

UPTOWN



a publication of the Municipal Association of South Carolina



Chris Singleton

Bringing People Closer Together

Annual Meeting Keynote Speaker Chris Singleton to Discuss Unity, Reconciliation

Microsoft, Volvo, the biogenetics company Biogen, or professional sports teams like the Houston Texans or the Washington Wizards — Chris Singleton speaks in front of many audiences across the nation, counting more than 80 each year, but having grown up in North Charleston, it's only in South Carolina that he can say he's home.

The story of how this former professional baseball player entered into public speaking connects more directly for the in-state engagements. Some of his core messages, the idea that "love is stronger than hate," came to national prominence because of his connection to a tragedy that South Carolinians know well.

In 2015, Singleton's mother, Sharonda Coleman-Singleton, became one of the nine victims murdered because of their race in the mass shooting at Emanuel AME Church in Charleston. Some of the keys of Singleton's messages include race reconciliation, forgiveness, overcoming adversity, and always unity — "how we can be united with our clients, with our colleagues, with our families, with the world."

Singleton will serve as the keynote speaker at the Municipal Association of SC 2023 Annual Meeting, taking place July 27 – 30 at the Hyatt Regency Greenville.

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Chris Singleton

He said he always takes care to tailor his message to his audience, which in this case, includes many local leaders — mayors, councilmembers, city managers and administrators. A key connection here, he said, is that leaders are those who “want to bring people together,” and exploring that tendency provides a way to promote unity and reconciliation.

In the years that he has been traveling and spreading his message, Singleton said “the mission has always been the same — bringing people closer together. But the way in which I articulate it has definitely evolved over the last five or six years.”

Problems like incivility, or community discourse breaking down along racial lines, are concerns that he said he has seen no matter where he has traveled.

“A lot of people think that the problems they have are unique, whereas I’ve seen very similar problems, whether it’s South Carolina, Mississippi, Alabama or North Dakota. Everywhere it’s happening,” he said.

Find more information on the Annual Meeting at www.masc.sc (keyword: Annual Meeting). The hotel registration deadline is July 3 and the deadline to register for the meeting itself is July 13. Find full registration details on page 4. Learn more about Chris Singleton at www.chrissingleton.com.

Small City Summit Coming July 27

In Greenville on Thursday, July 27, the Municipal Association will host the first-ever Small City Summit aimed at the specific needs and challenges of the state’s smaller cities and towns.

The Small City Summit will have a separate registration from the Annual Meeting, with a deadline of July 13. Seating availability is limited, and the Association will give registration preference to those municipalities whose populations are 3,000 or fewer. The event will have no hotel block of its own, and those attendees who will not attend the Annual Meeting will need to make hotel arrangements on their own. Those who attend both events will have their hotel rooms reserved during the Annual Meeting registration process handled by their city.

Topics for the summit include law enforcement policy changes required by Act 218, outsourcing of municipal services, city planning for small cities, business licensing and municipal legal requirements such as budgets, audits and monthly council meetings.

Learn more at www.masc.sc (keyword: Small City Summit).

Handling Delinquent Business License Taxes After April 30

The SC Business License Tax Standardization Act, or Act 176, standardized many aspects of the business licensing process, including the statewide due date of April 30. That means that beginning May 1, unpaid business licenses are now overdue. The actions that cities and towns may take for delinquent business license taxes at this point are also governed by the law, as described in SC Code Section 6-1-410.

Notice of Assessment

In cases where a business has not paid for its license by May 1, the city or town may serve the business with a notice of assessment, indicating the amount owed for that business type in that jurisdiction. The city can deliver the notice by mail or by personal service — a process server. There is a sample Notice of Assessment form available in the Municipal Association's *Business License Handbook*, found at www.masc.sc (keyword: business license handbook).

The business then has the right to make a written request for an adjustment of the assessed amount for a stated reason. For example, the business might contend that the city has classified the business inaccurately, or is using an inaccurate revenue amount in its calculation, and therefore the tax amount should be lower than the given assessment. The law gives the business 30 days to submit this written request from the postmark date of the assessment notice, or from the date of the personal service.

If the city receives such a request, it must have a meeting time during the next 15 days during which the business may meet with officials to present any information that would support a tax adjustment. After this informal meeting takes place, the city must within the next five days issue a new, final notice of assessment, which includes the adjustment, if any, and a form that the business may use to appeal the final assessment. This notice also must use either mail or personal service.

Appeals

The postmark or personal service date of the final assessment starts a new clock, required by the law. The business then has 30 days to complete and submit the appeal form. However, submitting the form requires the business to pay at least 80% of the final assessment to the city.

Either the city council or else its designated appeals officer or appeals board must then hear the appeal. The hearing must take place within 30 days of the city receiving the appeal form. This is a public hearing and is subject to public hearing requirements such as public notice. After this, the city must issue its decision in writing, and inform the taxpayer of the right to appeal to the Administrative Law Court. In cases where the business wants to appeal the decision to the court, it must submit the appeal within 30 days of the first hearing.

“Business Licensing Essentials” sessions continue on May 16

Business license appeals and delinquents will be the subject of the next “Business Licensing Essentials” virtual session of the Municipal Association's Local Revenue Services, taking place Tuesday, May 16 at 10 a.m. These sessions take place monthly, with the recording available to business licensing officials afterward. Find information on the sessions at www.masc.sc (keyword: Association events).

Other upcoming sessions include the June 20 session covering the licensing of coin and amusement devices as well as working with the SC Department of Revenue, the July 18 session covering changes to the business class schedule, and the August 15 session covering Local Revenue Services programs.

NEWS BRIEFS

Kimberly Gammon, town clerk for the **Town of Bluffton**, has received her Certified Municipal Clerk designation.

The SC Department of Commerce named the **Town of Lane** the winner of its SC Great Community Competition and awarded it \$100,000 in Rural Infrastructure Fund grant funds for the Digital Lane project. It also awarded \$50,000 each to the two finalists — the **City of Abbeville** for its creation of a Community Development Department, and the **City of Barnwell** for its Fuller Park Improvement Project.

The website Today's Homeowner named the **City of Columbia** the No. 2 city for members of Generation Z to move to, with a net in-migration of 11,640 Generation Z residents in 2021. The age bracket is currently defined as those between 18 and 24 years old.

PAST DUE

Countdown to the 2023 Annual Meeting Registration



The time has come for the registration process for the Municipal Association of South Carolina's 2023 Annual Meeting.

This year's meeting will take place July 27 – 30 at the Hyatt Regency Greenville. The Association's registration process, which helps ensure that municipal officials have priority for reservations and ticketed events, will get started in May.

Registration drawing

On Thursday, June 1, the Association will draw city names to determine the order of registration appointments for cities and towns, providing a fair process for all those interested in attending. The deadline to enter for the drawing is Tuesday, May 30.

Annual Meeting
July 27 – 30, 2023 | Greenville, SC

Key dates

- **May 29** – Agenda and registration information posted online. Registration brochures mailed.
- **May 30** – Deadline to enter registration appointment drawing
- **June 1** – Drawing for registration appointment times
- **June 20, 21 and 22** – Cities with a phone appointment register on one of these days. During the appointment, an Association staff member will call the city representative to start the online registration/reservation process.

A city's representative must have completed registration forms in hand, including housing and meal ticket requests, for each person to be registered during the city's call. During the online process, the city representative will use a Visa or MasterCard to make hotel reservations and register municipal attendees for the meeting. Make sure the credit card has a sufficient credit limit and per-transaction limit.

- **June 23** – Online meeting registration opens for cities without appointments and nonmunicipal officials.
- **July 3** – Deadline to make hotel reservations.
- **July 13** – Deadline to register for Annual Meeting.
- **July 27 – 30** – Annual Meeting.



Municipal Association
of South Carolina

Association Highlight:

SC Association of Municipal Powers Systems

Many municipal job positions have specific training and networking needs, and the Municipal Association of South Carolina's affiliate associations offer opportunities to meet those needs.

The SC Association of Municipal Power Systems focuses on legislative initiatives, mutual aid and provides training for elected officials, management staff and operational personnel of the electric cities

in the state. Twenty of South Carolina's municipal electric utilities are SCAMPS members. Originally, the organization existed solely for its members to help one another during times of disaster. Mutual aid remains the backbone of the organization even as its scope has grown to include training and advocacy.

SCAMPS offers an Annual Meeting for its members and a listserv for sharing

best practices and connecting with colleagues around the state. The 2023 meeting will take place June 4 – 7 at the Embassy Suites in Myrtle Beach.

Learn more about SCAMPS at www.masc.sc (keyword: SCAMPS).



'Don't Underestimate the Power of Paint'



Randy Wilson, president of Community Design Solutions, begins his presentation on color theory for historic buildings by asking, “how many of you remember fondly — I assume it’s going to be elementary school — when you learned how to color in between the lines?”

The simplicity of selecting colors can make people dismissive of both the importance and logic involved in the process, but paint scheme choices can be a serious business. When a city or town regulates color choices in a district, paint choices can be a key part of the architectural review board decisions that directly impact economic development projects. Even when property owners don’t need official approval, they may consult their downtown development officials on color choices to ensure their projects will improve the overall appearance of a district.

Wilson presented the basics of color theory — something he describes as practical knowledge that uses comprehensible rules — to a recent gathering of the local directors of Main Street South Carolina, the state’s downtown development technical assistance program. When used properly, he said, color choices can dramatically enhance a tired-looking façade.

“Don’t underestimate the power of paint,” Wilson said.

Understanding color choices means understanding the color wheel — a diagram that shows how primary and secondary colors work together. Painting projects might use a monochromatic scheme featuring different hues of the same color, but complementary paint schemes use colors from opposite sides of the color wheel, while triadic schemes use visually compatible colors that form a triangle around the wheel.

“This isn’t rocket science, these are just principles you need to know and tools you can use,” Wilson said. “It does pay to get it right, because once it’s out there, it’s out there — oftentimes for years — and you can’t conceal it.”

Wilson said that one of the most counterintuitive pieces of advice he gives property owners is that if a brick building has never been painted, they should avoid painting it, since introducing paint to historic brick will create a maintenance issue that lasts for as long as the building stands. He also suggested that design committees could “gently give education” about the role of paint, especially when a building has more serious issues.

“Just because you paint the building, the mold’s not going to go away, the cracks aren’t going to go away. That is a symptom of a far greater and deeper issue — more times than not, water infiltration, or occasionally structural degradation,” he said.

Wilson said he also suggests that design review boards should avoid regulating color if possible. He added that those who set rules should preapprove a few color palettes created by major paint manufacturers to make things easier for both the city and the building owner.

“You basically have preapproved a couple of hundred colors, and if you can’t find an acceptable color [in that,] you’re probably trying too hard,” he said.

Beyond the color scheme of individual buildings, Wilson noted that color choices should consider whether the choices will resonate with the color of nearby buildings that are a part of the property’s larger “context.”

“What took almost a semester of architecture school to teach what they felt was important about context, I’m going to teach to you in 10 seconds,” he said. “Context’ means you go to your building, and you look to the left, and you look to the right.”

In his early career, Wilson said he selected a particular yellow for a historic house, only to realize later that it clashed with its neighboring building, built in yellow brick.

Learn more about Main Street South Carolina at www.masc.sc (keyword: Main Street).



Wilson developed this color scheme for a historic storefront in Whitmire. Photo: Randy Wilson

WeShopSC Launches

Municipal Association, Main Street SC Offer Statewide E-commerce Marketplace

The Municipal Association of South Carolina, along with Main Street South Carolina, its downtown revitalization technical assistance program, created WeShopSC, a statewide e-commerce marketplace.

Small businesses in South Carolina can choose to participate in the program by setting up a free profile, which connects them with customers online in a single online marketplace. The website provides statewide product searching capability and gift card options. It also provides order fulfillment options such as in-store pickup, curbside delivery and shipping.

The program's origins came from the commerce disruptions of the COVID-19 pandemic, highlighted by the relative lack of online sales capacity among small businesses, according to Main Street SC Manager Jenny Boulware. Statewide

surveys showed that in 2020, 65% of South Carolina's small businesses were not connected to e-commerce sales options.

"There is a real need for a virtual shopping marketplace for these businesses. Now that shoppers have become more reliant on online options, it's time to provide a platform that reaches the state's virtual audience," Jenny Boulware, Main Street SC manager, said. "This platform can boost the economies of communities with 100 residents to our largest cities of over 150,000 residents."

WeShopSC aims to amplify the Municipal Association's goal of supporting economic development strategies in municipalities of every size.

"Small businesses are the lifeblood of our cities and towns. Their unique products and services are what make our

downtowns destinations for residents and visitors alike," said Todd Glover, executive director of the Municipal Association. "By providing an e-commerce platform, we can assist these businesses in offering their wares to a larger audience, making the probability of success for their brick-and-mortar locations greater."

The program's website is available at www.weshopsc.com. Businesses that want to participate can sign up for an account with no charge at www.beyondmain.com/signup. Beyond Main serves as the software provider for WeShopSC.

For questions or more information about WeShopSC, contact Jenny Boulware at jboulware@masc.sc or 803.354.4792. Learn more about Main Street South Carolina at www.masc.sc (keyword: Main Street).

BLOA Training Institute Graduates 11



Eleven officials representing cities, towns and counties graduated from the SC Business Licensing Officials Association Training Institute during BLOA's spring meeting.

The Institute improves the professional and administrative skills of business licensing officials. Its three sessions include topics on general licensing, problem areas and personal development.

The graduates can earn the Accreditation in Business Licensing designation after passing a comprehensive written exam.

These are the newest BLOA Training Institute graduates:

- Susan Belken, City of Sumter
- Glenn Bodenheimer, City of Florence
- Jennifer Burbage, Town of Moncks Corner
- Paige Cheeks-Belton, City of Abbeville
- Jo Anne Crosby, City of Walterboro
- Randie Evans, City of Florence
- Natalie Lewis, Town of McClellanville
- Cinnamon Reid, Richland County
- Andrew Ridout, City of Aiken
- Marlene Rollins, City of Johnsonville
- Morgan Slock, Town of Hilton Head Island

Learn more about the BLOA Training Institute at www.masc.sc (keyword: BLOA).

2023 Compensation Survey Results Now Available

The Municipal Association of SC online compensation survey provides cities and towns an easy way to compare their employee compensation with pay from other municipalities across the state.

City and town leaders use this tool to save time when researching pay data to help guide decisions on how to set their compensation levels competitively. This reference tool should supplement those situations where a city or town needs to commission a full class and compensation study, and should not be a substitute for a study.

The results of the 2023 compensation survey are now available online and can be used to generate specific reports. Users can create reports for municipalities of a particular population range or specific job positions. Reports can also include the number of full-time employees or the annual payroll of a particular city or town. Other search functions include salary ranges, merit raise minimums or maximums, or the range of a cost-of-living adjustment. Users can also export all of the compensation survey data into Excel spreadsheets and they can download the entire compensation survey report as a PDF.

Responding to the survey is voluntary for municipalities, but higher response rates increase the usefulness of the data. The Association requests survey participation from cities and towns at the beginning of each calendar year. For more information, contact Sara Whitaker at swhitaker@masc.sc or 803.933.1240.

- Home
- Compensation Survey

Municipal Compensation Survey

Search Criteria: Survey Year = 2022; Position Group = Administration; Population Group = 10,001 - 20,000

In addition to searching for specific results, the data is available in a PDF format. [Click here](#) to download the PDF.

Export to Excel
Print Results
Change Criteria

Beaufort				
Population:	13,607	Min. Merit Raise:	1.00 %	
Total FTEs:	184	Max. Merit Raise:	3.00 %	
Fiscal Budget:	\$23,769,178.00	Cost of Living Adj:	0.00 %	
Annual Payroll:	\$13,427,576.00			
Position Title	# in Position (FTE)	Minimum Salary	Actual Salary	Maximum Salary
Administrator/Manager	1	\$110,000.00		\$180,000.00
Assistant Administrator/Manager	1	\$89,980.00		\$146,800.00
Computer Programmer/Analyst	1	\$55,702.00		\$90,855.00
Human Resources Assistant/Specialist	1	\$38,563.00		\$63,440.00
Human Resources Director	1	\$84,000.00		\$132,000.00
Municipal Clerk	1	\$55,702.00		\$90,855.00
Municipal Court Clerk	1	\$55,702.00		\$90,855.00
Secretary II	1	\$34,278.00		\$55,910.00

Cayce				
Population:	13,781	Min. Merit Raise:	0.00 %	
Total FTEs:	210	Max. Merit Raise:	0.00 %	
Fiscal Budget:	\$34,670,203.00	Cost of Living Adj:	2.00 %	
Annual Payroll:	\$13,639,336.00			
Position Title	# in Position (FTE)	Minimum Salary	Actual Salary	Maximum Salary
Administrator/Manager	1		\$159,993.75	
Assistant Administrator/Manager	1		\$115,556.00	
Cashier/Customer Service Rep.	3	\$34,747.32		\$47,488.14
Computer Programmer/Analyst	2	\$58,348.08		\$95,552.58
Human Resources Assistant/Specialist	1	\$55,569.60		\$79,599.34
Human Resources Director	1		\$94,900.16	



QUIZ

TRUE OR FALSE:

Once a budget has been adopted by a city or town council, the council is no longer responsible for oversight of the budget. Responsibility for oversight falls to either the mayor or the city administrator or manager, if any, to handle.

FALSE

Once the council adopts a budget, the entire council remains responsible for making sure that the budget is properly administered, revenues and expenditures are properly documented, debt is responsibly issued and administered, and an external independent audit is conducted each year. Even when there is an administrator, a manager, or a mayor acting as chief administrative officer under the mayor-council form of government, the full council should still receive regular financial reports and provide oversight.

The Municipal Elected Officials Institute of Government offers in-person and online courses. “Basic Budgeting and Municipal Finance” is offered as an on-demand course online. Learn more at www.masc.sc (keyword: MEO).

The Municipal Elected Officials Institute of Government offers in-person and online courses. The next in-person sessions, “Freedom of Information Act in SC” and “Municipal Governance and Policy,” will take place May 16 at regional Councils of Governments locations. Learn more at www.masc.sc (keyword: MEO).

LAW ENFORCEMENT POLICIES

HIRING AND TERMINATING PRACTICES

Act 218 took effect in 2023, requiring all law enforcement agencies to adopt and implement a set of minimum standards. The law allows departments to establish additional standards that are more restrictive.

The Municipal Association's Risk Management Services drafted model policies for each of the standards, available for use by all cities and towns at www.masc.sc (keyword: law enforcement model policies). Departments that are not SC Municipal Insurance Trust or SC Municipal Insurance and Risk Financing Fund members should reach out to the SC Criminal Justice Academy for policy questions.

The third model policy on the list is the "Hiring and Terminating Practices." The policy states that the department will hire only qualified candidates, as it "seeks the highest level of professionalism and integrity by its members."

Hiring

The document names qualifications and requirements for officer hires. Among others, it includes a requirement of a high school diploma or its equivalent, and documentation that the candidate is at least 21 years old, as required by state law.

For physical requirements, the policy requires a successful fitness test, with the standards involved set by the department and administered by a certified fitness instructor. Part of the background check process that would follow the fitness test includes a medical history and a medical exam.

For the candidate's legal background, the policy requires as part of the application an affidavit indicating whether

the candidate has ever been the subject of a domestic restraining or protective order, and whether they have ever been convicted of a domestic-violence-related offense.

For the background check process, the standards require that the candidate have never been convicted of a felony or convicted of a criminal offense that involves moral turpitude. The background check would also determine whether the candidate is "of good character" and has a good credit history. The candidate's fingerprints would be checked against the records of the FBI and the SC Law Enforcement Division. The check would also include contacting law enforcement agencies in places the candidate has lived, a database search to determine whether the officer has ever been decertified by any state standards and training council, and a call to the SC Criminal Justice Academy. The process would include an interview of past employers when possible.

The final steps include a polygraph test conducted by a licensed examiner and an objective interview using standardized questions. The policy states that any evidence obtained at any point showing that "the candidate has a propensity to engage in conduct that could harm a member of the public" would be considered disqualifying.

Termination

The policy notes numerous circumstances when an agency head can immediately relieve an officer from duty:

- There is cause to believe the officer to be physically, psychologically or emotionally unable to perform duties.
- There is cause to believe the officer is impaired from substance use.
- The officer is arrested or the subject of a criminal investigation, or is the subject of an administrative investigation in some circumstances.
- The officer's official actions result in death or serious injury to another person.

Law Enforcement Training Council regulations require all dismissals of sworn officers to be reported to the SC Criminal Justice Academy. The model policy requires all employment separations to be reported within 15 days, no matter the reason.

The SC Municipal Insurance Trust and SC Municipal Insurance and Risk Management Fund offer a law enforcement hiring process guide. Find it at www.masc.sc (keyword: SCMIT, SCMIRF) and find more information about all law enforcement policies (keyword: Act 218).



Model Procurement Ordinance Provides Purchasing Framework

Handling procurement efficiently and ethically is a critical enough issue that SC Code Section 11-35-5320 requires all cities and towns to “adopt ordinances or procedures embodying sound principles of appropriately competitive procurement.” For this purpose, the Municipal Association of SC has for many years offered a model procurement ordinance that municipalities may adopt, available at www.masc.sc (keyword: procurement ordinance).

The ordinance provides a simplified purchasing framework suitable for smaller municipalities, although they must still adapt it to meet their local needs and operating requirements. For larger municipalities with a full-time purchasing staff, the model ordinance offered by the State Fiscal Accountability Authority may be more suitable. That ordinance is available at www.procurement.sc.gov, under “Political Subdivisions.”

The Municipal Association’s ordinance requires the municipality to decide on several specifics:

- A minimum purchasing amount to which the ordinance applies. Staff can make purchases of a lesser amount without competitive bidding.

- Which official is responsible for designating the municipality’s purchasing director. It may be the full council, the mayor or a city manager.
- A maximum purchasing amount that may be approved by the purchasing director.
- A maximum amount that may be approved by the mayor or manager.
- A minimum amount that requires approval by the full council.
- Which official, such as a mayor or manager, may recommend that council exempt specific items from the official purchasing procedures.

The model ordinance also spells out purchasing processes authorized for different circumstances, such as an invitation for bids, a request for bids, emergency procurement in cases of an immediate threat to public health or welfare, small purchases falling under a named amount and sole-source purchasing where the purchasing director has confirmed that “there is only one legitimate and efficacious source” for the item purchased. The ordinance also describes a contract administration process and procedure for resolving protests of purchasing decisions.

‘MCAA 101’ Recognizes 13 Graduates

The most recent “MCAA 101” session, which is named for the Municipal Court Administration Association of SC, recognized 13 new graduates of the program. “MCAA 101” is designed to provide municipal court administrators, clerks of court and other court staff with the skills critical to running and administering the duties of a municipal court.

The courses are designed to provide the staff of municipal courts with the skills critical to their profession. It comes in the form of three sessions all taking place in Columbia throughout the year, with no requirement to attend all three. Session A covers charges, bonds and court basics; Session B covers dispositions, records retention, alternative sentence and reporting; and Session C covers court financials.

Featured in the top row are Katherine Jackson, City of Columbia; Brenda Armstrong, City of Charleston; Talisha McCall, City of Bennettsville; Kirsten Pressley, instructor; Tammy McCathern, Town of Swansea; Nyia Adams, Town of Salley; and Bobbi Hughes, Town of Andrews.

Appearing the bottom row are Willette Mazyck, City of Charleston; Pam Larson, instructor; Desiree Hill, City of Greenville; Rudi Summers, City of Greenville; and Brittney Jacumin, Town of Mount Pleasant.

Not pictured are Justin Wise, City of Cayce; and Arlene Eargle, Town of St. George.

For more information about MCAA 101, visit www.masc.sc (keyword: MCAA 101).





By Bonnie Ammons, Executive Director, SC Rural Infrastructure Authority

There is an old saying that nothing is permanent in life except change. In the past few years, we have had to adjust our daily lives to adapt to a different environment. Winston Churchill once said, “to change is to improve.” This philosophy of change and improvement is what the SC Infrastructure Investment Program is all about.

The SC General Assembly allocated approximately \$2.5 billion of State and Local Fiscal Recovery Funds from the American Rescue Plan Act to address a wide range of critical capital improvement needs including roads, water, wastewater, stormwater, broadband, and health. These funds offered a once-in-a-lifetime opportunity to make a significant investment in the future of South Carolina.

A large proportion of this funding was allocated to the SC Rural Infrastructure Authority for infrastructure improvements that would strengthen critical services for residents and businesses across the state, create more resilient communities, and build capacity to support future opportunities for growth and economic development. Thus, a competitive grant program for local governments as well as public water and sewer utilities was established with a focus on addressing priority infrastructure needs that could have a transformative impact. The SC Infrastructure Investment Program, or SCIIP, was designed to address diverse infrastructure concerns within large and small communities and

both urban and rural areas throughout the state.

This unique funding opportunity generated over 300 applications totaling nearly \$2 billion for drinking water, sanitary sewer and stormwater drainage improvement projects. The projects ranged from addressing critical but aging infrastructure, to improvements in distribution and collection lines and pumping stations, to upgrades and modernization of storage and treatment facilities, all designed with the future in mind.

For example, a number of applications proposed to use SCIIP funds to address improvements included on their Water System Capital Improvement Plan designed to keep pace with changing regulations, an aging system and growing population. Often, this plan may include rehabilitation or replacement of outdated cast iron, asbestos cement and galvanized water pipes, as well as improve the storage and hydraulic capacity of elevated storage tanks and booster pump stations.

One of the key program objectives was to encourage greater planning and sustainability. Developing collaborative relationships among nearby utilities can be a cost-effective way to operate more sustainably. Sometimes the proposals involved an interconnection of two systems and improvements necessary to assume ownership and operation of a less viable system. Such improvements would improve the reliability of the clean drinking water supply for customers.

Infrastructure touches people’s lives in many ways. In addition to guarding public health and protecting the environment, it serves as a building block for economic investment. Recognizing this, some proposed projects plan to address needs that would benefit existing residents, while also provide capacity for planned industrial development that would spur job creation, capital investment and new growth opportunities.

By improving the quality of life for residents now, with an eye toward investing in infrastructure needed to support new opportunities in the future, this funding will provide a unique opportunity to make a transformational impact for generations to come.

As of April, RIA was awaiting action by the General Assembly to allocate an additional \$586 million for applications submitted by January 1, 2023. The RIA postponed its planned first-quarter announcement of projects until the additional funding has been approved. Check the RIA website at www.ria.sc.gov for updates.

RIA serves as a partner to communities implementing projects that will be funded by the SCIIP program. While there are several federal requirements including an expenditure deadline of December 31, 2026, our staff is available to help ensure these projects are implemented in a timely manner. For more information or assistance, go to www.ria.sc.gov.

Finding State Funding for Local Transportation Needs

South Carolina's "C" Fund program, a funding mechanism that can address local transportation projects, has received more money from gasoline taxes in recent years, but for cities and towns to access it, they need to engage with their county governments.

The types of projects eligible for "C" Funds include the improvement of state, county and municipal roads, the installation of street and traffic signs, and other transportation projects like sidewalks or drainage.

State law sets aside a portion of all gasoline tax proceeds for the program, and the amount increased from 2018 to 2021 with a phased-in approach. Before the new law, the law set-aside was 2.66 cents per gallon, and by 2021 when the changes were fully phased in, the amount had increased to 3.99 cents per gallon. However, the law specified that the additional recurring revenue created by this change could only be used for state highway system repairs, maintenance and improvements.

Authority for awarding "C" Funds

The responsibility for selecting and approving projects to be supported by "C" Funds falls to the County Transportation Committee. The CTCs have the discretion to create their own procedures for accepting project applications and determining which projects it will fund.

Each of the state's 46 counties has a CTC, but committee membership selection depends on the county. In most counties, the legislative delegation appoints the membership of the CTC. In some counties, the county council serves as the county's CTC, which is the case in Abbeville, Chester, Clarendon, Jasper, Lexington and York counties. In Allendale, Barnwell, Beaufort, Berkeley and Dorchester counties, the county council appoints the members of the CTC.

Determining "C" Fund amounts for each county

The "C" Fund program distributes funds to each county based on population, land area and rural road mileage. The program also allows counties that contribute more to the "C" Fund than they collect to receive a donor bonus allocation.

For FY 2022-2023, the state allocated a total amount of \$110.6 million. Some of the counties with the highest apportionments during this time, not including the "donor bonus" which goes to counties that contribute more than they receive from the program, are Greenville County with \$6.5 million, Horry County with \$5.6 million, and Richland County with \$5.3 million.

State road funding requirements

Beyond the requirement to spend funds from the increases that began in 2018 on state roads, CTCs are also required to spend 33% of their total allotments on state roads. Beyond those restrictions, CTCs can use the funds for local road projects. They may also carry forward any uncommitted funds from one year into the next, as long as the amount does not exceed 300% of the county's total "C" Fund apportionment for the most recent year.

Learn more about the "C" Fund program at <https://www.scdot.org/projects/c-program.aspx>. The webpage also includes links to the transportation plans for each of the counties.

Creative Stormwater Projects Promote Recreation, Wildlife

In Port Royal, the protected Cypress Wetlands and Rookery is home to a loop trail. Photo: Town of Port Royal.

From Hitchcock Woods in the City of Aiken to the Cypress Wetlands and Rookery in the Town of Port Royal, some municipalities around the state have changed the way they look at stormwater runoff and in the process, helped create beautiful spots where wildlife thrives and visitors flock.

In the case of Aiken, the city had long had a jewel within its borders — the 2,100-acre Hitchcock Woods, the nation's largest privately owned urban forest. But stormwater from the city had long flowed into the area, causing all sorts of erosion, water contamination and wildlife habitat loss.

The problems dated to the 1950s as Aiken grew rapidly, leading to more paved roads and homes built in the historic downtown grid, said City Manager Stuart Bedenbaugh.

“The volume of stormwater did not necessarily increase, but the velocity did,” he said.

Around this time, the city began to pipe stormwater into Hitchcock Woods, a facility that has been used by pedestrians and equestrians since the early 1800s. As stormwater runoff made its way through town, it picked up trash, pollutants, oils and other dirt from city streets, and the untreated stormwater flushed into the woods. Fast-moving water also washed away land and carried silt downstream where it could fill in and harm the ecologically important wetlands.

“That’s when we saw a tremendous amount of erosion. Over 60-plus years, there were attempts made to try to mitigate that, but it wasn’t seriously addressed until last few years,” Bedenbaugh said.

Soon after his election, Aiken Mayor Rick Osbon formed a stormwater task force with members of the Hitchcock Woods Foundation, city council members and residents who lived nearby. They worked together to develop a plan for massive innovative stormwater vaults that are able to hold the water and then use weather forecasts to decide the best time to release it.

“Imagine a large number of vaults buried beneath the surface that collect the water. Then there is a system that electronically



An amphitheater is one of the facilities overlooking the Cypress Wetlands. Photo: Town of Port Royal.

reviews the National Weather Service forecast. Let’s say if over the next 72 hours it projects 3 inches of rain, then [the system] will release water at a quicker rate. But if there’s no rainfall expected over the next three days it will release water at a more manageable slow rate which mitigates the erosion,” Bedenbaugh said. “Because the problem is not volume, it’s velocity.”

Aiken has nearly completed work on the first phase of the \$15.8 million project, using 1% capital project sales tax funds, hospitality tax funds, federal American Rescue Plan money, a grant from the SC Department of Health and Environmental Control and a State Revolving Fund loan.

Bedenbaugh said the project has the full backing of the Hitchcock Woods Foundation, a relationship that had been adversarial at times over the past 60 years, but has improved as a result of this project. He also said Aiken’s experience shows the importance of open and frequent communication with property owners and stakeholders.

The project illustrates the importance of cities looking at all the options available for improving — and paying for — stormwater projects, according to Bedenbaugh.

“There are lots of stormwater abatement options out there. You need to be able to take advantage of those,” he said. “From a funding standpoint, there are creative ways to find funding for projects such as this. The legislature now allows hospitality tax to be used for stormwater projects when visitors will take advantage of them. That’s a substantial change that has benefited us.”

And work at Hitchcock Woods has shown that visitors and locals will definitely take advantage of a special piece of property that's home to 70 miles of sandy trails, and is open for walkers, runners and horses from dawn until dusk.

Work to resolve stormwater issues has created another popular spot in the Lowcountry town of Port Royal.

Town Manager Van Willis joked that it started raining soon after he arrived in August 2002.

"And it kept raining," he said.

He noticed quickly that the main Cypress Wetlands and Rookery, a protected wetlands area, had no outfall and was "filling up like a bathtub. Water was covering the walkways and the benches. My initial thought was that we need to create an outfall for this. We could just run it down 18th Street into the creek."

Instead, he and the town's planning director looked to the past — an aerial map from the 1930s they found that showed a series of wetlands that at one time had been connected, but had been filled in or were isolated due to development patterns over the decades.

"We decided to recreate what was intended in the first place. If we connected these basins together, it gave us an opportunity to regulate the depth of the main wetland and treat that initial runoff," he said. "So, basically runoff is now being treated three to four times before it outfalls to any creek."

Port Royal also identified the basins that feed into these systems and worked with local developers, re-developers and builders to create a new system of dealing with runoff.

"We said, 'Rather than you building these detention and retention ponds that typically get neglected or aren't maintained, why don't you do a first flush on the property and we will take your volume?'" Willis said.

That meant developers held their water runoff on site to get the first bit of sediment out of it before it was sent to the town. The developers loved the idea, Willis said, because they could now use a piece of property that in the past they had to dedicate to a retention or detention pond.

"It's an opportunity for them to better utilize their property and keep with our master plan for the downtown area," he said. "And it feeds this wetland which has become a significant rookery and an absolute amenity for the residents and visitors."

When the plans started, Willis said many in the community were afraid the project would ruin the wetlands and chase away all the herons, hawks and eagles. The opposite happened. The work added depth to the wetlands and created more safety for the birds.

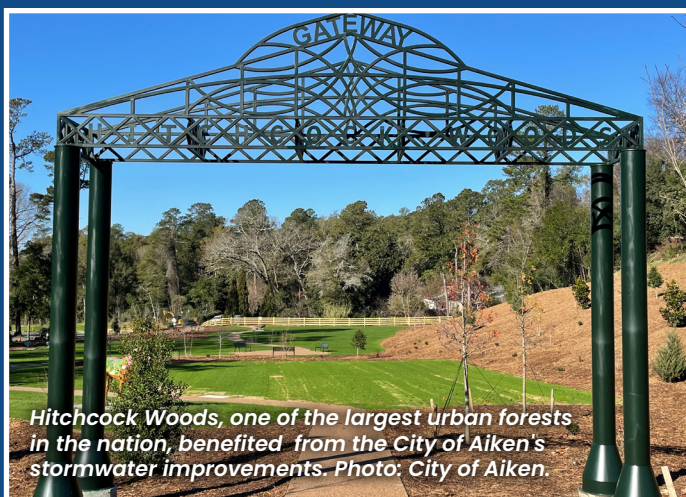
The town now has a 0.6-mile trail loop with an amphitheater that overlooks the wetlands and an active Friends of Port Royal Cypress Wetlands group. About 400 people a day visit the area, getting the chance to see wildlife up close nestled in the among the cypress trees.

"Besides birds and the alligators and the turtles and everything else that goes along with it, you're in our downtown area. You get out on the boardwalk, and you don't know you're near downtown," Willis said. "It's a respite in the middle of town."

He suggested that cities and towns take a look at their topography before beginning any stormwater projects.

"There may be opportunities there for you to create a system you might not have traditionally thought about. That's what this one did," he said. "Look for creative solutions rather than what might be the only option in the manual."

Coming at the intersection of where people live and where water flows, stormwater projects can have the potential to improve natural areas, and in doing so, make life better for humans and wildlife alike.



Reducing Liability for Sewer Backups



Since sewer blockages and backups can lead quickly to standing sewage inside of a home, they are among the most dramatic ways that public works infrastructure can fail. And considering they can be very expensive, damaging floors, walls, electrical systems and belongings, they will immediately lead to discussions about who has responsibility for the damage.

Did the backup, for example, occur in the city-owned sewer main, or did it occur in the sewer connection, which falls under the homeowner's responsibility? City personnel need to know what to do and what not to do both before and after these backups occur. How the city and its employees handle these situations often determines whether the municipality is in fact liable for any damages.

Before the backup happens

Damage created by sewer backups can lead to legal challenges. The municipality can manage risk in these cases by being able to show that it engaged in ongoing inspection and maintenance of its system, and can sometimes stop the backups before they ever happen. The key step is to develop a formal plan and follow it, while keeping in mind the city's limited resources for inspection.

Consider, for example, a plan that requires inspecting 25% of the entire system each year, meaning that a system-wide inspection occurs every four years. Problems could still occur in the portions not inspected in a given year, but the plan can still help with legal challenges. Even if the city had not reached this line yet or the flaw was not there the last time it was inspected, that would be better than having to testify in court that there was no inspection plan in place.

The city should document its inspection plan, results and any customer calls. Documentation will show the precautions taken to avoid the mishap.

Communicating after a backup

When backups occur, city employees need to be aware of the city's recovery policies and procedures and be able to communicate them to residents. Standing in the thick of a sewage mess, it can be tempting for staff to give assurances to the property owner that the city will handle the problem.

The best approach, though, is to encourage the homeowner to contact a disaster restoration company, and note that the city's insurance provider will investigate the claim. The city should not become involved in any aspect of the aftermath if the homeowner will not sign a non-waiver-of-defenses agreement. This puts in writing that the homeowner acknowledges any city assistance does not mean the city is admitting liability for the incident.

Cases where the municipality is likely liable

The city will likely be held liable for damages in cases where its actions cause a backup. For example, if the city uses excess water pressure when cleaning a line, it could back sewage into a home, or if it incorrectly installs pipes in a way that clogs them.

Other cases where the city is likely liable are those when it had notice that a problem existed, but did not correct it. For example, a resident could call to report a backup, but the city did not act in a timely manner. Alternately, an inspection could identify a problem, but the city took no action. In these cases, documenting the issue, properly communicating about it with necessary staff, addressing it and documenting the steps the city took are all critical for minimizing potential liability.

For questions, contact John Ciesielski, loss control consultant, at jciesielski@masc.sc or 803.354.4752.



In December 2022, the electrical grid in Moore County, N.C., came under attack as assailants fired guns at two electrical substations, damaging the system and leaving thousands without electrical power for days.

The attack was far from isolated. The U.S. Department of Energy tracks electrical service disruption from vandalism, physical attacks or suspicious activity, and the number of incidents rose to 163 nationwide in 2022 — a 77% rise from 2021. Concerns about attacks on electrical utilities, and the potential for these attacks to disrupt the lives and livelihoods of residents, has led

to several bills in the General Assembly — S330, S331 and H3577 — establishing offenses and penalties for intentionally damaging utility systems.

Energy utilities are not the only infrastructure that might be targeted. The U.S. Department of Homeland Security has called attention to other systems needing protection such as water systems where attackers might aim to disrupt service or contaminate the supply, transportation systems or even emergency services.

Here are some issues utility operators can consider to reduce the risks of attacks:

Make sure that utility facilities have appropriate defenses. This can be as simple as walls, fences, motion detectors, alarm systems or security cameras. One of the bills now in the General Assembly, H3577, would require electrical utilities that own or operate electrical substations to operate security cameras at the substations.

Prepare for equipment replacement when possible. Electric utilities often participate in programs that share equipment, with one example being the Edison Electric Institute's Spare Transformer Equipment Program.

Don't forget the cybersecurity needs. The rate of cyberattacks on governmental systems has grown in recent years, and attackers are increasingly aware of the potential for IT system intrusions to disrupt utility systems. Cybersecurity defenses for utilities have emerged to be as important as physical defenses.

The Cybersecurity and Infrastructure Security Agency, established by the Department of Homeland Security in 2018, has resources to help utilities protect systems from physical and cyberattacks. Learn more at www.cisa.gov.

Don't Forget the Priority Investment Element

South Carolina's Comprehensive Planning Enabling Act, found in SC Code Title 6, Chapter 29, requires that cities and towns that decide to adopt zoning and land use regulations must take several steps: establish a local planning commission, and adopt a comprehensive plan every 10 years. The law further requires the comprehensive plan to explore the community's assets and needs as they relate to 10 named elements. These elements are population, economic development, natural resources, cultural resources, community facilities, housing, land use, transportation, priority investment and resiliency.

The priority investment element, which promotes collaboration among different levels of government, is an often-overlooked but important part of a comprehensive plan.

This element requires an analysis of all funds that are likely to be available for infrastructure and facilities during the 10 years foreseen by the plan, including potential federal, state and local funding. The plan should also name recommendations for how these funds could be spent on such needs as water and sewer infrastructure, roads and schools, and then provide written notification of these recommendations to "adjacent and relevant jurisdictions and agencies" and give them opportunities to comment. This could be everything from a county government to a school district, a transportation agency, public service district, or any kind of public or private utility.

In some municipalities, the kind of planning collaboration promoted by this requirement is formalized with planning

entities that have shared jurisdiction in two local governments, such as the Sumter City-County Planning Department, or the Beaufort – Town of Port Royal Metropolitan Planning Commission.

Those interested in the comprehensive plan process can learn more in the Municipal Association's *Comprehensive Planning Guide for Local Governments*. It explains how planning commissions can develop and revise the 10 elements of the comprehensive plan. It also explains the structure and functions of planning commissions and boards of architectural review. Find the handbook at www.masc.sc. (keyword: planning guide).



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Calendar

For a complete listing of the Association's training opportunities, visit www.masc.sc to view the calendar.

MAY

16 Risk Management Services Law Enforcement Training. Cooperative Conference Center, Columbia.

16 Municipal Elected Officials Institute of Government: Municipal Governance and Policy and Freedom of Information Act in SC. Council of Governments locations.

17 – 19 SC Community Development Association Annual Meeting. Hilton Myrtle Beach Resort.

JUNE

1 SC Association of Stormwater Managers Second Quarter Meeting. Cooperative Conference Center, Columbia.

4 – 7 SC Association of Municipal Power Systems Annual Meeting. Embassy Suites, Myrtle Beach.

7 – 9 Main Street South Carolina Directors Summer Retreat. Best Western Sea Island Inn. Topics include experiential retail, diversified workforces, marketing data, and branding and promotion.

20 Business Licensing Essentials – Coin and Amusement Devices, SC Department of Revenue. Virtual.

27 – 28 Municipal Court Administration Association 101 Session A. Municipal Association of SC, Columbia. Topics include charges, bonds and court basics.

JULY

18 Business Licensing Essentials – Class Schedule Changes. Virtual.

27 Small City Summit. SpringHill Suites, Greenville. Topics include law enforcement policy changes, code enforcement, outsource outsourcing of municipal services, city planning for small cities, business licensing and municipal legal requirements such as budgets, audits and monthly council meetings. See page 2 for more information.

27 – 30 Municipal Association of SC Annual Meeting. Hyatt Regency, Greenville. See page 4 for registration information.

AUGUST

1 Setoff Debt Program 2023 Annual Training Session: New Employees of Current Participants. Municipal Association of SC, Columbia.

3 Setoff Debt Program 2023 Annual Training Session: New Participants. Municipal Association of SC, Columbia.

15 Business Licensing Essentials – Local Revenue Services Programs, Where to Find Reporting, Local Collections. Virtual.

23 – 25 Municipal Court Administration Association of SC Annual Meeting. Marina Inn at Grande Dunes, Myrtle Beach.

SEPTEMBER

7 SC Association of Stormwater Managers Third Quarter Meeting. Cooperative Conference Center, Columbia.

7 – 9 Main Street South Carolina Directors Summer Retreat. Best Western Sea Island Inn. Topics include experiential retail, diversified workforces, marketing data, and branding and promotion.

13 – 15 Municipal Clerks and Treasurers Institute, Year 2, Session A. Hilton Columbia Center.