

Clearing blight with code enforcement

A concern echoed at every Regional Advocacy Meeting this fall was the challenge of blighted properties that cities and towns of all sizes struggle with daily. Blight has many negative repercussions. Dilapidated and unsafe buildings affect residents' physical and emotional well-being and compromise a city's ability to ensure public safety. Maintaining property values and fostering economic development opportunities are also more difficult in blighted areas.

"Before clearing blight from their communities, town officials must first be committed to the effort," said Scott Slatton, the Association's legislative and public policy analyst. "Dealing with blighted buildings often causes conflict within the community,

but adopting code enforcement as a council priority sets a clear tone for improvement."

Also training city staff who are responsible for code enforcement is essential. Training offered by the Building Officials of South Carolina and Palmetto Property Maintenance Officers Associations are recommended.

About the Loris town council's renewed commitment to clear blight, Mayor David Stoudenmire said in an interview with *The Loris Scene*, "It is something we need to do ... it is going to be a tough road. It is not going to be a popular road. ... But, we have got to stand together on it."

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City officials need to make sure they have the proper ordinances in place to clear overgrown lots, remove abandoned vehicles and get rid of other street-level blight, Slatton noted. “Councils should adopt maintenance codes to ensure buildings are maintained to prevent blight. Without ordinances like the International Property Maintenance Code, a town has no legal authority to clear blight.”

Enforcing ordinances is the next, sometimes difficult, step to clearing blight; however, it does not necessarily have to mean increased expenses for the city.

From code enforcement officials to police officers to town administrators, towns across the state use a variety of personnel to achieve their goal of clearing blight. A 2007 study on code enforcement by the Institute for Public Service and Policy Research at the University of South Carolina found that cities used 13 different city departments to help clear blight. The Town of Kiawah Island contracts with a private company while the City of Marion contracts with the county. The cities of Liberty and Central share a part-time building official. The City of Hanahan uses police officers for nuisance abatement.

A common theme city officials voiced during the fall Regional Advocacy

Meetings was the lack of funding for code enforcement efforts to help clear blight. If towns need additional funds, several options are available. The City of Laurens collects a community improvement fee that funds demolition of dilapidated structures. The City of Conway adopted the Rebuild Conway Program, a comprehensive neighborhood revitalization effort that recently won an Achievement Award from the Municipal Association.

Some towns bill property owners directly for lot clearing. Others attach liens to property, which is allowed by state law. None of these funding strategies fully cover the costs of clearing blight, but these investments have a multiplying effect in neighborhoods and across cities.

Realizing that cities need more tools are needed to clear blight, the Municipal Association continues to advocate the passage of the Dilapidated Buildings Act. This legislation would add a new option to a city’s existing tools to deal with blight when all other available options have been unsuccessful. Get details about the Act at www.masc.sc (keyword: DBA).

Clearing blight is difficult, necessary work that ensures a community’s safety and viability. However, with the right strategies in place and passage of the Dilapidated Buildings Act, cities and towns can be successful.

Gain recognition with 2015 Achievement Awards

The Municipal Association's Achievement Awards program gives cities and towns the chance to make headlines for the good work they do in their hometowns.

The program recognizes excellence in local government programs, reminds residents and businesses of the value they derive from the city or town where they live, and allows city officials to share best practices with their peers.

A city or town can enter just one of the nine categories. Judges will evaluate population category entries solely on the written application. They will evaluate subject

category entries on the written entry and an oral presentation scheduled for March 2 or 3.

Municipalities with a population of 20,000 or less may participate in a population or subject category. Those with a population greater than 20,000 must compete in a subject category.

The Association will post the online entry brochure on its website (www.masc.sc) this month and mail the printed version on December 15. The application deadline is Wednesday, February 11.

For more information, contact Meredith Houck at 803.933.1215 or mhouck@masc.sc.



MCTI graduates nine

In September, nine local officials graduated from the Municipal Clerks and Treasurers Institute, a three-year program that provides municipal clerks and treasurers with the skills critical to their professions.

To receive their certificates, the graduates attended more than 120 class hours on topics such as financial management, overview of government, public administration, conducting meetings and the role of the municipal clerk.

During the September session, Beverly Julian, clerk for the Town of Eutawville, received a three-year scholarship to attend the Institute. The scholarship is underwritten by the Municipal Association and is available only to South Carolina Municipal Finance Officers, Clerks and Treasurers Association members.

The fall graduates are Teresa Benjamin, deputy clerk, City of Hartsville; Lauren Clary, clerk, City of Gaffney; Cameron Evans, town clerk/treasurer, Town of Estill; Susan Howell, accounting supervisor, City of Greer; Leonard Lowery, human resources director, Town of Kingstree; Ladeana Mabe, assistant clerk/Police Department clerk, City of Wellford; Pamela Mathews, treasurer/water and taxes, Town of Fairfax; Paula Payton, municipal clerk, Town of West Pelzer; and Inell Waring, administrative clerk, Town of Blackville.

Population Categories

- 1-1,000 population
- 1,001-5,000 population
- 5,001-10,000 population
- 10,001-20,000 population

Subject Categories

- Communications
- Economic Development
- Public Safety
- Public Works
- Public Service

New pregnancy discrimination guidelines

Congress enacted the Pregnancy Discrimination Act in 1978 to clarify that discrimination based on pregnancy, childbirth or related medical conditions is a prohibited form of sex discrimination based on Title VII of the Civil Rights Act of 1964. The PDA requires employers with 15 or more employees treat women affected by pregnancy or related medical conditions the same way they treat nonpregnant applicants or employees who are similar in their ability or inability to work.

This July, the Equal Employment Opportunity Commission issued new enforcement guidance. The first comprehensive update since 1983, EEOC updated prior guidance on this subject in light of legal developments during the past 30 years, such as the Americans with Disabilities Act, Family and Medical Leave Act, reasonable break time

for nursing mothers under the Affordable Care Act, and other requirements affecting pregnant employees.

The guidance requires employers to provide reasonable accommodation to employees who have work restrictions because of pregnancy even if the employee does not qualify as disabled or is not regarded as disabled under the American with Disabilities Act. It also requires equal access to benefits including light duty, leave, health care and various other benefits.

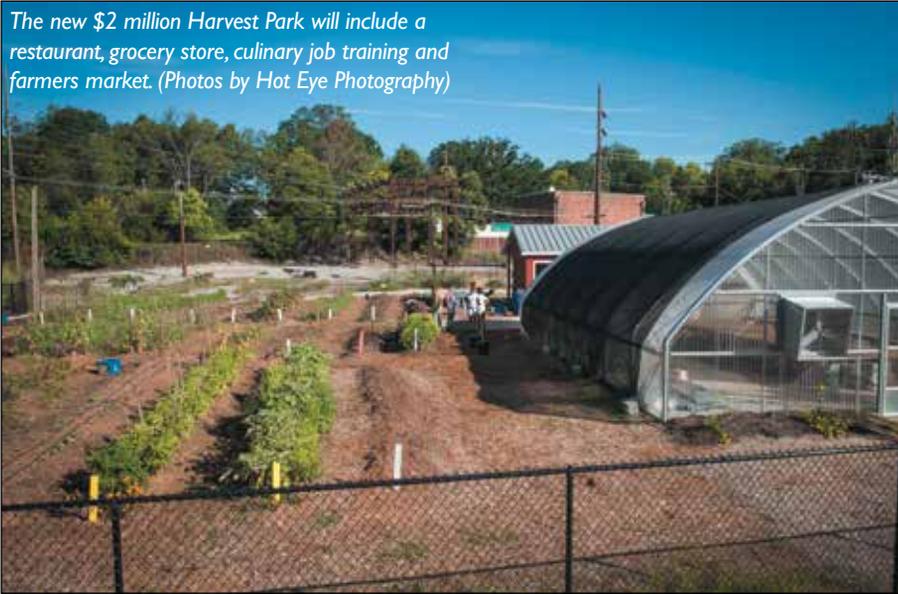
Linda Edwards, labor attorney with Gignilliat, Savitz & Bettis law firm, will discuss the new EEOC guidance during her legal update session at the Municipal Human Resources Association's Annual Meeting in November. For more information about MHRA and its Annual Meeting, visit www.masc.sc (keyword: MHRA).

NEWS BRIEFS

The SC Department of Health and Environmental Control awarded grants to the **City of Myrtle Beach**, **City of North Myrtle Beach** and **City of Folly Beach** to improve public access to beaches.

The SC Chapter of the International Association of Business Communicators awarded the **Municipal Association** with its Award of Excellence for the Annual Meeting mobile app and its Award of Merit for the *City Connect* blog.

The new \$2 million Harvest Park will include a restaurant, grocery store, culinary job training and farmers market. (Photos by Hot Eye Photography)



Making healthy food accessible

The Northside of Spartanburg was 400 acres of blight, where poverty ran rampant and about half the homes were vacant. The only grocery store option for residents was a convenience store that had a gas station and liquor store attached.

City leaders had discussed ways to revitalize the neighborhood. Those discussions finally gained traction some five years ago when the Virginia-based Edward Via College of Osteopathic Medicine decided to invest \$30 million in a Carolina campus in the neighborhood. That investment energized the area. Plus public and private partners developed a vision for the Northside, which included mixed-income housing, commercial development, and improved access to health and wellness programs.

Community meetings were held to see what residents wanted in their neighborhood. In one such meeting, a resident wondered aloud if an ice cream truck could drive through their neighborhood and sell sweets, couldn't a vegetable truck bring them the healthy foods they lacked? The idea of the Healthy Food Hub was born.

The area, which was once a "food desert" where healthy, fresh foods were not easily accessible, will be home to the new \$2 million Harvest Park which will include a restaurant, grocery store, culinary job training and farmers market. Harvest Park—which was scheduled to open in late

October—aims to meet the needs of many residents by providing amenities, job training opportunities and healthy food options, said Northside Development Corporation Project Manager Curt McPhail.

"We have always celebrated our agricultural history," said Spartanburg Assistant City Manager Chris Story. "Now we have a new way of making it relevant, by exploring the economic development opportunities related to it."

Harvest Park will be a catalyst for investment. The foodies who routinely shop at the farmers market will be visiting and spending money in a neighborhood that historically has been one of the area's most distressed, Story said.

"All of this will raise expectations and expose development opportunities for this area," he added.

It's part of a growing trend to use locally sourced food as an engine for economic development. A number of counties and towns in the Upstate have begun discussing an Upstate regional food system, which would create a network of local food producers and small retailers in an attempt to spur growth, create local jobs and encourage healthy eating.

Many cities have established farmers markets because of their economic potential. In most cases, the market managers operate under a contract with the municipality. A few, like Greenville

and Easley, have a city employee who acts as market manager.

Lisa Garrett, manager of Easley's Farmers Market, said the 5-year-old market has had a great impact on the community.

"It brings people to our downtown every Saturday morning. A lot of our customers come every week to buy, visit with vendors and meet up with friends," Garrett said. "More and more people are looking for alternatives to the big box grocery stores. It has been one of our goals to bring awareness to the public about supporting our local farmers and growers, being able to talk to the farmers and learn how they grow their food."

Greenville County Planning Department Principal Planner Scott Park has been involved in the local food system movement for the past few years. He said the entire Upstate would see economic benefits from a regional food system plan. Rural counties have assets that more urban counties need, while urban areas have the market for rural goods, he said.

"The local food system allows for a wide variety of people to gain skills, jobs and tools for entrepreneurship to support themselves, their families and their communities," Park said. "From the farm, to distribution and processing, to adding value to local goods, and to retail establishments, all can become a bigger part of the local food system."

Florence Councilmember Octavia Williams-Blake and Senator Shane Massey encourage young professionals to run for office. (Photo by Penny Delaney Cothran, SC Chamber of Commerce)



Mary Catherine Farrell (l), assistant to city manager in Hartsville, and Cayce Mayor Elise Partin (r) (Photo by Penny Delaney Cothran, SC Chamber of Commerce)

Young professionals advised to get involved

Young professionals in business, government, education and nonprofits gathered in Columbia in late September for a summit sponsored by the SC Chamber of Commerce. These young leaders heard from a variety of speakers about why it's important to get involved in their communities and local governments, how to go about doing it and what it takes to be successful in community and local government service.

Political decisions are influenced by the people who show up ... that's the bottom line from several city and state officials who spoke about political influence and engagement on a panel at the summit moderated by Reba Campbell, deputy director at the Municipal Association, at the summit.

Senator Shane Massey from Edgefield noted that big decisions are going to be made that will impact you. "If you care about your community and problems we face, you have to be willing to get involved because those decisions will be made with or without you," he said.

Julie Horton, director of government affairs with the City of Greenville, agreed

with Massey's contention that showing up is critical. "It's the people who show up that are the people who are heard," said Horton. "So many people complain about government and never do anything about it."

Cayce Mayor Elise Partin used herself as an example of someone who got involved over an issue she passionately believed in. "There was something going on in my community I really wanted to change. I saw the opportunity to really make a difference when I ran for office."

Florence Councilmember Octavia Williams-Blake echoed Partin's motivation. "I didn't like the fact people could smoke in restaurants, and no one on council at the time seemed to think it was important," she said. "I ran on that issue and found lots of people in the city agreed with me."

The panel members also discussed what is important when people come to them about an issue. Williams-Blake said her number one priority is integrity. "People have to trust you and know you have integrity," she said. "Understanding both sides of an issue is critical. People on both sides of an issue can come to me, get an honest ear and I'll listen to both sides."

Massey said his approach is also to listen to both sides of an issue before coming to a decision. He advised the summit participants to make sure they do their homework before going to an elected official to try and influence a decision.

"If you really want to have influence with me, do your homework before you come see me. I shouldn't know more about your issue than you do," he said.

Horton also observed the importance of relationships in influencing political policy. "Maintain consistent contact with your elected leaders, especially when you don't necessarily need something," she said. "The trust you can establish through these ongoing relationships and involvement with your elected leaders will go a long way when you do need their help."

Partin reinforced the involvement message by encouraging the young professionals to get involved in some way. "It doesn't have to be elected office," she said. "Apply to serve on your local planning commission, get involved with the local chamber. Whatever works for you... just get involved."



Homelessness in South Carolina and America: The way to zero goes through cities

By Elisha Harig-Blaine, Principal Housing Associate (Veterans and Special Needs), National League of Cities

During the 1980s, 90s and into this century as homelessness rose in cities across the country, many thought it was an intractable problem. Some communities resorted to just trying to move people along, with sit/lie ordinances and bus tickets out of town. Efforts to address the underlying problems were lacking.

However, in recent years, there has been dramatic progress across the nation in the effort to end homelessness thanks to bold leadership, unprecedented community collaboration and historic levels of federal resources. These elements are being paired with data-driven strategies that have resulted in a decline for one subpopulation

that we can all celebrate. Since 2010, veteran homelessness has declined by 33 percent, paving the way for progress in other subgroups of the homeless population.

Dedicating more resources

Data from the U.S. Department of Housing and Urban Development shows fewer homeless veterans than chronically homeless individuals or people in families (see chart). The lower number of homeless veterans is a result of historic levels of resources dedicated to this subpopulation and the use of proven strategies.

Broad bipartisan congressional support exists for programs, administered by HUD and the U.S. Department of Veterans Affairs, that span the spectrum of housing need. As the capacity of programs such as HUD-Veterans Affairs Supportive Housing program, Supportive Services for Veteran Families and the Grant and Per Diem program

	Total Homeless	Total Persons in Families	Total Family Households	Total Chronic	Total Veterans
2010	649,917	241,951	79,446	109,812	74,770
2011	636,017	236,181	77,186	107,148	67,495
2012	633,782	239,403	77,157	99,894	62,619
2013	610,042	222,197	70,960	109,132	57,849
2014	Data not yet available	Data not yet available	Data not yet available	Data not yet available	49,933
% change 2010-2013(4)	-6.1%	-8.2%	-10.7%	-0.6%	-33.2%

Source: U.S. Department of Housing and Urban Development Point-in-Time Counts
<https://www.onecpd.info/resource/3031/pit-and-hic-data-since-2007>

have increased, the number of homeless veterans has steadily fallen.

In South Carolina alone, there are 685 HUD-VASH housing vouchers being used to support homeless veterans. Additionally, nonprofits across the state are administering millions of Support Services for Veteran Families dollars. In 2014, South Carolina received \$2 million from SSVF.

Federal resources have been complemented by philanthropic commitments. The Home Depot Foundation has committed more than \$83.7 million that has helped cities build or preserve more than 13,000 units of housing for veterans. In addition, volunteer groups of Home Depot associates known as

Team Depots have worked on more than 3,780 projects building or improving homes for veterans. In South Carolina, The Home Depot Foundation has invested nearly \$500,000 and volunteer support in 59 housing projects benefiting veterans.

When these federal and philanthropic investments are combined with the unique health and service benefits available to veterans and mainstream antipoverty resources, cities are showing they have the necessary resources to end veteran homelessness.

To build on the progress of the past four years and meet the federal goal of ending veteran homelessness by 2015,

First Lady Michelle Obama announced the creation of a Mayor's Challenge to End Veteran Homelessness. To date, more than 220 mayors, county officials, and state leaders have pledged their support.

To date, 12 South Carolina mayors (Aiken, Anderson, Charleston, Columbia, Conway, Florence, Greenville, Greenwood, North Charleston, Rock Hill, Spartanburg and Summit) have accepted the challenge to end veteran homelessness.

For more information about the Mayor's Challenge, visit <http://l.masc.sc/1msQOCu>.

For information on how the National League of Cities can help your community end veteran homelessness, email harigblaine@nlc.org.

Annual database review

Some people make a ritual of spring cleaning. At the Municipal Association, fall is the big cleanup time. Every year in early November, the Association asks municipal clerks to update and verify their city's information that the Association maintains in its database.

Every department at the Association uses this data to communicate information about issues important to cities and towns, including training opportunities and legislative updates. In addition, key demographic information about the city and the names of both elected officials and key municipal personnel appear in the Association's online directory.

Municipal clerks make updates using the Municipal Information Dashboard, accessible from the Association's website. While clerks can (and should) update information throughout the year, the Association will use the

information updated/verified in November for the 2015 *Municipal Officials and Legislative Directory*.

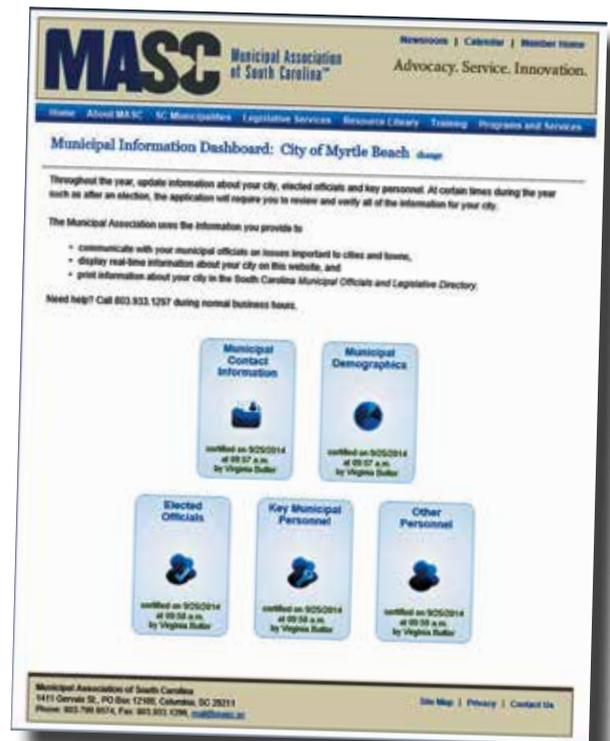
Speaking of spring cleaning, the Association debuted a new feature to the Dashboard in October. The new feature allows clerks to review a list of all municipal personnel and remove anyone no longer with the city. Previously, clerks could only remove elected officials no longer in office and key municipal personnel.

"I cannot stress enough how important it is for clerks to review the information carefully and make necessary changes," explained Miriam Hair, executive director of the Municipal Association. "For example, without accurate information, we won't be able to let you know a bill detrimental to

local governments is about to pass, or you may not receive information about the Annual Meeting or training offered by Risk Management Services and our affiliate associations.

Clerks will receive an email from the Association in early November (later if the city has a November or December election) asking them to go through the Dashboard process by November 28.

Contact Amy Gillian at agillian@masc.sc or 803.933.1288 with any questions.





Independent contractor or employee?

It is important for local governments to correctly determine whether individuals providing services are employees or independent contractors.

Generally, the city must withhold income taxes, withhold and pay Social Security and Medicare taxes, and pay unemployment tax on wages paid to an employee. The city does not generally have to withhold or pay any taxes on payments to independent contractors.

To determine if the person providing a service is an employee or an independent contractor, the city should review all information pertaining to the degree of control and independence the individual has. The information falls into three categories.

1. **Behavioral:** Does the city control or have the right to control what the worker does and how the worker does his or her job?

2. **Financial:** Are the business aspects of the worker's job controlled by the city? (These include things like how worker is paid, whether expenses are reimbursed, who provides tools/supplies, etc.)

3. **Type of Relationship:** Are there written contracts or employee type benefits (i.e. pension plan, insurance, vacation pay)? Will the relationship continue and is the work performed a key aspect of the city?

City officials must weigh all of these factors when determining whether a worker is an employee or independent contractor. Some factors may indicate that the worker is an employee, while other factors indicate that the worker is an independent contractor.

Elected officials and judges are always considered to be employees. The city should not issue a Form 1099-MISC to these individuals. They should receive a W-2.

According to the Internal Revenue Service, there is no "magic" or set number of factors that "makes" the worker an employee or an independent contractor, and no one factor stands alone in making this determination. Also, factors which are relevant in one situation may not be relevant in another.

IRS officials advise employers to look at the entire relationship, consider the degree or extent of the right to direct and control, and finally, to document each of the factors used to arrive at the final determination.

Employers may be held liable for employment taxes if they classify an employee as an independent contractor and have no reasonable basis for doing so.

If the city is unable to make a determination, the city or individual can request an official determination by filling Form SS-8 with the IRS. The IRS officials cautions that it can take up to six months to make a determination.



Provide notice of public meetings the right way

Properly noticing council meetings is not only the right thing to do; it required by state law.

Municipal clerk must give notice of meetings to members of council and the public. In fact, state law requires regularly scheduled meetings be noticed twice.

The first notice is the annual public meeting notice published before the start of the calendar year. The annual notice lists regularly scheduled meeting dates, times and locations.

The second notice is a written notice of each meeting or rescheduled meeting. It includes, but need not be limited to,

posting a copy of the meeting agenda, if there is one, at least 24 hours before the meeting at the town/city hall or at the building where the meeting is to be held and notifying the press and anyone having requested individual notice.

In June 2014, the SC Supreme Court ruled an agenda is not required for a regularly scheduled meeting. Despite this ruling, the Municipal Association recommends cities continue to follow the best practice of having an agenda in order to conduct the public's business in an efficient and effective manner. An agenda must be posted at least 24 hours before the meeting.

According to state law, the written meeting notice requirement applies to all public meetings of council with the exception of an emergency meeting.

A public meeting is defined as the convening of a quorum of any public body where business is discussed or conducted, regardless of whether votes will be taken. Calling a meeting a retreat or work session does not relieve the council of the mandatory public notice requirement as long as a quorum of council will be present.

When in doubt if a public notice is required, the prudent course of action is to provide public notice.

New online course added to Institute

A significant aspect of an elected official's duties is understanding the structure of state government, the state statutes that govern municipalities, and local officials' authority to create policy for their city or town. In creating laws or policies for their municipality, elected officials also need to understand how the policies they create impact their communities and city operations.

Jeff Shacker, field services manager for the Municipal Association, said that a frequent question he is asked by municipal officials is, "Why can't we as a city do a particular thing we want to do?" Most of the time, the answer is simply that state law does not allow it.

A great tool to learn about municipal governance is the newly released Municipal Elected Officials Institute of Government on-demand course "Municipal Governance and Policy." Through videos, interactive activities and simple quizzing, the course gives each participant a good, general understanding of how the laws of the state and their municipalities are structured.

"Municipal Governance and Policy" is the fourth in a series of five MEO courses that are offered online. The final course in the series, "The Freedom of Information Act in SC," will be available in December.

The ability to take required courses for the Municipal Elected Officials Institute on demand is a great option for municipal elected officials to get training without having to wait for the once-a-year broadcast sessions. The on-demand sessions give officials the opportunity to complete the classes quicker and the classes are available 24/7 at www.masc.sc (keyword: MEO).

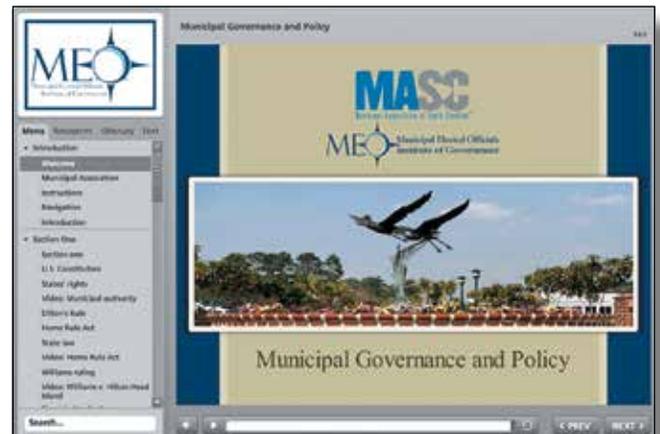
Councilmember Jan Wiles from Holly Hill said, "I just finished the online course 'Forms of Municipal Government.' It was wonderful! First of all, it was the most interesting material so far. But being able to replay parts is a huge plus! A big thanks for having this on demand."

These courses are also broadcast once each year to the offices of the regional councils of governments. These sessions offer officials the added benefit of interacting with other elected officials from

the area. Beginning in March, these broadcasts will be held from 11 a.m. – 2 p.m. instead of at night. The Association will mail the 2015 schedule with more details in December. This information will also be available on the website.

To graduate from the Institute, elected officials must complete these five courses as well as Session A and Session B which are offered each year in Columbia, the day before the Hometown Legislative Action Day. Officials who want to graduate at the 2015 Hometown Legislative Action Day but need to take one or more on-demand courses, must complete the course(s) by Monday, January 19 in order to graduate on February 4. Individual MEO Institute transcripts are available on the Association's website once the individual logs in with his username and password.

For more information, visit www.masc.sc (keyword: MEO) or contact Urica Floyd at ufloyd@masc.sc or 803.354.4754.



Rollback millage rate calculation

State law requires municipalities and counties to "roll back" their millage rate after reassessment of property values to ensure local governments receive the same amount of revenue from property taxes after reassessment as they did before.

In 2011, the legislature amended the rollback millage calculation to address local government concerns and take into account uncollected taxes and tax assessment appeals.

The legislature also changed the rollback calculation to adjust the total

reassessed property values to exclude increases in value in the current year resulting from a sale or transfer of property.

The 2011 formula guarantees the rollback property tax millage rate will raise the same amount of property tax revenue in the new year as it did in the prior year.

Total city property tax revenue collected in the year prior to reassessment



Total city property value after reassessment minus total increase in property values due to sales, renovations and construction in the year of reassessment



Millage



What your city can do to address gang activity

During the Hometown Legislative Action Day last February, Richland County Sheriff Leon Lott told the Association of SC Mayors, “Denial is the biggest thing that helps gangs grow. It is a sign of weakness to deny there is a problem. Our biggest problem in the past was that we were reactive ... We can’t just do enforcement. We have to be proactive.”

Local officials heard more of these warnings during a follow-up panel discussion at this year’s Annual Meeting in Charleston.

Detective Cam Hunter of the Greenville Police Department, Investigator Chris Roberts of the Spartanburg Police Department and Senior Sergeant Justin Kitchens of Charleston County’s Sheriff Al Cannon Detention Center shared their perspectives that focused not only on local governments’ direct role in gang prevention but also the role that the greater community must play.

The panelists agreed that every police department needs at least one officer trained in gang detection. Gangs have changed tremendously over the years

and have grown in their complexity. Although many law enforcement officers may be familiar with some of the more well-known hallmarks of these criminal organizations, a trained eye will recognize much of the symbolism and other gang markers that exist today.

Departments that do not have resources to train more than one officer can turn to the South Carolina Gang Investigation Association (www.scgia.org) as a valuable resource. The nonprofit association of gang investigators can offer valuable support to a department that lacks a full-fledged gang unit.

Each of the panelists also stressed the importance of greater communication between traditionally disconnected law enforcement entities. Officers working the streets need to stay in contact with resource officers who are working in schools and law enforcement professionals who are working in the jails. Increased collaboration and information sharing among these groups may allow officers to head off certain gang activity and detect emerging trends on the front end.

Each of the panelists also acknowledged that law enforcement officers must continue developing trust within the communities they serve. In many situations, gang members see the gangs as offering protection and security that was once found in families and communities. And gangs use various intimidation tactics to keep community members silent when gang activity is being investigated. By establishing trust between police and communities, law enforcement will increase the likelihood that community members will stand up to the gangs that are attempting to grow in their area.

Finally, panelists stressed that law enforcement cannot curb gang activity on its own. Community engagement is necessary. Gangs touch nearly every demographic and are not limited to any specific race, ethnic group or socioeconomic class. Communities should not wait for gang activity to become pronounced. Local leaders should take preventive steps to lessen the likelihood of gangs growing at all.

The panelists agreed that city officials and community members need to provide positive activities, especially for juveniles who can often be prime targets for gangs. Teachers and administrators need to pay attention to excessive bullying and increased levels of disorderly conduct among the youth they teach. Parents and guardians need to get back to parenting basics by becoming actively involved in their children’s lives and limiting or eliminating exposure to violent stimuli found in a growing number of video games and other media.

Gangs may not be eliminated any time soon, but they can be kept in check, weakened and in many cases prevented from getting a foothold if law enforcement and communities work together and all members do their part.

A Day in the Life of Fire Chiefs

As part of our series on the duties and responsibilities of municipal employees, we spoke with five fire chiefs from across the state. In recent years, all of these chiefs have been forced to do more with limited funding, while facing growing demands for safety in a post-9/11 world.



City of Greer Fire Chief Chris Harvey (right) chats with department members following the city's Safety Breakfast hosted by the committee Chief Harvey chairs. From left are Kevin Miller, Vernon Jameson, and Capt. Bobby James. The department's new truck recognizes Chief Harvey's service to the city as he prepares for retirement.

City of Greer Fire Chief Christopher Harvey has spent his entire career at the department and has served as chief since 1996.

At the Mauldin Fire Department, Russell Sapp has served as the fire chief for 10 years. He has been employed with Mauldin for 25 years, previously serving as fire marshal in charge of code enforcement and inspections. He also served as fire chief of the Belton Fire Department for two years.

Georgetown Fire Department Chief Joseph Tanner is a third generation fire chief—his father is the current chief in Johnsonville and his grandfather was the chief prior to him. Tanner has been in the

fire service for 35 years, starting out as a volunteer with the Johnsonville Volunteer Fire Department. He has been working for the City of Georgetown for 30 years and has been the fire chief for the past 16.

Conway Fire Chief Ricky Baker has been in his current position for about six years. He retired from fire service in the state of North Carolina with more than 30 years of service, including 16 years as fire chief.

Isle of Palms Fire Department Chief Ann Graham joined the fire service as a volunteer with Sullivan's Island Fire Department in 1982. She has been with the Isle of Palms Fire Department since 1985 and was promoted to fire chief in 1994, making her the first female fire chief in the state.

These chiefs agreed that there have been many improvements over the years in firefighter training and apparatus. These days firefighters get more training and are more prepared than ever before. The equipment has improved—and the prices have increased. Graham said the price of a fire truck has skyrocketed.

"There is more of an emphasis placed on the safety and survival of the firefighter, and it is built into their protective clothing, their radios, and their breathing apparatus and into the managing of the incidents that we respond to," Tanner said.

Through the years, the scope of the job has changed. Firefighters have gone from



Mauldin Fire and Rescue celebrated the grand opening and dedication of the newest fire station in March 2012. Chief Russell Sapp cuts the ribbon during the ceremony.

mainly answering fire calls to responding to specialized medical and rescue calls.

These days, Harvey said, his department personnel are trained in areas of confined space, hazardous materials, swift water rescue, trench rescue, and heavy rescue for emergencies such as train derailments and tractor trailer crashes.

There is a greater focus today on risk management, safety and OSHA compliance, with fire chiefs in many cities responsible for these areas for all city departments.

Many things have changed since the terrorist attacks of 9/11. Firefighters are now faced with more OSHA and FEMA requirements, including training on terrorist threats. The attacks also led to greater awareness of the need for local and state agencies to cooperate and function jointly during disasters, Harvey said.

Since 9/11, people are showing a greater appreciation of the services they receive from firefighters. Respect also grew for public safety personnel after the terror attacks, leading to a new found interest for many to join the fire service, Graham said.

Baker remembers that firefighters began talking about terrorism training in the late 1980s, but at that time there were lots of questions about why it

was necessary. After 9/11 occurred, it became clear just why it was needed. Now firefighters train on a variety of potential threats just to be prepared for any possibility, he said.

Graham also has seen some changes for women in the field.

“From my point of view, I believe that women are more accepted in the fire service now than when I joined. However, it is up to each individual to prove themselves in order to gain respect from others that is needed to truly fit in,” she said. “Uniforms and gear fit some women better than they did in the past. I believe that most men in the fire service are more respectful of women in the fire service whether they accept them or not.”

Sapp said his job is toughest at budget time when he makes requests to increase manpower. More manpower is required to adequately complete the job with enough personnel to ensure that everyone is safe, he added. Still, Sapp enjoys promoting the fire department and delivering the fire prevention programs used to teach children and adults to be more fire safe.

“I also enjoy the brotherhood the fire service represents and how everyone is family and takes care of one another,” Sapp said.



Fire Chief Ricky Baker, City of Conway



Fire Chief Joseph Tanner, City of Georgetown



(Photo provided by City of Columbia Police Department)

Support growing for *body cameras*

Some South Carolina police departments are beginning to use small cameras attached to their officers' uniforms as a way to collect information and protect both officers and residents.

Support for body-worn cameras has picked up nationally following the police shooting of an unarmed teenager in Ferguson, Mo., in August. But some South Carolina departments were using the cameras before the shooting and the subsequent unrest in Missouri.

By clipping onto the officer's hat, clothing or eyeglasses, the cameras can supplement dash cams in police cars and provide another video recording to show what happens on the street. The

video can be used to compile evidence, show interaction between an officer and a suspect, and determine whether probable cause was established.

Law enforcement officers say cameras also can help save time when investigating complaints by the public, improve the conduct of both police officers and the people being recorded, and help deter individuals from filing frivolous complaints.

Some departments hope to equip all officers with the cameras, while others target specific areas. The Columbia Police Department began using body cameras in August, primarily in the capital city's entertainment districts such as the Vista and Five Points. The CPD said it added

cameras as a way to increase transparency, assist the public, help with accountability and reduce the department's liability.

For police chiefs like Joey Reynolds of Bluffton, whose department of 41 sworn officers began testing and evaluating a few cameras several months ago, the experience has been overwhelmingly positive.

"It was eye-opening. We wondered how officers were going to accept it. I was pleased to see we had no pushback at all," Reynolds said. "The officers learned it helped them with compiling evidence and it protected them against unwarranted complaints."

Keith Thomas worked for the Cheraw Police Department for 24 years before

becoming chief this year. While he was an investigator, he occasionally was responsible for looking into complaints filed by individuals against officers. He found the cases often came down to the officer's word against the person making the complaint.

"I felt there had to be a better way to deal with it," said Thomas, whose department now uses the body-worn cameras. "My position is, 'We do it right,' and I want the community to know we will be transparent. What better way than to provide the officer with a camera?"

As a member of the SC Municipal Insurance and Risk Financing Fund (the Municipal Association-sponsored property and casualty insurance program), Cheraw applied for and received a grant to purchase five body cameras.

Thomas' biggest piece of advice to departments around the state: Be proactive. "You don't want to implement (cameras) after you need it. Every day you wait is a day you put yourself and your department in jeopardy of something bad happening. Even if you do everything right, it still can divide your community."

Richland County Sheriff's Department Major Chris Cowan, who is

president of the SC Law Enforcement Officers Association, said there has long been interest in body-worn cameras. Individual departments' concerns, he said, deal with cost and technology.

While he said cost does not outweigh safety concerns, departments may be hesitant to sink a large amount of money into body-worn cameras when the technology may change in a few months. Another aspect to consider is the capacity for storing data and the need for a policy on maintaining that data.

"Law enforcement is interested and sees the benefits," Cowan said. "But is the science there? And is it cost prohibitive?"

Steve Campbell, a retired Providence, R.I., Police Department major who is now a law enforcement trainer and consultant with the Public Agency Training Council, said cameras are becoming more prevalent around the country. He said the tool can protect officers on issues of probable cause and can capture spontaneous statements made by suspects and victims.

"They help police officers and prosecutors and assist the judge and jury to decide what is the truth of the matter," Campbell said. "We should embrace the technology."

Best practices for camera use

- Officers should record all calls for service that involves citizen contact, including traffic stops, citizen transports, investigatory stops and foot pursuits. Encounters with undercover officers or confidential informants should not be recorded.
- In the event an officer deems it necessary to stop recording, he should make a verbal statement citing his intentions to stop the recording and his reason.
- When entering a residence there is a heightened degree and expectation of privacy. As a general rule, if the officer must get the resident's consent to enter a premise, he should also inform the resident the event is being recorded.

Source: *Legal and Liability Risk Management Institute, a division of the Public Agency Training Council*

One percent fund guidelines

The General Assembly created the South Carolina Firemen's Insurance and Inspection Fund, or "1 percent fund," in 1907 to help fire departments improve and maintain their services.

The fund equals 1 percent of homeowners' fire insurance premiums generated in each county. The SC Department of Revenue collects the money and distributes it back to each county. The county treasurer then distributes the funds to each fire department based on the total assessed value of property within its coverage area. After the money is distributed, the South Carolina Firefighters Association ensures departments use 1 percent funds according to state law and regulations.

Each city or town whose fire department receives 1 percent funds

must appoint a three or five-member board of trustees that is charged with ensuring the money is spent properly. Three-member boards include the mayor, the chair of the council fire committee and the fire chief. If composed of five, members include the chair of the council fire committee, the fire chief, the city treasurer and two residents appointed by council.

Though not required by law, the SC Firefighters Association and the Municipal Association strongly recommend that 1 percent funds be included in the city's annual audit because the city is the responsible party and can be held liable if funds are misspent.

Neither the board of trustees nor the city council may dictate to the fire

department how 1 percent money is spent. By law, those decisions are made by a 51 percent majority of the members of the department.

The members may use 1 percent funds for retirement and insurance, training and education, and recruitment and retention. State law and the SC Firefighter Association regulations provide specific requirements for departments' use of and accounting for 1 percent funds.

Failure to properly spend and account for the funds may subject a department to various sanctions, up to and including exclusion from the program.





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Calendar

For a complete listing of training opportunities, visit www.masc.sc to view the calendar.

NOVEMBER

5-7 SC Municipal Human Resources Association Annual Meeting. Embassy Suites at Kingston Plantation, Myrtle Beach. Topics include succession planning, onsite employee health clinics and dealing with an aging workforce.

13 SC Association of Stormwater Managers Fourth Quarter Meeting. Columbia Conference Center. Topics include watershed planning, Section 319 Grants Program and Total Maximum Daily Load monitoring.

13 SC Municipal Insurance Trust/SC Municipal Insurance and Risk Financing Fund Annual Members Meeting. DoubleTree Hotel, Columbia.

DECEMBER

5 SC Municipal Attorneys Association Annual Meeting. Embassy Suites, Columbia. Topics include ethics, Freedom of Information Act, zoning, federal case law update and indigent defense.

JANUARY

29 Main Street SC: Promotions/Events. Orangeburg. Topics include project management, keeping an event's history and new techniques for evaluating events.

FEBRUARY

3 Municipal Elected Officials Institute of Government: A and B sessions. Marriott Hotel, Columbia.

3 Municipal Elected Officials Institute of Government: Advanced Institute. Marriott Hotel, Columbia. Classes offered: Municipal Utility Policy/Administration and Advanced Advocacy/Intergovernmental Relations.

4 Hometown Legislative Action Day. Marriott Hotel, Columbia.

MARCH

5 SC Association of Stormwater Managers First Quarter Meeting. Columbia Conference Center.

11-13 SC Utility Billing Association Annual Meeting. Embassy Suites Kingston Plantation, Myrtle Beach.

19 Municipal Elected Officials Institute of Government: Basic Budgeting and Municipal Finance. Councils of Governments offices. New time: 11 a.m. - 2 p.m. See related article on page 10.

25 Municipal Technology Association of SC Spring Meeting. Columbia Conference Center.