

UPTOWN

Stronger Cities for a Stronger South Carolina

Five reasons not to miss MASC's 63rd Annual Meeting

1. Connect with colleagues from across the state to share issues and to gain valuable expertise from professionals in the field.

There's nothing like having a face-to-face conversation with someone who has realistic approaches to the same problems you are experiencing. At the Annual Meeting, you can network and build professional relationships with elected officials, managers/administrators and other municipal experts. Take home valuable information by:

- Hearing Governor Sanford's (invited) personal philosophy on Home Rule.

- Rubbing elbows with David Rusk, who is recognized nationally for his work on annexation and smart growth.
- Discussing tried and true methods for advocating issues important to your municipality with a panel of state legislators.

2. Gain information on timely topics that will help you better serve your constituents.

Learn from the pros what will affect your municipal staff, budget and policies. For example, find out the legal requirements for returning military personnel in the session "What

Happens When Johnny (and Jane) Come Marching Home Again." Protecting our state begins at the local level; "How to Put 'Home' Back in Homeland Security" is a session that addresses this issue. Learn why S.C. Human Affairs Commissioner Jesse Washington thinks diversity is our state's greatest asset by attending the Delegates Luncheon.

3. Take home practical ideas you can put to use right away.

Take a hands-on approach by attending the new interactive sessions

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The fast and the furious General Assembly winds down

The General Assembly will be in session for only another month, but more will happen in that month than in all the other four combined.

"It is a time that we all must pay close attention to what is going on," warned Howard Duvall, MASC's executive director. "Provisions are added and dropped from bills at a fast and furious pace."

Just as MASC's lobbyists are on high alert, municipal officials need to be, too. At the end of the session, issues are handled in a matter of hours instead of days.

"If you wait a day or two to respond to MASC's action requests, it may be too late," emphasized Duvall.

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News Briefs



■ City Manager Tom Leath of Myrtle Beach has been named to the MASC Board of Directors. Leath fills the unexpired term representing the Waccamaw Planning and Development Council. The position was previously held by Mayor Lynn Wood Wilson of Georgetown.

■ Linda Long, clerk/treasurer for the Town of Pageland, was awarded the Certified Municipal Clerk designation from the International Institute of Municipal Clerks for achieving its high educational, experience and service requirements.

■ In March, S.C. Utility Billing Association members elected their 2003-2004 board: President — Pat Cox of the Greenville Water System, Vice President — James Buchanan of the Laurens CPW, Secretary/Treasurer — Vickie Nichols of Mullins, Past President — Darwin Reed of North Myrtle Beach, Members-at-Large — Eric Boykin of Hartsville, JoAnn Clamp of Batesburg-Leesville and Cathy Smith of the Greenwood CPW.

■ Mayor Salley Huggins-Cook of Dillon received the Elected Officials Award during the annual Historic Preservation Conference in April. Huggins-Cook was recognized for her efforts to help revitalize the City's downtown, including designation as a National Register Historic District. The Palmetto Trust for Historic Preservation, the S.C. African-American Heritage Commission and the S.C. Department of Archives and History presented the award.

■ The Government Finance Officers Association of South Carolina will hold its Spring Conference at the Sheraton Hotel & Conference Center in Columbia on May 7. For more information, visit www.state.sc.us/gfoa/spring02.htm or e-mail lslee@sc.rr.com.

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this year. Limited to 25 participants in each session, learn how to build a budget document and strategically review it for useful financial information about your municipality in "Preparing a Budget from Scratch." Do you think everyone works the same hours at your city hall? Attend "You're in Overtime; What's it Going to Cost You?" to calculate overtime for police, fire and other personnel. Buying goods and services for your municipality requires some legal guidance. Discover procurement guidelines during the "Proper Purchasing Procedures" session. By attending these sessions, you'll receive step-by-step approaches you can use immediately when you return home.

4. Meet with vendors that provide products and services to municipalities.

Discover companies providing cutting-edge technology and other services specifically for municipalities. Company representatives are available as a resource for your municipality at the Grand Marketplace. Ask them about the latest utility equipment or new concepts for employee benefits. Receive demonstrations on new and improved software that will make jobs easier and your employees more productive.

5. Recharge your batteries to continue serving your citizens with energy and enthusiasm.

Renew your enthusiasm for serving citizens by learning the rules of procedures for council meetings during the "The Council of Errors" session. Look at your community in a new light as MASC staff shows you how to create and promote a community identity by using real-life examples. Get key ingredients for

becoming a better leader by attending "Stone Soup: Leadership for Results." This is a high-energy session that will make you eager to return to home and tackle the day-to-day tasks of governing your municipality.

New this year at the Annual Meeting

Hands-on sessions Thursday, July 10

These highly interactive sessions provide hands-on learning opportunities. Seating in each session is limited to the first 25 participants to arrive. Plan to arrive early to participate in the session of your choice.

1:30 - 3:30 p.m.

Preparing a Budget from Scratch

Learn municipal budgeting basics — from the planning process and research to building the budget document and strategically looking at the budget. This session is ideal for officials from small municipalities.

1:30 - 3:00 p.m.

You're in Overtime; What's it Going to Cost You?

Learn from an employment attorney the correct way to determine overtime pay for police, fire and other municipal employees.

3:15 - 4:15 p.m.

Proper Purchasing Procedures

Get a basic review of the state procurement law and the requirements of municipal governments. Discover what to do and what not to do when it comes to purchasing products and services.

Privacy guidelines tightened

It's not business as usual when it comes to matters of privacy. In fact, starting April 14, it has been nothing short of strict protocol for municipalities.

According to recent changes in the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996, human resources personnel must have permission from an employee before discussing their medical claims with health care providers.

"The bottom line is if an employee is asking about their medical claim information, you must have a signed release form from them before you can intervene on his behalf," said Harvey Mathias, MASC's director of risk management services (RMS). "An individual's health information is covered under the Health Privacy Act (HPA). Let me emphasize that this is federal law, and you can be sued for violating it."

To avoid a lawsuit, municipal staff must limit communication about medical claims with family members of employees. The privacy rules prevent staff from mediating an individual's medical claim unless authorized by the specific individual covered by the municipality.

"This means an employee cannot sign the disclosure form for her husband or children age 17 or older," explained Mathias. "It's good practice to have the individual sign the disclosure in person at the municipality."

Changes in the HIPAA's privacy portion will require municipal staff to communicate claim information to the public and to elected officials differently. Sharing the information only in aggregate form is recommended.

"We suggest you share information to councilmembers about the total number of claims and the total number of dollars spent on medical claims," said Mathias.

Just the facts

- Begin using disclosure forms provided by your health plan provider by April 14, 2003.
- One signed form authorizes your municipality to disclose information on that individual for one year. New forms should be signed annually.
- Every health plan provider is required by law to notify plan participants and beneficiaries about its policies to protect the confidentiality of their health information. RMS recommends that municipalities document when this information is provided. Sending it out in employees' paychecks is a way to ensure everyone receives it.
- The new privacy laws do not affect workers' compensation.
- For more information, contact Harvey Mathias, director of risk management services, at 803.933.1212.
- For training, attend the Annual SCLGAG Meeting on June 19-20; the 2003 MASC Annual Meeting at the Kingston Plantation in Myrtle Beach, July 10-13; or the Summer Meeting of the S.C. Municipal Personnel Association on June 4.

Individual members of your municipality's plan will continue to receive their Explanation of Benefits (EOB) form. Under the new privacy rules, the claims payer will no longer provide an EOB form to the municipality as they have done in the past.

And while it is easier to keep all personnel information together in one file, it is not recommended. Privacy rules prohibit sharing medical information,

unless the individual authorizes a third party to do so. Therefore, keep employee personnel files separate from employee medical files.

"The last thing you want to happen is for a department head to stumble on medical files when he is reviewing personnel information to consider an employee for a promotion," Mathias said.

There are some exceptions municipalities should be aware of in the HIPAA. The changes in the law do not affect workers' compensation cases. Once an employee's injury has been denied by workers' compensation, however, their case should be handled as directed by the new privacy laws. Another exception is law enforcement. Law enforcement officers have the right to communicate medical information about victims of accidents to family members. Physicians are not required to obtain disclosure forms from their patients, either. Your verbal consent and payment for treatment by a physician authorizes the release of your medical information.

The law is intended to protect medical information from being shared without proper authorization. Therefore, the easiest way to comply with the law is to recommend your employees and their dependents call the medical claims office directly.

"Unless they need your assistance, they should call and speak directly to the claims management office," concluded Mathias.

S.C. Local Government Assurance Group (SCLGAG) members, call 1.800.334.0609 and ask for a customer service representative, or log on to www.mcmccorp.com for the Medical Claims Management Corporation. SCLGAG is MASC's self-funded health benefits program.

Labor law update

by Gignilliat, Savitz & Bettis LLP

In the last year, we have seen some significant labor law developments that affect municipal government.

Conner v. Forest Acres

Probably the most significant decision came from the case of *Conner v. Forest Acres*, 560 S.E. 2d 606 (2002). Many in municipal government are probably aware of this employment contract case. The city initially won the case at the trial court level, obtaining an order granting summary judgment. However, the state Court of Appeals and the Supreme Court ruled that a question of fact existed whether the plaintiff had an employment contract requiring cause for termination and, if so, whether the city had complied with the contract. The Supreme Court considered relevant mandatory language in the handbook concerning discipline and language, such as “employees shall be treated fairly and consistently.”

The trial, held in November, lasted five days (after a nine-year wait), with 21 witnesses and approximately 70 exhibits. The good news is that the jury rendered a verdict for the defense in 18 minutes. The bad news is that significant legal costs were incurred, and municipal staff hours were spent on a case that a jury easily disposed of. The lesson is that the trouble it takes to *avoid* these types of claims far outweighs the cost of trying (much less losing) a case such as this. If a case as legally and factually weak as *Conner* is this expensive, imagine the costs associated with a case containing one or more legitimate complaints. Moreover, if this case went to a jury, any case can.

Clients always ask if they can be sued for some act. The answer is that you can be sued for *any* act. Unfortunately, there is no one at the

courthouse checking the legal viability or truthfulness of claims before they are filed. However, there are steps you can take to decrease the likelihood of claims based on employee handbooks or at least to increase the likelihood that your defense will succeed.

1. Adopt an at-will ordinance.

Since personnel policies adopted by ordinance carry the force of law, make at-will employment the law in your jurisdiction. A contract for more than at-will employment in a jurisdiction where at-will employment is the law is most likely void. Provisions can be made in the ordinance to allow the governing body to enter into something other than at-will employment when the need arises. Adopting an at-will ordinance may also help defeat a claim that a supervisor led an employee to believe that the employee was other than at-will.

2. Repeal conflicting personnel ordinances. The fact that the chief of police of Forest Acres was empowered by **ordinance** to terminate his subordinates, while a grievance provision giving the city council final authority on all city employment decisions was adopted only by **resolution**, played an important role in the trial. Fortunately, the ordinance was helpful in *Conner*. However, personnel policies adopted by ordinance carry the force of law behind them, and might needlessly encumber the municipality. Accordingly, personnel policies adopted by ordinance should be reviewed to determine whether they conflict with the at-will ordinance or other municipal ordinances or resolutions. If the policies conflict, they should be repealed. Ultimately, your personnel policies should be adopted in the least official manner

allowed by your form of government by the authority empowered to do so.

3. Delete ambiguous terminology.

Employers are notorious for touting the benevolence of their organizations in handbooks. However, the reality is that the first time most employees learn of these altruistic proclamations is after their attorneys do. Phrases like “employees shall be treated fairly and consistently” are inherently ambiguous and may be construed to create a contract of employment when none was intended. Further, mandatory terms have always been a curse. Words like “shall,” “must” and “will” should not appear anywhere in your policies. Phrases like “serious offense” are also dubious, since “serious” has no fixed definition. Even terms like “ordinarily” and “normally” can be read to require a prescribed course of action except in “extraordinary” or “abnormal” circumstances. The bottom line is that words that mandate a particular action or could be read to do so **must** (notice the use of the mandatory term “must”) be eliminated.

4. Adopt passive and active disclaimers. While these have been a necessity since handbook contracts were first recognized, their effectiveness is increased when combined with the previous preventive measures. **Passive disclaimers** include conspicuous language on the front cover of the handbook declaring it is “NOT A CONTRACT.” A more detailed disclaimer should be placed in bold, large text on a page between the cover page and the index. This disclaimer should include language that no one other than the governing body of the municipality has the authority to alter at-will

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employment. This disclaimer should be the only thing on this page. **Active disclaimers** include signed acknowledgments from the employee that they have read and understand that the handbook is not a contract. These disclaimers should also clearly state that only the governing body has the authority to alter the at-will status of any employee, and that any such alteration must be in writing and comply with your at-will ordinance, if one has been adopted.

Whistleblower and civil conspiracy claims

In the late 1980s, the state adopted the Whistleblower Act. Whistleblower claims result when an employee “blows the whistle” on a public agency for an improper practice such as waste or mismanagement and, as a result, suffers retaliation. In 1993, the Act was amended to significantly restrict the available rights and remedies. Accordingly, whistleblower claims have fallen out of favor with the plaintiff’s bar.

Legal arguments rarely fully disappear. This is especially the case with whistleblower claims. Many of the same arguments have re-emerged in the form of civil conspiracy claims. The discharged employee alleges that he made a report of some internal abuse and was fired as a result. Typically, the immediate supervisor and one or more individuals higher up the chain of command are named as defendants.

Protecting yourself from a civil conspiracy claim is difficult. Any disgruntled former employee can accuse his or her former supervisors of getting together secretly to discuss his or her employment. Indeed, if the supervisors are doing their jobs, such meetings are obligatory. Further, courts are granted broad discretion in the admission of evidence in conspiracy cases, thereby expanding the scope of what constitutes circumstantial evidence.

Model at-will ordinance

It is hereby declared to be the policy of the [City/Town] that, notwithstanding any policies, memoranda, or handbooks promulgated by the [City/Town] or any employment practices of the [City/Town]:

(A) All employees of the [City/Town] are employed at-will and may resign or be discharged from employment at any time.

(B) Only the [governing entity] shall have the right to enter into contracts for other than at-will employment on the [City/Town]’s behalf. Any contract for other than at-will employment must:

- (1) be in writing;
- (2) be executed by the [governing entity];
- (3) specify the duration of the employment;
- (4) specifically state that the contract is being created pursuant to the [governing entity]’s authority under this ordinance.

Therefore, evidence that might be too tenuous to be relevant in other cases may be admitted in conspiracy cases. Nonetheless, there are certain steps you can take to make sure you are in the best position to defend against such claims.

1. Document, document, document. As in any case, documentation allows for reflection at the time of the decision, refreshes the memory in litigation and assures consistency in explanation throughout. This is especially crucial in conspiracy cases in which inconsistencies are magnified.

2. Follow policy and procedures. Procedural deviations may be viewed as suspect. Anything fishy may fall within the expanded net of admissible circumstantial evidence.

3. Avoid statements reflecting personal interests or bias. Typically, there can be no conspiracy between

two or more individuals acting on behalf of a single employer. An exception exists where one or more of the alleged conspirators has a personal interest in the termination. Statements of personal dislike or motivation may be misinterpreted by the employee or could otherwise come back to haunt you. Terminations should be businesslike. State your reasons and get out.

No silver bullets exist to defend against employment claims. Furthermore, employment law is constantly evolving. A defense that worked a year ago may be legally invalid now. Regular review and modification of your policies is an absolute necessity. Moreover, consistent application of these policies is critical once they have been established. You are strongly urged to seek legal counsel to ensure that your ordinances, handbook and policies state as unequivocally as possible that your employees are at-will.

Firewalls: Keeping our networks safe

by Brant Hale, VC3, INC

We have always been told that a firewall is needed to protect our computers from hackers and other malicious people. A firewall is a hardware or software system designed to regulate the passing of information between networks. In other words, firewalls act as the guardians of networks. They also allow businesses and public bodies to share data with one another while protecting the networks and servers supplying this data.

What can a firewall really do? How do we make it work correctly? Most importantly, what happens if we don't have a firewall? Let's find answers to these questions ...

Act I: "Johnny pays a visit to town hall"

2:00 p.m. You set up a server at town hall that stores all your work documents. You enable this server to allow you access to your work documents from home. In less than 30 minutes, your machine has been directly probed by 20 Internet worms and four port scans. The Internet worms have already changed your town's Web page five times in this 30 minutes.

3:23 p.m. A thousand miles away, Johnny gets home from school and checks his computer, which he has set to scan for vulnerabilities in firewalls. Johnny has found your town hall server.

3:40 p.m. Johnny has identified your network server, determined the servers' usernames and learned you are sharing files. Much to his surprise, he sees you don't have a firewall, and you have the server configured to allow you to access your work from home.

3:45 p.m. Johnny has started his password cracker on your server; his computer is now trying thousands of passwords per second.

5:15 p.m. While you are driving home, Johnny's high-speed password cracker guesses your password — 9432tltl. You had thought you were safe from anyone guessing such an obscure password.

5:30 p.m. Johnny uses your cracked password and connects to your town hall network. He copies all your files to his computer and installs software to record all data on your network.

5:45 p.m. You arrive home, connect to your server at work with your username and password, open the budget document on your work server and realize it's gone. In its place are 500 megabytes of music files.

6:00 p.m. Johnny sends a message to 2,000 other hackers, pointing them to your town hall's unprotected server.

6:30 p.m. More experienced hackers have gained control of your finance server, corrupted the database and are trying to send themselves a check.

Act II: "Is a firewall enough to keep Johnny out of town hall?"

The next day, you realize you need a firewall to protect yourself from this type of attack.

11:30 a.m. After restoring all your files from your backup tape (you were lucky enough to have made a recent backup of your data on tape), you install a firewall right out of the box from Bob's Computer World.

3:30 p.m. Johnny gets home and notices error messages on his computer.

4:00 p.m. Johnny looks on the Web for help in breaking through this new firewall. He quickly scans your new firewall and discovers it doesn't have the latest security patch. He immediately has the default password enabled and allows files to be downloaded and uploaded from the Internet.

4:30 p.m. Johnny connects to your server, opens the ports your new firewall blocked and sets a new firewall password, locking you out of your own firewall.

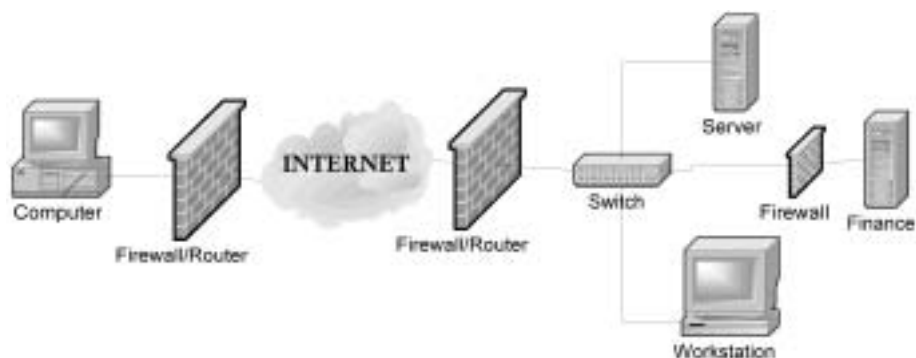
5:00 p.m. Before you leave for the day, you check your firewall's configuration file. You discover you cannot log onto the firewall because your password is invalid.

Act III: "The right stuff: Johnny is locked out of town hall"

Just putting a firewall in place is not enough to prevent cyber attacks. You must also configure and design your network and security to work together. Here's the same scenario using firewalls and network security.

2:00 p.m. You set up a firewall on your network to block everything but traffic to your mail server and an encrypted VPN tunnel. You connect your server and enable file-sharing and

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VPN connections. Just to be safe, a firewall is added between the internal network and the finance server.

3:23 p.m. Johnny gets home and checks his computer. Only your e-mail and VPN show up as open ports. After trying to connect to your VPN, Johnny gives up. Your correctly configured firewall only allows him to guess three passwords every 30 minutes. He might guess your password in the year 3052. His attempts to crash your server remotely are blocked.

5:55 p.m. You arrive home, connect to your server at work with the VPN, open the budget document on your work server, make a quick update and save it back to the server.

In this final example, the properly configured firewall blocked access from hackers to your town hall's network. The firewall could have pinpointed who tried to log onto your town hall's server and alerted a staff member that someone was attempting to break into your network. In the office, the most common place to install a firewall is where your network connects to the Internet. However, you may also choose to place a firewall between your finance server and the rest of your local network to add an extra layer of security from internal attacks on your financial information. If you connect to the Internet with a cable modem, ISDN or wirelessly, you should invest in a firewall to protect both your home computer and the networks to which you connect.

A properly configured firewall, combined with a well-thought-out network

and server configuration, can ensure your networks and data remain secure. It's definitely one guarantee to keeping Johnny and others like him from entering your network at town hall.

VC3, INC is a S.C.-based company that provides computer services for government and business in the Southeast United States. VC3 is MASC's strategic partner in offering S.C. cities affordable access to technology services to their increase productivity and to enhance customer service. For more information about this initiative, call Miriam Hair (MASC) at 803.933.1204 or Jeff Polizzotto (VC3) at 803.261.3333, or visit www.vc3.com.

Terminology

Firewall — A combination of hardware, firmware and software used to control network traffic.

File Transfer Protocol (FTP) — Used to download and upload files on the Internet. This is the most common way to update a Web site. It is commonly overlooked when setting up secure systems. Guest accounts and anonymous access are normally enabled by default.

Internet worm — A self-replicating piece of code that travels from machine to machine, infecting thousands of machines per minute. It is similar to a virus. Normally, they automatically start remote-control services, change Web pages or crash systems.

Port scanner — A program used to determine what ports or services are available on your network.

VPN — A service that uses encryption and password control to allow secure access to a network.



FAQ

Is a public notice required before adopting a budget?

Yes, S.C. Code Section 6-1-80 requires all municipalities to place a notice in a newspaper of general circulation containing information as specified in the statute. The notice must be published at least 15 days before the public hearing. The notice must include current and projected revenues and expenditures, and the millage for the current and the next fiscal year. An example of the required notice is available on the MASC Web site (www.masc.sc) in the "Research/Resources" section.



Classifieds

■ **The City of Conway has a position opening for a grants coordinator. Education and experience required include any combination equivalent to graduation from an accredited college or university with major coursework in public administration or a related field, plus experience in federal and state grant or planning programs. Resumes with a cover letter, including past salary history, should be mailed to Rose Marie Hussey at the City of Conway, PO Drawer 1075, Conway, SC 29528. Deadline for applications is Friday, June 13, 2003. EOE**

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

Assembly continued from cover

The best way to keep informed during this fast-moving time is through e-mail and MASC's Web site, www.masc.sc. MASC's Web site lists bills of municipal interest and has an archive of legislative alerts and

background information on key issues. From the Web site, officials can sign up for the Association's legislative listserve.

"We use the listserve to provide up-to-the-minute, important legislative information directly to our members' desktops," explained Duvall. "Often in the e-mails, we

will ask you to come to Columbia for a committee hearing or to contact your legislator about a critical issue."

MASC's legislative influence is only as strong as members' involvement. "Nothing means as much to a legislator than a timely call or visit from a constituent back home," said Duvall.

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 Awards Program.

The eight winners (Trenton, Ridgeland, Fountain Inn, Orangeburg, Newberry, Bennettsville, Honea Path and Rock Hill) have been featured in recent issues of **Uptown**. Descriptions of other 2002 entries began in the April issue. The descriptions will continue in the June issue of **Uptown**.

Town of Cheraw

After the area veterinarian passed away in 1994, the Town realized its local pet and farm animal owners were forced to travel to neighboring counties for vet services. Using a donated building as an incentive, the Town began advertising online and at vet schools nationwide for a veterinarian to serve Marlboro and Chesterfield counties. After more than two years of searching, a local animal activist placed an ad in the S.C. Association of Veterinarians' monthly newsletter. As a result, Dr. Bethany Tapp met with the Town's administrative staff and agreed to relocate her practice to Cheraw. The Council agreed to make improvements to the building and approved a five-year rent-free lease agreement. During its first eight weeks of operation, the new Sandhills Animal Clinic's doctor saw 582 patients, performed 108 surgeries and administered more than 550 vaccinations. Three local citizens have been hired to help at the clinic, and plans include hiring three more employees.

Contact: Bill Taylor, 843.537.8401

Town of Chesterfield

Following the Sept. 11 tragedies, public safety moved to the forefront of the public's mind. Prior to this event, however, the Town recognized public safety's importance and embarked on a two-year journey to strengthen the safety of the Town's citizens. The Town installed a helipad for medical evacuations, became the state's only

National Weather Service StormReady-certified municipality, arranged assistance for citizens to clearly display their house numbers for quicker identification by emergency responders and provided extensive training in first aid, school security and critical incident command for public safety officers. The Town also acquired a new fire truck, purchased more police equipment and fingerprinted local children at the community's annual Kids Fest. The Town worked hard to keep costs down, including getting help from the Chesterfield High School building and electricity classes to construct the helipad. By continually working to improve its public safety efforts, Chesterfield is ensuring its citizens' safety while living in a peaceful community.

Contact: Mayor John Douglas, 843.623.2131 extension 4

City of Clemson

Although Clemson's train depot was once a busy center of activity, only about 10 percent of the depot's available space is in use for cargo and passenger needs. As a result, the structure and grounds were poorly maintained and beginning to deteriorate. City Council decided to preserve this landmark in cooperation with Norfolk Southern Railroad (NSRR) and AMTRACK. Many potential tenants were deterred because of the expensive retrofitting costs, so Clemson applied for and received grants and other funds totaling \$325,000. NSRR

agreed to a "bargain sale and donation" of the property to the City for \$100,000. The chamber of commerce relocated to the depot and worked with City officials and the community to plan the exterior and interior designs of the depot. The building and grounds are no longer an eyesore, but a landmark for all to admire.

Contact: Arlene Young, 864.653.2072

City of Conway

Like many communities during the mid-1980s, downtown Conway began to decline. In response to this trend, Conway developed a plan to combat the death of its downtown. A major part of this plan was creating the River Walk and Riverfront Park to enhance the natural beauty of historic Conway. The River Walk and Riverfront Park showcase the beautiful hardwood trees by the peaceful Waccamaw River while providing a serene public space. Floating docks provide access to the river. The park became a reality as a result of community partnerships and dedicated employees, businesses and citizens. The City saved thousands of dollars by capitalizing on existing employees, who helped plant shrubbery, install electrical wiring and apply asphalt. Attracting tourists and positive economic development to downtown, the River Walk and Riverfront Park area is now the center of activity for the Waccamaw Riverfront District.

Contact: Fred Morris, 843.248.1760

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City of Easley

Easley's Municipal Court and Police Department were outgrowing their facilities. The court occupied four tiny offices in the back of City Hall and operated in a courtroom that held less than 50 people. The police department worked out of 5,000 square feet in City Hall's basement. All the department's office, dispatch, records, evidence and overnight lock-up facilities were housed in this space. To provide more space, the City issued a \$3 million bond to construct a new Law Enforcement Center. The new facility includes 25,000 square feet shared by the court and the police department, and 8,500 square feet of unfinished space to fill future needs. The center has two courtrooms, private meeting rooms for attorneys and their clients, a fire-resistant records storage area, an evidence laboratory, interrogation rooms and enhanced security for court and police staff. The center includes technological enhancements, such as new computer stations for police officers to enter reports, an inkless automated fingerprint system, a new radio system and a computer-aided dispatch system.

Contact: Charles Helsel, 864.859.7900

Town of Edgefield

The Town of Edgefield completed one of the premier rail trails in South Carolina during 1999. The Ten Governors Rail Trail is a one-mile trail that accommodates pedestrians, skaters and bicyclists. Because it is lighted, citizens can use it 24 hours a day. The Edgefield Bike Patrol provides security for the trail. Edgefield's rich political history is highlighted by granite markers located every tenth of a mile with a bust of one of the 10 governors from Edgefield and a brief biography. The rail trail averages more than 120 users per day. It offers an alternative mode of transportation, links neighborhoods to

downtown, connects other recreational facilities and provides a recreation and casual-use facility with breathtaking vistas of Slade Lake and the adjoining greenways.

Contact: Olin Gambrell, 803.637.4014

City of Georgetown

The City noticed a decline in the number of volunteer firefighters because of the substantial amount of required state and federal training. Most volunteers had to attend the training at night or on weekends. To solve this problem, the Georgetown City Fire Department began offering an interactive training program on its computer network to replace much of the classroom instruction. This allows volunteers to "attend" the training sessions at their convenience. It does not replace the required hands-on training, which still involves instructor supervision. Each computer training module contains audio and video presentations demonstrating specific skills and techniques. After completing each module, volunteers take an online test that requires a 70-percent score to pass. In its first three years, the program has provided more than 10,000 hours of training. The City is planning to offer the training over the Internet, which will allow the firefighters to access training at home.

Contact: Elizabeth Krauss, 843.545.4005

City of Greer

To form partnerships with the community and to enhance the quality of life for its citizens, the Greer Police Department began the Community Action Project (CAP). CAP was created during a time of financial strain for the City, when all salaries and hiring were frozen. Officers' morale plummeted as their workload increased. As an alternative, the police chief developed several community policing projects to allow officers to work overtime and

earn extra money. The City used funds from a Local Law Enforcement Block Grant to help pay overtime costs. CAP projects include holding community meetings, picking up litter, holding a teen cruise-in and forming a gang action team that, among other activities, removes graffiti from community buildings and signs. These projects helped increase officers' morale and their presence in the community, both by being visible and by media coverage. The CAP program helped reduce turnover during a hiring freeze and helped citizens feel safer in their neighborhoods.

Contact: Sgt. Jeff Smith, 864.989.0087

Town of Johnston

The Town undertook a comprehensive project to enhance the quality of life of its citizens and those of surrounding communities. By revitalizing a dilapidated but historic cotton warehouse located downtown, the Town encouraged historical preservation along the S.C. National Heritage Corridor route, created a new 4,200-square-foot state-of-the-art Town library, made 7,500 square feet of building area available for economic development and improved the look of the central business district. The Town was careful to maintain the warehouse's historic and architectural features, making the warehouse a showplace along the National Heritage Corridor. The new library boasts a space almost 10 times larger than the previous one. Because of its central location, many underserved citizens now have access to the public library's services. The Town worked closely with County Council, which had to provide additional funds to add staff and expand operating hours. The library is now a draw to downtown, increasing downtown foot traffic to help new and existing businesses.

Contact: Olin Gambrell, 803.275.2488

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Town of Kingstree

School violence incidents across the country led the Town to create the Youth Deputies Council to help prevent such occurrences from happening in Kingstree. The eight-member youth council consists of two students from each school within the Town's limits. They meet monthly for lunch to discuss ways to keep the lines of communication continually open between the police department and their classmates. Students can tell the youth deputies about any possible threats without worrying about being labeled a "snitch." The Town also created a telephone hot line for students to make anonymous tips to the police, and the Youth Deputies Council's Web site provides information and a way for the students to confidentially report criminal activity in schools. The Youth Deputies Council makes students feel safer by allowing them several ways to anonymously and safely communicate criminal behavior.

Contact: Town of Kingstree, 843.355.7484

City of Lancaster

The City of Lancaster had an underutilized local government access cable channel that showed information pages accompanied by "elevator music." Through a partnership between the City and the Lancaster County School District, the government access channel is now a popular station. Known as Learn TV — The Lancaster Connection, the production is aired from Lancaster High School and is manned by students. With donations from the local cable company, a nearby regional production facility of ESPN and local civic groups, the City of Lancaster provided equipment for the studio. The Lancaster County School District provides staff, and the City of Lancaster annually provides funds to help cover both staff and

operating costs. The show lineup includes "Police Perspectives," "County Line" and "It's Your City," and shows covering local animal life, teen topics and senior topics.

Contact: Steve Willis, 803.286.8414

City of Laurens

Laurens Commission of Public Works (LCPW) decided to back up its pledge of providing exceptional customer service by offering a money-back guarantee on all customer service interactions. The guarantee covers scheduled appointments, preventive maintenance, service interruptions, establishing new services and responding to customer service inquiries. If the response goals set by LCPW are not met, the customer receives \$20. LCPW researched similar programs and found only two cable television companies offering a similar guarantee in South Carolina. LCPW informed customers of the new policy in their utility statements, placed ads in local newspapers, distributed press releases and provided information on its Web site. With more than 10,000 customers and thousands of work orders every month, the LCPW has failed to meet the service guidelines only twice since July 2001. Both customers received a \$20 check with an apology letter from the general manager.

Contact: John Young, 864.984.0481

Town of McCormick

The Town of McCormick took action to prevent one of its historic and most beloved homes from being razed. The Joseph Jennings Dorn home, built in 1917 and owned by a non-family member, was going to be sold, then demolished. Town leaders decided to find someone to purchase the home who would restore it so it could be used as a museum and genealogy center. The Town presented a proposal to the Joseph Jennings Dorn Family Foundation. The Foundation provided

\$900,000 in one-time funding for the home's purchase and renovation. The Foundation also provides \$30,000 a year to help support the facility. The house, open to the public since December 2000, has become a popular tourist stop. It has greatly enhanced the historic and aesthetic quality of downtown McCormick.

Contact: Mayor Miriam Patterson, 864.465.2225

Town of Mount Pleasant

When faced with a huge residential growth rate of 9 percent, the Town embarked on a unique growth management program. The program required a referendum in which the citizens voted to allow the Town to borrow millions of dollars in general obligation bonds for transportation and recreation improvements. If the referendum failed, growth would have overtaken the Town and set back the transportation plan by 20 years. To inform citizens about the referendum and gain their support, the Town began an information campaign. The campaign worked with local media to remind citizens how crucial the proposed road projects were to a timely implementation of the transportation plan. The Town included referendum information in an existing newsletter, *LeaderLink*, that Public Services personnel posted on more than 20,000 residential garbage cans. Town representatives spoke at local civic club meetings. The staff also produced two live television shows for the community channel. Information was also available on the Town's Web site. As a result of the extensive — yet affordable — information campaign, the referendum passed with a 65-percent approval vote. By working with existing services and local media, the Town spent less than \$1,600 on the successful campaign.

Contact: Martine Wolfe, 843.884.8517

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City of Myrtle Beach

In an attempt to create a scenic gateway into downtown Myrtle Beach, the City began redeveloping 11th Avenue into a "Gateway to the Sea." The City wanted to include elements that reflected 1950 to 1970 beachfront architecture, made the street more pedestrian-friendly and placed all utilities underground. The result exceeded expectations. Concrete pavers swirl in architectural patterns along the sidewalks, which are dotted with palm trees and widened to provide ample space for pedestrians and sidewalk cafes. To further enhance the area, the City collaborated with local developers to acquire three properties blocking 11th Avenue's view to the Atlantic Ocean and demolished the structures. The area was used to create Oceanfront Park. The park offers ample space for citizens and tourists to enjoy the view and has become a popular location for performances. As an additional redevelopment effort, the City instituted a façade improvement loan program for business and property owners adjacent to the streetscape and park projects. The Myrtle Beach Downtown Redevelopment Corporation (DRC) agreed to provide loans up to \$15,000 per property at 3-percent interest. Several local banks agreed to match or exceed the DRC's loan at a rate negotiated between the bank and the applicant. Several businesses have taken advantage of the loan program. The project has created a beautiful gateway to downtown, showcasing the natural beauty of the ocean and the City's commitment to attractive architectural style.

*Contact: Kelly Mezzapelle,
843.915.1055*

City of North Myrtle Beach

A city that enjoys many tourists, North Myrtle Beach became concerned about national reports warning that

bacteria in beach waters may pose a health risk. The City took a proactive step to minimize water-quality risks associated with swimming at the beach. The City started a surf-monitoring program and a program to eliminate storm drainage pipes that opened onto the beach. During the surf-monitoring program, the City discovered elevated bacteria levels during wet weather, although the high levels normally dissipated within two days after rainfall. The City continues to monitor the water quality and posts swimmer advisories to alert the public of any potentially hazardous water conditions. In an effort to improve water quality, North Myrtle Beach began the process of relocating 50 storm drainage pipes emptying on the beach. In conjunction with a road-widening project, the City worked with the S.C. Department of Transportation to design drainage improvements that eliminated six pipes. So far, eight additional pipes have been consolidated into two outfall locations extending a quarter-mile into the ocean.

Contact: Kevin Blayton, 843.280.5538

Town of Patrick

The Town Council wanted to apply for a Transportation Enhancement Program grant in June 2001, but lacked the required matching funds. As a solution, Patrick's Senior Quilters agreed to help the mayor compile a cookbook filled with recipes and historical photographs donated by local citizens. The mayor used her personal computer and scanner to lay out the book, and the Town paid for the book to be printed and bound. After selling its inventory of 500 copies, the Town projects its net profit will be \$4,300. The profit will be used as matching funds for the grant. By using local photos and recipes, the project became one of special ownership for citizens while helping the Town apply for much-needed funds.

*Contact: Mayor Rosa Millsaps Privette,
843.498.6994*

Town of Pendleton

The Town believed developing the leadership skills of those in the Pendleton community would help citizens become more informed about their Town and be more involved in the community, and would benefit the individuals personally. To help develop these skills locally, the Town created the Palmetto Leadership for Pendleton Program. Attendees pay a minimal tuition fee for the 10 to 12 sessions, which are held biweekly for about two hours. Attendees decide on a project that will benefit the community and put into action the leadership skills they have learned. Sessions include personal leadership skills and team-building, economic development, local and state government, arts/culture/festivals, education and public safety/recycling/health/human services. The program has been in place for four years. Program graduates have helped initiate several community projects, including an annual Heritage Day Festival, a Community Center Summer Program for at-risk children and a beautification project at a local intersection. With the Town encouraging local leadership development, Pendleton is becoming a better place to live, work and play.

Contact: Teri Perry, 864.646.9022





Educational Opportunities

S.C. Business Licensing Officials Association

■ **May 7**, will hold its Spring Meeting at Seawell's Banquet and Reception Center in Columbia. Topics include enforcement issues, licensing contractors and legal remedies.

S.C. Association of Municipal Power Systems

■ **May 7-8**, will hold its Lineman Training Program at Pine Island Club in Columbia.

S.C. Community Development Association

■ **May 18-20**, will hold its Annual Meeting at the Francis Marion Hotel in Charleston. Topics include regional economic development in South Carolina, predatory lending, the role of GIS in community development and working with contractors.

Hometown Connection

■ **May 28**, municipal officials from Beaufort, Berkeley, Charleston, Colleton, Dorchester, Dillon, Florence, Georgetown, Hampton, Horry, Jasper, Marion and Williamsburg counties visit with their state legislators. Officials should meet at MASC's office in Columbia at 10:30 a.m.

S.C. Municipal Personnel Association

■ **June 4**, will hold its Summer Meeting at the Clarion Town House in Columbia. Topics include military leave, workers' compensation, most-frequently cited OSHA safety violations and privacy guidelines. See related article on page 3.

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

S.C. Association of Stormwater Managers

■ **June 6**, will hold its Quarterly Meeting at the State Museum in Columbia. Topics include a report of the NPDES Phase II Committee and information about the Community Rating System program implemented by FEMA.

Municipal Association of South Carolina

■ **July 10-13**, will hold its Annual Meeting at the 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.



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