

POLICY POSITIONS

for the

2023 SESSION



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

2022 SCAC LEGISLATIVE COMMITTEE

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Chairman, SCAC Legislative Committee*

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YORK COUNTY

Christi Cox, Council Chairwoman
Robert Winkler, Council Vice Chairman

POLICY POSITIONS *for the* 2023 SESSION
***of the* SOUTH CAROLINA GENERAL ASSEMBLY**

ADOPTED *by the* 2022 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

Cover Photo by Stuart Morgan

Looking skyward toward the capitals of the Corinthian columns in the south portico of the South Carolina State House. Ornate capitals top each of the columns on the north and south sides of the State House. Standing at 43 feet and each weighing 37 tons, they are among the largest columns in the world.

POLICY POSITIONS *for the* 2023 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 presents his/her committee report at a general session meeting of the Legislative Committee. The members of the Legislative Committee discuss each proposed legislative policy position, and then either amend, adopt, or reject the recommendation. If adopted by the Legislative Committee, those policy positions are 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* 2023 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:

County Representatives:

Harold Buckmon, Barnwell County Chairman
Dr. Tiffany Cooks, Williamsburg County Supervisor/Chairwoman
Christi Cox, York County Council Chairwoman
Robert T. Dunn, Anderson County Council Chairman
C. Rick Gooding, Allendale County Council Chairman
Steven C. Grice, Dillon County Council Chairman
William R. Hearn Jr., Dorchester County Council Chairman
Joseph F. Passiment Jr., Beaufort County Council Chairman
Brown Patterson, Laurens County Council Chairman
Bill Tuten, Charleston County Administrator
Overture Walker, Richland County Council Chairman
Scotty R. Whetstone, Lexington County Council Chairman
Travis Windham, Lee County Council Chairman

SCAC Board Members:

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

President's Appointees:

Sarah W. Brock, Beaufort County Clerk to Council
Blair T. Hinson, Oconee County Library Director
Todd Humphries, Cherokee County Veteran Affairs Officer
Connie N. Portee, Orangeburg County Clerk to Council
Dana Wilkerson, Lexington County Chief Human Resource Officer
Joanie 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 Veterans' Affairs Officers – (1) Support legislation that would provide a CVA officer is an at-will employee of the county legislative delegation and is considered a county employee; (2) Support legislation that would provide that a CVA officer is subject to removal for cause, at any time, by a county delegation; and (3) Support legislation that would provide that the Secretary of SCDVA may offer recommendations to the county delegation after annual reviews of the local county CVA office.

Workers' Compensation and Health Insurance Coverage for Psychological Injuries – (1) Support legislation that would expand funding and healthcare to ensure that there is coverage for all first responders needing treatment for mental injuries. (2) While SCAC opposes legislation that would amend § 42-1-160 to reduce the standard for mental-mental claims, in the alternative, SCAC would support a compromise reached by stakeholders that requires an employee with mental injuries to be under the care of a treating physician and only be entitled to a claim for workers' compensation after the treating physician makes a determination that the employee is disabled as a result of a work-related mental injury.

Workers' Compensation Benefits for a First Responder, Healthcare Provider or Correctional Officer Contracting COVID – Oppose 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.

GENERAL

County Elector Challenges and Hearing Timeframes – Support legislation to amend Section 7-5-230 to specify that the hearing must be scheduled within 10 business days.

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 or illness, will qualify the widow or widower for the relevant tax exemption.

INTERGOVERNMENTAL RELATIONS

Library Funding – Support legislation for State Aid funding for libraries in FY22/23 up to \$3.00 per capita with a minimum grant of \$150,000 per county.

POLICY POSITIONS

County Government and 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.
- 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.

**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:

Allen Blackmon, Lancaster County Council
Barbara B. Clark, Jasper County Chairwoman
Spencer Donaldson, Bamberg County Council Chairman
Ben C. Ivey III, Union County Council Chairman
Justin McCorkle, Spartanburg County Council
Willis Meadows, Greenville County Council Chairman
Charles P. Midgley, Jr. Marlboro County Council Chairman
Jim Moore, Saluda County Council Chairman
Steven D. Murdaugh, Colleton County Council Chairman
William C. Norris, Abbeville County Council Chairman
Columbus Stephens, McCormick County Administrator

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
Christopher S. Inglese, Newberry County Administrator
Danny Knight, Horry County Solid Waste Authority Executive Director
Andrea N. Melocik, Charleston County Planning and Zoning Deputy Director
Michael Smith, Richland County Building Official

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 and buildings.

Disposal of Lithium-ion Batteries – Support legislation or regulations providing disposal guidelines for lithium-ion batteries.

Disposal of Rooftop Solar Panels – Support legislation or regulations providing disposal guidelines for rooftop solar panels in landfills.

Lot Cleanup – (1) Support legislation giving counties the authority to cleanup both structures and lots and recover the costs associated with the cleanup from the property owner on the tax bill.

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

Waste Tires – Support legislation that would address the increasing cost of waste tire disposal that county governments are currently facing, including, but not limited to: (1) Increasing the current \$2 advanced recycling fee. (2) Eliminating the current \$150/ton cap to allow counties across the State to address their local cost of disposal.

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.*

Solid Waste Flow Control – (1) Oppose legislative efforts to undermine counties' authority to address their responsibilities regarding the disposal of solid waste. (2) Support legislation providing counties with increased flexibility and accessibility to solid waste disposal.

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.

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

Transportation Infrastructure Project Funding – Support legislation providing for alternative funding sources and methodologies that would expedite project delivery for transportation infrastructure projects.

**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:

Moses W. Bell, Fairfield County Council Chairman
Chris Bowers, Pickens County Council Chairman
Gary Bunker, Aiken County Council Chairman
Hattie Burns, Chesterfield County Council
Joseph Garvin, Orangeburg County Council
Bobby C. Hudson, Darlington County Council Chairman
Todd Johnson, Newberry County Council Chairman
James T. McCain, Sumter County Council Chairman
Chuck Moates, Greenwood County Council Chairman
Louis R. Morant, Georgetown County Council Chairman
Albert Talbert, Edgefield County Council Vice Chairman

SCAC Board Members:

Cam Crawford, Horry County Council
S. Ray Graham, Anderson County Council
Waymon Mumford, Florence County Council
William E. Robinson, Allendale County Council

President's Appointees:

Jonathan W. Bryan, Sumter County Attorney
Doug Bryson, Spartanburg County Emergency Services Director
James C. Campbell, Sumter County Clerk of Court
J. Frank Daniel Sr., Saluda County Council
Kelvin Jones, Hampton County Detention Center Director
Amy McCulloch, Richland County Probate Judge
Timothy L. Nanney, Greenville County Register of Deeds
Bobbi J. O'Neal, Charleston County Coroner
Lynn Sturkie, Lexington County Administrator
Carolyn Woodruff, York County Probate Judge

SCAC Staff Contact: Kent Lesesne

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.

Animal Control – Breed Registration – Oppose legislation that would mandate dog breed registration by local governments.

Coroner Classification as First Responders – Support legislation that would classify coroners as first responders.

Reimbursement for Emergency Medical Technicians (EMTs) and Paramedics Training Costs – Support legislation that would require a subsequent hiring entity to reimburse the first entity for the costs of mandatory training of full-time EMTs and Paramedics if the EMT or Paramedic is hired by the second entity within two years of training completion.

Reimbursement for Firefighter 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 if the firefighter 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.

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

Medicaid Benefits for Former Inmates – Support legislation to authorize the Department of Corrections and local detention facilities to suspend, rather than terminate, Medicaid benefits for inmates so that these benefits can resume immediately upon release, and to provide that any benefit received by a pretrial detainee prior to conviction cannot be suspended until a guilty verdict is rendered.

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.

Auditor's and Assessor's Endorsements on Deeds – Support legislation that would repeal §§ 8-21-130, 30-5-80 and striking the second sentence of § 12-39-260(A) to remove the requirements that all deeds must be endorsed by the county auditor before being filed with the register or clerk of court. Additionally, support legislation to amend existing statutes as follows:

- (1) add a subsection to 30-5-120 that would read: “(B) All conveyances of real estate which were recorded by a clerk of court or register of deeds of any county, where the conveyances meet the prerequisites for recording in SC Code 30-5-30, without the endorsement of the auditor of the county, have heretofore been declared to be valid and binding, to all intents and purposes, as if such conveyances have been endorsed by the auditor of the county.”; and
- (2) add the following sentence to Section 12-39-260(A): “(A) Each county auditor may keep a record of all sales or conveyances of real property made in the county, in which he shall enter, in columns, the names of the purchaser and seller, the quantity of land conveyed and the location and price of such land, and from such record he shall correct the county duplicates annually. ~~For the purpose of carrying out this provision, the clerk of courts or register of deeds of each county shall have the endorsement of the county auditor on each deed of conveyance for real property that the conveyance has been entered in his office before such deed can be placed on record in the recording office, and the county auditor shall be entitled to a fee of twenty five cents, for his own use, for making such entry and endorsement. For the purpose of carrying out this provision, provided the county auditor chooses to keep a record of all sales or conveyances of real property made in the county, the clerk of court or register of deeds of each county may have the endorsement of the county auditor on each deed of conveyance for real property either before or after recording.~~”

POLICY POSITIONS

Public Safety, Corrections and Judicial

Deed Standardization – Support legislation that would establish uniform standards for deeds as well as a non-compliance fee if the deed does not meet the proposed statutory requirements.

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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Jason P. Phillips, Anderson County Treasurer

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

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 be compliant with the latest version of the County Issuance of Decals and Registrations system (CIDRS-2).

Assessment Ratios – Oppose any legislation that would reduce the assessment ratio on commercial property from 6% to 5%.

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.

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

Delinquent Tax Sales Online – Support legislation to allow counties to conduct delinquent tax sales online, and support legislation to allow the official responsible for judicial sales the option to conduct sales online.

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. Also support increasing the current \$50,000 threshold as long as the outcome is revenue neutral for counties.

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.

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 to amend the Code to allow for the imposition of both local school taxes and a Local Transportation Tax.

POLICY POSITIONS

Revenue, Finance and Economic Development

LOST Plus Educational Penny – Support legislation repealing or amending the Code to allow for the imposition of a Local Option Sales Tax in addition to an Educational Sales Tax, regardless of the amount of each tax.

Low Income Reporting Requirements – Support legislation requiring yearly reporting by property owners qualifying for the property tax exemption in § 12-37-220(B)(11)(e) of the Code in order to continue to receive the exemption.

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 Flexibility – Support legislation to allow counties to exceed the millage cap for fire protection purposes.

Mobile Home Titles – Support legislation to require mobile homes to be titled similarly to vehicles and support a requirement that the Department of Motor Vehicles annually notify each county of all mobile homes in the county.

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.

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.

Protecting FILOTs – Support legislation to help promote and protect a county’s authority to enter into fee-in-lieu-of-taxation agreements with companies to bring jobs to South Carolina and oppose any legislation that would hinder a county’s ability to enter into these agreements.

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

POLICY POSITIONS

Revenue, Finance and Economic Development

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 taxpayer 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.

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.

State Health Plan Employer Premiums – SCAC supports legislation requesting the Public Employment Benefit Authority (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.

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.

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

Titling of Boats and Motors – Oppose any legislation that would amend the current process of titling boats and motors separately by only requiring the titling of boats.

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.

POLICY POSITIONS

Revenue, Finance and Economic Development

User Fees – (1) Support legislation to protect county user fees and the important revenue they produce.

(2) Support legislation clarifying that since the Supreme Court determined that user fees are taxes, any dispute involving these fees should be governed by the S.C. Revenue Procedures Act.

(3) Support legislation preventing a court or an administrative law judge from staying or preventing the department or an officer of the state or political subdivision charged with a duty in the collection of taxes, from acting to collect a tax, whether or not the tax is legally due.

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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	Cindy J. King, Accounting Manager, SCCWCT
Robert E. Benfield, ARM, AINS Director of Insurance Services	N. Taylor Lee, Senior Claims Coordinator, SCCWCT
Kelly H. Benson, AIC, Senior Claims Adjuster, SCCWCT	M. Kent Lesesne, Director of Governmental Affairs
Sharon D. Berkowitz, Program Coordinator	Chase J. Lloyd, Claims Coordinator, SCCWCT
Isabella F. Branham, Research Associate	Robert J. Lyon, IT/Procurement Director
Amber L. Brazell, Program Coordinator	Owen A. McBride Assistant Director of Governmental Affairs
Janet L. Cook, Senior Claims Adjuster, SCCWCT	Mark A. McKinney, Claims Manager, SCCP<
Sandra Corley, Senior Claims Adjuster, SCCWCT	Burdetta M. Miller, Claims Adjuster, SCCWCT
H. Warren Counts Jr., CPA, Controller	Cliff C. Miller, Risk Manager
Mary-Kathryn Craft, Director of Communications	W. Stuart Morgan III, Public Information Director
Caroline Deevey, CIC, AAI, CISR, CRIS, INS Insurance Trusts' Program Coordinator	Colleen D. Motley Subrogation and Recovery Supervisor, SCCWCT
John K. DeLoache, Senior Staff Attorney	Nilda A. Padgett, Director of Administrative Services
Sue L. Gist, Senior Claims Adjuster, SCCWCT	Beth A. Segars, Claims Adjuster, SCCWCT
Jennifer M. Haworth, Member Services Coordinator	Pam N. Selkinghaus, ARM, Director of Underwriting
Crystal D. Hayden-Jeffcoat, Claims Adjuster II, SCCWCT	Leslie M. Simpson, Staff Attorney
John D. Henderson, ARM, ALCM, Senior Advisor to the Director of Insurance Services	Alexander W. Smith, Deputy General Counsel
Van Henson, CPM, Director of Risk Management	John J. Snelling, Senior Claims Adjuster, SCCWCT
Chris W. Hinson, Senior Adjuster, SCCP<	Rachael P. Stephenson, Claims Supervisor, SCCWCT
Dana T. Homesley, Administrative Assistant	Susan B. Turkopuls, Director of Research and Training
Kim P. Hudson, Senior Claims Adjuster, SCCWCT	Rick K. Ucinski, ARM, Field Representative
Lang C. Kelly, ARM, AIC, Claims Manager, SCCWCT	John O. Wienges Jr., Staff Attorney
Pearlena A. Khalif-Govan, Administrative Assistant	Mary E. Williams, Administrative Assistant

What is the SCAC?

Local Leaders. Statewide Strength.®



South Carolina Association of Counties, chartered on June 22, 1967, is the only organization dedicated to statewide representation of county government in South Carolina. A nonpartisan, nonprofit organization with a full-time staff in Columbia, SCAC is governed by a 29-member Board of Directors selected by county officials at the Association's Annual Conference.

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

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 S.C. General Assembly during this conference.
- **Annual Conference**—Held in August, this conference is open to all elected and appointed officials. The conference includes a business session, general session, workshops, group meetings, and exhibits of county products and services.
- **Legislative Conference**—Held in December, this conference allows members of the Legislative Committee to discuss and adopt a legislative program for the upcoming year. The committee is composed of each council chairman along with the Association's Board of Directors.

Education

The Association, in cooperation with the Joseph P. Riley Jr. Center for Livable Communities at the College of Charleston, conducts the Institute of Government for County Officials (Level I, Level II, and Advanced levels). Clemson University's Master of Public Administration program is a sponsor of the Institute.

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

SCAC also sponsors a number of webinars on a variety of topics for county officials and employees throughout the year at no charge to counties. Recordings of the webinars are made available in the Association's online educational library via SCCounties.org/webcasts-and-webinars.

Financial Services

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

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

Legal Assistance

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

The Association provides support to counties involved in litigation that might affect other counties. It also sponsors the Local Government Attorneys' Institute, which provides six hours of continuing legal education for local government attorneys.

Setoff Debt Program

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

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

Legislative Information

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

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

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 a year to keep the Association's membership informed about legislation and various county news. *County Focus Magazine* is published four times a year and features articles on county trends, innovations, and other subjects of interest to county officials—including a "County Update" section.

Research and Technical Assistance

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

SCAC's website address is:
SCCounties.org

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

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**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

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