

POLICY POSITIONS

for the

2021 SESSION

Adopted *by the*
Legislative Committee
South Carolina
Association of Counties

Local Leaders. Statewide Strength.®



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Robert Winkler, County Council Vice Chairman

POLICY POSITIONS *for the* 2021 SESSION
of the **SOUTH CAROLINA GENERAL ASSEMBLY**

ADOPTED *by the* 2020 LEGISLATIVE COMMITTEE

of the **SOUTH CAROLINA ASSOCIATION OF COUNTIES**



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

Phone: (803) 252-7255
In-state toll-free: (800) 922-6081
Fax: (803) 252-0379
scac@scac.sc
SCCounties.org

POLICY POSITIONS *for the* **2021 SESSION**
of the **SOUTH CAROLINA GENERAL ASSEMBLY**

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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

TIMELINE 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* 2021 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



**JOSEPH B. DILL, CHAIRMAN
GREENVILLE COUNTY COUNCIL**

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:

George H. Bailey, Dorchester County Council Chairman
R. Tommy Dunn, Anderson County Council Chairman
Steven C. Grice, Dillon County Council Chairman
Ben Kinlaw, Barnwell County Council Chairman
Paul Livingston, Richland County Council Chairman
Joseph F. Passiment Jr., Beaufort County Council Chairman
Angela Pinson, Berkeley County Chief Administrative Officer
David A. Pitts, Laurens County Council Chairman
Kristen L. Salisbury, Charleston County Clerk to Council
Theresa H. Taylor, Allendale County Council Chairman
Scott R. Whetstone, Lexington County Council Chairman
Travis Windham, Lee County Council Chairman
Dr. Tiffany Wright, Williamsburg Council Supervisor/Chairman

SCAC Board Members:

Mary D. Anderson, Chesterfield County Council
Joseph R. Branham, Chester County Council Vice Chairman
J. Clay Killian, Aiken County Administrator
Johnnie Wright Sr., Orangeburg County Council Chairman

President's Appointees:

Johnathan W. Bryan, Sumter County Attorney
Jon Caime, Laurens County Administrator
W. Brian Carnes, Lancaster County Council
Virginia M. Dupont, Spartanburg County Attorney
Todd Humphries, Cherokee County Veterans Affairs Officer
Kelly Poole, Lexington County Library Director
Lynn Sopolosky, Abbeville County Clerk to Council
Dan Tripp, Greenville County Council
Joan E. Winters, Chester County Attorney

SCAC Staff Contact: Leslie M. Simpson

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

County Council Residency Requirements – Support legislation that would require county council candidates to be a resident of the district that they file to run for and remain domiciled in that district throughout the length of the term.

Workers' Compensation and Health Insurance Coverage for Psychological Injuries – Oppose legislation that would amend § 42-1-160 to reduce the standard for mental-mental claims and support legislation that provides preventative mental training and efforts to ensure that there is health coverage for all first responders needing treatment for mental injuries.

Workers' Compensation Benefits for a First Responder, Healthcare Provider or Correctional Officer contracting COVID – Support legislation that establishes a presumption that a first responder, healthcare provider, or correctional officer contracting COVID-19 is entitled to Workers' Compensation benefits as an occupational disease.

ELECTIONS

Absentee Ballot Drop Boxes – Support legislation that provides for the use of secure ballot drop boxes for future elections.

No Excuse Absentee Voting – Support legislation that provides for “no excuse” absentee voting for future elections.

Processing Absentee Ballots Prior to Poll Closing – Support legislation that provides for allowing each county to begin opening the outer envelope on Friday before the General Election, and then allowing them to begin processing absentee ballots on Monday.

GENERAL

Library Funding – Support legislation for the annualization of FY 2020-2021 library funding at the per capita level of \$2.25 with a minimum grant of \$100,000 per county, support education lottery funding of \$2 million dollars of the unclaimed prize money to be distributed on a county basis, and to support funding of the State Library's budget requests.

POLICY POSITIONS

County Government and Intergovernmental Relations

Veteran Surviving Spouse Property Tax Exemption – Support legislation that would enlarge the meaning of a qualified spouse so that a widow or widower of a deceased veteran, who was never determined permanent and totally disabled as a result of a service-connected disability but whose death resulted from a service-connected injury, will qualify the widow or widower for the relevant tax exemption.

INTERGOVERNMENTAL RELATIONS

Municipal Annexation and Adhesion Contracts – Support legislation that would grant legal standing to county governments to challenge municipal annexations within their jurisdiction. Further, 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.
- 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.

**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:

Henry Etheridge, Jasper County Council Chairman
Sharon Hammond, Bamberg County Council Chairman
Steven R. Harper, Lancaster County Council Chairman
Herman G. Kirven Jr., Greenville County Council Chairman
A. Manning Lynch, Spartanburg County Council Chairman
Steven D. Murdaugh, Colleton County Council Chairman
Kristi Smith, Abbeville County Council Chairman
Jason K. Steen, Marlboro County Council Chairman
Columbus Stephens, McCormick County Administrator
Raymond G. Strawbridge, Saluda County Council Chairman

SCAC Board Members:

John Q. Atkinson Jr., Marion County Council
Alphonso Bradley, Florence County Council
Paul A. Cain, Oconee County Council Vice Chairman
D. Paul Sommerville, Beaufort County Council Vice Chairman
Cecil M. Thornton Jr., Calhoun County Council
Dwight L. Stewart Jr., Clarendon County Council Chairman

President’s Appointees:

James D. Armstrong, Charleston County Deputy Administrator
Arthur Braswell, Richland County Director of Solid Waste
Barbara B. Clark, Jasper County Council Vice Chairman
Rose Dobson-Elliott, Hampton County Administrator
Danny Knight, Horry County Solid Waste Authority Executive Director
Phillip L. Lindler, Greenwood County Planning and Zoning Director
Andrea N. Melocik, Charleston County Planning and Zoning Deputy Director
Michael Smith, Richland County Building Official
Sammie Tucker, Kershaw County Council Vice Chairman

SCAC Staff Contact: John O. Wienges Jr.

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.

Affordable Housing – (1) Support legislation providing statewide tax benefits for affordable housing to developers and landowners; (2) Oppose legislation that would impose limits on impact fees and tap fees.

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

Lot Cleanup – Support legislation giving counties the authority to clean up both structures and lots and recover the costs associated with the cleanup from the property owner on the tax bill.

Plastic Bag Ban – Oppose legislative efforts to preempt a county's ability to adopt an ordinance banning the use, sale, or taxation of auxiliary containers.

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

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.*

Electronic Waste – Support legislative efforts to alleviate the financial burden faced by counties in storing electronic waste, including but not limited to, a fee at the point of sale of these devices, as long as the revenue received is equitably distributed throughout all counties.

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

Waste Energy Facilities – Support legislation to increase the cap on the daily capacity for solid waste incinerators from 600 tons-per-day to 3,000 tons-per-day while opposing any legislation allowing for the import of out-of-state waste to meet demand requirements at any solid waste facility.

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.

Toll Roads – Support legislation allowing for the selective use of tolls.

Transfer of Roads from S.C. Department of Transportation (SCDOT) to Counties – Oppose legislation that would require a mandatory transfer of roads from SCDOT to local governments.

**PUBLIC SAFETY,
CORRECTIONS
AND JUDICIAL**



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



*JULIE J. ARMSTRONG, CHAIRWOMAN
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
Gary Bunker, Aiken County Council Chairman
Hattie Burns, Chesterfield County Council
Scott Cooper, Edgefield County Council Chairman
G. Timothy Harper, Marion County Administrator
Bobby C. Hudson, Darlington County Council Chairman
James T. McCain Jr., Sumter County Council Chairman
Cornelius Robinson, Fairfield County Council Chairman
John W. Thomas, Georgetown County Council Chairman

SCAC Board Members:

Cam Crawford, Horry County Council
Ray Graham, Anderson County Council
J. Frank Hart, Union County Supervisor/Chairman
Waymon Mumford, Florence County Council
William E. Robinson, Allendale County Council
R. Archie Scott, Dillon County Council

President's Appointees:

Doug Bryson, Spartanburg County Emergency Preparedness Director
James C. Campbell, Sumter County Clerk of Court
Charles Goodwin, Abbeville County Council
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
Timothy L. Nanney, Greenville County Register of Deeds
Carolyn Rogers, York County Probate Judge
Brian Wallace, Marion County Sheriff

SCAC Staff Contact: Daina M. Riley

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 \$308 million from FY 2008-2014, representing a 22.7 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.

911 Charges - (1) Support adjusting 911 charges for inflation; (2) Support including radio communications equipment or telecommunications equipment in 911 charges so long as the equipment is for 911 centers or public safety answering points.

Body Cameras – Support legislation requiring the legislature to fully fund law enforcement body cameras.

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 and to provide a further exemption for firefighters acting as or performing EMS services.

Funding and Other Law Enforcement Reforms - SCAC supports the General Assembly's efforts to bring various parties together to find common ground; however, any solution should include the voice of the county council and the sheriff.

Law Enforcement Accreditation or Credentialing - SCAC supports the efforts to reduce liability; however, any mandate should require approval by the sheriff.

Medical Marijuana – Oppose the legalization of medicinal marijuana due to the lack of FDA approval.

POLICY POSITIONS

Public Safety, Corrections and Judicial

Regulation of Hotels, Motels, Restaurants, and Boardinghouses – Support legislation that would allow counties to, by ordinance, provide rules and regulations regarding the conduct and operation of hotels, restaurants, cafes, and lunch counters within the county to provide for the public health, comfort, and convenience.

Reimbursement for Firefighter or EMS Training Costs – Support legislation that would require a subsequent hiring governmental entity to reimburse the first entity for the costs of mandatory training of full-time firefighters and full-time EMS personnel, if the firefighter or EMS worker is hired by the second entity within two years of training completion.

POLICY POSITIONS

Public Safety, Corrections and Judicial

CORRECTIONS

National 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.

Age Requirement of Class I Law Enforcement Officers – Oppose lowering the minimum age required to become a Class I law enforcement officer from 21 years of age to 18 years of age.

Age Requirement of Class II LCO’s - Support legislation allowing an 18 year old to participate in a cadet program that would allow a cadet completing the program at 19 years old to serve as a Class II local corrections officer.

Cell Phones in Jails – Support legislation that would aid in the elimination of cell phone use by inmates.

Housing State Prisoners in County Jails – (1) Should any legislation be introduced, SCAC supports a program that would transfer state prisoners to county jails so long as the program would be completely voluntary and would require the consent of the sheriff and the county governing body; (2) Oppose legislation authorizing SCDC to refuse an inmate under SCDC jurisdiction.

Operation of Vending Facilities by Commission for the Blind within Detention Centers - Support legislation that encompasses the compromise language of S. 1017 of 2020 that would only allow blind persons to operate vending machines outside of the secured areas of a detention facility or within if those operations began prior.

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.

State Loan Repayment for Public Service Lawyers and Other Professionals - Support legislation that creates a State Loan Repayment Assistance Program for lawyers and other college graduates who work in local and state government for at least a period of 5 years and to support legislation that provides a recurring funding source from existing or additional criminal, civil, and regulatory fees and fines.

**REVENUE,
FINANCE AND
ECONOMIC DEVELOPMENT**



REVENUE, FINANCE AND ECONOMIC DEVELOPMENT

STEERING COMMITTEE



**BELINDA D. COPELAND, CHAIRWOMAN
DARLINGTON COUNTY**

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: Owen A. McBride

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

Alternative Energy Property Tax Exemptions – While SCAC supports the use of alternative energy, the Association 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.

Annual DMV Registration Fees – Support amending § 56-3-610, et seq., to apply an annual vehicle registration fee by the Department of Motor Vehicles that is revenue neutral and support language requiring all counties to be compliant with the latest version of the County Issuance of Decals and Registrations System (CIDRS-2).

Assessment Ratios – Oppose legislation to decrease the manufacturing assessment ratio from 9 percent to 6 percent as it limits the county’s ability to provide local economic development incentives. Oppose legislation reducing the commercial property assessment ratio from 6 percent to 5 percent because of its drastic negative impacts on local property tax revenue.

Assessed Value Appeals – Support a legislative solution to provide that if a property’s assessed value is reduced due to COVID-19, it will be assessed at the appropriate value the following year.

Community Development Block Grants – Disaster Recovery Funds (CDBG-DR) – Support the Disaster Recovery Office being housed within the Department of Administration. Also, support cooperation between the Disaster Recovery Office and the affected county governments in developing and implementing plans for the CDBG-DR funding allocated to South Carolina.

County Budget Flexibility – Support any legislation that provides county budget flexibility. Support legislation to allow a county to conduct a referendum for voters in the county to approve an exemption from the millage cap found in § 6-1-320 for any local government function.

County Insurance Premium Taxes and Franchise Fees – Support legislation allowing counties the same authority as municipalities in imposing both insurance premium taxes and franchise fees in the unincorporated areas of the county.

County and University Economic Development Ventures – Support legislation granting authority to public institutions of higher education, including two-year technical colleges, to enter into agreements with local governments and have a vested interest in enterprises or ventures that result from these arrangements.

Delinquent Tax Sales Online – (1) Support legislation to allow counties to conduct delinquent tax sales online; (2) Support legislation to allow the official responsible for judicial sales the option to conduct sales online.

POLICY POSITIONS

Revenue, Finance and Economic Development

Filing Business Personal Property Returns – (1) Oppose legislation requiring all business personal property tax returns to be filed with the Department of Revenue (DOR); (2) Support legislation that would allow counties, at their option, to contract with the Department of Revenue (DOR) to directly receive returns required by § 12-37-979, with the exemption of manufacturing or other personal property normally valued by DOR (i.e. PT-100 forms).

Homestead Exemption – Support legislation to require that a qualifying dwelling for purposes of the homestead exemption also meet all requirements for the 4 percent special assessment ratio and be receiving the 4 percent special assessment ratio.

Impact Fees – Support legislation allowing South Carolina counties to broaden the allowable scope of impact fees, and to make them more flexible and easier to impose and administer.

Internet Sales Tax – Support legislation requiring online retailers to remit all sales taxes to the appropriate taxing authority, including county government in the case of locally imposed sales taxes.

Legal Residence for Foreign Nationals – Support legislation to require a foreign national to have a permanent residence card to qualify for the 4 percent assessment ratio.

Legal Residence when Separated – Support legislation to amend § 12-43-220(c) to reflect the appropriate separation language when couples are operating under a separate maintenance and support agreement.

Local Government Fund – Support the current Local Government Fund formula with a yearly increase in the fund corresponding with the growth in the state general fund, up to 5 percent.

Local Option Infrastructure Funding Limitations – Support legislation allowing for an overlay of the various infrastructure pennies, allowing for an additional penny to be added to these authorizations, or both.

Magistrates' Salaries – Support increasing magistrates' salaries as long as the legislation doing so is revenue positive and the salaries remain decoupled from circuit judges' salaries.

Millage Cap Opt-Out – Support legislation to allow a county to opt out of the millage cap limitation found in § 6-1-320 and support that the opt out be triggered automatically to make up for an audited budgetary shortfall or by an ordinance passed by a majority vote of county council.

Mobile Home Titles – Support legislation to require mobile homes to be titled similarly to vehicles.

POLICY POSITIONS

Revenue, Finance and Economic Development

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

Online Document Storage Fee – Support legislation giving counties the option to impose a technology fee on recorded instruments and public records for the purpose of defraying the cost of converting the records to electronic storage and providing electronic access.

Online Public Notice – Support legislation allowing online publications to meet the requirement of public notice. The online publication must be posted prominently on the county’s homepage.

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, with the exception of active duty military.

Private Residence Vacation Rentals – Support legislation to require short-term residential rental services to collect and remit all local taxes to the appropriate local taxing authority, including the local accommodations tax. Also, oppose any legislation that preempts county government’s ability to regulate short-term residential rentals.

Protection of Delinquent Taxpayers – (1) Support legislation to amend § 12-51-130 to require a statement signed by the owner of record immediately before the end of the redemption period acknowledging that the owner has been advised that they are entitled to claim any tax sale overage.

(2) Support legislation to add § 30-4-40 (20) allowing a public body to exempt from disclosure the identity or personal identifying information of anyone who bids at a delinquent tax sale unless the bidder consents in writing to the release of such information in a manner satisfactory to the delinquent tax collector who conducted or was responsible for overseeing the conduct of the sale where the bidder’s information was obtained; provided, however, that upon the expiration of the redemption period, the identity of the successful bidder of the sale at issue shall be subject to release.

(3) Support legislation to add § 40-5-400 to clarify that any assistance offered or provided for a fee, consideration, or compensation to anyone in the collection of a tax sale overage shall constitute the practice of law.

(4) Oppose legislation requiring the clerk of court or register of deeds to require an affidavit from a delinquent tax payer stating the amount, if any, of overage generated by a tax sale and acknowledging that the grantor has either received the overage or has at least been advised of the overage.

POLICY POSITIONS

Revenue, Finance and Economic Development

Property Tax Installment Payment Flexibility – Support legislation giving more discretion to counties and the Treasurer when collecting installment payments from taxpayers.

Return to Work – Support legislation removing the \$10,000 earnings limitation and reducing the time period an employee must remain out of work before they can return to work.

South Carolina Retirement System – SCAC understands the dilemma facing the State with regards to the unfunded liability of the retirement system; however, any fundamental change to the system must not affect promises made to current employees and retirees in the existing state pension system. SCAC supports having county government be involved in the administration of any new system. If the state decides to go to a defined contribution plan, SCAC supports county governments being allowed to develop and operate their own independent defined contribution plan.

State Health Plan Employer Premiums – Support legislation requesting PEBA to reevaluate the three categories for experience rating under the State Health Plan, expanding the small group classification from 100 covered lives to 150 covered lives.

Tiny Homes – Support legislation that would standardize the treatment of tiny homes for taxation, inspection, and code enforcement.

Tort Claims Act – Although SCAC believes the current tort claims limits are appropriate, SCAC staff will monitor any amendments and ensure county interests are protected to the greatest extent possible.

Wage Increase for Probate Judges – Oppose legislation to increase the minimum salary amounts for probate judges set in statute.

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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

Timothy C. Winslow, Executive Director

Joshua C. Rhodes, Deputy Executive Director and General Counsel

Anna B. Berger, Senior Director of Operations

| | |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Tish F. Anderson Deputy Director of Administrative Services | M. Kent Lesesne, Director of Governmental Affairs |
| Robert E. Benfield, ARM, AINS, Director of Risk Management Services | Robert J. Lyon, CPM, CPPB, IT/Procurement Director |
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| Sharon D. Berkowitz, Program Coordinator | Mark A. McKinney, Claims Manager |
| Amber L. Brazell, Program Coordinator | Burdetta M. Miller, Claims Adjuster |
| Janet L. Cook, Senior Claims Adjuster | W. Stuart Morgan III, Public Information Director |
| H. Warren Counts Jr., CPA, Controller | Colleen D. Motley, Senior Claims Adjuster |
| Caroline Deevey, CIC, AAI, CISR, CRIS, INS Insurance Trusts' Assistant Coordinator | Nilda A. Padgett, Director of Administrative Services |
| John K. DeLoache, Senior Staff Attorney | Daina M. Riley, Staff Attorney |
| Jennifer M. Haworth, Member Services Coordinator | Beth A. Segars, Claims Adjuster |
| Crystal D. Hayden-Jeffcoat, Claims Adjuster II | Pam N. Selkinghaus, ARM Insurance Trusts' Program Coordinator |
| John D. Henderson, ARM, ALCM Director of Insurance Services | Ann B. Shealy, Recovery Specialist |
| Van Henson, CPM, Risk Manager | Leslie M. Simpson, Staff Attorney |
| Chris W. Hinson, Senior Adjuster | Alexander W. Smith, Staff Attorney |
| Dana T. Homesley, Administrative Assistant | John J. Snelling, Senior Claims Adjuster |
| Kim P. Hudson, Senior Claims Adjuster | Rachael P. Stephenson, Claims Supervisor |
| Lang C. Kelly, ARM, AIC, Claims Manager | Ryan C. Tooley, Special Projects Coordinator |
| Pearlena A. Khalif-Govan, Administrative Assistant | Susan B. Turkopuls, Director of Research and Training |
| Cindy J. King, Accounting Manager | Rick K. Ucinski, Field Representative |
| N. Taylor Lee, Administrative Specialist | John O. Wienges Jr., Governmental Affairs Liaison |
| | 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, 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. Clemson University's Master of Public Administration Program is a sponsor of the Institute.

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 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

Phone: (803) 252-7255

In-state: (800) 922-6081

Fax: (803) 252-0379

scac@scac.sc

www.SCCounties.org

Local Leaders. Statewide Strength.®