

These schemes involve aggressive tax preparers requesting refunds on behalf of municipalities on non-taxed use of fuel. Preparers involved in these schemes serve as tax consultants or claims experts and have agreements with state or local governments to receive a percentage of the recovered amount.

IRS examination of claims revealed that most of the gasoline was previously purchased tax-free. Therefore, the claims were unwarranted.

In addition to the claims being made for tax-free gasoline, refund claims were made for diesel fuel and gasoline based purely on estimates. There **are** no provisions for municipalities to claim refunds on diesel fuel because they are able to purchase it tax-free from registered vendors.

In many cases, the IRS has found gasoline claims to be excessive. Municipalities are subject to civil penalties in the amount of two times the excessive amount. The IRS advises all municipalities to be cautious of any schemes involving gas claims preparation. Refer to IRS Publication 378, "Fuel Tax Credits and Refunds," for proper preparation of refund claims.

For more information, call Clifford Brown, IRS federal, state and local governments specialist, at 803.253.3523.

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consistent message. Community Builders developed mock-ups of potential flags for residential use, banners to add to downtown streetscapes, bumper stickers for cars, and ad campaigns for magazines and billboards. The advertisements featured residents, business people and historic features reminding locals why Ridgeland is such a wonderful place to live, work and retire. The ads tapped into numerous messages ranging from the great business climate to the quality of life to the abundance of outdoor recreational opportunities.

Grady Woods, a councilmember for the Town of Ridgeland, was pleased with the charrette. "This process was helpful because they looked at our community with objective, 'outside' eyes and saw things

that we forgot we possessed or simply took for granted," he said. "The charrette reminded us of all the things that make us proud to be from Ridgeland."

The results of the charrette, including documentation of the input received and all the design recommendations, were published in a report and sent to the Town. Also provided were high-resolution prints, along with a CD containing all the files developed for the charrette. With this information at

hand, Ridgeland is well on its way to showcasing its unique identity and living up to its full potential.

For more information about community identity charrettes, or Community Builders, contact Bill Steiner at 803.933.1227, or visit MASC's Web site at www.masc.sc.



The new logo and tagline reflect the Town's essence.

Focus on Technology

Lancaster reaping benefits of outsourcing technology services

Court administrator Helen Sowell was a little skeptical when the City of Lancaster decided to contract with an outside company for computer services.

"I had reservations at the beginning because we are a small town," she said. "I thought we would save money by doing everything internally." Two years later, Sowell is singing the praises of VC3, Lancaster's new technology management group. "It was a turnkey job for us," she said. "The installation went very smoothly; we got the right things at the right time. VC3 gave us a better value for our dollar."

Lancaster hired VC3, on the recommendation of the Municipal Association of South Carolina (MASC), which collaborated with the technology group to serve member cities and towns.

"Our objective was to increase the level of technology within the City in order to increase reliability, efficiency and communication," said Jim Wilson, Lancaster's finance director.

While City leadership knew it wanted to improve the way it used technology, it did not have a road map to do so. Based on the City's directions, needs and budget limitations, VC3 provided an assessment of the City's existing infrastructure and outlined a three-year timeline for implementation.

"What would have taken Lancaster five years, took two years because of the vision of their finance director and support from their City administrator," explained Karl McCollester, VC3's government accounts manager in Lancaster.

City administrator Steve Willis said he sees savings in contracting externally for this expertise rather than building a department internally for information technology (IT).



"If I had hired a full staff to perform at the level and caliber of VC3, I would have paid more," he said. "With VC3, we only pay for the specific hours we need their help." The relationship also gave Lancaster access to a wide array of expertise from network administration to programming to IT project management. "It cost us some money," concluded Willis. "But VC3 is definitely a worthwhile service that will continue to offer a positive, ongoing process for us."

Since contracting with VC3 for IT services, Lancaster has made great strides in moving its technology infrastructure forward. The City has upgraded its police department and courts administration software packages, connected City buildings together by use of a virtual network, upgraded many of the City's computers and servers, and implemented a citywide e-mail system. Together, these improvements have decreased the number of computer-related issues within the City and have made communication between City departments easier and more efficient.

"We used to do memos; now we correspond by e-mail," said Sowell. "It's a whole new world."

Wilson agreed: "It's a real time-saver," he said. "The investment has been great."

In prior years, Lancaster outsourced computer support and allowed individual departments to contract the service on their own. In the assessment, it was noted this led to varying levels of service quality, without any coordination between departments. In an attempt to streamline this effort, Lancaster hired VC3 to provide support services to all departments.

"Doing so enabled the City to better plan where to prioritize service, as well as begin to look at the City's technology from an organized standpoint," explained McCollester.

Communication has not only improved between city departments, it has also improved with the County and other outside agencies.

"Access to the County's GIS is up and running, and staff can access a county map or a tax card now by using the Internet," Willis said. "Before, we lost staff time and energy in having to run over to the County offices, park the car and look up the information in their office."

With a solid infrastructure in place, Lancaster is looking forward to improving communication with its citizens. The City seeks to implement its first Web site and a Service Request Module. The module will provide a mechanism for the City to receive inquiries and requests from its citizens online.

Building technology or improving it takes changing a mindset, according to Wilson. "You need to understand that a computer will not last for 10 years," he said. According to Lancaster officials, technology needs to be made an annual budgeting priority — not considered a one-time expense. Some other items may need to be put on hold to fund technology needs.

Six graduate from Clerks and Treasurers Institute

In April, six people graduated from the Municipal Clerks and Treasurers Institute (MCTI), a three-year program designed to provide municipal clerks and treasurers with skills critical to their profession: Tammy Barkley of Cayce, Marilyn Leonard of Allendale, Lynette Lynes of Mount Pleasant, Cheryl Mole of Allendale, Carole Rosiak of Greer and Anne Stewart of Winnsboro.

To receive their certificates, participants attended more than 100 class hours about such topics as the role of municipal clerk, financial management, overview of government, public administration and conducting meetings.

During the spring institute, Patricia Graham of Kingstree received a three-year scholarship to attend MCTI. Graham wants to become a point person for the citizens of Kingstree to depend on for information. She hopes to obtain beneficial information concerning her day-to-day responsibilities through the institute. The Town of Kingstree will receive \$200 per session for Graham to complete the institute. The scholarship is sponsored by MFOCTA and is underwritten by SCANA/SCE&G.

Completion of MCTI satisfies the education requirements for certification from the International Institute of Municipal Clerks and the Municipal Treasurers Association of



Six people graduated from MCTI in April: Tammy Barkley of Cayce, Marilyn Leonard of Allendale, Lynette Lynes of Mount Pleasant, Cheryl Mole of Allendale, Carole Rosiak of Greer and Anne Stewart of Winnsboro.

of the United States and Canada. MCTI is co-sponsored by MASC, the S.C. Municipal Finance Officers, Clerks and Treasurers Association (MFOCTA) and the Center for Governmental Services at the University of South Carolina's Institute of Public Services and Policy Research.

The next MCTI session will be held in September 3-5 in Columbia.



Anna Berger of USC's Institute of Public Services and Policy research, right, presents Patricia Graham of Kingstree with a scholarship to attend MCTI.



Classifieds

■ The Town of Edisto Beach is accepting applications for the position of building official. S.C. Certified Building Official preferred. G-2 inspector or provisional inspector considered with experience. Resumes and applications should be sent to Linda Woods, Administrator, Town of Edisto Beach, 2414 Murray Street, Edisto Beach, SC 29438. EOE

■ The Newberry County Council is seeking qualified applicants for the position of county administrator. The administrator reports to seven members of county council elected from single member districts. Applications will be accepted until June 30. Please send resumes to Henry Summer, Chairman of Personnel Committee, 1508 Lindsay Street, Newberry, SC 29108.

■ The City of Myrtle Beach is accepting applications for a senior planner. For complete details, call the jobs line at 843.918.1224, visit City's Web site at www.cityofmyrtlebeach.com or apply in the Human Resources Department, City Services Building, 921A Oak Street (Mailing address: PO Box 2468, Myrtle Beach, SC 29578) EEO/H

For more information on these and other job opportunities, visit MASC's Web site at www.masc.sc.

Multifunctional park planning for the 21st century

by Wood+Partners Inc.

Identifying and meeting the recreation needs of a community can be challenging, due in part to today's economic climate and the need to offer lifetime sports for people who are living and staying active longer. Limited leisure time and changes in citizens' activity interests are also factors.

One significant change in park design to address these challenges is developing parks that offer recreation opportunities for the entire family and consolidating services and staff under one facility to save money.

"The trend in the 21st century is for municipalities to design parks to be great civic spaces that are multifunctional and have facilities for year-round activity," said Mark Baker, landscape architect with Wood+Partners Inc. "In older parks designed to serve a single purpose, such as the traditional five-field baseball complex or soccer complex, parks sat empty and unused once the season ended. The needs of the community and creating a sense of place were forgotten. Today, communities need parks that meet the recreation needs of the entire family, ranging from youth athletics and passive recreation to community festivals and special events."

In addition to the challenges posed by economics and changes in activity interests, communities are also being asked through park design to offset community "negatives" such as increased traffic congestion and rapidly diminishing natural resources and open spaces.

"The key in park design is to recognize that parks are pedestrian in nature, where the focus is on outdoor use," Baker said. "When designed with a strong pedestrian scale, including trees, open space areas and multifunctional sidewalks that can be used for festival displays and special events, parks become outdoor spaces for people to enjoy."



Captions



Through public input sessions, specific components of a community such as historic elements, land features and architecture should be identified and used to guide the park planning process and design. Park master planning is unique for each community. Understanding what citizens want and building consensus among different ideas is necessary to make the planning process successful.

Park planning and design will be discussed in more detail during a Friday afternoon education session at MASC's Annual Meeting. Mark Baker, ASLA, and Kyle Theodore, ASLA, of the Hilton Head Island landscape architecture and recreation planning firm, Wood+Partners Inc., will be the presenters.



FAQ

Under the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), can a municipality announce births and hospitalizations in its employee newsletter?

No, the municipality cannot publish this information without the employee's consent. The municipality is required to maintain the confidentiality of health information. This is federal law, and you can be sued for violating it.

Achievement Awards program recognizes local government excellence

Each year, MASC honors outstanding local government projects in South Carolina. In 2002, 35 municipalities entered the Municipal Achievement Award Program. The eight winners (Trenton, Ridgeland, Fountain Inn, Orangeburg, Newberry, Bennettsville, Honea Path and Rock Hill) have been featured in recent issues of **Uptown**. Following is the final installment of descriptions of other 2002 entries.

City of Sumter

To maintain a Class II ISO rating, Sumter needed a new fire training facility but had limited funds to build one. As an alternative, the City chose a piece of surplus property for the new facility, with firefighters providing most of the construction labor. Other departments, such as police and emergency medical services, are now conducting training programs in this building. To build the required training tower, Sumter officials negotiated a trade of land for a pre-stressed concrete tower, saving \$265,000. The final ISO requirement the City needed to meet was having a confined-space training facility. Five mobile containers that firefighters connected and painted with high-temperature paint were purchased. The firefighters then installed a roof. With teamwork, public/private partnerships and ingenuity, the entire fire training facility was built for approximately \$168,000 instead of the original projected cost of \$700,500. It has become a regional training site and will improve service to citizens as local firefighters become better trained.

*Contact: Talmadge Tobias,
803.436.2500*

Town of Surfside Beach

The Surfside Beach Police Department now requires its officers to complete an emotionally challenging, interactive training program for officer survival. The program combines "In the Line of Duty" videotapes with dramatic scenarios requiring officers to

apply lessons learned from the videos. By providing an extraordinary amount of training for emergency survival, the Town hopes to reduce the number of police injuries and to decrease the potential of unwarranted civil suits for negligence or excessive force. The scenarios elevate the levels of emotional stress and anxiety while providing an adrenaline rush similar to what officers experience in actual emergencies. Student officers get a chance to correct their mistakes before they actually happen on the streets.

*Contact: Michael Kovacs,
843.913.6111*

City of Travelers Rest

Travelers Rest's Christmas Bicycle Program began with one child in 1999. While talking to the child, Sgt. Ronardo Bowser realized the boy received only a basketball for Christmas, while a boy down the street was about to throw away his old bike, which had been replaced with a new one for Christmas. Sgt. Bowser asked for the old bicycle, refurbished it with new paint and other small improvements, and delivered it to the boy who had received only a basketball. Seeing how much joy it brought the boy, Sgt. Bowser began asking others in the community for old bikes. Local businesses, such as a bicycle shop and a hardware store, donated materials to help repair the bikes. The following Christmas, Sgt. Bowser delivered 25 bicycles to needy children. In 2001, other officers, administrative staff and community

leaders joined the effort. The Christmas Bicycle Program received enough cash donations to purchase 25 new bicycles and 50 helmets. Other items were donated, such as toys, videos and non-perishable food. Local churches and civic organizations helped the officers identify 36 needy families with a total of 90 children. These families "shopped" through the donated items with Sgt. Bowser. These families were also exposed to a positive image of police officers, which has helped foster trust and partnerships between citizens and the police.

*Contact: Chief Tim Christy,
864.834.9029*

Town of Winnsboro

In addition to providing water service to its citizens, Winnsboro supplies water to surrounding areas. Faced with a continuing threat of drought, the Council began investigating an alternative water source. It found a water-filled abandoned granite quarry. The Town contacted DHEC, which agreed the water was usable for consumption. Because the quarry was three miles from its existing water reservoir, the Town needed a way to transport the water from the quarry to the reservoir. Winnsboro received a permit from the S.C. Highway Department to use the highway right-of-way for part of the distance and gained permission from local land owners to install pipe on their private property. After installing the

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pipe, a meter and a floating pump, Winnsboro contacted SCE&G to supply power to the quarry area. Winnsboro now pumps water from the quarry to the reservoir. This has allowed the Town to help additional communities with emergency water needs.

Contact: Beth Bonds, 803.635.5287

City of York

In recent years, York has experienced a high level of turnover in its

public safety department. The cost of advertising for, training and equipping new officers proved staggering. To combat this problem, York created a career ladder policy that established guidelines for promotion based on specific criteria. This gave a continuous opportunity for officers to advance in rank and pay during their first two-and-a-half years of employment. Officers are made aware of the criteria they must meet to advance, and they are able to see their growth potential

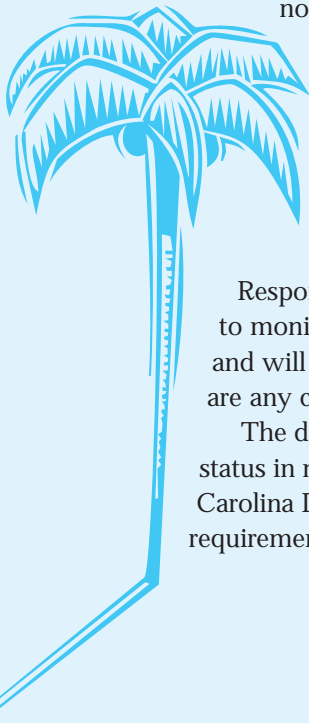
in the department. Since the policy was implemented, York officials have noticed increased morale and job satisfaction within the police department. Officers have become more involved in the community because of required community service hours. The career ladder has enabled the City to retain skilled personnel, which allows the department to better serve and protect the citizens of York.

Contact: Chief William Mobley, 803.684.4141

Drought declaration removed
**Does not affect drought
plan/ordinance requirement**



The South Carolina Drought Response Committee removed the drought declaration for all South Carolina counties. Almost all locations have received above-normal or much-above-normal rainfall since last September. The rainfall's timing, amount and duration have brought all drought indicators back to normal levels. Long-range forecasts presented by the S.C. State Climatology Office call for a more normal precipitation pattern this summer than received during the previous four summers. The Drought Response program will continue to monitor the drought conditions and will provide updates if there are any changes in the forecast.



The downgrading of the drought status in no way influences the South Carolina Drought Response Act of 2000 requirement. All water systems must

revise their drought response plans and ordinances. Your new drought plan and ordinance must be consistent with the model drought management plan and response ordinance developed by the South Carolina Department of Natural Resources (SCDNR), the South Carolina Department of Health and Environmental Control and the South Carolina Water Utility Council. Each water system has until June 2003 to submit to SCDNR their water system's new plan/ordinance for consistency review.

To efficiently store and review the ordinances, SCDNR is requesting plans and ordinances be submitted electronically via a secure Web site (www.dnr.state.sc.us/pls/drought/login). The Web site contains detailed instructions explaining how to upload your document for review. You may also download an electronic version of the Model Drought Management Plan and Response Ordinance from this Web site. Please contact Dorothy Phillips, Hope Mizzell or Milt Brown at 803.734.9100 to obtain your secure login and password.



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■ The National Center for Small Communities (NCSC) announces the Grassroots Rural Entrepreneurship Award, supported by the Ewing Marion Kauffman Foundation. The award recognizes and promotes achievement in entrepreneurial development resulting from the outstanding leadership of local government officials. Elected officials who serve small communities (less than 10,000 population) and have a demonstrated record in promoting local entrepreneurship are encouraged to apply. Award applications must be received by NCSC by June 30. Information and application materials are posted on the NCSC Web site at www.natat.org/ncsc/Kauffman/entrep/default.htm.

■ The regulations for local governments to officially use the ".gov" Internet domain have been finalized. For more information, visit <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2003/03-7413.htm>.

2003 Setoff Debt Training Sessions

Preparations for the 2003 Setoff Debt Program are under way. The training sessions are listed below. Registration deadline is July 11.

Using a 1992 amendment to the Setoff Debt Collections Act, MASC compiles and forwards to the Department of Revenue each December a database of delinquent accounts and debts owed to participants of the Setoff Debt Collection Program. If an individual who owes a debt is scheduled to receive a state income tax refund, the Department of Revenue reduces the refund by the amount of the debt. The amount collected is forwarded to MASC, which in turn forwards it to the reporting participants.

July 25

Who should attend:

Computer programmers

This session is mandatory for any computer programmer representing a new participant. MASC staff will review procedures for uploading and downloading debtor information to and from the Setoff Debt application.

July 29

Who should attend: New participants

This session is mandatory for any municipality not currently participating in the program and for new employees of current participants. MASC staff will explain all aspects of the Setoff Debt Program and provide training on using the application.

July 31

Who should attend: Current participants

This session is mandatory for current participants. Now that the right to collect an administrative fee from debtors has been approved by the S.C. Supreme Court, the collection of administrative fees will be reinstated beginning with the 2003 tax year. MASC staff will review changes that will occur in the application.

For more information, contact Gail Hampton at 803.933.1213 or e-mail ghampton@masc.sc.

space available

space available



Educational Opportunities

MASC

■ **July 10-13**, will hold its Annual Meeting at Kingston Plantation in Myrtle Beach. See related article on page 1.

S.C. Association of Municipal Power Systems

■ **July 24-27**, will hold its Annual Meeting at the Hilton Oceanfront Resort in Hilton Head Island.

Set Off Debt

- **July 25**, mandatory training for programmers representing new participants in Columbia.
- **July 29**, mandatory training for new participants in Columbia.
- **July 31**, mandatory training for 2002 participants in Columbia.

S.C. Association of Stormwater Managers

■ **August 1**, will hold its Quarterly Meeting in Columbia.

Municipal Clerks and Treasurers Institute

■ **September 3-5**, will hold its Fall Training Session in Columbia.

Municipal Elected Officials Institute of Government

■ **September 4**, "The Benefits and Pitfalls of Economic Development" and "The Forms of Government" will be presented via satellite to the 10 regional councils of governments.

S.C. Community Development Association

■ **October 23-24**, will hold its Joint Meeting in Newberry.

S.C. Association of Stormwater Managers

■ **November 21**, will hold its Quarterly Meeting in Columbia.

Municipal Elected Officials Institute of Government

• **February 17, 2004**, Sessions A&B will be held at the Adam's Mark Hotel in Columbia.

MASC Winter Meeting and Legislative Conference

• **February 18, 2004**, will be held at the Adam's Mark Hotel in Columbia.

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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