



POLICY POSITIONS *for the* 2017 SESSION

ADOPTED *by the* LEGISLATIVE COMMITTEE
SOUTH CAROLINA ASSOCIATION *of* COUNTIES

2016 SCAC LEGISLATIVE COMMITTEE

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Chairman, SCAC Legislative Committee*

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Johnny W. Jeffcoat, County Council

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Buddy Collins, Council Chairman
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Franklin F. Fulmore Sr., County Council
W.B. Wilson, County Council

YORK COUNTY

Dr. J. Britt Blackwell, Council Chairman

POLICY POSITIONS *for the* 2017 SESSION
***of the* SOUTH CAROLINA GENERAL ASSEMBLY**

ADOPTED *by the* 2016 LEGISLATIVE COMMITTEE
***of the* SOUTH CAROLINA ASSOCIATION OF COUNTIES**



SOUTH CAROLINA ASSOCIATION OF COUNTIES

1919 Thurmond Mall
PO Box 8207
Columbia, SC 29202-8207

(803) 252-7255
1-800-922-6081
Fax: (803) 252-0379
scac@scac.sc
<http://www.sccounties.org>

POLICY POSITIONS *for the* **2017 SESSION** *of the* **SOUTH CAROLINA GENERAL ASSEMBLY**

CONTENTS

| | |
|---|----|
| Legislative Policy Development Process | |
| General Statement..... | 1 |
| Legislative Committee and Steering Committee System | 1 |
| Time Line for Development of Legislative Policy | 2 |
| Rules and Operating Procedures..... | 2 |
| | |
| Statement of Purpose..... | 4 |
| | |
| County Government and Intergovernmental Relations | |
| Steering Committee | 6 |
| General Statement of Policy | 7 |
| Policy Positions | 8 |
| | |
| Land Use, Natural Resources and Transportation | |
| Steering Committee | 14 |
| General Statement of Policy | 15 |
| Policy Positions | 16 |
| | |
| Public Safety, Corrections and Judicial | |
| Steering Committee | 22 |
| General Statement of Policy | 23 |
| Policy Positions | 24 |
| | |
| Revenue, Finance and Economic Development | |
| Steering Committee | 30 |
| General Statement of Policy | 31 |
| Policy Positions | 32 |
| | |
| Index to Policy Positions | 35 |

LEGISLATIVE POLICY DEVELOPMENT PROCESS

GENERAL STATEMENT

The South Carolina Association of Counties (SCAC) has adopted a systematic consensus building legislative policy development process. The central goal in the process is to solicit and develop the expertise of county officials from all 46 counties on legislative issues affecting county government. Through participation in four legislative policy steering committees, county officials meet, discuss, and identify issues to be considered by the Legislative Committee.

LEGISLATIVE COMMITTEE AND STEERING COMMITTEE SYSTEM

SCAC has four legislative policy committees: 1) *County Government and Intergovernmental Relations Steering Committee*; 2) *Land Use, Natural Resources and Transportation Steering Committee*; 3) *Public Safety, Corrections and Judicial Steering Committee*; and 4) *Revenue, Finance and Economic Development Steering Committee*. It is the responsibility of each committee to study the issues and analyze information that is pertinent to its designated policy area. Each committee will develop recommendations in the form of policy statements. Each committee chairman will present the committee's draft policy statements to the Legislative Committee during the Legislative Conference in December.

The Legislative Committee is composed of the 29 members of the SCAC Board of Directors and the chairman of the governing body of the county or his/her designee from each of the 46 counties. The total membership of the Legislative Committee is 75 members. It is the responsibility of the Legislative Committee to review each legislative policy steering committee's recommendations, resolve any conflicts, and adopt the legislative policy positions for the Association. The Legislative Committee is chaired by the Association's First Vice President. The Legislative Committee meets at the SCAC Legislative Conference in December. Once the formal policy statement has been approved by the Legislative Committee, it is the responsibility of the membership of the Association and the Association staff to advocate for its implementation.

During the course of a legislative session, the SCAC Board of Directors is responsible for any revision, modification, deletion, or addition to the legislative policy positions adopted by the Legislative Committee.

LEGISLATIVE POLICY DEVELOPMENT PROCESS

TIME LINE FOR DEVELOPMENT OF LEGISLATIVE POLICY

Late August — The membership is notified of the date of the meeting of the four policy steering committees. County officials receive a list of the steering committees and a description of their areas of responsibility. County officials are encouraged to provide their thoughts and ideas on legislative issues for inclusion on a steering committee's agenda. Staff collects this input and prepares it for the steering committee meeting.

Mid-September — Each steering committee meets to discuss and analyze legislative policy issues and draft an initial report of proposed legislative policy recommendations.

Mid-September to Mid-November — The County Council Coalition meets in October to review and discuss the initial draft of proposed legislative policy recommendations. Each steering committee chairman presents the steering committee report to the Coalition. During the Fall, various groups of county official organizations meet and determine their group's legislative agenda for the coming session of the General Assembly. This information is collected and assigned to the particular steering committee responsible for that legislative area.

Mid-November — Each steering committee meets for the second time to incorporate additional issues into their proposed legislative policy recommendations. Each steering committee adopts a final proposed legislative policy recommendation.

Early December — The SCAC Legislative Committee meets at the Legislative Conference to receive the reports of the four legislative policy steering committees. Each steering committee chairman will present his/her committee report at a general session meeting of the Legislative Committee. The members of the Legislative Committee will discuss each proposed legislative policy position, and then either amend, adopt, or reject the recommendation. If adopted by the Legislative Committee, those policy positions will then be incorporated with the other steering committees' reports into an SCAC consensus legislative report. Once the SCAC consensus legislative report has been adopted by the Legislative Committee, it is the responsibility of the membership and the SCAC staff to advocate for its implementation.

RULES AND OPERATING PROCEDURES

A. Legislative Committee

1. **Committee Membership:** The Legislative Committee shall be composed of the members of the SCAC Board of Directors and the chairman of the governing body or his/her designee from each of the 46 counties. The chairman of the Legislative Committee shall be the First Vice President of the Association.

LEGISLATIVE POLICY DEVELOPMENT PROCESS

2. **Voting Procedures:** At a Legislative Committee meeting, the Chairman shall call the meeting to order and carry out the committee meeting agenda. Each committee member has one vote. All matters coming before the committee shall be decided by a majority vote of those present and voting.
3. **Proposed Policies and Amendments:** Each steering committee chairman shall present at the Legislative Conference the committee report for the steering committee. No legislative issue shall be considered at the Legislative Conference in December that does not appear in a steering committee report unless two-thirds of those Legislative Committee members present and voting vote to place the issue on the Legislative Committee agenda for consideration.
4. **Procedural Rules:** The latest edition of Robert's Rules of Order shall be used to govern the conduct of Legislative Committee meetings.

B. Legislative Policy Steering Committees

1. **Committee Membership:** The Legislative Policy Steering Committees' membership composition is as follows: (a) the SCAC Board of Directors; (b) the Legislative Committee members who are either the chairman of the governing body of the county or his/her designee; and (c) not more than twenty-five (25) county officials who shall be appointed by the President based on the expertise of the county official in the subject matter of the particular steering committee. The President shall make steering committee assignments on an annual basis. The President shall designate a chairman for each of the four steering committees. Steering committee meetings will be held at the call of the President.
2. **Voting Procedures:** At each steering committee meeting, the committee chairman shall call the meeting to order and carry out the committee meeting agenda. Each committee member has one vote. All matters coming before the committee shall be decided by majority vote of the committee members present and voting.
3. **Proposed Policies and Amendments:** Any committee member may offer a proposed policy or an amendment to an existing Association policy. Any county official may propose a policy issue by submitting it to the Association and asking that it be included on the committee's meeting agenda. The chairman of the committee will call upon members to discuss the proposal as it has been offered. At the conclusion of the discussion, the chairman will call for a vote on the proposal.
4. **Procedural Rules:** The latest edition of Robert's Rules of Order shall be used to govern the conduct of steering committee meetings.

STATEMENT OF PURPOSE *for the* 2017 SESSION

of the SOUTH CAROLINA GENERAL ASSEMBLY

The South Carolina Association of Counties hereby affirms its constitutional premise as stated in Article I, Section 2, that, “The purpose of the organization shall be to promote more efficient county government; to study, discuss, and recommend improvements in government; to investigate and provide means for the exchange of ideas and experiences between county officers; to promote and encourage education of county officials; to collect, analyze, and distribute information about county government; to cooperate with other organizations; and to promote legislation to effect more efficient administration of local government in the State of South Carolina.”

The Association believes that counties cannot exist in isolation because their futures are intertwined. We realize that, as the saying goes, “Together we stand, divided we fall.” Our problems are largely the same: if they are to be solved quickly and effectively, all counties must band together to work for the common good. Many common problems exist among South Carolina’s 46 counties, and to solve these problems, cooperation is necessary.

The South Carolina Association of Counties establishes as a principle the goal of providing control of essential services at the level of government most capable of delivering them. Counties cannot be effective partners with the state and federal governments if their primary revenue source, the property tax, is eliminated or further eroded without replacement with revenue sources that are secure and predictable. Any restructuring of responsibilities should be coupled with a restructuring of revenue sources for counties so that the revenue sources are reflective of the economy in the same proportion as those of the state.

The Association believes strongly in maximum local authority consistent with attainment of statewide objectives. County officials recognize their responsibilities to carry out policies formulated by the General Assembly. At the same time, state policy-makers should recognize the limitations of the county revenue base and the need for the state to provide the revenue necessary to implement the increasing number of mandates.

We believe that joint cooperative action between county school board members and county council members is essential to the successful delivery of good public education. Comprehensive and efficient human services, including social services, health and mental health programs, are essential to the well-being of our society. These services must be clearly defined and adequately funded. State mandated services delivered at the county level should be financed from state revenue sources in order for every citizen of South Carolina to receive a substantially similar degree of service.

The South Carolina Association of Counties has traditionally maintained that its efforts should not be utilized on behalf of individual counties seeking legislative remedy for problems not statewide in nature. The Association staff will direct its efforts toward the support of sound legislation beneficial to the administration of all counties’ affairs, and to the opposition of legislation detrimental to counties.



COUNTY GOVERNMENT

AND

INTERGOVERNMENTAL RELATIONS



COUNTY GOVERNMENT AND INTERGOVERNMENTAL RELATIONS STEERING COMMITTEE



RONALD YOUNG, CHAIRMAN
AIKEN COUNTY COUNCIL CHAIRMAN

The responsibilities of the County Government and Intergovernmental Relations Steering Committee include issues involving the structure of county government and all matters dealing with intergovernmental relations between counties and county officials and the federal, state, and municipal governments. Also included in the responsibilities of this committee are issues related to health and human service delivery and financing. Specific areas of concern include Home Rule authority, consolidation of political subdivisions, elections, ethics, personnel, indigent health care, indigent legal services, veterans' affairs, libraries, social services, and health boards.

STEERING COMMITTEE MEMBERS

County Representatives:

Francis M. Crowder Sr., Anderson County Council
Theodore Felder, Calhoun County Assistant Administrator
Tracy F. Finklea Jr., Dillon County Council Chairman
Alexander C. Haskell III, Aiken County Council Vice Chairman
David Kenner, Barnwell County Council Chairman
Garrett C. McDaniel, Laurens County Council
Stanley S. Pasley, Williamsburg County Supervisor/Chairman
Roger M. Poston, Florence County Council Chairman
Torrey Rush, Richland County Council Chairman
Herb R. Sass, Charleston County Council
Travis Windham, Lee County Council Chairman

SCAC Board Members:

Joseph R. Branham, Chester County Council Vice Chairman
Joseph B. Dill, Greenville County Council
R. Archie Scott, Dillon County Council
W.B. Wilson, Williamsburg County Council
Johnnie Wright Sr., Orangeburg County Council Chairman

President's Appointees:

Mary W. Blanding, Sumter County Clerk to Council
Beverly T. Craven, Charleston County Clerk to Council
Rose N. Dobson-Elliott, Hampton County Administrator
Robin Ghent, Lancaster County Veterans Affairs Officer
Joshua A. Gruber, Beaufort County Deputy Administrator
Ray McBride, Beaufort County Library Director
Joan E. Winters, Chester County Attorney

SCAC Staff Contact: M. Kent Lesesne

COUNTY GOVERNMENT AND INTERGOVERNMENTAL RELATIONS

GENERAL STATEMENT OF POLICY

In November of 1972, the people of South Carolina voted to empower the General Assembly to grant statutory Home Rule powers to county governments. The revised Article VIII (Local Government) to the State Constitution was implemented with the passage of Act No. 283 of 1975 and is known as the “Home Rule Act.” This structural reorganization of government service providers recognized that local elected governing bodies would meet the service needs of their communities in a more efficient and cost-effective manner. The people recognized that counties must be able to respond to changing issues without being limited by inefficient and ineffective restrictions imposed by state law. County government officials recognize that they are directly responsible for and accountable to the people in their communities for raising and allocating revenues to provide the services that their people demand.

In addition to being providers of essential traditional local government services, counties understand their role to help the state administer state programs at the local level. However, counties are charged with implementing costly state and federal mandates without sufficient appropriations or revenue sources to pay for meeting the state’s or federal government’s objectives. Counties oppose the imposition of unfunded or underfunded state and federal mandates because it breaks the line of accountability that connects the implementing government responsible for the program with the cost required to pay for the program.

Counties are mindful of their obligation to protect and preserve the health, safety, and welfare of the citizens of this state. To this end, counties play a vital role in addressing the health and human service needs of the people in their communities. The growing cost of supporting these programs and the restructuring of the role of the federal government through the block grant program are a growing concern of counties.

POLICY POSITIONS

County Government and Intergovernmental Relations

COUNTY OFFICERS AND EMPLOYEES

Building Code Changes – Oppose legislation to abandon the International Code Council building codes as well as any legislation to expand the building code adoption cycle to more than three years.

Workers' Compensation and Health Insurance Coverage for Psychological Injuries – While SCAC believes the current statutory requirements for a mental-mental claim should not be changed, the Association supports preventative mental training and efforts to ensure that there is health coverage for all first responders needing treatment for mental injuries.

ELECTIONS

Absentee Ballot Witness Signature – Support legislation to delete the legal requirement of a witness signature on an absentee ballot envelope.

Ballot Questions – Support shorter ballot questions as long as county council retains the right to craft the short title. Also, the ballot should explain what a “yes” vote means and what a “no” vote means.

Early Voting – Support legislation that would provide for a period of no-excuse early voting.

Funding for Voter Registration and Elections – Support legislation to adequately fund the voting system in this state and legislation to require political parties to pay for conducting their Presidential Preference Primaries on separate dates.

Poll Manager Requirements – Support legislation to amend § 7-13-110 to permit counties to use persons who are registered to vote to serve as poll managers anywhere in South Carolina, and support legislation to increase the pay for poll workers and managers.

Postponing Elections Due to State of Emergency – Support legislation to provide that an election will be postponed if the Governor declares a state of emergency and that the election will be rescheduled for the first Tuesday after the state of emergency has been lifted.

Processing Absentee Ballots Prior to Poll Closing – Support legislation that would allow absentee ballots to be opened and processed the day before the election. No ballot would be tabulated (counted) or reported until the polls close on election day. Also, support legislation that would give permanent

POLICY POSITIONS

County Government and Intergovernmental Relations

absentee ballot status to voters over the age of 65 and those who meet the disability standard that is established by the Social Security Administration.

Uniform Municipal Elections – Support legislation to conduct all municipal elections in November of odd years and to designate quarterly dates for all elections.

Updating Election Laws – Support legislation to create a study committee to look at reconciling the differences in the election laws found in Title 5 and Title 7.

GENERAL

Freedom of Information Act – Support legislation that provides for the disclosure of public records by citizens through FOIA, but oppose any legislative efforts or policies that would make FOIA exaggeratedly onerous or unreasonably costly for local government entities and taxpayers.

Library Funding – Support legislation for the annualization of FY 2016-17 library funding at the per capita level of \$2.00, support education lottery funding of \$2.5 million dollars of the unclaimed prize money to be distributed on a per capita basis, and support funding of the State Library's budget requests.

Senior Citizens and Low Income Population Issues – Support legislative efforts to use some of the unclaimed lottery funds to assist in funding programs for senior and low income citizens.

HOME RULE

Enhancing Home Rule – Support legislation that enhances the powers and authority of county government as outlined under the Home Rule Act, and oppose any legislative efforts and/or policies that would limit or weaken county authority as it currently exists.

Private Entities Controlling Public Entities – Support legislation that would prevent GHS and any other public entity, other than counties, from entering into a restructuring agreement that would transfer its assets and authority to a private entity. Also, support legislation that would give counties more authority over public entities that were created prior to the Home Rule Act.

POLICY POSITIONS

County Government and Intergovernmental Relations

INTERGOVERNMENTAL RELATIONS

Municipal Annexation and Adhesion Contracts – Support legislation that would require all municipal annexation, including enclave annexation, by referendum as follows:

- Make adhesion contracts null and void.
- Provide a procedure for municipal deannexation in a manner similar to county boundary changes.
- Create a mechanism to freeze revenue from business licenses upon the annexation of a business by a municipality in the same manner that local hospitality taxes are treated when annexation occurs.
- Grant legal standing to counties for all annexations within their jurisdiction.
- Require municipalities to notify counties of proposed annexations. Notice should be given in time for the county to actively participate and provide input into the proposed annexation.
- Require municipalities to conduct a study to analyze and mitigate the potential impact of proposed annexations on the delivery and level of service of public services and facilities, in order to assure that adequate public services and facilities will be available to serve development after annexation.
- Prohibit the creation of enclaves (donut holes) and provide incentives for municipalities to not create enclaves. The incentives would not require approval from landowners that would be affected by the annexation.
- Strengthen the Priority Investment Act (enacted in 2007 to improve the local government comprehensive planning process) by mandating that any municipal annexation that violates the Act would result in a reduction of the Local Aid to Subdivision funds the municipality receives.

Whistleblower Act – Oppose any legislation that would remove the \$2,000 cap on rewards when the employee's report results in public money savings and any legislation that removes the one-year limitation that requires an employee to bring a suit for retaliatory employment termination within one year of their report.

POLICY POSITIONS

County Government and Intergovernmental Relations

Workers' Compensation for Volunteer Firefighters – Support legislation that would amend § 42-7-65 to increase the average weekly workers' compensation rate for injured volunteer firefighters.



**LAND USE,
NATURAL RESOURCES
AND TRANSPORTATION**



LAND USE, NATURAL RESOURCES AND TRANSPORTATION STEERING COMMITTEE



**CHARLES T. EDENS, CHAIRMAN
SUMTER COUNTY COUNCIL**

The responsibilities of the Land Use, Natural Resources and Transportation Steering Committee include growth policies, environmental issues, as well as transportation and other infrastructure issues. Specific areas of concern include issues related to land use; zoning and building code programs; solid and hazardous waste management programs; water resource systems; air quality; wetlands; energy conservation; eminent domain; parks and recreation; and state/federal transportation funding programs, to include “C” funds.

STEERING COMMITTEE MEMBERS

County Representatives:

Robert “Bob” J. Bundy, Lancaster County Council Chairman
Barbara B. Clark, Jasper County Council
Robert Bryan McClain, Abbeville County Council Chairman
Steven D. Murdaugh, Colleton County Council Chairman
Rev. Isaiah Odom, Bamberg County Council Chairman
Marion B. Robinson, Fairfield County Council
D. Paul Sommerville, Beaufort County Council Chairman
Jason K. Steen, Marlboro County Council Chairman
Columbus Stephens, McCormick County Administrator
Dr. Bob Taylor, Greenville County Council Chairman
Theresa H. Taylor, Allendale County Council

SCAC Board Members:

John Q. Atkinson Jr., Marion County Council
Franklin F. Fulmore Sr., Williamsburg County Council
Donald E. Hancock, Saluda County Council Chairman
L. Gregory Pearce Jr., Richland County Council Vice Chairman
Dwight L. Stewart Jr., Clarendon County Council Chairman
Claude Thomas, Abbeville County Council
Joel R. Thrift, Oconee County Council

President’s Appointees:

James D. Armstrong, Charleston County Deputy Administrator
Susan Harrison, Greenville County Environmental Engineer
Danny Knight, Horry County Solid Waste Authority Executive Director
Phillip L. Lindler, Greenwood County Planning and Zoning Director
Andrea N. Pietras, Charleston County Planner II
Michael Smith, Richland County Building Official

SCAC Staff Contact: Owen A. McBride

LAND USE, NATURAL RESOURCES AND TRANSPORTATION

GENERAL STATEMENT OF POLICY

South Carolina's counties have played a vital role in maintaining natural resources, governing the wise use of land, and making public infrastructure decisions. Protection of natural resources must be a shared effort between the state and local governments. Counties recognize the importance of Home Rule and community input regarding land use, natural resources, and infrastructure decisions and have traditionally opposed statewide legislation that would preempt community input and solutions tailored to local situations involving these matters. County officials acknowledge their responsibility to carry out policies formulated by the General Assembly regarding matters of statewide concern. To that end, if state law mandates that local governments assume new or expanded responsibilities, the General Assembly should provide adequate guidance and funding to accomplish legislative aims.

POLICY POSITIONS

Land Use, Natural Resources and Transportation

LAND USE

Counties and municipalities are the only entities vested with the jurisdiction to adopt and enforce zoning ordinances, development regulations, and other land use measures. County governments encourage adequate open space that contributes to the quality of life of our citizens by providing recreational opportunities, enhancing air and water quality, and preserving and protecting South Carolina's unique natural beauty. Local communities are best able to understand the most beneficial use of land. To that end, local citizens require and expect local governments to establish and enforce local land use and zoning ordinances. The South Carolina Association of Counties believes that the state and other outside entities should avoid interfering in local land use matters.

Balcony Inspections – Oppose legislation requiring counties to perform inspections of residential balconies.

Dilapidated Buildings – SCAC has no position regarding receiverships for dilapidated buildings; however, any proposed legislation should protect county tax lien status.

Highway Construction Exempt from Local Permits – Oppose legislation exempting the S.C. Department of Transportation from obtaining local permits for highway construction projects.

Preemption of Land Use Measures – Oppose legislative preemption of local zoning or other restrictions on local land use regulation.

Public Nuisance Property – Support legislation giving counties the same authority over public nuisance property as municipalities have, including the ability to place a lien on the property for the value of cleanup costs.

Zoning – Work with the state chapter of the American Planning Association to update the state Comprehensive Planning Act to allow modern zoning and land use regulation options for the counties and municipalities across the state.

POLICY POSITIONS

Land Use, Natural Resources and Transportation

NATURAL RESOURCES

***T**he task of preserving and maintaining South Carolina's natural resources encompasses numerous areas of concern and involves the exercise of authority by federal, state, and local governments. Since counties are charged with the task of balancing various interests, local community input and decision-making needs to be preserved. Counties have long recognized that efforts to ensure clean water and air and to protect wetlands transcend governmental boundaries. These efforts require close cooperation between federal, state, and local governments. To that end, the Association of Counties, and those directly impacted counties, should be included in any decisions concerning state and federal efforts to protect natural resources.*

Riparian Buffers – Support legislative efforts to adopt the Best Management Practices set forth by the South Carolina Scenic Rivers Program, the South Carolina Forestry Commission, the South Carolina Department of Health and Environmental Control, and the Environmental Protection Agency.

Solid Waste Flow Control – Oppose legislative efforts to undermine counties' authority to address their responsibilities regarding the disposal of solid waste.

Solid Waste Policy and Management Act – Support the following changes to the Solid Waste Policy and Management Act:

- Requiring counties to submit a description of the process by which amendments to local solid waste plans shall be drafted and adopted;
- Requiring counties to submit amendments to their local solid waste plans to DHEC for review prior to adoption by the counties; and
- The creation of a Solid Waste Emergency Fund as long as it does not adversely affect potential grants to counties.

However, oppose any change to the Solid Waste Policy and Management Act that would require the owners of solid waste management facilities to install scales.

POLICY POSITIONS

Land Use, Natural Resources and Transportation

Storm Water – Oppose any legislative efforts to shift all storm water pollution control from the Department of Health and Environmental Control to county governments without sufficient funding.

POLICY POSITIONS

Land Use, Natural Resources and Transportation

TRANSPORTATION AND OTHER INFRASTRUCTURE

As communities across South Carolina grow, many counties are faced with increasing stress on public infrastructure. This has accelerated the demand for new and expanded airports, roads, bridges, water and sewer systems, and solid waste disposal. Counties should take a proactive role in determining the direction of infrastructure and should be included in decisions at the state level affecting local infrastructure.

Key Transportation Corridors – Support working with regional councils of governments to identify key transportation corridors for manufacturing, economic development, tourism, and evacuation routes.

Road Funding – Support increased road funding through:

- Selective use of tolls
- SCDOT in-house efficiency and reform measures
- Increasing the current motor fuel user fee
- Changing the current fixed rate excise fee on fuel to a hybrid fee based on the combination of a price component and a fixed rate component
- A local option motor fuel user fee and regional local option fees whose revenue could be used across multiple counties
- The concept of vehicle-miles traveled fees

However, oppose any legislative efforts that would adversely affect existing local government revenue sources, such as:

- Earmarking of “C” funds or Local Government Fund money for road funding
- Capping motor carrier fees and shifting any revenue growth to state roads

POLICY POSITIONS

Land Use, Natural Resources and Transportation

Transfer of Roads from SCDOT to Counties – Oppose any legislative efforts to transfer roads from SCDOT to local governments.



**PUBLIC SAFETY,
CORRECTIONS
AND JUDICIAL**



**PUBLIC SAFETY,
CORRECTIONS AND JUDICIAL
STEERING COMMITTEE**



***JULIE J. ARMSTRONG, CHAIRMAN
CHARLESTON COUNTY CLERK OF COURT***

The responsibilities of the Public Safety, Corrections and Judicial Steering Committee include issues relating to the funding and administration of law enforcement; corrections and jails; the judicial system; fire and life safety programs; and emergency disaster preparedness. Specific areas of concern include issues related to law enforcement; adult and juvenile detention; the court system, including clerks of court and registers of deeds, magistrates and probate judges; E-9-1-1 service programs; fire protection services; emergency medical services; and emergency preparedness programs.

STEERING COMMITTEE MEMBERS

County Representatives:

Steven J. Brown, Greenwood County Council Chairman
Dean Campbell, Edgefield County Council Chairman
Buddy Collins, Marion County Council Chairman
M. Todd Cullum, Lexington County Council Chairman
Vivian Fleming-McGhaney, Sumter County Council Chairman
J. Frank Hart, Union County Supervisor/Chairman
Jeffrey A. Horton, Spartanburg County Council Chairman
Bobby C. Hudson, Darlington County Council Chairman
Kenneth Johnson, Chesterfield County Council Chairman
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Johnny W. Jeffcoat, Lexington County Council
Waymon Mumford, Florence County Council
Carolyn B. Robinson, Fairfield County Council Chairman
Lois H. Roddey, Chester County Probate Judge

President's Appointees:

Johnathan W. Bryan, Sumter County Attorney
Dale Butts, Beaufort County Register of Deeds
Kelvin Jones, Hampton County Detention Center Director
David W. Kerr, Lexington County Public Safety Director
Amy McCulloch, Richland County Probate Judge
Ronaldo D. Myers, Richland County Detention Center Director
Susanne D. Peeples, Hampton County Emergency Management Director

SCAC Staff Contact: James F. Knox

PUBLIC SAFETY, CORRECTIONS AND JUDICIAL

GENERAL STATEMENT OF POLICY

One of the primary responsibilities of government is to protect its citizens from those who threaten their life, liberty, and property. County government resources are being strained to the limit to provide sufficient law enforcement, to deal with the escalating complexities and backlog in the judicial system, and to cope with the crises in jail overcrowding and juvenile crime. Many of these responsibilities fall on the counties as state mandates with either inadequate or no state funding.

County government officials feel that the critical issues facing our counties cannot be solved in a vacuum, but only through partnerships with the federal, state, and local governments; the private sector; volunteer organizations; community groups; and others. The state must take a leadership role in examining the causes of crime so that we do not have to continually build more jails, to find better methods to deal with high recidivism rates, and to make improvements in a judicial system that moves at a less-than-acceptable pace and has not adequately kept up with societal changes. The federal and state governments must not only support these efforts through strong leadership, but sufficient financial support must be provided if we are to solve these issues and improve the quality of life of all South Carolinians.

POLICY POSITIONS

Public Safety, Corrections and Judicial

PUBLIC SAFETY

E xpenditures for public safety continue to be the largest program outlay for South Carolina counties, with increased spending of \$109 million from FY 2007–2013, representing a 26.1 percent increase. Higher incidences of crime, particularly juvenile crime, have placed demands on law enforcement for more and better services. Growth and changes in our communities have necessitated additional expenditures for fire and safety services.

The implementation of homeland security safeguards at the federal and state levels have placed additional demands on law enforcement and emergency services personnel. Continued devolvement of programs at the local level has resulted in more flexibility, but insufficient funding to address these critical needs.

Dam Regulations – Support legislation that would require dam owners to inspect their dams and annually update their dam’s emergency action plan. Support legislation that would bring unregulated dams into DHEC’s oversight if the dam’s failure were to pose a risk to public safety, infrastructure, public utilities, and property. Support legislation that would provide DHEC with regulatory authority over all dams that have a state or county maintained road over the dam.

EMS Personnel Liability – Support legislation that would provide an exemption to the S.C. Tort Claims Act so that EMS providers are not subject to liability while acting in the scope of their official duties.

Traffic Ordinance Preemption – Oppose legislation that would preempt local traffic ordinances or reduce the amount a political subdivision could fine for violating a local traffic ordinance that is consistent with state law.

Unmanned Aerial Systems – Oppose any legislation that restricts local government’s use of drones for purposes other than enforcing criminal laws. Support legislation that would restrict drone use over jails, courthouses, and other governmental buildings and that would keep the offense of “drone trespass” within magistrate’s jurisdiction.

Zika Virus Assistance – Support any state funding for vector control.

POLICY POSITIONS

Public Safety, Corrections and Judicial

CORRECTIONS

*N*ational jail occupancy has increased 13,384 since midyear 2013, representing a 1.8 percent increase, and South Carolina still ranked sixth in the country for the number of inmates under the age of 18 as of 2006.

There must be an equitable relationship between the state and the counties for the growing demands of adult and juvenile incarceration. The “get tough on crime” policies enacted in recent years have compounded the problems of jail overcrowding, insufficient staffing, inadequate funding, and increased violence. Continual expansion and construction of jails are poor and unacceptable answers to jail overcrowding. The state and federal governments must provide financial support and alternatives to incarceration if we are to make any headway in the criminal justice system.

Assaults on Public Employees – Support legislation to reinstate sections of law repealed in the Sentencing Reform Act that provide harsher penalties for assault on correctional facility employees, EMS providers, and firefighters.

Keeping State Prisoners in County Jails – Oppose any attempt by the state to require counties to keep state prisoners sentenced longer than 90 days. Keeping state prisoners in county facilities represents another unfunded state mandate, using local resources to solve a state problem.

Medical Care for Pretrial Detainees – Oppose legislation that would require local entities to be financially responsible for medical care rendered by hospitals to pretrial detainees.

JUVENILE DETENTION

Juveniles in Local Detention Facilities – Oppose any attempt by the Department of Juvenile Justice to solve its funding and overcrowding problems by shifting to the counties its responsibilities for the detention and rehabilitation of juveniles entrusted to its care.

Prison Rape Elimination Act – Support necessary legislation to facilitate South Carolina’s compliance with the Prison Rape Elimination Act.

POLICY POSITIONS

Public Safety, Corrections and Judicial

JUDICIAL

The operation of the court system is a function performed by counties in their role as an arm of state government. As of July 31, 2014, a total of 193,702 cases were pending in circuit and family courts. This workload, as well as increased demands on county judicial staff and resources, has put a strain on county government finances. The state must look at methods to address the overload in the judicial system and to stop mandating additional requirements without providing sources of funding. Counties should not be the last in line to receive their portion of fines, fees, assessments, and surcharges.

Expungements – SCAC supports the ability for persons with criminal records to be able to find gainful employment and for counties to find suitable candidates that may be otherwise qualified. SCAC supports legislation to streamline the expungement process and make it uniform across the state. SCAC supports decreasing the cost of applying for an expungement and allowing for waiver of all fees for indigent applicants. SCAC supports broadening the types of non-violent crimes that may be eligible for expungement and allowing for multiple criminal convictions to be expunged after a certain time period. SCAC supports legislation requiring private entities that publish criminal records or perform background checks for employers to ensure that any information they are reporting is current and accurate.

Increasing Magistrates Court Civil Jurisdiction – Support legislation to raise the civil jurisdictional amount for Magistrates Court from \$7,500 to \$25,000.

PROBATE JUDGES

Abolishment of Common-Law Marriages – Support legislation to abolish common-law marriages in South Carolina and to provide that those in existence prior to a certain date are valid if there is clear and convincing proof to the satisfaction of the court called upon to adjudicate the validity of the marriage.

Probate Code Revisions – Have SCAC staff monitor for legislative actions and report back to the committee.

POLICY POSITIONS

Public Safety, Corrections and Judicial

Probate Court Filing Fee Waiver – Support legislation granting probate judges discretionary powers to waive filing fees for indigent parties.

RECORDING

Internet Accessible Tax Lien Notices – Support legislation that would have the Department of Revenue implement an internet accessible tax lien notice system to be used in lieu of the filing requirements with the county clerk or register of deeds.

ROD Satellite Offices – Have SCAC staff monitor this issue and report back to the committee.



REVENUE,

FINANCE AND

ECONOMIC DEVELOPMENT



REVENUE, FINANCE AND ECONOMIC DEVELOPMENT STEERING COMMITTEE



**BELINDA D. COPELAND, CHAIRMAN
DARLINGTON COUNTY TREASURER**

The responsibilities of the Revenue, Finance and Economic Development Steering Committee include issues relating to the ad valorem tax system, to include assessment, collection, and administrative functions; Local Option Sales Tax and other specific authorizations for local use of sales taxes; business license taxes; service and user fees; franchise fees; State Aid to Subdivisions' Local Government Fund; lease-purchase financing; Fee-in-Lieu-of-Tax Agreements; and economic development incentive programs.

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SCAC Staff Contact: Timothy C. Winslow

REVENUE, FINANCE AND ECONOMIC DEVELOPMENT

GENERAL STATEMENT OF POLICY

The South Carolina Association of Counties is committed to the concept of Home Rule. It is only by allowing the citizens of the state's counties and communities to govern themselves by electing their own local governing bodies, that local communities are able to tailor the governmental services available to each community's individual needs and wishes. An integral part of providing services for the community is the ability to both adequately fund and fund in a fair and balanced manner the services provided.

In the same manner that no two communities want or need the same services or level of services, no two communities need or want the same package of revenue-raising measures. The South Carolina Association of Counties is committed to providing a menu of revenue-raising mechanisms to ensure that local governments can provide the services and levels of service that citizens demand and expect. By allowing each community a range of revenue-producing mechanisms, each community is better able to fund public services in a manner that is fair and balanced for that particular locality.

The South Carolina Association of Counties believes that no matter what revenue-raising mechanisms are used, the mechanisms must be fair to both the individual taxpayer and the community of taxpayers as a whole. Efficiency, manageability, and stability of the revenue sources used must also be factors in determining the proper method of funding locally-provided services.

POLICY POSITIONS

Revenue, Finance and Economic Development

Accommodations Fee for Beach Preservation – Support allowing a qualified coastal county, subject to a referendum, to impose a one percent fee on accommodations for beach preservation.

Alternative Energy Property Tax Exemptions – While SCAC supports the use of alternative energy, SCAC opposes legislation to create statewide property tax exemptions for alternative energy as it impacts a county's ability to offer local incentives to attract these projects.

Assessment Ratios – Oppose legislation to decrease the manufacturing assessment ratio from 10.5% to 6% as it limits the county's ability to provide local economic development incentives. Oppose legislation reducing the commercial property assessment ratio from 6% to 5% because of its drastic negative impacts on local property tax revenue.

Business License Fee Restrictions – Oppose legislation that limits a county's authority to levy business license taxes and/or fees.

Commercial Solicitation – Support stand-alone legislation to amend § 30-2-50 to prohibit information obtained from local governments to be used for financial gain. Support the \$500 penalty be assessed on a per occurrence basis.

County Budget Flexibility – Support any legislation that provides county budget flexibility.

Delinquent Tax Sales Notification Requirements – Support legislation to amend § 12-51-40(d) to create flexibility in the delinquent tax sales notification requirements by allowing the notification to be made electronically.

DOR Withholding County Tax Revenue – Oppose any legislative or regulatory attempt by the S.C. Department of Revenue to withhold any revenue derived from any locally imposed tax.

Elimination of the Tourism Expenditure Review Committee (TERC) – Support legislation to eliminate TERC.

Impact Fees – Support legislation allowing South Carolina counties to make impact fees easier to impose and administer.

Items Exempted from Local Sales Tax – Oppose legislation that diminishes or eliminates the county's authority to accept or reject specific sales tax exemptions.

POLICY POSITIONS

Revenue, Finance and Economic Development

Local Government Fund – Support amending the Local Government Fund Formula to set the base funding level at \$223.2 million with a yearly increase in the fund that corresponds with the growth in the State General Fund up to 5%. Also, standardize a list of state mandates that all counties are responsible for in order to quantify the need for the LGF.

Millage Cap Exception for Special Projects – Support amending § 6-1-320 to allow county council to approve a referendum to give the voters the option of allowing the county to impose additional millage for any special purpose.

Millage Cap Opt-Out – Support legislation to allow a county to opt out of the millage cap limitation found in §6-1-320.

Multiple Lot Discount – Oppose any extension of the Multiple Lot Discount.

Municipal Capital Projects Sales Tax – Oppose legislation creating a Municipal Project Sales Tax.

Notification of Business Property Tax Appeals to DOR – Support legislation to require the Department of Revenue to notify, in writing, County Council, the Chief Administrative Officer, Auditor, and Treasurer initially and annually when there is an appeal of the valuation of business real or personal property. Support a three-year time limit in which DOR must resolve all valuation appeals and require that the impacted taxing jurisdictions be made parties to law suits concerning the appeal.

Out-of-State License Tags – Support legislation to ensure that nonresidents pay their property taxes upon establishing a domicile in this state or operating a vehicle for more than 150 days in South Carolina.

Registration and Taxation of Boats and Motors – Support legislation that would provide that boat taxes be paid in advance in the same manner as automobiles and that DNR register boats on a yearly basis.

South Carolina Retirement System – SCAC understands the dilemma facing the State with regards to the unfunded liability of the retirement system and supports that any solution balance the needs of the state system with the needs of and impact on local government employees, employers, and taxpayers. SCAC supports collaborating with other local government organizations in finding a solution to this issue.

POLICY POSITIONS

Revenue, Finance and Economic Development

Tax Sale Overage Processing Abuse – Support legislation placing restrictions on third parties assisting those who are due overages.

Taxation of Private Aircraft – Support legislation that would subject private aircraft to the same property tax situs requirements as boats in South Carolina.

INDEX

| | <u>PAGE</u> |
|--|-------------|
| A | |
| Absentee Ballot | 8 |
| Accommodations Fee | 32 |
| Alternative Energy | 32 |
| Annexation and Adhesion..... | 10 |
| Assaults on Public Employees | 25 |
| Assessment Ratios | 32 |
| B | |
| Balcony Inspections..... | 16 |
| Ballot Questions..... | 8 |
| Budget Flexibility | 32 |
| Building Code | 8 |
| Business License Fee Restrictions | 32 |
| C | |
| Capital Projects Sales Tax, Municipal..... | 33 |
| Common-Law Marriages | 26 |
| County Officers and Employees: | |
| Building Code | 8 |
| Retirement Benefits..... | 33 |
| Whistleblower Act..... | 10 |
| Workers' Compensation..... | 8, 11 |
| Commercial Solicitation | 32, 34 |
| Courts: | |
| Expungements | 26 |
| Magistrates Civil Jurisdiction | 26 |
| D | |
| Dam Regulations | 24 |
| Dilapidated Buildings..... | 16 |
| Delinquent Tax Sales Notification..... | 32 |
| E | |
| Elections: | |
| Absentee Ballot | 8 |
| Ballot Questions..... | 8 |
| Early Voting..... | 8 |
| Funding | 8 |
| Poll Manager Requirements | 8 |
| Postponing Elections | 8 |
| Uniform Municipal Elections | 9 |
| Updating Election Laws..... | 9 |
| EMS Liability | 24 |
| Expungements | 26 |

INDEX

PAGE

F

Finance:

| | |
|----------------------------------|----|
| Budget Flexibility | 32 |
| Impact Fees | 32 |
| Library Funding | 9 |
| Local Government Fund | 33 |
| Freedom of Information Act | 9 |

H

| | |
|----------------------------|----|
| Highway Construction | 16 |
| Home Rule | 9 |
| Hospitals | 9 |

I

| | |
|-------------------|----|
| Impact Fees | 32 |
|-------------------|----|

J

Jails:

| | |
|---|----|
| Assaults on Public Employees | 25 |
| Keeping State Prisoners in County Jails | 25 |
| Medical Care for Pretrial Detainees | 25 |
| Juvenile Detention: | |
| Juveniles in Local Detention Facilities | 25 |
| Prison Rape Elimination Act | 25 |

L

Land Use:

| | |
|------------------------------------|----|
| Dilapidated Buildings | 16 |
| Highway Construction Permits | 16 |
| Preemption | 16 |
| Public Nuisance Property | 16 |
| Receiverships | 16 |
| Zoning | 16 |
| Library Funding | 9 |
| License Tags | 33 |
| Local Government Fund | 33 |
| Lottery | 9 |
| Low Income Population | 9 |

M

| | |
|---|----|
| Magistrates Court Civil Jurisdiction | 26 |
| Municipal Annexation and Adhesion Contracts | 10 |
| Municipal Capital Projects Sales Tax | 33 |
| Millage Cap Exception | 33 |

N

Natural Resources:

| | |
|---|----|
| Preemption of Land Use Measures | 16 |
| Riparian Buffers | 17 |
| Solid Waste Flow Control | 17 |
| Solid Waste Policy Management Act | 17 |
| Storm Water | 18 |
| Nuisance Property | 16 |

INDEX

PAGE

P

| | |
|--|--------|
| Prison Rape Elimination Act..... | 25 |
| Probate: | |
| Code Revisions..... | 26 |
| Common-Law Marriages..... | 26 |
| Filing Fee Waiver | 27 |
| Property Taxation/Collections | 32-34 |
| Public Employee Assaults | 25 |
| Public Information for Commercial Solicitation | 32, 34 |
| Public Nuisance Property | 16 |
| Public Safety: | |
| Dam Regulation | 24 |
| EMS Liability | 24 |
| Traffic Ordinance Preemption..... | 24 |
| Unmanned Aerial Systems..... | 24 |
| Zika Virus | 24 |

R

| | |
|---|----|
| Receiverships, Dilapidated Buildings | 16 |
| Recording: | |
| Internet Accessible Lien Notices | 27 |
| Satellite Offices | 27 |
| Retirement Benefits..... | 33 |
| Riparian Buffers..... | 17 |
| Roads and Transportation: | |
| Construction Permits | 16 |
| Funding..... | 19 |
| Transfer of Roads from SCDOT to Counties..... | 20 |
| Transportation Corridors..... | 19 |

S

| | |
|--|----|
| Senior Citizens..... | 9 |
| Solid Waste Flow Control | 17 |
| Solid Waste Policy Management Act..... | 17 |
| Storm Water | 18 |

T

| | |
|--|----|
| Taxation: | |
| Aircraft..... | 34 |
| Boats and Motors | 33 |
| DOR Withholdings..... | 32 |
| License Tags..... | 33 |
| Millage Caps | 33 |
| Multiple Lot Discount | 33 |
| Municipal Capital Projects Sales Tax..... | 33 |
| Out-of-State License Tags..... | 33 |
| Overages..... | 34 |
| Property Tax Appeals | 33 |
| Sales Tax Exemptions | 32 |
| Tax Liens, Internet Accessible Notices | 27 |
| Tourism Expenditure Review Committee..... | 32 |
| Traffic Ordinance Preemption..... | 24 |

U

| | |
|------------------------------|----|
| Unmanned Aerial Systems..... | 24 |
|------------------------------|----|

INDEX

PAGE

V

Volunteer Firefighters11

W

Whistleblower Act.....10

Workers' Compensation.....8, 11

Z

Zika Virus24

Zoning16

What is SCAC?

The South Carolina Association of Counties was chartered on June 22, 1967, and is the only organization dedicated to statewide representation of county government in South Carolina. Membership in SCAC includes all 46 counties, which are represented by elected and appointed county officials dedicated to improving county government. SCAC is a nonpartisan, non-profit organization which operates with a full-time staff in its Columbia offices. It is governed by a 29-member Board of Directors composed of county officials from across South Carolina, selected by county officials at the Association's Annual Conference. The Association strives to "*Build Stronger Counties for Tomorrow*" by working with member counties in the fields of research, information exchange, educational promotion, and legislative reporting.

SCAC STAFF

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Robert E. Lyon Jr., Deputy Executive Director and General Counsel

Timothy C. Winslow, Deputy General Counsel
Joshua C. Rhodes, Assistant General Counsel
Tish F. Anderson
Deputy Director of Administrative Services
Robert E. Benfield, ARM, AINS, Risk Manager
Anna B. Berger, Director of Research and Training
Sharon D. Berkowitz, Special Program Asst. Coord.
Susan L. Chambers, Insurance Trusts' Asst. Coord.
Leslie M. Christy-Jennings, Special Projects Coord.
Pam S. Collins, ARM, Insurance Trusts' Program Coord.
Robert C. Collins, CPCU, CIC
Director of Insurance Services
H. Warren Counts Jr., CPA, Controller
Robert S. Croom, Of Counsel
John K. DeLoache, Senior Staff Attorney
S. Ruthie Duvall, Special Program Coord.
Jennifer M. Haworth, Webmaster
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Director of Risk Management Services

Dana T. Homesley, Administrative Assistant
John V. Jervey, AIC, Insurance Claims Manager
Pearlena A. Khalif-Govan, Administrative Assistant
James F. Knox, Staff Attorney
Lang K. Kohel, ARM, AIC
Workers' Compensation Claims Manager
M. Kent Lesesne, Senior Staff Attorney
Robert J. Lyon, CPM, CPPB
Information Technology/Procurement Director
Owen A. McBride, Staff Attorney
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Nilda A. Padgett, Director of Administrative Services
Alexander W. Smith, Staff Attorney
Susan B. Turkopuls, Senior Research Associate
Rick K. Ucinski, Field Representative
Mary E. Williams, Administrative Assistant



... Building Stronger Counties for Tomorrow

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 the conference.

Annual Conference — Held in August, this event 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 and members of the Association's Board of Directors.

EDUCATION

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 an Institute of Government for County Officials (Levels I, II, and Advanced). 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 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 training is broadcast live, county officials and employees are able to access the session as a video on demand via <http://www.sccounties.org>.

FINANCIAL SERVICES

SCAC offers a number of financial services to its member counties. The Association sponsors two self-funded insurance trusts, designed specifically to meet the needs and requirements of local government agencies, including the Workers' Compensation Trust and the Property & Liability Trust.

SCAC also participates with Tax Management Associates, Inc. to provide property tax audit and discovery services for county business personal property and residential property tax programs.

SCAC and the National Association of Counties are sponsors of U.S. Communities, the leading national government purchasing cooperative. U.S. Communities offers counties access to competitively-solicited contracts with national suppliers. SCAC also created a new purchasing program in cooperation with Forms and Supply, Inc. to offer substantial discounts for routine office supplies and forms.

GovDeals provides a platform for counties to sell non-essential equipment and other surplus assets via internet auction. The primary benefits of using GovDeals are increased revenue, reduced asset depreciation, and reduced storage costs.

LEGAL ASSISTANCE

SCAC provides legal assistance to county governments by rendering legal opinions, drafting ordinances, preparing amicus briefs, and consulting with other county officials. The Association provides support to counties involved in litigation which might affect other counties. It also sponsors the Local Government Attorneys' Institute which provides six hours of continuing legal education for local government attorneys.

LEGISLATIVE 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 Action Alerts and publishes *Acts that Affect Counties*.

PUBLIC INFORMATION

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 per year to keep the Association's membership informed about legislation and county news. *County Focus* magazine is published four times a year and features articles about 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 which request it. The Association's 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 *Annual Wage and Salary Report*, *Acts that Affect Counties*, *Home Rule Handbook*, *Handbook for County Government in South Carolina*, and *Case Law Affecting Local Government* are made available to county officials.

The SCAC website 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. Visit the Association's website at: <http://www.sccounties.org>.

SETOFF DEBT PROGRAM

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.

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SOUTH CAROLINA ASSOCIATION *of* COUNTIES
1919 Thurmond Mall • PO Box 8207 • Columbia, SC 29202-8207
(803) 252-7255 • (800) 922-6081
FAX: (803) 252-0379
scac@scac.sc
www.sccounties.org