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SCAC Adopts Policy Positions for 2018 Session of the General Assembly

SCAC's Legislative Steering Committee adopted policy positions for the 2018 Session of the S.C. General Assembly on Friday, Dec. 1, at the Association's 2017 Legislative Conference in Charleston, held Nov. 30 to Dec. 1. The Legislative Committee had previously reviewed recommendations from the following steering committees:

County Government and Intergovernmental Relations—

Chaired by Joseph B. Dill, Greenville County Council Member;

Land Use, Natural Resources and Transportation—

Chaired by Charles T. Edens, Sumter County Council Member;

Public Safety, Corrections and Judicial—Chaired by Julie J. Armstrong, Charleston County Clerk of Court; and

Revenue, Finance and Economic Development—Chaired by Belinda D. Copeland, Darlington County. (*See P. 4*)

SCAC President Henry H. Livingston III (Newberry County Council Chairman) presided over the two-day conference, which included two speakers and a legislative panel discussion.

plish over the next 10 years, using the two cents per gallon tax that will be added each year to the fuel tax for six years to 2023. When the tax sunsets at 12 cents per gallon in 2024, the tax will generate \$800 million per year in long-term, sustainable funding for the SCDOT.

"We've finally received a long-term, road-funding bill, and we're super excited about this," Colvin said. "We've already determined our gaps and our highest priorities, and identified

(Continued on next page)



SCAC President Henry H. Livingston III presides over SCAC's 2017 Legislative Conference.

Rebuilding South Carolina's Roads

On Thursday, Nov. 30, Leland Colvin, P.E., Deputy Secretary for Engineering, S.C. Department of Transportation (SCDOT), delivered a presentation on rebuilding South Carolina's roads.

South Carolina has the highest road fatality rate in the nation, one that's double the national average and significantly higher than North Carolina and Georgia. Eighty percent of the state's roads need repairs, 750 bridges are structurally deficient, and many road widening projects are overdue.

Colvin discussed three infusions of money that the SCDOT received when funding bills passed in 2013, 2016 and 2017, and some of the work that has been completed so far. He then focused on what the SCDOT plans to accom-



SCAC's 2017 Legislative Conference, Charleston, Nov. 30



our top priorities and major gaps in our program—safety, bridges, pavements and capacity.

He identified the priorities of the SCDOT, and explained four programs that have been designed to improve the state's roads:

- The first program will double the state's resurfacing efforts on interstates, high volume U.S. and S.C. routes and secondary roads.
- The second program will completely replace approximately 100 structurally deficient bridges on interstates and high volume U.S. and S.C. routes, and 350 load-restricted bridges.
- The third program will focus on 12 interstate capacity projects, including: the I-85 and I-385 widening project in the Greenville area; the "Malfunction Junction" project in Columbia, scheduled to begin by early 2020; and the I-526 and I-26 interchange project in Charleston.
- The fourth program will make rural roads safer by improving the most dangerous sections of rural roads outside urban areas where about 30 percent of the state's road fatalities occur each year.

Ten years from now, according to Colvin, the SCDOT plans to have upgraded safety features on 1,000 miles of rural roads; made significant progress resurfacing roads to reverse 30 years of neglect; improved 140 miles of the state's interstates; eliminated structurally deficient and load-restrictive bridges;



Leland Colvin, Deputy Secretary for Engineering, S.C. Department of Transportation, uses a map of South Carolina when delivering his presentation on rebuilding the state's roads.

and constructed 465 new bridges.

Meanwhile, in an effort to be transparent, SCDOT has launched a website at www.scdot.org that identifies scheduled projects and shows exactly how money is being used. Colvin's presentation is available for viewing on SCAC's website at:

www.sccounties.org/Data/Sites/1/media/news/rebuilding-our-roads.pdf



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SCAC Recognizes Pickens Williams, Retiring Board Member



At SCAC's December Board Meeting, SCAC President Henry H. Livingston III recognizes Barnwell County Administrator F. Pickens Williams Jr. (left), for his dedicated service and contributions to SCAC's Board of Directors.



Disaster Preparedness in South Carolina

Maj. Gen. Robert E. Livingston Jr., S.C. Adjutant General, discussed disaster preparedness in South Carolina. As head of the Military Department of the State of South Carolina, he administers the affairs of the S.C. Army and S.C. Air

Maj. Gen. Robert E. Livingston Jr., S.C. Adjutant General, talks about disaster preparedness in South Carolina.



National Guard, the Emergency Management Division, the State Guard, and Youth Challenge. The state's governor is commander-in-chief.

Maj. Gen. Livingston explained how emergency management works and described the history of the National Guard, including its origins in South Carolina in 1670. He also explained how the ability of people in this state, working together at the local level, has improved since Hurricane Hugo.

(Continued on next page)

Legislators Discuss What to Expect in the 2018 Session

SCAC's Legislative Conference held a panel discussion on Friday, Dec. 1, that allowed members of the S.C. General Assembly to discuss what they believed would be the priorities during the

2018 Legislative Session. Participating on the panel were: Sen. Wes Climer (District 15), Sen. Brad Hutto (District 40); and Rep. Joseph A. Daning (District 92).



Participating in the legislative panel discussion on December 1 at SCAC's Legislative Conference are: (left to right) Rep. Joseph A. Daning (District 92), Sen. Brad Hutto (District 40) and Sen. Wes Climer (District 15). Seated at the far right is SCAC President Henry H. Livingston III, who served as moderator.

The legislators discussed some of the issues that they wanted the General Assembly to address, such as public education to prepare students for the workforce and the need to build up financial reserves to prepare for a recession three to five years from now.

But the legislators noted that hot-button issues, like the SCANA/Santee Cooper nuclear plant project crisis, would probably become one of the first priorities. They also said that other key issues might deal with the effects of recently passed federal tax reform, and how the state will adjust; reform of the state's pension plan for new state government employees; the Local Government Fund; regulatory reform; and state tax reform.

County Officials Voice Concerns, Ask Questions



Many county officials voiced their concerns and asked questions when given the opportunity after legislators spoke at SCAC's Legislative Conference. Shown doing so above are (left to right) Lynne West, Registration & Elections Director, Laurens County; J. Frank Hart, Union County Supervisor; and William W. Peagler III, Berkeley County Supervisor.



“Our philosophical approach to emergency management is exactly the opposite of that in most countries,” Maj. Gen. Livingston said. “Here, it starts with the individual. We always advise people to be self-sufficient for 72 hours after a disaster. We might get to you faster, but we might not be able to get to you for 72 hours.

“So, you’ve got to include that in your personal plan,” he added. “You’ve also got to make sure you also help your neighbors, and support your local people—county and town emergency management personnel and incident commander so they can accomplish what they need to do. When I arrive with the National Guard and setup headquarters during a disaster, “I serve the needs of the local person, normally an elected official or a representative of an elected official. I take direction from

them, and they tell me where the priorities are because they are responsible to the locals. This goes all the way back to the state level where we’re all trying to reinforce and help what the counties are trying to do.”

Maj. Gen. Livingston said it is important to “get out in front” of a disaster, and to get people out of harms way, and that it is the National Guard’s responsibility to ensure the defense and safety of citizens.

“It becomes a combined effort, an interagency effort,” he added. “We conduct rescues, using helicopters with crew chiefs who operate winches and high-water vehicles. The Department of Natural Resources and the state Fire Academy use boats to conduct swiftwater rescues. I work with the local police chief or the county sheriff to conduct security operations.”

State level coordination—not federal coordination—makes everything work when a disaster strikes.

The state’s adjutant general, who is responsible for emergency management, works with the Director of the S.C. Emergency Management Division under the governor’s control. Together, they coordinate all of the capabilities of the state—not just the National Guard’s capability but all of the interagency capabilities—to support all of the counties and cities in South Carolina.

“It’s a team effort, but it’s even deeper than that,” Maj. Gen. Livingston said. “This team effort includes the people of South Carolina, the involvement of volunteer organizations and volunteer emergency responders. This team effort requires practice, getting to know each other and working out turf issues before a disaster occurs for the common good.”

He said many lessons have been learned as a result of disasters, but emphasized that it was most important to:

- Have clean and effective messaging, to talk to the people of South Carolina and let them know what is going on before, during and after a disaster.
- Communicate between liaisons positioned in key, strategic areas, county and city emergency operations centers and communities who can immediately provide feedback and call for emergency assistance when needed.
- Conduct predictive intelligence analysis, which helps preposition assets prior to a disaster so that they can more quickly provide emergency assistance when needed.

Maj. Gen. Livingston concluded his presentation by expressing some of his concerns:

- Slow and ineffective responses due to bureaucracy;
- The government’s tendency to want to become more efficient and to centralize decision making; and
- The reluctance of some citizens to be self-sufficient, prepared for emergencies and prepared to help their neighbors.

“We never want to promise our people that we will always be there to take care of them,” he warned. “We cannot take away that individual initiative for self-preparedness and to help neighbors. We’ve got all this emergency equipment and the capability to save lives and to restore infrastructure. But if we take away an individual’s will to take care of himself or herself, or we say, now I’ve got this, I’ve seen the negative results. People will

SCAC Policy Steering Committees Present Recommendations

The following SCAC Policy Steering Committee chairmen presented their committee legislative policy recommendations at the Association’s 2017 Legislative Conference.



Joseph B. Dill
Chairman

**County Government and
Intergovernmental
Relations Committee**



Charles T. Edens
Chairman

**Land Use, Natural
Resources and
Transportation Committee**



Julie J. Armstrong
Chairman

**Public Safety, Corrections
and Judicial Committee**



Belinda D. Copeland
Chairman

**Revenue, Finance and
Economic Development
Committee**



sit back and wait for the government to take care of them.”

Legislative Panel Discussion

A legislative panel discussion was held on Friday, Dec. 1, that allowed several state legislators to discuss what they believed would become legislative priorities during the 2018 Session of the S.C. General Assembly. County officials had opportunities to speak and ask questions, and many did so. (See P. 3)

SCAC developed legislative policy positions last fall, based

on input received from four policy steering committees, the County Council Coalition Meeting, various association groups and other county officials.

SCAC's Legislative Committee has 75 members, including 29 members of the Association's Board of Directors and council chairmen (or their designees) representing South Carolina's 46 counties. Steering committees met previously at the SCAC Office in September and November.



SCAC Hosts 2017 S.C. Local Government Attorneys' Institute

The Local Government Attorneys' Institute, held on Friday, Dec. 8, at the DoubleTree Hotel in Columbia, was perhaps the most successful since the S.C. Association of Counties began sponsoring the event.

This year's participant evaluations were overwhelmingly positive. Comments received included numerous variations on the following responses: "Stellar panel! Great practical examples," "Excellent presentation and comprehensive materials," "One of the best I've seen in many years," "Good speaker on relevant issues," "Very informative and entertaining," "Funny, insightful, very, very informative," and "Thoroughly enjoyed all speakers this year." The comments are not surprising given the faculty for the seminar this year.

The State Ethics Act changes and frequent issues were covered by Steve Hamm, State Ethics Commission Interim Executive Director. Although this is a topic driven exclusively by statutory language, the topic was kept lively and relevant with real world examples and practical advice on avoiding problems.

Jack Pringle, a partner at Adams and Reese, LLC was one of two speakers rated highest for the program with a couple of attendees writing that he should return again next year and get more time! This presentation covered sources of stress and

(See **Attorneys' Institute**, P. 6)



PANELISTS DISCUSS THE FREEDOM OF INFORMATION ACT—A panel of Freedom of Information (FOI) Act practitioners highlighted changes made during 2017 in the FOI Act, discussed a broad range of issues related to the changes and offered tips. Panelists included: (left to right) Adam Whitsett, General Counsel, SLED; Ginny Dupont, Spartanburg County Attorney; **MODERATOR**—M. Kent Lesegne, SCAC Senior Staff Attorney; and Jeanne Lisowski, Senior Assistant City Attorney, City Attorney's Office, City of Columbia.



S.C. Local Government Attorneys' Institute, DoubleTree by Hilton Hotel, Columbia, Dec. 8



Speakers Provide Informative, Lively, Entertaining Presentations

These speakers received overwhelmingly positive reviews for presentations they delivered at the 2017 Local Government Attorneys' Institute. Panelists, shown on page 3, also received stellar reviews.



Steve Hamm
Interim Executive Director
State Ethics Commission



Joe Anderson
Federal District Court Judge



Jack Pringle
Partner
Adams and Reese, LLC



Amanda Kellar
Associate Counsel
International Municipal
Attorneys' Association

Attorneys' Institute ...

(Continued from P. 5)

ways to keep a positive perspective while practicing law. Pringle frequently lectures to numerous groups in and outside of South Carolina.

Perhaps the most unique presentation of the day was entitled "Twelve Angry Youtes Kill a Mockingbird, Tweet Tweet." Federal District Court Judge Joe Anderson used numerous movie clips from "legal" movies, including *To Kill a Mockingbird* and *My Cousin Vinny*, to illustrate effective trial advocacy skills. It is unusual to have a speaker develop such a tightly coordinated and coherent set of examples which very clearly illustrate the substance of the talk. SCAC was fortunate to have Judge Anderson serve on the faculty again, especially with such a well delivered and received presentation.

Attendees were also given comprehensive updates on recent case law at both the federal and state levels. SCAC was fortunate to have Amanda Kellar, Associate Counsel with the International Municipal Attorneys' Association (IMLA) address a very busy year at the U.S. Supreme Court. Kellar staffs IMLA's legal advocacy committee and authors some of the amicus briefs IMLA files on behalf of local governments. Josh Rhodes, SCAC's Assistant General Counsel covered both South Carolina legislative and case law from the previous year. The *Acts Affecting Counties* is frequently requested and referred to by county officials.

The balance of the program was focused on issues which arise frequently in local government settings: Freedom of Information Act (FOI Act) and parliamentary procedure issues. This year's changes to the FOI Act were highlighted and a wide ranging discussion of many practical tips was covered by a panel of FOI Act practitioners. The panel included Spartanburg County Attorney Ginny Dupont, SLED's General Counsel, Adam

Whitsett, Jeanne Lisowski, Senior Assistant City Attorney at the City of Columbia's City Attorney's Office, and Kent Lesesne, SCAC Senior Staff Attorney.

Parliamentary procedure was addressed by SCAC's in house resource, John Deloache, Senior Staff Attorney. Many practical tips for handling commonly seen procedural issues were discussed along with the implication of recent Case law addressing the impact of recusal under the Ethics Act and the operation of a governing body.

The positive evaluations for the program were reinforced by comments made during the breaks, and by the fact that there were very few registrants who did not show up or left early despite the poor weather. Now is the time to go ahead and save the date for next year's S.C. Local Government Attorneys' Institute - November 16, 2018, at the DoubleTree Hotel in Columbia. Hope to see you there.



CPAT Offers Pro Bono Planning and Development Assistance

The South Carolina Chapter of the American Planning Association (SCAPA) is accepting applications from eligible communities for its annual Community Planning Assistance Team (CPAT) program. CPATs provide short-term, pro bono planning and development assistance for communities in our state with little or no planning resources. CPATs work with community leaders, elected officials, stakeholders, and volunteers to address local issues or concerns.

The application deadline is Feb. 9, 2018.

For more information, visit:

<http://scapa.org/sc-cpat-community-application-submittal/>





Florence County's New \$32 Million Judicial Center Scheduled to be Completed in February

Florence County is constructing a new \$32 million, 120,000-square-foot judicial center opposite its existing county administration building, located in downtown Florence. Construction of the state-of-the-art facility, which began in December 2016, will be completed in February. Opening ceremonies are scheduled

to be held this spring, but no date has been set yet.

The three-story judicial center will provide space for approximately 170 court employees and represent the different functions of the circuit court, family court, probate court, clerk of court and judicial support areas.

The existing 11-story, 168,000-square-foot Florence County Administrative and Judicial Complex was constructed in 1969 and originally housed the city and county administrative agencies, along with the courts, sheriff's office, police, and jail facilities. But over time, the jail was relocated and city administrative offices were transferred out of the building. The original building likely will continue to be occupied by county administrative agencies, with some unassigned space available for lease.

Stevens & Wilkinson, based in Atlanta, Ga., and Columbia, S.C., is the architecture, engineering and interior design firm of record for the project. Goforth, Brown & Associates, Inc., based in Florence, S.C., is the project's associate architect. The Greenville, S.C., office of BE&K Building Group is the primary contractor.



Artist's rendering of the new Florence County Judicial Center (Courtesy of Stevens & Wilkinson)

Register by Feb. 8th for FREE State Revolving Fund Application Workshop

The S.C. Department of Health and Environmental Control and the S.C. Rural Infrastructure Authority will be holding a FREE half-day workshop from 9:30 a.m. to noon on Thursday, Feb. 15, in the Technology Center Auditorium of Midlands Technical College, Northeast Campus.

The half-day workshop will provide technical and financial information necessary to apply for infrastructure projects from the Clean Water and Drinking Water State Revolving Fund (SRF) Programs. Topics include: eligible activities, program policies and priorities as well as loan considerations.

Utilities and financial representatives of local governments, special purpose districts and public works commissions as well as engineers and other interested persons are encouraged to attend.

Registration is required by Feb. 8, 2018 at:

https://www.ria.sc.gov/index.php/workshops_webinars/

For more information, contact Pamela Gantt at (803) 737-0390 or pgantt@ria.sc.gov.



Register to Receive GASB Outlook E-Newsletter, Fourth Quarter 2017 Issue Published

The Governmental Accounting Standards Board (GASB) announced on December 11 the publication of its fourth quarter 2017 issue (Q4 2017) of the GASB Outlook e-newsletter.

Visit GASB's website at: www.gasb.org/gasboutlook

Register to receive the GASB Outlook e-newsletter at:

<http://www.gasb.org/signup>



Find Out "Who's Who" in South Carolina County Government!

Order a copy of SCAC's 2018 *Directory of County Officials*, scheduled to be published in February.

\$25 per copy

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Webcasts & Webinars for 2018



Planning and Zoning Continuing Education Webcast
9 a.m. to 12:30 p.m. Thursday, May 17, 2018
S.C. Bar Conference Center
950 Taylor St., Columbia, S.C. 29201

For more information, please contact Leslie Christy-Jennings, SCAC, at (803) 252-7255 or ljennings@scac.sc. Or visit SCAC's website at: <http://www.sccounties.org/education-training>

SCAC's 2018 Conference Calendar

Feb. 21 Feb. 22	Mid-Year Conference Institute of Government Embassy Suites, Columbia
Aug. 4-5 Aug. 5-8	Institute of Government Annual Conference Hilton Head Marriott
TBD	Setoff Debt/GEAR TBD
TBD	Continuing Education Update for Risk Managers, Etc.
Oct. 24 Oct. 25	Institute of Government County Council Coalition Embassy Suites Hotel, Columbia
Nov. 16	S.C. Local Government Attorneys' Institute DoubleTree by Hilton, Columbia
Nov. 29-Dec. 1	Legislative Conference Renaissance, Charleston



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- ADVOCATING** for counties before Congress and the Administration
- PROVIDING** solutions for cost-savings, efficiency and quality services
- ENRICHING** public awareness of county government
- EXCHANGING** ideas and building new skills



NACo's 2018 Conference Calendar

March 3-7	Legislative Conference Washington Hilton, Washington, D.C.
July 13-16	Annual Conference and Exposition Nashville, Tenn.

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