



UPTOWN

a publication of the municipal association of south carolina

Welcome to the new uptown

I bet you didn't recognize us!

By Mary Brantner

It has been in the works for almost a year. *Uptown* has undergone an extreme makeover graphically and, to a lesser extent, editorially. These changes came about based on feedback from members as well as input from our staff.

Every so often, we take a step back and look for ways to make the newsletter more relevant and visually appealing to you – our readers and members. We all get bombarded with communication every day from e-mails, newsletters, magazines, television, radio, podcasts and Webcasts; I could go on and on. So, sometimes you have to shake things up a bit to break through the clutter.

You can tell by the picture accompanying this article that *Uptown* has had quite a few facelifts over the past three decades. We made it through the '70s with our dramatic "up" arrows; lived through our brown period in the '80s and

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For a list of current municipal job openings, visit www.masc.sc/misc/jobs.htm

WELCOME: CONTINUED FROM PAGE 1

walked on the edge in the '90s with our stylized graphics set against a mustard yellow background.


Although maybe not as noticeable, *Uptown's* mission has evolved as well. The newsletter has become an integral part of our educational mission here at the Municipal Association. While we hope you'll find the new look inviting, our most important concern is you will continue to find the content pertinent and informative. Our goal is to provide you with articles relevant to municipal officials at all levels from hometowns of all sizes.

With this March issue, *Uptown* is stepping up its content. In addition to the array of topics usually found within these pages, we will offer a cluster of articles each month on an issue of municipal interest.

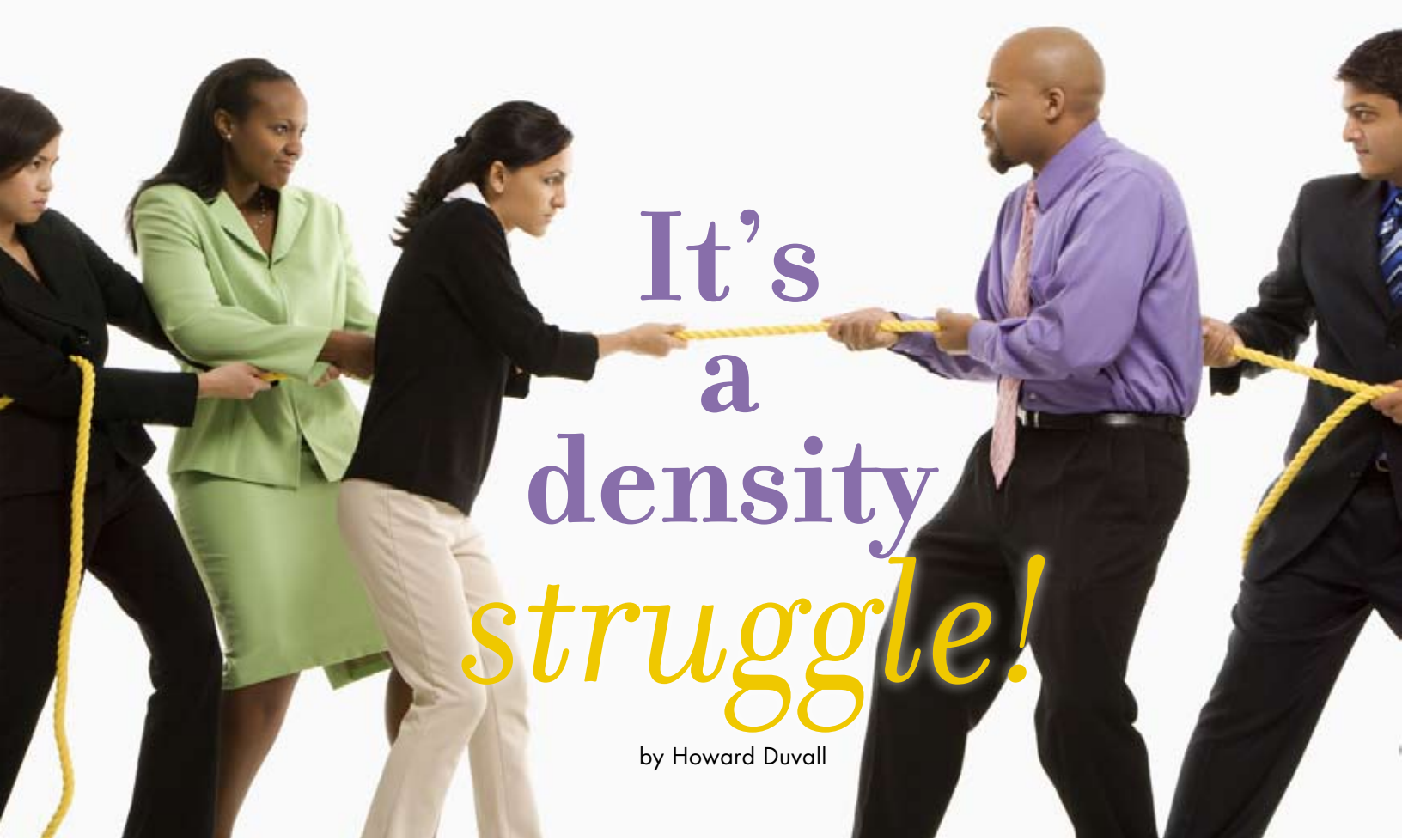
Each March, we celebrate Sunshine Week. It is a time for municipal officials to reaffirm their commitment to the principle of open government. This issue picks up on that principle and features articles on the Freedom of Information Act, the liability of disclosing (or not disclosing) law enforcement records, records retention (specifically electronic) and available training on the FOIA and records retention.

Also, we are beefing up our online resources to allow you to delve deeper into each issue. The electronic version of *Uptown* will continue to include links to additional information from stories in the paper version. We also are looking forward to relaunching our Web site in the fall with additional features, easier navigation and more information. Our goal is for the site to be "the" source for all municipal information for South Carolina.

The Association also is utilizing e-mail to a greater extent. Make sure you are receiving our Monday e-mail. We are expanding it from offering just education and training opportunities to including timely items of municipal interest. On Fridays during the legislative session, look for "From the Dome to Your Home," a recap of the week's activities at the State House. If you are not receiving these, make sure to provide us with your e-mail address at mail@masc.sc.

All of us at the Municipal Association hope you enjoy the new *Uptown*. As always, we appreciate your comments and suggestions. You can reach me at 803.933.1206 or mbrantner@masc.sc. 

Mary Brantner has been the editor of *Uptown* for almost 20 years.



It's a density struggle!

by Howard Duvall

If we can achieve real coordination using the encouragement of the Priority Investment Act, another speed bump on the road to better annexation laws can be removed.

Annexation legislation is a perennial battle for South Carolina municipalities. This year the debate is centered on the conflict between county planning and the impact municipal annexation may have on planning for growth. This debate is fueled by annexation of large tracts of undeveloped land in the coastal counties. The Coastal Conservation League and other environmental groups are calling for changes that would require more cooperation in planning between municipal and county governments.

The central issue is the density of development. From the county's perspective, the county planning commission develops a comprehensive plan for the unincorporated area. The land use element creates zones and density regulations to meet the amount of development which can be served efficiently by the public infrastructure. Future roads, libraries, water, sewer and other government services are planned to support the growth allowed by the county's comprehensive plan.

If a large tract of land is annexed into a municipality and the density of development is changed, the cost of the public infrastructure is greatly increased. Even if the developer pays for most of the public infrastructure, there is still an unanticipated increase in the public cost.

From the municipal point of view, the private property owner reaps the benefit of an improved quality of life by being part of a municipality. It adds value to the property. Even a potential increase in the public cost is balanced by economic development of the area that provides jobs for residents.

How do we solve this public policy dilemma?

The first step toward a resolution can be found in the Priority Investment Act (Act 31, 2007) passed last year. Although the act simply encourages local governments to coordinate the planning process, this coordination is exactly what will have to happen to get the density issue out of the annexation debate.

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- The Preserve America Foundation named the **City of Aiken** a Preserve America Community. The award recognizes communities that practice historic preservation by protecting their historic assets and using them for economic development and community revitalization.

- The cities of Rock Hill and Charleston and municipalities in Aiken County were among the **"100 Best Communities for Young People"** selected by the America's Promise Organization, started by Gen. Colin Powell and chaired by Alma Powell.

- Under an agreement with the Municipal Association, all cities and towns will be receiving copies of both **SC Magazine** and **SC Biz** at city hall. *SC Magazine* is a statewide travel magazine that features a column on South Carolina municipalities in each issue. *SC Biz* is a statewide business magazine based in Charleston.

Annexation law

Needs reform to make it possible

Editorial reprinted with permission from *The State*



IT'S NOT OFTEN that people who don't work in city government talk about the need to change South Carolina's antiquated annexation laws. But Cayce's sudden decision to annex a Richland County flood plain for what looks like a revival of the defunct Green Diamond has created that conversation, led by environmentalists.

While their proposals to make annexation more transparent seem reasonable, their larger concern is misplaced.

Our problem isn't that it's too easy for municipalities to expand. It's that it's far too difficult: At least 75 percent of property owners must agree to be annexed, either by petition or in a public referendum.

As a result, while South Carolina shook off its rural roots and became largely urban and suburban in the past half-century, you wouldn't know it by looking at census data: The portion of our population that actually lives inside an incorporated municipality increased just 1 point from 1950 to 2004, from 35 to 36 percent.

That's because people didn't flock to our cities – which for the most part don't have much room inside their boundaries for more people. They came to our metropolitan areas. They came for the same reasons that those inside the cities came: That's where the jobs are; it's where the cultural amenities and the shopping and the good schools and the neighborhoods are.

Problem is, the non-city-dwellers do little to foot the bill for the added police and fire protection at their jobs, for the amenities that cities provide. On top of that, they demand municipal-style services from their counties.

So the actual city residents have to pay higher taxes to support their outside-the-city-limits neighbors, or else settle for a lower level of services themselves. And non-urban county residents have to pay higher taxes for the garbage collection and parks and other services they neither want nor need.


The most absurd manifestations of our anti-annexation laws are the "doughnut holes" – tiny little areas surrounded on all sides by a city. Often the residents don't realize that they aren't in the city – until they call the police and are told to call the sheriff.

Our annexation laws are a microcosm of a larger problem – a legislative tradition that is hostile to local government. Just as the legislature keeps the executive branch of state government weak by dividing its power among nine elected officers and dozens of part-time boards, it keeps local governments weak by limiting or dividing up their powers. It hampers

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DENSITY: CONTINUED FROM PAGE 3


Cities and towns need to take an active part in the county's development of the comprehensive plan's land use element for areas near their city limits. County government needs to recognize the importance of coordinating both the city and county planning process.

If we can achieve real coordination using the encouragement of the Priority Investment Act, another speed bump on the road to better annexation laws can be removed. 

For more information about annexation or other legislative issues affecting municipalities, visit the Legislative Services section of the Municipal Association Web site at www.masc.sc.

EDITORIAL: CONTINUED FROM PAGE 4

counties by maintaining some 500 special-purpose districts – separate, redundant little governments, often controlled by legislators, that provide sewer service or parks or any number of other services that should be provided by the county or, better still, by a city whose boundaries match the urban population that wants those services.

But a good first step to correcting this pathology is reforming our annexation laws – to lower the number of property owners who must support annexation, to lower it even more in the case of doughnut holes or even to move to the more rational North Carolina approach, which makes annexation automatic when a population reaches an “urban density.” In addition to strengthening our cities, that would reduce the political clout of the special-purpose districts, which would make it easier to give county councils control of the counties, which would lower the cost of government and give legislators more time to concentrate on running the state – which is, after all, what we elected them to do. 

Annexation law

Unanswered questions

by William Harvey, City Attorney, City of Beaufort

When does a freeholder have the right to withdraw his signature from the annexation petition?

Courts around the country have reached different conclusions on that question. Most jurisdictions allow a freeholder to withdraw his signature up until final action is taken on the petition, even though the result could make the petition ineffective for lack of the required signatures.

- “Absent statutory prohibition on the right to withdraw from voluntary annexation petition after it has been submitted, individual petitioners may withdraw at any time until the governing municipal body has taken action upon the petition by enacting the ordinance annexing the area described in the petition.” *Conover v. Newton*, 256 S.E.2d 216 (N.C. 1979)

A few courts ruled the right to withdraw signatures expires at the petition filing date.

- “Determination whether a petition in an annexation proceeding contains the required number of signatures is to be made as of the date of filing.” *City of Roanoke v. County of Roanoke*, 198 S.E.2d 780 (Va. Sup. 1973)

- Signer of an annexation petition may withdraw his signature before presentation of petition. *In re Annexation by Borough of Carnegie County*, 182 A.2d 527 (Pa. 1962)

Still other courts hold that the right to withdraw signatures from a petition expires once the municipal council takes action on the petition.

- The court denied withdrawal of signatures in a petition for annexation because “affirmative legislative action has commenced and jurisdiction attaches.” *State ex rel De Concini v. City of Phoenix*, 243 P.2d 766 (Ariz. 1952)

- While signers of an annexation petition may withdraw their names before the body to which it is addressed has acted thereon, they may not do so afterwards. *Crosthwait v. White*, 226 P.2d 477 (N.M. 1951)

There is no case in South Carolina addressing this issue. State law says: “Upon the agreement of the governing body to accept the petition and annex the area and the enactment of an ordinance declaring the area annexed to the municipality, the annexation is complete.” The state Supreme Court generally rules to protect the property owners’ rights over governmental intervention.



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QUESTIONS, UNANSWERED:

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Strip or Shoestring Annexation: Can you?


In 1989, in an effort to reach and annex a mall being developed, the City of Columbia purchased and annexed a five-foot strip of property one-mile long. This annexation spurred the litigation known as the *Columbia v. Irmo* cases, which reached the state Supreme Court on five occasions. However, each case was decided on grounds other than the legitimacy of “strip” annexation.

In the last of these decisions, *State v. City of Columbia*, 528 S.E. 2d 408 (S.C. 2000), Justice Waller, writing for the court, stated: “The 1989 strip annexation and the annexations it spawned have been before the appellate courts five times. Those cases were decided primarily on the ground of standing, and no opinion has addressed the legitimacy of the strip annexation.”

In the recent case of *Hughes v. Town of Oak Island*, 580 S.E.2d 704 (N.C. 2003), the North Carolina Supreme Court held that “shoestring annexations contravene the contiguous boundary requirements set forth in the annexation statutes.” Many other courts throughout the country

have similarly held that “shoestring annexations, using a narrow corridor to connect the municipality to an outlying, noncontiguous area it desires to annex, defeats the basic concept of a municipal corporation of unity and compactness.

In a pending case in Beaufort County (*Campbell et al v. Town of Yemassee*), the town annexed Binden Plantation. To establish contiguity, Yemassee also annexed a strip of land 20 feet in width and 3 miles in length. Several citizens, the Coastal Conservation League, and the state attorney general have challenged this annexation.

The trial court ruled in favor of the town, dismissing the challenges on the issue of standing, without addressing the issue of shoestring or strip annexation. This ruling will continue to leave the issue of shoestring or strip annexation without judicial decision in this state. 

Harvey presented this topic at the December 2007 meeting of the SC Municipal Attorneys Association. For more information about the Association, upcoming training or copies of presentations from prior meetings, visit www.masc.sc/affiliates/maa/description.htm.

Updated publications available

Each year, the Municipal Association updates its *Municipal Officials and Legislative Directory*, a highly sought-after publication containing contact information about state and local elected officials all in one publication. The directory lists information about all municipalities such as population, address, telephone, Web address, council meeting schedule and names of state and local elected officials and employees who hold key positions. State house and senate members are listed by committee and municipality represented. In late February, the Association sent a complimentary copy of the directory to all municipalities. To order additional copies, visit www.masc.sc/resources/publications.htm.

The Association updated several other publications recently and has them available on its Web site.

- *The Handbook for Municipal Elected Officials* is considered by many to be the “bible” for municipal government. It provides a general overview of local government operations for elected and appointed municipal officials. Topics include elections, financial administration, court procedures and personnel administration.
- *The Model Employee Handbook for SC Municipalities* is a resource to help municipalities ensure they meet the

technical requirements of state and federal employment laws. The handbook is not intended to replace employment policies already in place. Instead, officials should use it as a resource to review current policies for legal and practical issues. Also, the handbook is intended to help municipalities with unwritten policies by putting these policies in writing. It is designed to be a starting point – not an ending point – for municipal employment policies.

- *The SC Business License Handbook* was updated and includes the model business license ordinance and a model business classification index with corresponding NAICS codes and rate classes. This handbook is a working tool for interpreting and administering the business license ordinance by license inspectors. The handbook does not address every problem that could arise, but it does offer guidance in administration’s most frequently encountered areas.

Download a free copy of these publications at www.masc.sc/resources/publications.htm, or order copies by completing the order form found on the Web site.

delete at your own risk

Reprinted from
Governing magazine

Governments need a system for managing their mountains of e-mail. Very few have one.

For several months last fall, the St. Louis media had a field day with Missouri Governor Matt Blunt's office for doing the equivalent of crumpling up important office correspondence and tossing it away. Employees weren't using a wastebasket, though. They were tossing out messages by clicking "delete" on their computers. Staff members insisted there was no written policy in their office on saving and deleting the e-mails. They said they routinely erased the messages because they didn't view them as part of the public record.

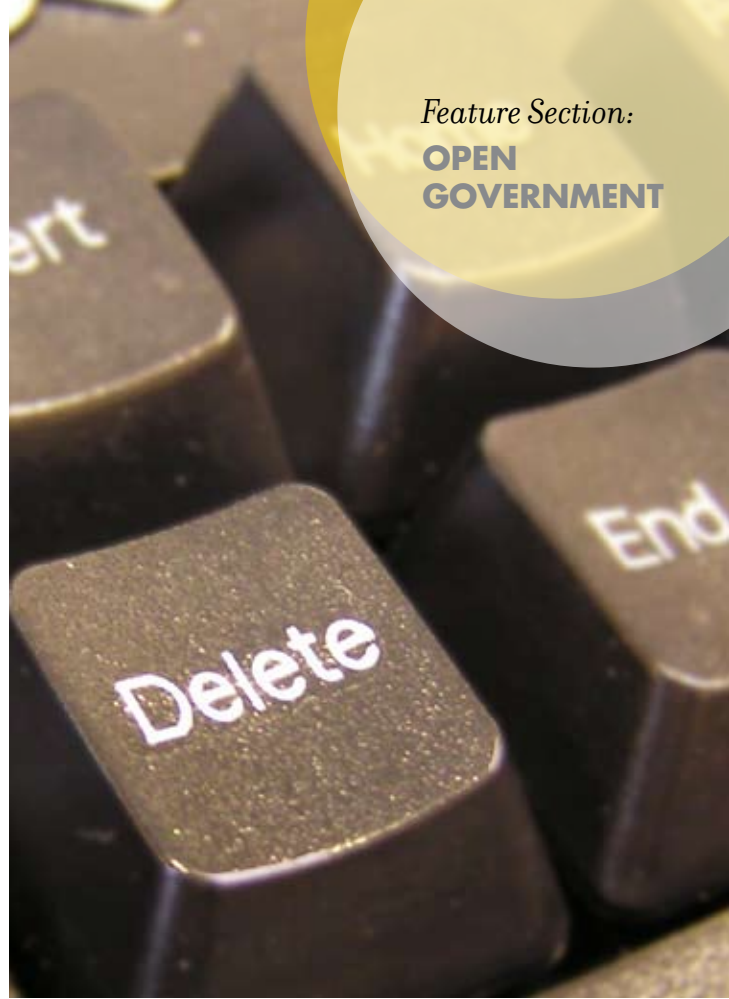
Millions of state and local employees in jurisdictions all over the country correspond by e-mail every day without giving much thought to what should happen to the product. They may come to regret that behavior. Not only are records, and history, being lost, but many government lawsuits now turn on what is buried in old e-mail messages. Government policy simply has not kept up with the evolving technology. "At the moment," according to Charles Davis of the National Freedom of Information Coalition, "everyone is looking up and saying, 'Maybe we ought to be keeping this stuff.'" But few have come up with clear rules governing where and how to keep it.

E-mail is simply another way to distribute a public record. As time goes on, courts are likely to hold governments increasingly responsible for organizing and saving those records in exactly the way they would save paper records. Logically, that would require them to set policies for computer use and offer training on how to properly handle and retain e-mails. Few do.

PRESSURE FROM THE FEDS

In fact, though, if there was any doubt about the importance of public e-mail management, it should have disappeared in December 2006, with a change in the Federal Rules of Civil Procedure.

Feature Section:
**OPEN
GOVERNMENT**



Under those rules, state and local governments that become litigants in a federal case will have to produce any electronic information considered relevant to the case. If they can't easily retrieve e-mails because they haven't established an efficient way to store them, it's going to cost a lot in staff time. Employees might have to review millions of e-mails to find which ones deal with the plaintiff. If they've deleted crucial e-mails that are public record, that creates other issues.

Many of these federal cases involve the use of government e-mail by one employee to harass another. Before e-mail, it was hard to prove that an agency culture was oppressive. Plaintiffs had to show it through the word of other employees. Now it is set in digital stone. Lawyers can request e-mails with the plaintiff's name on them, whether in the body of the e-mail or in the "to," "from" or "cc" lines. Or ask for everything on the hard drive.


It might be tempting to conclude that the way to deal with this problem is simply to establish a policy of rapid deletion, thus eliminating the evidence. In fact, though, stored messages are as important to the defense in an employee-related case as they are to the plaintiff. They help governments prepare an argument and potentially save thousands of dollars in claims and back pay. If an employee sues, claiming sexual harass-

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ment by a superior, but investigators discover e-mails revealing he or she welcomed the advances, the government is in a stronger position in court.

For that reason, lawyers and archivists recommend that government agencies refrain from reassigning computers immediately after an employee is terminated. Instead, they should cull the information from that computer before a new user erases documents the government could use in court should it need to. There's no telling when it might need to. Governments can be sued for years after an event. "You wouldn't believe how many mistakes are made and just how obvious this is," says Dietzen. "People finally are waking up." 

Reprinted in part with permission from the January 2008 issue of *Governing* magazine. For a full copy of the article, visit governing.com.

Need more training

about records retention
or the
Freedom of Information Act?

- **Municipal Association of SC:** www.masc.sc/resources/about.htm under Communications/Freedom of Information Act
- **"The Freedom of Information Act in SC"** core course for the Municipal Elected Officials Institute of Government: www.masc.sc/education/meo.htm
- **Municipal Clerks and Treasurers Institute:** www.masc.sc/education/mcti.htm
- **SC Municipal Finance Officers, Clerks and Treasurers Association:** www.masc.sc/affiliates/mfocta/description.htm
- **SC Department of Archives and History:** arm.scdah.sc.gov
- **SC Public Records Association:** www.scpra.org
- **SC Archival Association:** www.state.sc.us/scdah/scaa.htm
- **Palmetto Archives, Libraries, and Museums Council on Preservation:** www.state.sc.us/scdah/palmcop/palmcop.html
- **SC Press Association:** www.scpres.org/foia.php

Check your records management knowledge with the SC Department of Archives and History's "Introduction to Records Management Quiz" at www.state.sc.us/scdah/rmqiz/web3.htm

Budget preparation tip: work sessions

by Howard Duvall

Adopting the yearly budget is one of the most important responsibilities of the elected council. No matter who is responsible for preparing the draft budget (council, mayor or city manager), it is the council's duty to become thoroughly familiar with the details of the budget. This is normally accomplished through a series of "work sessions."

Although they are called something else, work sessions are council meetings and are covered by the Freedom of Information Act. Work sessions are subject to all FOIA notification requirements and must be open to the public.

Depending on the municipality's size, it may take several work sessions for council to gather all the information it will need to make informed decisions on a balanced budget. The "wish list" submitted by the municipal departments always exceeds the revenue capacity of the city. It is the council's duty to prioritize the requests and make the hard decisions on which requests cannot be funded. The state constitution (*SC Constitution, Article X, Section 7(b)*) requires municipalities to adopt balanced budgets.

{We're all in this together}

to serve our communities

By Bill Rogers, Executive Director, SC Press Association

Municipal leaders and the press of South Carolina share a common goal – to serve their communities and make them better.

That is important to remember as we approach the annual Sunshine Week celebration in our state.

Sunshine Week promotes open government, and this openness is something most journalists take very seriously. But why do reporters care if a meeting is closed or if a record is sealed?

I think the primary reason is that good reporters consider themselves to be watchdogs on behalf of the citizens of their communities. They take seriously their role as members of the Fourth Estate.

In case you have forgotten, that term came from Edmund Burke, an 18th century philosopher, who looking up at the Press Gallery of the British House of Commons, said, “Yonder sits the Fourth Estate, and they are more important than them all.”

You can certainly debate which is the most important estate, but it is hard to argue with the idea that an informed citizenry is the foundation of the democracy we are fortunate to have here in America and the Palmetto State.

And reporters and editors have the task of informing the public. So do public officials.

As a former reporter and later journalism professor, I did a great deal of thinking about the relationship between reporters and government officials.

In an ideal world, there is mutual respect. Not antagonism. Not a tight friendship.

- **Journalists** would respect the time and energy councilmembers put into governing our cities

and towns. Journalists would work hard to achieve the almost impossible goal of objectivity. They would be fair and accurate. They would question actions, not motives.

- **City officials** would respect the job journalists do, and through them get information about the public's business to the public. Officials would realize that openness improves the public's confidence in the system...decisions aren't being made in back rooms.

The Municipal Association does an excellent job educating town and city councils and staff members about the Freedom of Information Act here in South Carolina. From a journalist's point of view, here are some things to help you let the

sun shine in on your city and improve city-press relations... and the public's knowledge of their government:

- Be careful about **executive sessions.**

State their specific purpose and avoid other topics once behind closed doors.

- Make **agendas and council packets** available to reporters prior to a meeting. As a former government reporter, I know first-hand how hard it is to cover a governmental meeting accurately. Without packets, that task is even harder.

- Make police reports and other documents available in a timely manner, not days or weeks later.

So when a reporter calls or you get one of those pesky FOI requests from the press, remember they have a tough and important role in making your city better. And thank you for your public service.



For more information about Sunshine Week or for ideas of what your city or town can do to celebrate Sunshine Week in your community, visit www.masc.sc/resources/sunshineweek.htm.



Most law enforcement information is open to FOIA requests

In 2005, the S.C. Supreme Court heard a case in which the City of North Charleston denied the Evening Post Publishing Company access to a 911 tape.

The caller in the 911 tape told dispatchers about four white men attacking a black man in front of a store. The tape also contained conversations between the dispatcher and police officers. During the incident, the victim was shot and killed by police officers. The four attackers were arrested and charged with lynching. The police officers were not charged with a crime.

The newspaper company put in a request through the Freedom of Information Act to get a copy of the tape but was denied access through the city. The city consulted the solicitor, who said the tape would be evidence in the upcoming lynching trial and was therefore exempt from disclosure. The city

argued that releasing the tape would “harm the agency,” because it could have led to pre-trial publicity that could taint the jury pool and cause the venue of the trial to be changed. According to the city, the harm would have been that the solicitor’s office could not have afforded the financial cost of a change of venue.

The Post appealed to the state Supreme Court, where justices ruled that the city’s denial of the request for a copy of the 911 tape violated the FOIA. The financial cost of a venue change is not the kind of harm that the law was intended to prevent, justices said. The lower courts erred in ruling that harm is presumed when the subject of the FOIA request will be evidence in a prospective criminal trial, they said.

“We reject this categorical rule in favor of the usual case-by-case approach,” wrote Justice Costa Pleicones in the ruling. “The city was required to prove particular harm.”

That case showed that each request under the Freedom of Information Act must be considered on its own merits, said attorney Vinton Lide.

“It puts the burden on the agency to show some exception to FOIA whereby they can refuse to provide information,” Lide said.

The South Carolina Freedom of Information Act lays out what law enforcement records are exempt from disclosure. This includes records that could harm the agency by disclosing the identity of informants; revealing investigatory techniques not known outside of government; prematurely releasing information that could be used in prospective law enforcement action; endangering the life, health or property of any person; or disclosing the contents of intercepted wire, oral or electronic communications not released during a trial.

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Frequently Asked Questions

Freedom of Information Act

What are the circumstances that allow an executive session?

- Employment issues specifically including appointment, compensation, promotion, demotion, discipline or release of an employee
- Contract negotiations and receipt of legal advice
- Business recruitment/economic development discussions related to proposed location, expansion or services

How much notice of a planned meeting is required?

- Written notification of a meeting must be given at least 24 hours in advance. This applies to committee meetings as well as council meetings.

How much can a municipality charge for copies specified in an FOIA request?

- Reasonable fees cannot exceed the actual cost of searching for or making copies of records. A uniform pricing system should be established.

Are e-mails and other forms of electronic communication subject to FOIA requests?

- Yes. Electronic communication (regardless of whether it has been printed or remains on the computer's hard drive) is subject to FOIA requests.

How quickly must a government body respond to an FOIA request?

- Public bodies must respond in a timely manner, with 15 working days specified in the law (excluding Saturdays, Sundays and legal public holidays).

What specific items must be released immediately upon request (15-day rule doesn't apply) and do not require a written request?

- Minutes from the last six months
- Crime reports for the most recent 14-day period
- Documents identifying people in jail for the past three months

When must the names of the finalists for a position be disclosed?

- All material relating to no fewer than three final applicants for a public job must be made public. Certain material, including tax or medical records, can be blacked out before release.

Can votes be taken in executive session?

- The only action that can be taken in an executive session is to adjourn or return to public session. Informal polling of members during an executive session is not allowed.

Can a public body discuss other topics in executive session than those specified when voting to enter executive session?

- No. A public body can only discuss the topics specifically noted prior to entering executive session.

Visit www.masc.sc/resources/about.htm for more information about FOIA compliance.



Hometown HAPPENINGS

Each month, municipal officials have the opportunity to download materials that will help them share the value of cities and towns with the community and more specifically their key influencers. Through each suggested activity and corresponding materials, municipal leadership will form partnerships with the local business community, the media, local non-profit organizations and policy makers.

MASC will post April Hometown Happenings information on its Web site in early March. Let MASC know if you participate in a Hometown Happening. Call Casey Fields at 803.933.1256.

Earth Day/Keep America Beautiful – Many organizations in your community plan events surrounding Earth Day on April 22 and Keep America Beautiful events such as tree planting and picking up trash. Partner with those organizations or start your own event in your city or town. South Carolina’s Palmetto Pride annually participates in the Great American Cleanup from March until May to spread the anti-litter message to communities. Use this opportunity to promote environmentally-friendly businesses, beautiful landscapes or nature conservancies in your municipality. Showcase “green” buildings and efforts in your municipality.

National Volunteer Week – Volunteers are an essential part of the success of all cities and towns. Use the week of April 27 – May 3 to recognize those residents who make a difference by volunteering their time to a local organization like a food bank or the Boys and Girls Club. Make sure they know they are appreciated, and let your local newspapers know who is making a difference in their community. Partner with local schools and host a breakfast honoring school volunteers.

Perfecting your message:

A Guide for Elected Officials

by Carolyn Sawyer

As an elected official, your principal concern should be the clarity with which your message is conveyed and perceived. While campaigning, no doubt, you made a great effort to impact your constituency with your intended message. Post-election, it is increasingly critical that your singular focus is shared and understood by the public and media. It is their impression that will affect – to a large degree – the measure of success that you realize while in office.

Become a “**WINNER**” when shaping and sharing your message. The success that you experienced during your election can be transferred to your career in office, if you utilize these simple strategies:

W - When in doubt, simple, clear and concise presentations are best.

I - Intended messages must be reiterated whenever presenting orally or in writing.

N - New approaches for disseminating the same message are necessary. Your level of creativity will influence the audience’s level of receptivity.

N - Never assume that your understanding of the message is the same as your audience’s. Implement points in the presentation where you can gauge audience comprehension.

E - Educate yourself about the various types of audiences before which you will present. Based on findings, tailor your message and expand your ability to connect with your audience. Consider your body language and verbal inflections/intonations.

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City-run

public access channels offer information, education

In many municipalities, residents don't even need to leave the comfort of their homes to watch their city council at work.

A number of cities run their own public access channels, offering public, educational and governmental programming. These channels are another means of reaching out to residents to inform them of important events and educate them about local government and community happenings.

Government access channels also can promote the city to potential investors. The channels can serve as a piece of the city's public information pie, along with newsletters, press releases and Web sites. Providing information in a variety of formats can attract developers and new businesses or residents. "You can't just depend on one vehicle to get information out there," said Julie Horton, spokeswoman for the City of Greenville. "This provides us with one more tool."

Greenville's public access channel includes programs such as "Safety Beat," which is produced in conjunction with the police department and deals with public safety information and programs; and "In the City," which presents events and calendar dates in a news format. The city also runs its own public service announcements about recycling, which have become popular with residents, and airs special events such as the Christmas parade, Horton said.

"The commitment is there by the City of Greenville to build upon the success of our public access channel and make it a go-to place for information," she said.

Public access channels also provide a forum for a city to explain some of its motivations behind decisions, said Rock Hill spokeswoman Lyn Garris. Rock Hill used its channel to air a video explaining why the city needed to move its operations center to a larger tract of land, she said.

Mostly, public access channels are used to keep citizens up-to-date.

Channel 14, in the City of Union, offers a daily bulletin board featuring city events and announcements, the YMCA after-school program schedule, pictures and information related to the mayor, city council and city departments.

They also are used to entertain. Channel 14 features videotaped programming that highlights life in the City of Union. Recent videos include "An Afternoon in the Park," with interviews from local residents about how they enjoy the park, a detailed video of the Union County Museum with a narrative provided on each museum artifact, Dixie Youth baseball, football pep rallies, marching band performances, high school class reunions, racing programs and local folklore plays.


Mayor Bruce Morgan said he is pleased with how residents have reacted to the channel. "The response and support we have received from the community has been overwhelming," he said.

The City of Hardeeville has found similar success with its Hardeeville Television Network. HTVN airs around the clock, broadcasting meetings from the city and county councils and the planning commission. The channel also televises events such as the Celebrate Hardeeville Festival and the National Night Out on Crime. One popular program, "This Week in Hardeeville," gives a weekly wrap-up of local events. When none of those programs are airing, HTVN televises a rotation of local and national public service announcements, a calendar of upcoming events and contact information for city officials.

The television channel also is a valuable resource when an urgent advisory is issued about a missing child or severe weather.

These days, people are accustomed to having a variety of sources for news and information. Government channels offer another important source for cities to reach residents to offer local education and entertainment.

R - Rehearse your message before an objective party as a means of assessing your effectiveness.


Leaders require the tools needed to consistently create a message that is precise. The more lucid your thoughts, the more easily your constituency will support your goals and ideals. A perfected message is the fuel needed to bring your vision to life. 

Carolyn Sawyer is president and CEO of the Tom Sawyer Company in Columbia, SC, and Washington, DC. Sawyer is a frequent presenter at the Municipal Association and National League of Cities training sessions.

However, the act requires that agencies must reveal reports that disclose the nature, substance and location of any crime or alleged crime.

The act leaves some things open for interpretation, but its intent is to give the public as much reasonable access to law enforcement information as possible, Lide said.

Each request does need to be considered on a case-by-case basis, he said.

“The important thing is any of our public agencies that have questions about the appropriateness of releasing information should consult their attorney,” Lide advised. 

Healthy workplaces recognized



Eat Smart, Move More ... SC, an organization that supports healthy eating and active living where South Carolinians live, learn, work and play, recognized the Municipal Association and five municipalities for providing a healthy work environment for their employees.

The Municipal Association and the City of Aiken were selected as silver winners, and the cities of North Myrtle Beach and Anderson were named bronze winners. The Town of Clover and City of Seneca both received an honorable mention.

The entries were judged on several criteria including administrative support and participation, health-related problem assessments, wellness programs and interventions, and innovative programs.

“I am so proud of the association and our member cities that provide health and wellness programs to their employees,” said Anne Shissias, health and wellness manager for the Municipal Association. “A healthy employee is a happier and safer employee.”

Shissias works with SC Local Government Assurance Group members by providing health and wellness education and encouraging enrollment in the disease management, maternity and tobacco cessation programs. She also consults with members on providing health fairs, lunch-n-learns and fitness programs and developing fitness incentive programs.

The SC Local Government Assurance Group, a service of the Municipal Association of SC, is a self-funded health benefits program for municipal employees providing medical, dental, eye and disability coverage.

For more information, call Anne Shissias at 803.933.1272 or ashissias@masc.sc.

Association

using electronic funds transfers for members

Beginning January 1, cities and towns began receiving payments in a quicker and more secure way from the Municipal Association of SC. Instead of issuing paper checks, the Association is making electronic payments through the Automated Clearing House. Funds are deposited directly into the city's bank account, eliminating postal and manual deposit delays.

"Funds are available in one to two days after we issue them versus three to seven days with manual checks," explained Stephanie O'Cain, the Municipal Association's chief financial officer. "This allows members to start earning interest on the money faster."

Each ACH deposit is recorded separately on the city's bank statement with an indication the funds originated from the Municipal Association. On the day the transaction is sent to the bank, the Association e-mails the city a remittance advice describing the nature of the payment and its amount.

"It is a wonderful idea," said Christine Murphy, clerk for Arcadia Lakes. "It will mean fewer trips to the bank for me and will streamline our processes. It will save time for everyone."

Strengthening internal controls is an additional and equally important benefit. With funds going directly into the bank, opportunities for theft, misuse or redirection of public funds are greatly reduced. "In a few cases, we have experienced checks mailed to our members being diverted into individual accounts instead of the municipality's account," explained O'Cain. "We have also seen a surprising number of checks that were never deposited. They were forgotten in someone's desk drawer."

As an added precaution, Association staff is verifying with each financial institution that the account number submitted for electronic funds transfers is indeed in the municipality's name.

Finally, electronic funds transfers are cost-effective for the members and the Association. Banks charge a fee for each line item in a manual deposit. Typically fees associated with processing an ACH transaction are lower. According to the U.S. Department of Treasury, it costs the U.S. government \$0.98 to issue each check payment. It costs only \$0.10 to issue an EFT payment.

"There are so many positives to switching to EFT payments and very few negatives," concluded O'Cain. "We are all trying to reduce the amount of paper we generate. EFTs are the wave of the future."





events CALENDAR

MARCH

12-14 SC Utility Billing Association will hold its Annual Meeting at the Embassy Suites in Myrtle Beach. Topics include internal customer service and customer service standards.

20 SC Municipal Elected Officials Institute of Government will offer the "Basic Budgeting for Municipal Officials" core course via satellite to the 10 regional councils of governments.

25 Hometown Connection: Municipal officials from Abbeville, Chesterfield, Clarendon, Darlington, Edgefield,

Greenwood, Kershaw, Laurens, Lee, Marlboro, McCormick, Newberry, Saluda, Sumter and Union counties will visit with their state legislators. Officials will meet at MASC's office at 1411 Gervais Street in Columbia at 10:30 a.m.

APRIL

1 SC Association of Municipal Power Systems will hold a Legislative Reception at the Clarion Townhouse Hotel in Columbia.

18 Municipal Court Administration Association will hold its spring meeting at the Columbia Conference Center.

29 Hometown Connection: Municipal officials from Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Dillon, Florence, Georgetown, Hampton, Horry, Jasper, Marion and Williamsburg counties will visit with their state legislators. Officials will meet at MASC's office at 1411 Gervais Street in Columbia at 10:30 a.m.

MAY

2 Managers Meeting: The Municipal Association of SC will hold a managers meeting at the Clarion Townhouse, 1615 Gervais Street, Columbia.



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