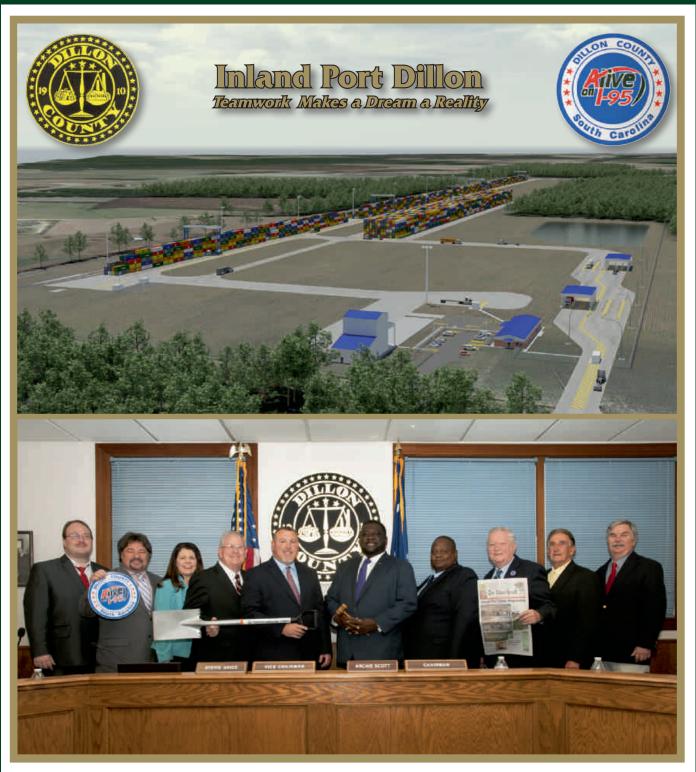
COUNTY FOUS

South Carolina Association of Counties

Volume 28

Number 4



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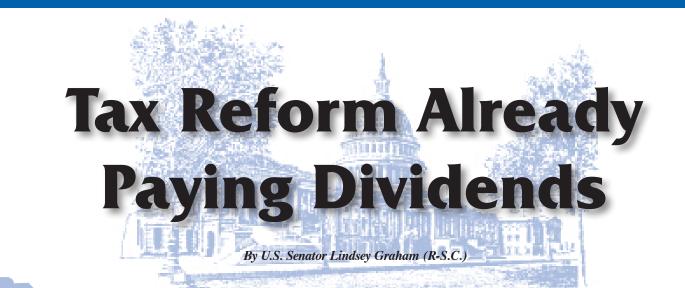
COVER PHOTOS <u>Top Photo</u>: Rendering of what Inland Port Dillon will look like after it opens on April 1, and shippers begin transporting containers by CSX rail to the new inland port, the state's second. *(Illustration courtesy of the S.C. Ports Authority)* <u>Bottom Photo</u>: PROUD TO HAVE LANDED SOUTH CAROLINA'S SECOND INLAND PORT—Dillon County officials, including members of county council, who convinced the S.C. Ports Authority that Dillon was the best place to build the state's second inland port. *(See story, Pp 4–8) (Photos by Stuart Morgan)*



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W. Stuart Morgan III, Editor

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The tax reform legislation that was just signed into law by President Donald Trump is already working. Whether it's increasing the child tax credit from \$1.000 to \$2,000, making it easier to save for retirement or doubling the standard deduction for individuals and married couples, these tax cuts are beneficial for working Americans.

The benefits of it are being felt in the form of bigger paychecks and more

take-home pay for South Carolinians. Take, for example, the workers at Nephron Pharmaceuticals in West Columbia, South Carolina.

While many people were just ending their post-Christmas festivities and gearing up for New Years, Nephron made an incredibly important announcement. Thanks to recently enacted tax reform, all of their salaried employees will be getting a 5 percent raise this year. This welcome news is positive change that helps working people who all too often feel like they haven't had a raise in years.

Nephron employs more than 600 people in the Midlands. Not only does this bonus mean real money for working people, it's money that will be re-

Sen. Lindsey Graham speaks at a press conference, held recently at the Russell Senate Office Building in Washington, D.C. (*Photo courtesy of U.S. Senate Photography*)

invested in the community and help spur additional economic growth in years to come. That's what happens when government gets out of the way and lets businesses thrive.

But Nephron is not unusual. Across the country we've seen companies announce raises for their employees and other benefits, including higher contributions to retirement savings accounts.

But it doesn't stop here. In many ways, the biggest benefits of tax reform are yet to come. Soon, workers will benefit from new lower tax rates, which will give them even larger take-home pay as they keep more of what they earn and the government takes less. more of their own money. It also incentivizes businesses to keep good-paying jobs here at home—all while making them more competitive in the global market.

Importantly,

this historic law

also repealed the

harmful Obamacare

"Individual Mandate"

tax. Instead of

forcing people to buy

expensive government

mandated health care

policies they don't

want, it repeals the tax

and takes the burden

off low- and middle-

income families who

have been hit hard by

is tax reform allows

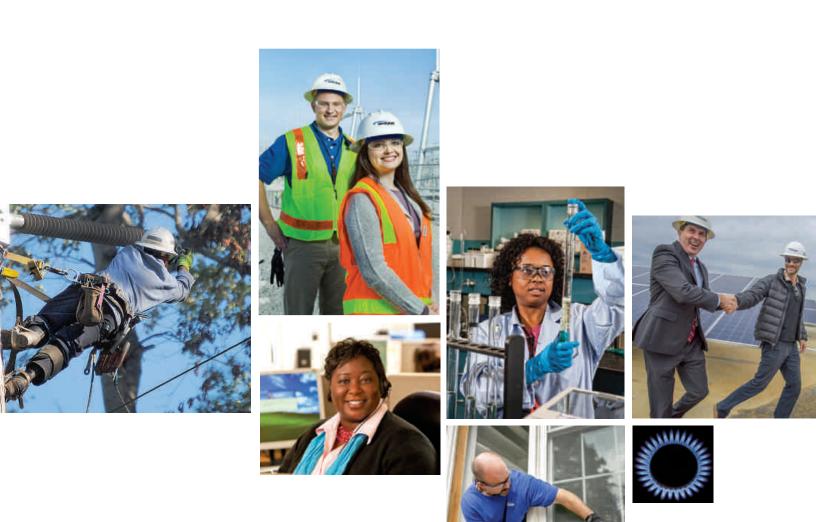
Americans to keep

The bottom line

this penalty.

I'm proud to have worked with President Trump to cut taxes, keep jobs in America, grow wages and boost the economy. Tax reform will make a real difference for working families and help create additional jobs in our state in the years to come. The announcement at Nephron is only the first bit of good news taxpayers in South Carolina have to look forward to in the coming years.





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DEDICATED to a Better South Carolina



Inland Port Dillon Teamwork Makes a Dream a Reality

By W. Stuart Morgan III

Inland Port Dillon, scheduled to open on April 1, is expected to attract logisticsoriented companies to industrial parks in and around Dillon and across the Southeast. Once a mere dream, the facility will soon become a reality.

The S.C. Ports Authority (SCPA) announced on Apr. 20, 2016, that it would build the state's second inland port in Dillon due

to the success of the state's first inland port in Greer and demand for enhanced efficiency of international container shipments between the Port of Charleston and growing markets in North Carolina and South Carolina. Inland Port Greer, located off I-85 and serving Norfolk Southern, opened in November 2013.

"We're excited, optimistic and believe the best is yet to come," said Dillon County Council Member Archie Scott, who served as council chairman as his county pursued and landed the inland port project. "The citizens of Dillon County are also happy, and we owe them much gratitude for supporting this project."

Shipping is expected to increase

significantly as more goods are delivered to U.S. East Coast ports while the Panama Canal is widened. In fact, the Port of Charleston's volume of shipping has grown 43 percent since 2011. Port-related truck traffic has grown significantly as well.

Increased shipping is expected to challenge the timely, cost-effective distribution of inbound and outbound containerized cargoes to non-coastal retailers, manufacturers and ultimately, consumers. So, many ports along the Atlantic Seaboard are planning major infrastructure improvements to handle the growing number of ships expected to arrive.

Positioning Dillon to Compete in the Global Market

In recent years, inland ports have emerged as important components in the global supply chain.

Dillon County's leaders recognized this fact, and seized the opportunity several years ago to convince the SCPA and everyone else that

Dillon (the county seat) was the best place to construct South Carolina's second inland port.

Some local residents expressed concerns about the increased truck traffic that an inland port facility in Dillon would attract. Some also questioned the county buying land as an incentive to help win the inland port project.

Yet, Dillon County's leaders pressed on and successfully won overwhelming support for the project from the local community.

"The investment we made was worth it because of the global market we're in," Scott said. "Now, our new inland port will put us in a position to compete.

"It takes teamwork to make a dream become reality, and this project is a true testament to what people can do when they unify themselves," he added. "I've always believed that together we stand and divided we fall. In spite of some initial criticism and skepticism about this project, we've shown that unity can beat the odds."

Dillon County definitely beat the odds.

After all, Orangeburg County had worked hard over the years to become the South Carolina's second inland port and was once considered the best candidate. *(See Note, bottom of P. 8)*

The SCPA selected Dillon after exploring and considering



Dillon, Orangeburg and other sites across the state because: Dillon's close proximity to Charlotte, N.C. Dillon County had developed infrastructure off I-95 to For an inland port to succeed, the volume of imported attract industry, which helped attract the Harbor Freight cargo must closely match the volume of exported cargo. Tools Distribution Center to Tri-County Park whose So, the expansion of International Paper's Riegelwood stakeholders include Dillon, Marlboro and Marlboro manufacturing plant, which now exports 19,000 containers per year, factored into SCPA's decision to select Dillon. The counties; International Paper's Riegelwood manufacturing plant in possibility that the Harbor Freight Tools Distribution Center, Riegelwood, N.C., had expanded; which imports a similar number of containers per year and has CSX's mainline-running from the Port of Charleston (Continued on next page) through Dillon to the Port of Wilmington, N.C.-carries a higher volume of containers than the CSX line running through Orangeburg; and "It takes teamwork to make a dream become reality, and this project is a true testament to what people can do when they unify themselves." DILLON Archie Scott **Dillon County Council Member** Positioned below is the "Dillon County Alive on I-95" logo, part of a branding effort created in 2014 to help Dillon County attract CHARLESTON more industry and jobs to the area along I-95. **EXIT 190** CSX CSX **CSX LINE TO NORTHEAST** CSX LINE TO CHARLOTTE AND NORTHEAST th Caro HARBOR FREIGHT TOOLS CSX JUNCTION 1-95 -95 CAROLINAS 50 SUPER PARK MEGA SITE INLAND 160 Miles to the PORT DILLON PORT OF CHARLESTON CSX CSX

The aerial view shown top-right illustrates Dillon's proximity to the Port of Charleston and major inland commercial centers like Raleigh and Charlotte, N.C., and Atlanta, Ga. It also shows Interstate 95, S.C. State Highway 501 and CSX rails running from the Port of Charleston (160 miles to the southwest) through Dillon to Charlotte, N.C., and other locations in the Northeast. The aerial view immediately above outlines the I-95 Carolinas Super Park Mega Site, which offers quick access to I-95 via Exit 190 and identifies Inland Port Dillon, located on CSX's mainline. The Harbor Freight Tools Distribution Center, the first tenant in the adjacent Tri-County Park, was factored into SCPA's decision to select Dillon to become the state's second inland port. *(Illustrations courtesy of the S.C. Ports Authority. Lower illustration modified by author for this article.)*

the potential to expand in the future, was also considered.

Inland Port Dillon is located in the Pee Dee, South Carolina's northeastern region.

The project to build the inland port in Dillon follows successful local, state and federally-supported land use planning and economic efforts that developed the 1,920-acre I-95 Carolinas Super Park Mega Site near Exit 190. The site includes 4,800 feet of frontage along I-95 and Class 1 rail access for CSX.

Grant funds from the State of South Carolina, North Eastern Strategic Alliance, the U.S. Economic Development Administration, federal Community Block Grants and other programs were used to develop infrastructure at the site.

Investments were also made in the I-95 Carolinas Super Park

CSX, using its mainline, will ship containers 160 miles from the Port of Charleston to Inland Port Dillon. The rendering above shows how cranes at the inland port will unload the containers to trucks near the tracks. Once loaded, the trucks will then transport the containers on I-95 to Charlotte and Raleigh, N.C.; Atlanta, Ga.; and other destinations. *(Illustration courtesy of the S.C. Ports Authority)*

Mega Site, including: \$1.35 million for property acquisitions and options, \$2.5 million for road infrastructure improvements and \$2 million for water infrastructure improvements.

Public and private sources provided almost \$11.25 million in funding for the Dillon County I-95 Industrial Park. The large-scale, multi-tenant industrial park and distribution center, located near the I-95 Carolinas Super Park Mega Site, serves Harbor Freight Tools Distribution Center and the adjacent Tri-County Park.

The SCPA—striving to help the Port of Charleston, improve the economy in the Pee Dee and help international shippers in the region, among other objectives—strategically developed property in Dillon next to CSX's main line and I-95.

To do so, the SCPA partnered with the City of Dillon, North Eastern Strategic Alliance, S.C. Chamber of Commerce, S.C. Manufacturers Alliance, S.C. Department of Transportation, S.C. Department of Commerce, Dillon County Department of Planning and Zoning, CSX Transportation, Duke Energy, Marlboro Electric Cooperative and international shippers in the Dillon area.

Turning a Disadvantage Into a Tactical Advantage

Incoming cargo ships unload their containers at the Port of Charleston. Shipping companies then transport containers by rail on CSX's main rail lines to points in the southeast and midwest but rarely through Dillon to other locations.



The rendering above shows what Inland Port Dillon will look like after the facility opens and hundreds of shipping containers are unloaded and neatly stacked for transport. (Illustration courtesy of the S.C. Ports Authority)

International shippers in the Dillon area—without a rail option—have always faced two significant disadvantages when transporting containers by truck on I-95 between the Port of Charleston and Dillon:

1) They are required to pay for two truck trips per container—one trip to Dillon with a loaded container and another trip back to the Port of Charleston with an empty container.

2) They are also required to pay accessorial charges when

transporting loaded containers one way and empty containers the other way.

The goal of the SCPA and its partners was to overcome such disadvantages by constructing an inland port in Dillon that would allow international shippers to transport products by rail between the Port of Charleston and the inland port in Dillon, and beyond Dillon to other locations.

(Continued on next page)



PROUD TO HAVE LANDED SOUTH CAROLINA'S SECOND INLAND PORT—Dillon County leaders seized the opportunity several years ago to convince the S.C. Ports Authority and everyone else that Dillon (the county seat) was the best place to construct South Carolina's second inland port. Obiously proud of having achieved that goal, Dillon County officials agreed to have this photo taken minutes before Dillon County Council met on January 12. Shown left to right are: Dillon County Deputy Administrator Robbie Coward; County Administrator Rodney Berry, holding the "Alive on I-95" logo; Clerk to Council Jamie Sue Stephens; Council Member Harold Moody and Council Chairman Stevie Grice, holding a shovel used at the groundbreaking ceremony for the expansion of the Harbor Freight Tools Distribution Center on May 1, 2013; Council Members Archie Scott and James Campbell; Council Vice Chairman T.F. Finklea, holding an issue of *The Dillon Herald* (Nov. 28, 2017), carrying an article on the front page titled, "Inland Port Dillon Progressing"; Council Member Jack Scott; and Finance Director Richard Gaddy. *(Photo by Stuart Morgan)*



The S.C. Ports Authority recently used a helicopter to take this aerial photo and others. It is practically impossible to show the scale of the Inland Port Dillon project by taking a photo at ground level. (*Photo courtesy of the S.C. Ports Authority*)

Emergence of Inland Ports

Inland Port Dillon will provide international shippers in the Dillon area a tactical advantage once it opens. The facility will offer international shippers in the Carolinas, which have access to I-95, a more efficient means for transporting their containers to and from the Port of Charleston.

Shippers will be able to use the CSX network to transport their containers by rail between Dillon and the port instead of having to use trucks to transport such containers on I-95. So, they will only need to use trucks to ship containers the

short distance between their distribution centers and Inland Port Dillon.

Inland Port Dillon, marketed by the Dillon County Economic Development Partnership, will extend the Port of Charleston's reach 160 miles to Dillon, free up capacity

within the Port of Charleston and effectively extend the port's on-port operations to Dillon.

Existing CSX main line tracks, running between the Port of Charleston and Dillon, will provide overnight double-stack service and new access to the Port of Charleston for CSX, a major Class I carrier. The tracks will also increase flexibility for inland distribution and provide shippers with access to more consumers.

Inland Port Dillon promises to benefit residents and businesses within communities surrounding the Port of Charleston by creating jobs and economic opportunities.

Rodney Berry, Dillon County Administrator, said Dillon will essentially become "the front yard" for major South Carolina regional shippers and distributors.

The inland port facility promises to benefit the local Dillon economy, an economically distressed area, by:

providing improved connectivity to the Port of Charleston,

- increasing accessibility for regional manufacturers, and
- leveraging Dillon's location as a warehouse and distribution center.

About 78 percent of containers shipped between the Port of Charleston and Dillon are transported by truck. But once Inland Port Dillon opens, approximately 35,000 fewer trucks will use I-26, I-95, State Highway 17 and the state's road system. This will help decrease air pollution, wear and tear on highways and roads and help eliminate traffic congestion.

The SCPA is opening Inland Port Dillon in three phases:

In Phase 1, the facility is expected to handle 35,000 shipping containers (25,000 international and 10,000 domestic containers) during its first year of operation (2018).

In Phase 2, the facility is expected to handle 50,000 containers during its second year (2019).

In Phase 3, the facility, which has the capacity to expand more than 2,500 acres, is expected to handle a growing number of containers as it expands due to economic development activity. Berry credited Dillon County Council members for trying practically everything to convince the SCPA that Dillon was the best place to develop the state's second inland port.

"With an annual operating budget of \$19 million," Berry explained, "Dillon County Council voted to incentivize the South Carolina Port Authority by providing land, valued at \$2.4 million, at no cost for the inland port project.

"This was substantial, and I applaud our county council for their courage," he added. "We all believe the return on investment will pay off, and we're prepared to go through a little pain financially to realize the payoffs."

> Inland Port Dillon is expected to transform Dillon County's landscape. The facility will directly benefit shippers and build on the base of two companies—the Harbor Freight Tools Distribution Center and International Paper, which already call

--- Rodney Berry Dillon County Administrator

"I couldn't be more excited to have played a

small role in landing the (Inland Port Dillon)

project, and to be able to witness the positive im-

pact that it will have on our community."

Dillon home. It also promises to benefit other distribution centers, manufacturers and producers—especially those located along I-95 and those that have relatively quick access to the Interstate—that choose to use the inland port in the future.

"I couldn't be more excited to have played a small role in landing the project, and to be able to witness the positive impact that it will have on our community," Berry said. "Already, Dillon County is receiving a tremendous number of inquiries from industrial prospects.

"As new businesses move in," he added, "this will create more jobs, grow the county's tax base, improve the local economy and quality of life, and make the area a more attractive place to live and work."

Dillon County presented its Inland Dillon Project as an entry in SCAC's 2017 J. Mitchell Graham/Barrett Lawrimore Memorial Awards Competition, held on July 30 at the Association's 50th Annual Conference (July 30–Aug. 2). The county's presentation video is available in SCAC's video library at:

http://www.sccounties.org/awards-video-library

NOTE: Orangeburg County is ideally suited to become an inland port someday. Orangeburg is closely connected to I-95, I-26 and U.S. Highway 301. A CSX line also runs from the Port of Charleston through Orangeburg to Wilmington, N.C.

In 2007, Dubais-based Jafza announced the construction of Jafza Magna Park in Orangeburg—a logistics, manufacturing and distribution center. But the Great Recession of 2008 followed on the heels of that announcement, and no jobs have been created since the park's construction.

Currently, improvements are being made to the U.S. 301 and I-95 interchange to make the Santee area more attractive to industrial growth and as an inland port.



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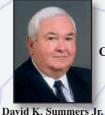
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WHAT IS THE SCAC?

South Carolina Association of Counties, chartered on June 22, 1967, is the only organization dedicated to statewide representation of county government in South Carolina. A nonpartisan,



nonprofit organization with a full-time staff in Columbia, SCAC is governed by a 29-member Board of Directors selected by county officials at the Association's Annual Conference. Counties have

made tremendous progress since the enactment of the Home Rule Act in 1975. County government has also become more diverse in order to meet the increasing needs of its citizens. SCAC is dedicated to providing programs and services that equip county officials with the tools to govern effectively.

FINANCIAL SERVICES

SCAC offers a number of financial services to its member counties. The Association sponsors two self-funded insurance trusts to provide workers' compensation and property and liability coverage. The trusts are designed specifically to meet the unique needs of local governments.

SCAC also offers the following services through affiliate organizations: GovDeals internet auction of surplus assets; Tax Management Associates, Inc. property tax audit services; and competitive purchasing discounts through Forms and Supply, Inc. and the U.S. Communities purchasing cooperative.

CONFERENCES

SCAC provides many opportunities for county officials to meet and learn, among them:

★ Mid-Year Conference — Held in late winter in Columbia, this conference enables all county officials to become better informed about the Association's legislative program. The Association also hosts a reception for all members of the legislature during this conference.

★ Annual Conference — Held in August, this conference is open to all elected and appointed officials. The conference includes a business session, general session, workshops, group meetings, and exhibits of county products and services.

★ Legislative Conference — Held in December, this conference allows members of the Legislative Committee to discuss and adopt a legislative program for the upcoming year. The committee is composed of each council chairman along with the Association's Board of Directors.

LEGAL ASSISTANCE

SCAC provides legal assistance to county governments by rendering legal opinions, preparing *amicus* briefs, drafting ordinances, and consulting with other county officials.

The Association provides support to counties involved in litigation that might affect other counties. It also sponsors the Local Government Attorneys' Institute, which provides six hours of continuing legal education for local government attorneys. The Association, in cooperation with the Joseph P. Riley Jr. Center for Livable Communities at the College of Charleston and the Strom Thurmond Institute at Clemson University, conducts the Institute of Government for County Officials (Level I, Level II, and Advanced levels).

EDUCATION

This certificate program helps county officials enhance their skills and abilities. Courses are offered at the Annual and Mid-Year Conferences and at the County Council Coalition Meeting in the fall.

SCAC also sponsors a number of continuing education webcasts for county officials and employees throughout the year at no charge to counties. Within a few weeks after the live broadcast, county officials and employees are able to access the session as a video on demand via http://www.SCCounties.org.

SETOFF DEBT PROGRAM

South Carolina counties are able to collect delinquent emergency medical services debts, magistrate and family court fines, hospital debts, as well as other fees owed to the counties through SCAC's Setoff Debt Collection Program.

Debts are submitted through the Association to the S.C. Department of Revenue to be matched with income tax refunds. The debt is deducted from a refund and returned through SCAC to the claimant.

LEGISLATIVE INFORMATION

PUBLIC INFORMATION

The S.C. General Assembly convenes each January in Columbia and adjourns sine die in May. One in every four bills introduced affects county governments.

SCAC monitors each bill as it is introduced and keeps its members up-to-date on all legislative activity with a weekly *Friday Report*. The Association also dispatches Legislative Alerts and publishes *Acts That Affect Counties* each year.



SCAC publishes an annual *Directory of County Officials* listing addresses and telephone numbers of county offices and their elected and appointed officials. The Association also publishes *Carolina Counties Newsletter* five times a year to keep the Association's membership informed about legislation and various county news. *County Focus Magazine* is published four times a year and features articles on county trends, innovation, and other subjects of interest to county officials—including a "County Update" section.

RESEARCH AND TECHNICAL ASSISTANCE

SCAC provides research and technical assistance in many areas to those counties that request it. The Association staff annually responds to hundreds of inquiries from county officials ranging from simple requests for a sample ordinance to more complex questions requiring considerable research. The Association also develops technical research bulletins and conducts surveys on a variety of subjects. Regular publications such as the Wage and Salary Report, Home Rule Handbook, A Handbook for County Government *in South Carolina*, and *Case Law Af-fecting Local Government* are made available to county officials.

SCAC's website address is:

http://www.SCCounties.org

The site provides county officials with the latest information on SCAC programs, services and meetings as well as legislative information, research and survey results, and links to other local government resources.

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History of the Trusts

The S.C. Counties Workers' Compensation Trust (SCCWCT) was formed in 1984 with only 11 counties. Today, the membership consists of 41 of South Carolina's 46 counties and an additional 47 county-related entities. SCCWCT is approved as a self-insured trust by the S.C. Workers' Compensation Commission in accordance with South Carolina statutes. It provides statutory workers' compensation coverage for its members.

The S.C. Counties Property & Liability Trust (SCCP<) was formed in 1995 due largely to the success of the Workers' Compensation Trust. SCCP< started with only four members and now has 24 members, including 16 counties.

Boards of Trustees

The Trusts were designed by and for county government with the goal of providing insurance to counties at the lowest rates possible, while providing services uniquely tailored to the needs of county governments. The Boards of Trustees are made up of county officials who are elected by the SCAC's Board of Directors. Although not a requirement, both boards currently share the same membership.

Risk Management

Because member contributions (premiums) are based both on the accident histories of the individual counties (experience modifiers) and on the membership as a whole, both Trusts employ very aggressive risk management strategies. The philosophy adopted by the Trusts is that, if accidents are caused, they can be prevented. Risk Management services are provided by the SCAC staff. The payoff is lower premiums and a safer working environment.

Claims Administration and Management

Ariel Third Party Administrators provides workers' compensation claims administration for the Workers' Compensation Trust. The SCAC staff provides claims administration for the Property & Liability Trust and provides the administration of both Trusts.

BOARDS OF TRUSTEES for South Carolina Counties Workers' Compensation Trust and Property & Liability Trust



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VICE CHAIRMAN Waymon Mumford Florence County Council Member



Gonza L. Bryant Greenwood County Council Member

The U.S. Government Accountability Office's Review of Air Ambulance Rates

By Robert C. Collins, CPCU, CIC Director of Insurance Services, SCAC

Delicopter air ambulances reduce transport times for critically injured employees during life-threatening emergencies. In a report released July 27, 2017, by the U.S. Government Accountability Office (GAO), between 2010 and 2014 helicopter air ambulance charges approximately doubled from around \$15,000 to \$30,000 per transport. These exorbitant fees increase workers' compensation claims costs which in turn increases your entity's workers' compensation contribution. Of course, air ambulance price increases are tied to the air ambulance industry's market concentration—the three large independent providers reported operating 73 percent of the industry's total helicopters in 2016.

Cost containment is critical to the South Carolina Workers' Compensation Trust (SCCWCT) in maintaining a viable workers' compensation system for county employees, and the rising cost of delivering healthcare services underscores the need to control workers' compensation medical costs. Fee schedules are the oldest and most widely used device to regulate workers' compensation medical payments.

However, the South Carolina Workers' Compensation Fee Schedule does not apply to air ambulance transportation. States that try to establish rules are met with lawsuits that argue that air ambulances fall under the 1978 Airline Deregulation Act, which specifically prevents states from interfering with fares, routes and services.

During the last five SCCWCT policy periods, the trust has paid air ambulance companies \$339,716 for nine transports. That is an average of \$37,746 per flight. These flights were 22 miles or less.

The 1978 Airline Deregulation Act was meant to increase competition, reduce rates and improve airline passenger service. But competition among air ambulance providers has the opposite effect. The industry has high fixed costs, including aircraft, pilots and trained medical staff. With increased competition, those costs must be recouped from among a smaller number of flights, leading to higher prices.

Many states have attempted to amend the Federal Aviation Administration reauthorization legislation to allow states to decide if they want to create rules governing air ambulance rates and services. However, these efforts have failed due to pressure and lawsuits from air ambulance provider companies. The air ambulance companies say they respond to calls without regard to whether the patient has insurance and write off millions of dollars annually as uncollectible.

The U.S. Department of Transportation (DOT) has discretionary authority to investigate monopolistic and unfair practices in air transportation, but it has not exercised this authority in regards to helicopter air ambulances. DOT officials said they need additional information about the air ambulance industry. For example, DOT officials note that they have received few air ambulance complaints since 2006 and report that consumers may not think of DOT as the place to complain. Accordingly, the DOT recently modified its online form to include air ambulance complaints at:

https://airconsumer.dot.gov/escomplaint/ConsumerForm.cfm

The DOT is missing important information needed to put complaints into the context of the overall industry that could affect its assessment on whether to review further the exorbitant fees being assessed. Further, stakeholders such as first responders at the scene of the accident with the injured employee could benefit from greater transparency as they currently have limited ability to make air ambulance decisions that serve both the financial interests of your workers' compensation trust and also the medical needs of the injured employee.



Henry H. Livingston III Newberry County Council Chairman



Gary M. Mixon Sumter County Administrator



Debra B. Summers Lexington County Council Chairman



Steve Willis Lancaster County Administrator



SECRETARY/ TREASURER Michael B. Cone Executive Director, SCAC

Experience Counts.

SCAC's insurance staff members have 137 combined years of experience running SCAC's successful S.C. Counties Workers' Compensation Trust and S.C. Counties Property & Liability Trust.



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Robert Collins, CPCU, CIC Director of Insurance Services since 2013 rcollins@scac.sc



John Henderson, ARM, ALCM Director of Risk Management Services since 1991 jhenderson@scac.sc



Robert Benfield, ARM, AINS Risk Manager since 1993 rbenfield@scac.sc



Lang Kelly, ARM, AIC Workers' Comp Claims Manager since 2013 Ikelly@scac.sc



Covering South Carolina's Counties since 1995

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Pam Collins, ARM Program Coordinator since 1992 pcollins@scac.sc

Caroline Deevey, CIC, AAI, CISR, CRIS, INC Insurance Trusts' Assistant Coordinator 2017 cdeevey@scac.sc

Advantages of S.C. Counties Property & Liability Trust

- No charge for mid-term additions to your insurance schedules.
- Claims are handled by SCAC staff.
- Cyber Liability coverage is included.
- No coinsurance penalty for Real Property, Contractors Equipment or Electronic Data Processing Equipment.
- **No vacancy provision.**
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- Coverage for Crime (employee dishonesty).

Unique Law Enforcement Services

- Law Enforcement and Detention Center Risk Management and Inmate Supervision Classes approved by the S.C. Criminal Justice Academy for Continuing Law Enforcement Education Credit
- Detention Center Staffing Needs Assessments
- Law Enforcement and Detention Center Policy and Procedure Manual Reviews
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SCAC's insurance staff members are already familiar with your county, its employees and operations. You already have experienced our workers' compensation benefits.

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For a property and liability insurance proposal, please contact Robert Collins at 1-800-922-6081 or **rcollins@scac.sc**.

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South Carolina's 2018 Directory of County Officials

South Carolina's 2018 Directory of County Officials was published and distributed in February. So, order a copy if you want to know "Who's Who" in South Carolina county government.

The *Directory* identifies all elected and appointed county officials in the state. This popular, award-winning publication also identifies SCAC's Officers, Board of Directors and Corporate Supporters; Regional Councils of Government; Federal and State Officials; and State Senators and Representatives. Addresses and telephone numbers are included for all county officials, state officials and members of the S.C. General Assembly.

Cost: \$25.00 per copy (including tax, postage, shipping and handling).

• To order your copy of the 2018 Directory of County Officials, please contact:

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Recent Amendments to the S.C. Ethics Act What Has the General Assembly Done Now?

here has been a great deal of public attention in recent years directed toward the conduct and actions of public officials including members of the S.C. General Assembly. That attention has largely centered around whether the conduct under scrutiny violated the state Ethics Act and possibly other statutes as well. It might surprise you to learn that the South Carolina General Assembly enacted the first state ethics legislation 42 years ago in 1975. That new Ethics Act was initially assigned to the office of the Secretary of State for enforcement. In 1991, the General Assembly made substantial amendments to the Ethics Act when it enacted "The Ethics, Government Accountability Act of 1991" and transferred enforcement authority to the newly created South Carolina Ethics Commission. Not surprisingly, the Ethics Act has been amended on numerous occasions since 1975 with the most recent amendments being adopted in 2016 with an effective date of April 1, 2017.

The 2016 amendments addressed several important issues including reconstituting the membership of the state Ethics Commission by reducing the number of Commissioners from nine to eight. In addition, for the first time the General Assembly authorized the Ethics Commission to receive and investigate complaints filed against members of the House and Senate. However, both the House and Senate still retained their own ethics committees. Under the new By Steven W. Hamm Former Interim Executive Director South Carolina Ethics Commission

amendments, citizens can continue to file an ethics complaint against public officials and public employees with the Ethics Commission and can now file a complaint against members of the General Assembly as well.

It is important for everyone to understand that all complaints filed with the Ethics Commission are initially deemed private and confidential under state law. If the Executive Director and staff conclude that the facts presented in a written ethics complaint, if accurate, indicate a likely violation of any of the provisions of the Ethics Act, an initial confidential staff investigation would be conducted. After the investigation, staff investigators would prepare a written recommendation report for review by the Executive Director. A staff report could recommend that no further agency enforcement action is merited based on the information collected and interviews of relevant parties. However, information collected during an investigation could also result in a staff recommendation that the complaint and investigation should be presented to the full Ethics Commission for a probable cause review.

If the Ethics Commission staff recommends a full Commission probable cause review, the Executive Director will then place that matter on a Commission executive session agenda. During the next scheduled executive session, the Commission would conduct a probable cause review. That confidential review provides the Ethics Commission with an opportunity to examine the complaint and all the information assembled in the investigation and to ask questions and hear testimony from investigative staff. After the confidential staff presentation, the Commission votes as to whether probable cause was present to notice and schedule a formal Ethics Commission public enforcement hearing. At least six of the eight members of the newly reconstituted Ethics Commission must vote to find that sufficient probable cause exists before a matter can be subject to a public Ethics Act enforcement hearing. Prior to the 2016 amendments, a finding of probable cause required five members of the old nine-member Ethics Commission vote for a finding of probable cause.

Under the 2016 amendments, if a complaint is filed against a member of the General Assembly, the Ethics Commission does not hold a public hearing after a finding of probable cause of an ethics act violation. Instead, the Ethics Commission is required to submit a written report and recommendation to the appropriate Senate or House ethics committee for possible legislative enforcement action. At that point, the Ethics Commission report and recommendation would be a public document and the General Assembly Ethics Committee receiving the Ethics Commission report and recommendation would have to act and announce to the public what disciplinary action, if any, it

had decided to take.

In all matters except for complaints filed against members of the General Assembly, an Ethics Commission public hearing would be conducted by a three-member hearing panel of Ethics Commissioners. After the public hearing, the hearing panel meets and reviews all evidence and testimony presented by the parties. The hearing panel then announces in public its decision as to whether a violation of the Ethics Act had taken place and directs staff to prepare the appropriate order based on the findings announced by the panel. If the panel rules that an Ethics Act violation took place, the responding party can appeal that panel decision.

Public Disclosure

As a basic principal, the General Assembly declared in 1991 that to preserve and maintain the integrity of the governmental policy-making process, it was necessary to provide the public with more specific information about individuals hired to influence elected officials and public employees addressing proposed legislation and proposed regulations submitted by state agencies. The General Assembly declared that the public interests were best served when public servants provided "complete and effective" disclosure to citizens. Our law makers concluded that public officials needed to make more public policy decisions in an open manner that avoided even the appearance of any possible conflict of interest. The General Assembly declared in 1991:

"Whereas this Act is intended to help restore public trust in the governmental institutions and the political and governmental processes."

That bold public announcement in 1991 by our General Assembly sounds very grand and promising. So, what does the current version of the South Carolina Ethics Act require public and elected officials and employees to do to be "ethical"? The short answer is that public officials, employees and candidates for office must file and make additional public information disclosures for citizens to review and examine.

Influencing the General Assembly and State Government

One of the early ethics-related decisions made by the General Assembly was to require business and other organizations and lobbyists seeking to influence members of the General Assembly, the executive branch and state agencies to file certain financial and other information with the State Ethics Commission. That information is now available for public examination. For example, the General Assembly declared that the public must be able to identify both the lobbyist principal organizations and the individual lobbyists hired to influence proposed legislation and state regulations. That additional information allows the public to identify the source of funds used to finance lobbying campaigns and see how those funds were being spent. The General Assembly wants citizens to be able to trace the source and flow of money spent to influence public officials.

You can examine all the lobbyists and lobbyist's principal disclosure reports filed with the Ethics Commission by going online to **ethics.sc.gov**. Both a lobbyist and a lobbyist's principal seeking to influence actions by the General Assembly and public offices and officials must first file the required registration information with the Ethics Commission before any contact can take place to encourage or oppose proposed or pending legislation, state agency and public official actions and proposed regulations.

The scope and reach of the current Ethics Act is broad in scope and requires that more detailed information must be filed with the State Ethics Commission. The below outline provides a broad overview of the areas addressed in the current Ethics Act:

- 1. Rules of conduct for:
- Public employees
- Public members
- Public officials

(See SC Code §8-13-700 to §8-13-795)

- 2. Financial disclosure information that must be included in each "Statement of Economic Interests" ("SEI"):
 - Only certain "public employees" and "public members" are required to file a yearly SEI.
- All "public officials" are required to file a SEI . (See S.C. Code §8-13-1110 to §8-13-1180)
- 3. Campaign practices and required campaign disclosures:
 - Generally, applies to public officials and candidates running for office (See S.C. Code §8-13-1300 to S.C. Code §8-13-1374)
- 4. Required financial information and other disclosures for lobbyists/ lobbyist's principals (See, SC Code §2-17-5 to §2-17-150)

Pay Attention to Restrictions on Public Official and Public Employee Conduct

Two important provisions of the Ethics Act establish limits on both conduct and decisions made by public and elected officials as well as certain public employees relating to their ongoing public duties and responsibilities to ethically serve citizens. The following two ethics law <u>restrictions</u> merit your careful attention:

Section 8-13-700 (A)

• "No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an economic interest for himself, a *(Continued on next page)*

¹Public official means an elected or appointed official of the state, a county, a municipality, or a political subdivision therefore, including candidates for the office. See §8-13-100 (27)

family member, an individual with whom he is associated, or a business with which he is associated."

• There is an exception for incidental use not resulting in additional public expense.

Section 8-13-700 (B)

• "No public official, public member, or public employee may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest."

The two above S.C. Code sections stand for the public policy principle that it is improper and unlawful for any public official or employee to participate or vote on matters that provide an economic benefit to the decision maker, members of their families and other individuals with whom they are associated. The Ethics Act requires that a public official or employee must recuse themselves from any action or involvement in any matter in which they have an economic interest. In addition, there is a requirement to provide a written statement of recusal to the head of the public body involved. See S.C. Code § 8-13-700(B) (1-5). Such individual conduct is known as "self-dealing." Complaints submitted to the Ethics Commission alleging public official or employee self-dealing conduct could ultimately result in a public enforcement hearing before the State Ethics Commission. Upon a finding of improper conduct that violates the Ethics Act, the Ethics Commission has the authority issue a public order and impose a fine of up to \$2,000. In addition, The Commission can order the respondent to pay the costs of the Ethics Commission investigation. Violations of these provisions are not uncommon.

Statements of Economic Interests

The Ethics Act requires elected and appointed public officials and certain other public employees to file an annual Statement of Economic Interests ("SEI") with the State Ethics Commission. (The 2016 amendments now require that individuals who must file a SEI in 2018 must list and identify all sources of private income in addition to the actual dollar amounts of all public income earned by the filer and identified members of his family.) While the SEI requires the identification of the sources of all private income, the 2016 amendments do not require that the filer list any specific dollar amounts of private income. That new additional financial disclosure information is easy for the general public to examine by going to ethics.sc.gov.

Required Campaign Disclosures

As most citizens are aware, enormous amounts of money are raised and spent by federal, state and local candidates seeking to be elected or reelected to office. The South Carolina Ethics Act requires state and local candidates to file certain campaign disclosure information with the State Ethics Commission. Required campaign information includes the name, address and occupation of all campaign contributors. Under current law, statewide candidates for office may not receive more than \$3,500 from any "person" in a campaign election cycle. For example, a person may contribute up to \$3,500 in the period leading up to the primary election. If there is a primary election runoff, that same person may contribute another \$3,500 to that statewide candidate. If the candidate in question wins the runoff election, that contributor may then contribute up to \$3,500 for the general election. Any state candidate not running for a statewide office is limited to receiving no more than \$1,000 from any person during any election cycle.

In addition, every candidate for office must disclose how all campaign funds are spent during the campaign. South Carolina law prohibits any candidate from converting campaign funds for personal use. The State Ethics Commission has issued a series of opinions over the years addressing campaign spending issues. For example, the Ethics Commission has determined that it is unlawful for a candidate to spend campaign funds for personal clothing or for meals or food not consumed at an official campaign function. All campaign funds can only be spent on matters directly related to the campaign. There have been efforts by candidates that attempt to expand what constitutes a lawful campaign expense. You can examine both campaign contributions and campaign expenses of South Carolina candidates by going to ethics. sc.gov. 200

This brief overview of the South Carolina Ethics Act is intended to make you more aware of the public conduct and disclosure standards and restrictions adopted by the General Assembly. The South Carolina Ethics Commission staff receives vast numbers of telephone inquiries every year. If you have questions about any of the provisions of the currently amended version of the Ethics Act, please feel free to contact the State Ethics Commission:

For questions regarding:

Statements of Economic Interests Contact: lessie@ethics.sc.gov

Campaign Disclosures Contact: sandra@ethics.sc.gov

The Complaint Process Contact: ami@ethics.sc.gov

A Lobbyist Principal or a Lobbyist Contact: karen@ethics.sc.gov

For all media requests:

Contact: Steven W. Hamm mediaquestions@ethics.sc.gov (803) 253–4192

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By Charles W. Thompson Jr. Executive Director and General Counsel, IMLA

e IMLA Repo

case from the South Carolina Supreme Court, decided in September of 2017, reminds local government lawyers and officials that using public funds for private purposes can be tricky if not downright unconstitutional. In Sloan v. SCDOT, the issue coming before the court involved the question of whether the Department of Transportation violated the state's constitution when it inspected bridges in a gated community that were not part of the state transportation system. Throughout the United States, state constitutions prohibit expending public monies for private purposes. We teach the concept in law school, yet questions of what is a public purpose and when does the rule apply often confound government officials.

The S.C. Supreme Court discussed the concept in the context of the constitutional provision in relationship to the analysis of when and how a public purpose might be found by citing the text of the constitutional mandate and three cases from the past:

> Article X, section 5 of the S.C. Constitution provides: "Any tax which shall be levied shall distinctly state the public purpose to which the proceeds of the tax shall be applied." S.C. Const. art. X, § 5. Thus, all taxes levied must be used towards a public purpose. See *Feldman & Co. v. City Council of Charleston*, 23 S.C. 57, 62 (1885) ("Hence it seems to be universally conceded, even by those who are disposed to enlarge



the taxing power of the legislature to its greatest extent, that a law authorizing taxation for any other tha[n] a public purpose is void."). "In deciding whether governmental action satisfies a public purpose, we look to the object sought to be accomplished." Carll v. S.C. Jobs-Econ. Dev. Auth., 284 S.C. 438, 443, 327 S.E.2d 331, 334 (1985). "As a general rule a public purpose has for its objective the promotion of the public health, safety, morals, general welfare, security, prosperity, and contentment of all the inhabitants or residents, or at least a substantial part thereof." Anderson v. Baehr, 265 S.C. 153, 162, 217 S.E.2d 43, 47 (1975) (emphasis added).

Interestingly, this analysis enervates debate by offering no clear definition of what might advance a public purpose rather than a private one. In the context of the *Sloan* case, one can easily make the argument that people who live in a private community with a duty to maintain the roads and bridges within the community should not benefit by having the public at large take on the burden for them. On the other hand, are the roads and bridges used by school buses, fire services or other public agencies and, if so, could one not argue that a public purpose is served by the inspections?

We recently reported during one of our daily podcasts on a decision by community leaders in Sitka, Alaska, to spend public funds to help restore a church in the community that was a focal point of the downtown and something of a historical attraction. Several years ago, the Supreme Court of the United States spurred outrage when it found that New London, Connecticut, had properly used its eminent domain powers to foster a "public purpose" in condemning land for a project that benefitted a private facility. In both Sitka and New London, the underlying purpose in spending public funds and resources involved improving the community and the lives of the residents. Because private entities also benefit, whether the use of those funds amounts to serving a public purpose often depends on each person's view of the overall benefit the project brings to the community.

Every day, local governments are asked to find a public purpose in some use of public funds. Often budgets include appropriations that support local charitable organizations, economic development projects and other projects that often benefit one member of the community more than the public at *(See IMLA, P. 32)*



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IMLA ...

(Continued from P. 30)

large. In Maryland, as an example, direct appropriations to charities violate its constitution and charitable programs are supported through contracts with the organization that identify the public benefit gained and the services to be provided.

The S.C. Supreme Court's decision in *Sloan* serves to remind us that when local government decisions are made to spend money or provide services that those decisions must advance a public purpose.

Sloan v. SCDOT http://www.sccourts.org/opinions/ HTMLFiles/SC/27738.pdf

At the Supreme Court of the United States, several cases affecting local government bring other constitutional concepts to bear. The issue of political gerrymandering of state legislative and congressional districts arises in two cases, one has already been argued and the other recently brought to the court. In the case involving political gerrymandering of legislative districts, the court has been asked to decide if the Constitution allows it to intervene into the process of determining how districts must be drawn where the decision-making involves purely political motives.

In Gill v. Whitford, several Wisconsin residents sued asserting that the Republican majority in power drew legislative districts designed to minimize the ability of the Democrats to exercise their voting power by compressing Democratic votes into a few districts while minimizing those votes in others using statistical analyses of voting history. In Benisek v. Lamone, a case involving congressional redistricting, several Maryland voters asserted that their First Amendment rights were violated when the Democrat majority in power recast the congressional districts to minimize Republican voting power by changing the balance of voters in several districts and claiming that the decision to do so was in retaliation for their votes for Republicans in past elections.

The high hurdle in these cases involves the legal concept of "justiciability" and whether the issue of political gerrymandering falls within the power of a court to decide. In its most recent past case on this subject, the court waffled on the issue with four justices finding the issue justiciable and four finding for non-justiciability and Justice Kennedy concluding the issue might be justiciable. Since that case, the make-up of the court has changed, but Justice Kennedy still seems to be the key vote. Redistricting issues affect local governments in many ways. With the decision in Baker v. Carr, states needed to apportion state legislatures on the basis of a "one person, one vote" analysis and changed dramatically how urban centers and rural areas found power in their legislatures.

The compromise that unified the fledgling States allowing for a balance between the large states and the small by constructing a Senate apportioned not on population found no support at the state level under the Supreme Court's decision. States that had bicameral legislatures mimicking that of the United States necessarily reconstructed the composition of these legislative bodies to meet the Supreme Court's new standard for one person one vote. Subsequent Supreme Court cases required local governments and regional authorities to similarly base the composition of their elected bodies on population to meet the one person, one vote test.

A host of emotive quotes regarding the importance of each person's vote to a democratic society argue forcefully that political gerrymandering should be outlawed, but constructing the test to determine what is allowed and what is not when drawing election districts may lead the court to pass on entering the fray. A look at Maryland's congressional district map, however, should be evidence enough that at least in that case the districts as constructed violate the Constitution. The laws of nature would not allow any life form or any physical object to have the shape of Maryland's Third Congressional District. As one wit noted "it has the form and shape of blood spatter at a crime scene."

IMLA Offers Podcasts and Longer, More-In-Depth Programming

IMLA recently began offering podcasts. During the week, short programs discuss some interesting facts, news items or cases that local government leaders will find relevant and interesting.

IMLA also offers longer, more in-depth programming on topics associated with local government policy and legal issues. IMLA podcasts can be accessed through iTunes or SoundCloud.

About IMLA

IMLA provides assistance to local government attorneys whose municipalities are members and it supports local governments throughout the United States as an amicus in many cases at the U.S. Supreme Court and in the federal circuits and in state supreme courts. IMLA provides local government attorneys with a forum to seek help and to gain understanding of the law.

If you or your county are not members of IMLA, consider joining. IMLA offers a number of low-cost programs each year to help attorneys and city/county managers keep abreast of emerging issues or to refresh their knowledge of local government law.

For more information on membership, programs or getting involved with IMLA, contact Chuck Thompson at *cthhompson@imla.org* or call him at (202) 742-1016.

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A Roadside Guide to Beaufort County The County's Role in the American War for Independence

By Alexia Jones Helsley Author of Beaufort: A History, Guide to Historic Beaufort and Wicked Beaufort www.historyismybag.com

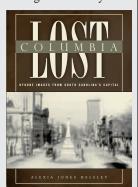
Author of Beaufort: A History, Guide to www.history ***Beautiful Beaufort**" is one of South Carolina's most historic counties. Nestled in the Lowcountry, the county comprises more than 60 islands and highly accessible waterways. Strategically located between the ports of Savannah, Ga., and Charleston, Beaufort was a gateway to the interior of South Carolina and a critical stopover for intercoastal trade.

Beaufort's waterways saw early action during the American Revolution. For example, in July 1775 the South

Lost Columbia: Bygone Images of South Carolina's Capital City (Charleston: the History Press, 2008)

Lost Columbia combines an overview of the turbulent history of Columbia with rare and little seen images of the city's

destruction in 1865, the Assembly Street farmers' market, the changing face of Main Street and lost institutions and neighborhoods.



Lost Columbia is available in bookstores such as Barnes & Noble, from Amazon. com, or by mail from AJH Historical Enterprises, P.O. Box 3683, Irmo, SC 29063.



Carolina Council of Safety learned that the British were shipping powder from Savannah. Beaufort militia under the command of Captains John Joyner and John Barnwell, with Georgia support, intercepted the ships at Bloody Point on Daufuskie Island and seized the powder, ammunition and Indian trade goods. The South Carolina share of the powder eventually arrived in Philadelphia to benefit the Continental Congress and the American war effort.



Despairing of their efforts to contain General George Washington and the Continental Army in Middle Atlantic States in 1778, the British launched their "southern strategy." The British planned to capture the primary Southern ports and "roll-up" the Southern colonies (now states) and thus squeeze Washington and the Continentals between the New





England and Southern colonies.

On Dec. 29, 1778, the British captured Savannah, Ga., the first rung on their planned ladder to success. In January 1779, General Augustine Prevost assumed command of the British troops at Savannah. Prevost ordered Colonel Archibald Campbell to seize Augusta, Ga., and then sent other troops under Major William Gardner to control Port Royal Island and the town of Beaufort.

Battle of Fort Lyttleton

Major John DeTreville commanded Fort Lyttleton, the only Patriot defensive position on Port Royal Island. Learning of the British advance, on Feb. 1, 1779, DeTreville spiked the fort's guns so that the enemy could not use them. British troops then burned Patriot plantations, including the homes of Captain Thomas Heyward Jr. and Brigadier General Stephen Bull, nephew of William Bull Jr., acting governor of South Carolina before the arrival of William Campbell, the last Royal governor. While Stephen Bull supported the move toward independence, his uncle remained loyal to the Crown.

Meanwhile, in Charlestown, Major General Benjamin Lincoln, commander of the Continental Army, learned that the British had moved onto Port Royal Island. Lincoln then detached Brigadier General William Moultrie, the great hero of the Battle of Sullivan's Island, to oppose the British advance.

Battle of Beaufort

Moultrie commanded militia, continental troops and significant for the outcome of the battle, two companies of artillery. In a coincidence worthy of a Hollywood script, two signers of the Declaration of Independence, Edward Rutledge and Thomas Heyward Jr., fought with Moultrie. Rutledge, a native of Charleston, later served as governor of South Carolina. Heyward, born in the part of old Beaufort District that became Jasper County, was later a member of the judiciary. Moultrie and his troops occupied Beaufort on February 1.

On February 2, the British

commander, Gardner, and his men also arrived on Port Royal Island. His troops landed at the plantation of Andrew Deveaux, a leading area Loyalist. The British moved to secure access to the Whale Branch ferry. Meeting Patriot opposition, Gardner's men then moved toward the town of Beaufort.

On February 3, Moultrie and his men left Beaufort and engaged the British near Gray's Hill on Port Royal Island. Moultrie deployed his artillery

and opened fire. The battle lasted less than an hour before the British retreated to their ships. British casualties included 40 dead and wounded; while Moulrie's force lost eight men and had 22 wounded.

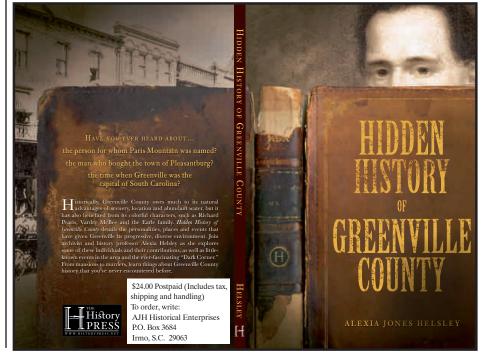
The unexpected victory of Patriot militia over regular British troops improved Patriot morale. Nevertheless, the Patriots were not able to capitalize on their victory. With its guns spiked, Fort Lyttleton was not a good defensive position and Lincoln pointed his forces toward Augusta. Prevost made an unsuccessful foray against Charlestown and the British once again occupied Port Royal Island.

While the probable site of the battle was found in 2016, a

more concrete reminder of the conflict stands in the churchyard of St. Helena's Episcopal Church in Beaufort. This unusual tombstone marks the grave of two British officers—Lt. William Calderwood and Ensign John Finley who died during the battle. There is only one monument that identifies the buried men by name.

(Continued on next page)





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South Carolina Association of Counties Attn.: Public Information Director P.O. Box 8207 Columbia, S.C. 29202-8207 (803) 252-7255

E-mail: smorgan@scac.sc

Later Years of the War

In April 1781, Colonel William Harden and his troops with the assistance of Brigadier General Francis Marion's men captured Fort Balfour. The fort, overlooking the Pocotaligo River, was a critical link in British lines between Charlestown and Savannah. Harden's victory severed that connection.

The British may have surrendered at Yorktown in October 1781, but the war in South Carolina was not over. For three weeks in March 1782, Loyalist Major Andrew Deveaux controlled the town of Beaufort. Brigadier General John Barnwell commanded the Patriot defenders.

The last engagement of the Revolutionary War in Beaufort County occurred on August 25, 1782, at Combahee Ferry. Brigadier General Mordecai Gist commanded Continental troops under Colonel George Baylor and Lt. Colonel John Laurens. General Nathanael Greene, commander of Continental forces in South Carolina, had detailed Gist and his men to protect plantations in Beaufort and Colleton Counties. The British, holed up in Charlestown, sent foraging parties into the interior raiding Lowcountry plantations.

Laurens and his command attacked the British at the ferry and pushed them back. Unfortunately, while pursuing the enemy the British ambushed and killed the gallant, dashing John Laurens. Laurens was the oldest surviving son of Henry Laurens. Henry Laurens was South Carolina's first Vice-President, president of the Continental Congress, the only American ever imprisoned in the Tower of London, and the man the Americans demanded in exchange for Charles, Lord Cornwallis. Henry's son John spearheaded an effort to enlist and arm African Americans to fight for American independence. The British finally left South Carolina in December 1782, and Beaufort residents slowly began the long process of rebuilding their lives.



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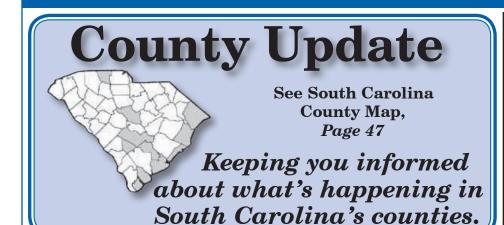
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Bamberg County

• PalmettoPride and Keep South Carolina Beautiful announced in December that Keep Bamberg County Beautiful (KBCB) had awarded the county a \$10,000 affiliate support grant to support litter control and beautification efforts in Bamberg County.

The Keep South Carolina Beautiful Affiliate Grant provides funding to certified South Carolina Keep America Beautiful affiliates to create and maintain successful litter reduction and beautification programs. KBCB, which received certification from Keep America Beautiful in 2014, has received funding from PalmettoPride and Keep South Carolina Beautiful since its inception.

KBCB will use this annual support to continue existing litter prevention and

★ Counties Reporting in This Issue of County Update:

Abbeville Aiken Allendale Anderson ★ Bamberg Barnwell ★ Beaufort Berkeley Calhoun ★ Charleston ★ Cherokee Chester Chesterfield Clarendon Colleton Darlington Dillon ★ Dorchester

★ Dorchester Edgefield Fairfield Florence ★ Georgetown Greenville

Greenwood Hampton Horry Jasper Kershaw Lancaster Laurens Lee Lexington Marion Marlboro **McCormick** Newberry Oconee Orangeburg Pickens ★ Richland Saluda Spartanburg Sumter Union Williamsburg York

beautification programs, and to begin new initiatives such as kayak-based litter cleanups along the Edisto River in partnership with Bamberg County Chamber of Commerce and Edisto River Adventures.

● Bamberg County Council and County Administrator Joey Preston presented 22 county employees with Continuous Years of Service awards at a county employee luncheon on December 12. Bamberg County Council Chairman Evert Comer Jr., Council Members Trent Kinard, Sharon Hammond, Larry Haynes, Joe Guess, Jr. and Isaiah Odom attended.

Comer presented each employee an engraved pin commemorating the number of years they had served, as follows: 3 Years-Gina Smith, Finance; Melinda Johnson, Voter Registration; Melissa Waltz, Solid Waste; Angela Nobles, Delinquent Tax; Lauren Threatt, Dispatching; TyJah Deputy, Dispatching; and Patricia Thomas, Clerk of Court; 5 Years-Candace Fralix, Treasurer; Ronnie Dempsey, Public Works; David Harley, Sheriff's Department; Frances Millhouse, Detention Center; Roy Brooks, Detention Center; 10 Years-Sidney Risher, Public Works; Greg Kearse, Public Works; Alonzo Jenkins, Sheriff Department; April Campbell, Assessor Office; Joyce Crowley, Clerk of Court; Ricky Nimmons, Building and Ground Mechanic; 15 Years-Ashia Bryant, Dispatching; Misty Cook, Dispatching; Patricia Williams, Sheriff's Department;

COUNTY FOUS

This section of *County Focus Magazine* provides South Carolina county officials an opportunity to submit newsworthy items that may be of interest to the magazine's readers. For more information, please contact SCAC's Public Information Office at 1-800-922-6081. and <u>25 Years</u>—Lessie Mae Meeks, Detention Center.

• Watson Carter, longtime Bamberg County employee and former director of Public Works, retired on December 31. Carter began working for the county as a heavy equipment operator in 1996. He was promoted to Public Works Director in 1998, a position he held until his retirement in 2016. Though he retired that year from fulltime employment with the county, Carter continued to work part-time in the Solid Waste Department.

Born and raised in Ehrhardt, he attended Midlands Technical College and served 27 years in the S.C. Army National Guard as a work leader and mechanical technician. He returned to work in Bamberg County after retiring from the Army National Guard, and now resides in Ehrhardt.

• Patti Jeffcoat retired on December 29 following a distinguished 12 years of service as Bamberg County Voter Registration/ Election Director.

Jeffcoat began working for the county in 1989 as a Register of Mesne Conveyance. She was promoted to Bamberg County Deputy Clerk of Court in 1991, a position she held for 14 years. After the retirement of **Patsy Blume**, Jeffcoat assumed the position of Bamberg County Voter Registration/Election Director in 2005.

Born and raised in Pamplico, Jeffcoat attended Francis Marion College in Florence. He lives in Bamberg.

Beaufort County

• Beaufort History Museum, located in Beaufort's historic district, strives to manage and display artifacts and documents held by the City of Beaufort that tell compelling stories of the area from the early 16th century to modern times. The museum, open from 10 a.m. to 4 p.m. Monday through Saturday, hosts many special events, including lectures and other activities. For more information, visit: www.beauforthistorymuseum.com.

• Beaufort History Museum announced on January 2 that it is undergoing a complete renovation of its principal exhibit hall. The museum displays the City of Beaufort's collections, which tell the remarkable 500– year-old history of the Beaufort District.

HW Exhibits, a Charleston-based exhibit design firm, has been hired to help write text, develop graphics, create a cohesive theme and fabricate interpretive exhibits based on the story lines, artifacts and photos that comprise the museum's proprietary collection and support its mission of education.

Plans are underway to paint, repair and

improve the museum's exhibit hall.

Work will began this year on the first phase of the renovation, which will be completed by late spring. The museum will remain open during the creative and implementation process, but will close for a few weeks prior to completion to facilitate the exhibit installation.

The renovation is overseen and directed by the Museum's Exhibits Committee, which includes: Co-chairs Larry Kookin and Anne Marie Reiley-Kay, Katherine Lang and Paul Keyserling with support from Mary Lou Brewton, Linda Irving and Phil Cromer. Lawrence S. Rowland and Stephen R. Wise, co-authors of *The History of Beaufort County*, South Carolina and renowned authorities on Beaufort's history, are the principal advisors.

The renovation is estimated to cost \$250,000. The first phase, already funded and now underway, will cost \$100,000. Work on the second phase, to begin in 2018, will be paid for with funds from the museum's escrow account, Accommodations Tax grants and through fund raising efforts. A capital campaign is also underway.

• The Beaufort County Library System, which includes branches in Beaufort, Bluffton, Hilton Head, Lobeco, St. Helena, and a bookmobile, sponsors many programs and events. For more information, visit: www. beaufortcountylibrary.org

Charleston County

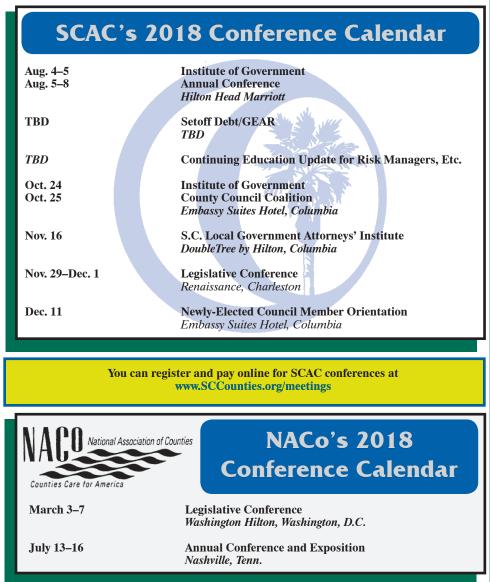
• AGRU America, Inc., a manufacturer of premium geosynthetic liners and thermoplastic piping solutions, is establishing a new \$30 million manufacturing facility in Charleston County, expected to create 37 new jobs.

Since 1988, the Georgetown-based AGRU America has been the world's leading manufacturer of flat-die extrusion geomembranes, geonets, geocomposites, geotextiles, geosynthetic clay liners, concrete protective liners and fittings. AGRU America now employs more than 200 people at facilities in Georgetown, Andrews, Charleston and Fernley, Nev.

The waterfront plant, located off Greenleaf Road, allows direct loading of the large diameter PE pipes into the Cooper River to export to eight countries around the globe. For the production of large diameter piping systems, AGRU uses PE100 or PE4710 resins allowing for better long-term hydraulic properties, saving operation costs, and providing high resistance to corrosion, wear and tear, and UV radiation.

• The online version of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR) has been moved to a new online platform that improves the functionality and usability of the ZLDR. The change allows citizens to easily navigate and search for information. The new online system will also allow staff to log and archive any changes to the ZLDR ordinances. The ZLDR can still be accessed through the Charleston County Zoning and Planning Department web page at http://www. charlestoncounty.org/departments/zoningplanning/zld-reg-ord.php, which will redirect the public to the new website for the ZLDR, *(Continued on next page)*





or it can be accessed directly at http://online. encodeplus.com/regs/charlestoncounty-sc/ index.aspx.

The new online platform features: a drop-down table of contents with direct links to ZLDR chapters, articles and sections; an improved search function; archives of amendments to the ZLDR; a link to the county's online mapping system; links to related County plans and documents; and a "Tables" tab that provides direct access to all tables in the ZLDR.

• Charleston Center, Charleston County's Department of Alcohol and Other Drug Abuse Services, recognized National Red Ribbon Week from October 23 to 27.

Red Ribbon Week is a national drug prevention program that was established in the mid-1980s as a way to remember Special Agent Enrique "Kiki" Camarena, who lost his life fighting the war on drugs. The campaign teaches young people the negative effects of drugs and alcohol, and asks them to pledge to live a drug-free life.

Charleston Center staff, working at the Public Services Building at 4045 Bridge View Drive in North Charleston, distributed red ribbons on October 24 to support the event. County employees also visited to sign the "Pledge to be Drug Free" banner.

The center's prevention specialists visited area schools and participated in drug prevention presentations that encouraged young people to adopt healthy lifestyles. The Prevention Department provides year-long alternative activities for students to keep drugs out of their lives.

• The Charleston County Assessor's Office, located at the O.T. Wallace Office Building on Meeting Street in downtown Charleston, relocated to Faber Place office park in North Charleston on October 16. The move occurred during the week of October 9–13.

The Assessor's office, located at 3875 Faber Place Drive, Suite 100, North Charleston, opened to the public on October 16. The office is open from 8:30 a.m. to 5:00 p.m. Monday through Friday. It is centrally situated in the county for ease of access to taxpayers. Faber Place is off Interstate 526 at Leeds Avenue, near the Charleston County Public Service Building.

Cherokee County

• Lyman Dawkins III was sworn-in on December 18 in as a new Cherokee County Council member, representing District 1.

Dorchester County

• Dorchester County recently launched a new progressive, search-friendly, website at www.DorchesterCountySC.gov that is easily navigable and meets the Web Content Accessibility Guidelines (WCAG 2.0) five months before federal WCAG 2.0 guidelines are scheduled to be mandated.

• Jill Turbeville has been named Deputy Treasurer for Dorchester County. Turbeville has worked for Dorchester County for six years.

• Dorchester County Council reviewed and approved the county's Title VI plan when it met on November 20. The plan outlines actions that the county will take to prohibit discrimination based upon race, color and national origin in terms of contracting and outlines how the county will receive, address and report complaints of the same.

• Dorchester County launched a Facilities Maintenance Apprenticeship Program in January. The program is funded by a \$37,500 grant from Apprentice South Carolina.

• The independent accounting firm, Greene Finney, LLP issued Dorchester County an unmodified opinion after auditing the county's FY2017 financial statements. An unmodified opinion indicates the county's financial statements are in accordance with all applicable framework of a government organization.

• Dorchester County has issued a Comprehensive Annual Financial Report (CAFR) for the first time. The CAFR has been submitted to the Government Finance Officers Association for consideration in the Certificate of Achievement for Excellence in Financial Reporting Program.

• Dorchester County Water & Sewer recently completed phase one of implementing a new Supervisory Control and Data Acquisition (SCADA) system. SCADA is a software application program for process control. The system gathers data in real time from remote locations in order to control equipment and conditions. Currently, there are 41 pump stations online. Phase two of the implementation plan is ongoing.

• The Dorchester County Parks & Recreation Department held a ribboncutting ceremony for the Ashley River Blue Trail Howard Bridgman Access site on December 2. The site was named for **Howard Bridgman**, who championed river access on the Ashley River for decades.

• Dorchester County Fire Marshal **Rickie Jenkin** was honored on January 23 by the Summerville Elks Lodge as an Outstanding Public Servant. With more than 30 years of experience, Jenkins began his career with Dorchester County Fire Rescue when it was formed in 2014. His primary responsibilities include fire inspections, fire prevention activities and fire investigations.

Georgetown County

 During the first week of December, Georgetown County Council members and more than 50 Georgetown County employees-including department heads and emergency services, law enforcement, public works and IT staff-participated in a week-long training course at the Federal Emergency Management Association's (FEMA's) Emergency Management Institute in Emmitsburg, Md. Participants included representatives of the area's partner agencies, such as the City of Georgetown, Santee Electric, Tidelands Hospital System, Black River United Way, Dorchester County Emergency Management, Beaufort County Sheriff's Office and Mount Pleasant Emergency Management.

• Marilynn Lance-Robb, branch manager for the Carvers Bay Library, was recognized in January as the county's 2017 Employee Volunteer of the Year for outstanding volunteer service rendered to library patrons and her community. She has been employed by the county for 20 years, and has been volunteering for more than 10 years.

• Ed Mills, a longtime volunteer with Midway Fire Rescue, was recently named 2017 Volunteer of the Year. Mills has served Georgetown County Emergency Services and Midway Fire Rescue for more than 40 years.

• Tracy Jones, manager of Georgetown County's Storm water Division, was recently named Georgetown County's Manager of the Year for 2017. Jones has been employed in her current position for almost a decade. A registered professional engineer, she also serves on the Watershed Management Committee and as project manager for the Public Services Department Re-accreditation Committee.

• Todd Blomdah, Midway Rire Rescue Division Chief and Fire Marshal, retired on November 28 after 22 years of service to the department and the community. Blomdahl started his career at Midway as a firefighter and EMT before becoming a fire inspector and being promoted to Division Chief and Fire Marshal—a position he has held for the last 15 years.

• Georgetown County's Department of Public Services and Director **Ray Funnye** paid tribute to the department's outstanding employees on November 8 and presented several awards for dedication and hard work. The awards were presented during a luncheon and ceremony at Howard Recreation Center in Georgetown.

The department recognized four employees who stood out this year for their excellence:

Two new employees, **Vicky Smith** and **Hollie Wicker**, who work for the Mosquito Control Division, each received the Customer Service Award;

Jesse Sullivan, a level two tradesman with the Facility Services Division, received the 2017 Professional Achievement Award;

James Coley, a projects planner with the Engineering and Capital Improvements Division, received the 2017 Public Services Employee of the Year Award.

• Joseph Williamson, a technical systems administrator with Midway Fire Rescue, was selected as Georgetown County's Employee of the Quarter for the third quarter of 2017. Williamson was recognized by Georgetown County Council at its meeting in Georgetown County's historic courthouse on December 12. An employee with Georgetown County Emergency Services since 2001, he was integral to the success of several important projects during the third quarter.

• Cindy Grace, Georgetown County emergency management coordinator, graduated in September from FEMA's National Emergency Management Advanced Academy at the Emergency Management Institute in Emmitsburg, Md. Grace has served as the county's emergency management coordinator for the past nine years.

• Joshua Powers Carney, a battalion chief with Midway Fire Rescue, died on October 19 at the age of 41. He was an 18-year veteran of Midway.

Horry County

• Horry County Museum and the L.W. Paul Living History Farm host many programs and events. The museum is located at 805 Main Street in Conway. The farm is located at the corner of Highway 70 North and Harris Short Cut Road in Conway. The museum and the farm are open from 9 a.m. to 4 p.m. Tuesday through Saturday. For a full list of programs at the museum and farm, visit: www. horrycountymuseum.org

• The Yauhannah Boat Landing at the U.S. Highway 701 Bridge Replacement Project has been reopened for recreational use. For more information on the many parks and boat landings Horry County has to offer, visit the county's website at https://www.horrycounty.org/Departments/

ParksAndRecreation/Boating.aspx

• The Horry County Government Wellness Committee announced on January 16 the First Annual International Drive Road Race. The event, which will take place on April 29, will feature a 5K, 10K and One Mile Kids Fun Run. Both the 5K and 10K courses will be USATF certified and sanctioned.

Participants will be able to compete in both the 5K and 10K, and the top three overall male and female runners will receive cash awards. Each participant will receive a finisher medal.

Registration for all three races is now open. Registration fees, which range from \$5 to \$30, include a t-shirt, a finisher's medal and refreshments at the finish line. Fun Run participants will be able to purchase a t-shirt.

Black Dog Running Company is managing the event. Second Wind Race Timing will be the official timing company. The 5K and 10K courses will use chip timing devices attached to the participant bib to record each runner's time.

For more information and to register for the event, visit https://runsignup.com/Race/ SC/MyrtleBeach/1stAnnualInternationalDr iveRoadRace

 Horry County kicked off the new year (Continued on next page)



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with a rewrite of its Comprehensive Plan. Municipal and county governments use comprehensive plans to guide future growth and public services.

By state law, comprehensive plans are required to be rewritten every 10 years to ensure that development and policy occur in a way that is consistent with the desires of the community. Over the last decade, Envision 2025 has served as the guiding document for growth in unincorporated Horry County.

The development of Horry County's new comprehensive plan, IMAGINE 2040, was initiated in January. An ad hoc committee of the county's Planning Commission has been established to steer the development of the plan. The IMAGINE 2040 Steering Committee met for the first time on January 4 at the Horry County Government and Justice Center in Conway.

To follow the plan's progress and to get involved in its development throughout 2018, residents are encouraged to visit: IMAGINE 2040 web page at: https://www.horrycounty. org/Departments/Planning-and-Zoning/ IMAGINE2040

Residents are also encouraged to contact Horry County Planning & Zoning at (843) 915-5340 for more information.

• Kelly Moore, hired in November as Horry County's new public information officer, assumed her new duties on November 13. She will be responsible for releasing information about county initiatives and updates and manage the county's website.

Moore served as the audience development manager at North Carolina Stage Company in Asheville, N.C., and most recently as the public relations and event coordinator for the City of Charleston Office of Cultural Affairs in Charleston.

Moore, who grew up in South Carolina, is a graduate of Clemson University. She received her a MPA degree from the College of Charleston.

• Horry County Council, Keep Horry County Beautiful and numerous partners hosted the county's Fourth Annual Cleanup Day—a countywide, volunteer litter cleanup event—on October 21.

The event featured 10 locations in the county where more than 205 volunteers picked up almost 700 bags of litter. The number of bags of litter collected by county council districts follows: District 1—92 bags; District 2—20 bags; District 3—7 bags; District 4 & 5—61 bags; District 6—35 bags; District 7—54 bags; District 8—36 bags; District 9 and 10—189 bags; District 11—36 bags; and City of Conway—150 bags.

Participating agencies and partners included: Keep Horry County Beautiful, PalmettoPride,

Coastal Carolina

University, Horry

County Schools,

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1730 Old Dunbar Road West Columbia, SC 29172 803-796-4000 301-B Greystone Blvd. Columbia, SC 29210 803-343-6775 Keep Horry County Beautiful presented Community Cleanup and Beautification awards for 2017 to the following groups and individuals for their achievements reducing litter and beautifying the county, as follows: Outstanding Business Award-Ocean Lakes Campground; Outstanding Non-Profit Award-Surfrider-Grand Strand; Outstanding School Award-Early College High School, Forestbrook Middle; and Lakewood Elementary; Outstanding Community Award—Coast RTA Horry County School District Transportation Department; Beautification Award—United Way of Horry County; Achievement in Waste Reduction-City of Conway Solid Waste Department; Outstanding Litter Prevention Program-Waccamaw Riverkeeper, and PalmettoPride; and Outstanding Leadership in Litter Prevention-Horry County Police Department.

• The Horry County Solid Waste Authority held a Grand Reopening Ceremony on October 25 at the McDowell Recycling Center, located at 10622 McDowell Shortcut Road in Murrells Inlet. The ceremony was open to the public.

The significantly larger \$1.2 million center, located directly behind the former center, offers enhanced features such as clean wood recycling, carpet padding recycling and bulk waste compactors. The new center also includes a drop off location for "The Store" and other recycling convenience center services.

• The Horry County Solid Waste Authority recognized Nichols area resident **Annette Adams** as the "Caught Green Handed" recipient for the month of September. Adams is a regular recycler at the Ketchuptown Recycling Center.

The "Caught Green Handed" recognition is presented monthly to an Horry County resident who is caught in the act of recycling.

Orangeburg County

• Ray W. Sabalis was recently elected Orangeburg County Council Member (District 6) to replace the late Council Member Clyde B. Livingston.

Richland County

• Richland County Council unveiled details of the county's community and government services master plan called, "Richland Renaissance," on December 19 in Richland County Council Chambers in Columbia.

The comprehensive initiative is designed



to improve Richland County's services to residents, resolve a variety of needs and position the county for the future. It was created in response to concerns raised by county council members, who expressed concern about the lack of space and the inequitable delivery of services to residents and businesses.

• Two of the nation's top credit rating bureaus reaffirmed Richland County's ratings status, a nod to the county's sound financial practices and policies.

Moody's Investor Services reaffirmed the county's top AAA rating and assigned it a MIG 1 status. Standard and Poor's (S&P) assigned the County a SP-1+ rating and reaffirmed its AAA rating.

The county's sizeable tax base and its role as a major economic hub in the state, due in part to the presence of Fort Jackson and the University of South Carolina, were cited by both agencies.

• Richland County has hired **Dr. John Thompson** as transportation director to oversee the penny program and the contractor hired to carry out the \$1.07 billion infrastructure improvement initiative. The *(Continued on next page)*

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Richland County Transportation Program includes projects to be completed across the county during a 22-year period or until \$1.07 billion in sales tax revenue is collected. Thompson, a Certified Public Manager with a master's degree in Business Administration, started on January 8.

• Richland County marked the second anniversary of the October 2015 flood by spotlighting the progress of its repair and recovery efforts to help residents whose homes and businesses were destroyed by the natural disaster.

• Richland County received a National Weather Service award for its innovative weather system, RC WINDS, which improves awareness, readiness and response when severe weather occurs.

• More than 120 residents attended a free community-based conference organized by Richland County's Neighborhood Improvement Program. The 2017 Neighborhood Planning Conference centered on methods for improving the health and happiness of local communities.

• Richland County announced it will increase salaries for EMS and detention center employees to ensure the county is competitive in recruiting and retaining excellent public safety personnel.

• The Richland Soil and Water Con-

servation District presented five grants to local schools for conservation projects such as school wide composting and clean water studies.

• Richland County Council Member Calvin "Chip" Jackson (District 9) was elected treasurer of the County Council Coalition, an association of the S.C. Association of Counties.

• Richland County employs two accomplished authors, who have recently published books.

Storm Water Manager **Synithia Williams**, who has authored 13 romance novels, will join more than 100 authors at a book-signing event at the Columbia Metropolitan Convention Center in Columbia on November 11.

She authored her first book, *You Can't Plan Love*, in 2010. Most recently, she authored, *A Malibu Kind of Romance*, which became a 2017 finalist for the Romance Writers of America's prestigious RITA award. Williams has two books under contract, scheduled to be released in 2018 and 2019.

As Richland County's storm water manager, working for the county's Public Works Department, Williams helps assure the safety and health of the general public by leading a team of professionals who monitor and improve the water quality of county's streams, lakes, rivers and ponds. Prior to joining Richland County, she worked on air quality and sustainability initiatives. Williams has 15 years of public service experience.

Bradley Farrar, Richland County's chief deputy attorney, began working as a clerk at the Richland County Attorney's Office in 1999 after serving several years on active duty as a U.S. Marine Corps officer and in private practice as an attorney.

Farrar published, *God and America: Lukewar is Not a Strategy*, in 2018. He also authored *Silent Partner*, published in 2013, and donated proceeds from the sale of the book to the Marine Corps Toys for Tots and Operation Christmas Child, a Samaritan's Purse Ministry.

As in-house counsel for Richland County, Farrar is responsible for supervising several attorneys while coordinating with outside counsel across a variety of local government issues. He was commissioned as a second lieutenant in the U.S. Marine Corps upon graduating from Officer Candidate School in Quantico, Va., years ago. But as a lieutenant colonel in the USMC Reserve, he continues to serve the United States as a Judge Advocate and International Law Attorney.

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