

UPTOWN



a publication of the Municipal Association of South Carolina

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Cover Photo: Conway's Waccamaw River Park is home to a walking and biking trail, as well as disc golf. Photo: City of Conway.



Ethics Rules

Who Is Required to Report a Statement of Economic Interest?

There are many types of officials who must complete a Statement of Economic Interests form regularly with the State Ethics Commission.

In addition to the regular requirement to submit forms by March 30, officials must also submit the forms when they have been hired into certain positions. Those hired into positions requiring an SEI must submit the form within 10 days of their hiring, or face fines.

Here are the municipality-related positions who must complete an SEI form under SC Code Section 8-13-1110:

- **All public officials**, which includes those elected or appointed by a municipality or other political subdivision of the state.
- **Most candidates for public office**, excluding candidates for federal offices.
- **Any person appointed to fill the unexpired term of an elected official.**
- **Administrators by whatever title.** This includes city administrators, managers, supervisors, or chief administrative officials. It also includes municipal clerks, and the administrators of entities such as regional planning councils, airport commissions, water and sewer districts, or development commissions.
- **Chief finance and chief purchasing officials** of municipalities and other political subdivisions, such as regional planning councils, airport commissions, water and sewer districts, or development commissions.

The State Ethics Commission maintains a full list of all types of public officials who are subject to the SEI requirement, as well as the circumstances under which they must make a disclosure, on its website, www.ethics.sc.gov.

Municipal Association's 2025 Annual Meeting Coming on July 16 to 20 to Hilton Head Island

The 2025 Annual Meeting of the Municipal Association of South Carolina will take place July 16 – 20 at the Hilton Beachfront Resort and Spa on Hilton Head Island.

The Association will use its regular registration process to make sure that municipal officials have priority for the limited available reservations and ticketed events. Cities and towns can enter the

drawing for registration times beginning on May 6, and the deadline to sign up for the drawing is May 30. The Association will draw city and town names June 2 to determine the order of registration appointments.

Look for more details on registration and conference sessions in upcoming issues of Uptown and online at www.masc.sc (keyword: Annual Meeting).

Safety Committees Build Safety Culture

Safety committees can serve as an invaluable tool for officials looking to build a culture of safety in their municipalities.

These committees aim to foster safety-focused engagement and collaboration between the management who must implement standards and the workers who must carry them out. They can analyze accidents to find trends, determine corrective actions, promote safety awareness and inspect workplaces for hazards.

Accident reviews

Safety committees can review all injuries, vehicle losses, or near-miss incidents to help reduce the likelihood of repeat accidents. They can also review injury investigations or auto wreck claims, and determine the cause of an event and if it was at-fault or preventable. They should not make disciplinary recommendations, and instead only focus on corrective action.

Accident reviews can consider what policies were not followed. For example, if the driver in an auto accident was holding and talking on a cell phone during the accident, the review would note that the city's hands-free cell phone usage policy was not followed. After such a root-cause analysis, recommendations could include implementing an administrative control, such as changing the way a task is done, implementing a new policy or procedure, or retraining.

Committee makeup

A safety committee needs to include front-line workers with the experience and knowledge to understand hazardous job duties, and a random sample of other employees.

Safety communication and inspections

The committee can also distribute safety information to employees, possibly through monthly safety topics, to help raise awareness and promote safe behaviors. Committee members can actively participate in safety inspections and ensure compliance with Occupational Safety and Health Administration regulations and municipal policies.

For more information, contact the Municipal Association's Risk Management Services Loss Control staff at losscontrol@masc.sc.

NEWS BRIEFS

Casey O'Brien, municipal clerk for the City of Tega Cay, received her Certified Municipal Clerk designation from the International Institute of Municipal Clerks.

Numerous court officials graduated from the Municipal Court Administration Association of South Carolina's MCAA 101 program in February. They are **Terri Anderson**, chief judge, City of Laurens; **Carlette Foreman**, court clerk, Town of Timmonsville; **James Hall**, clerk of court, Town of Jackson; **Leslie Hiers**, deputy clerk of court, City of Walterboro; **Angelica Hiner**, court services associate, City of Greenville; **Sarah Kinard**, clerk of court, City of Walterboro; **Lisa Moreno**, town clerk, Town of North; **Wendy Sigmon**, clerk of court, Town of Clover; **Ashley Turner**, clerk of court, Town of Saluda; **Kiaura Williams**, court services associate, City of Greenville; and **Hunter Yox**, clerk of court, City of Laurens.

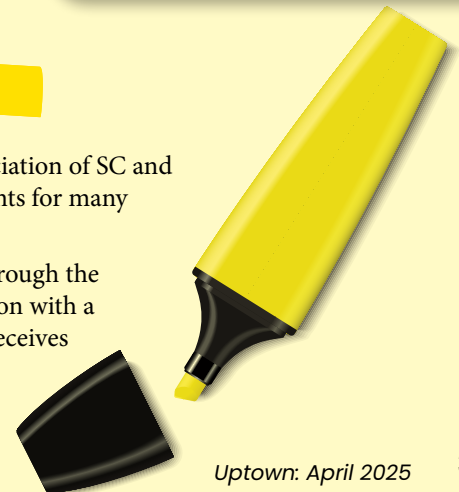
Association Highlight:

City Connect Market

City Connect Market, a cooperative purchasing partnership between the Municipal Association of SC and HGACBuy, allows South Carolina's cities and towns to take advantage of volume discounts for many purchases.

HGACBuy receives bids and assists with local government purchasing around the nation. Through the program, users can search the available products or services or contact the Municipal Association with a request. The Municipal Association will work with the vendor to ensure that the municipality receives a quote using the HGACBuy pricing guidelines.

Learn about product categories at www.masc.sc (keyword: City Connect Market).



Municipal Association's Field Services Team Offers Help in Every Corner of South Carolina

Desirée Fragoso, left, has joined the Municipal Association's field services team, which also includes Naomi Reed and Charlie Barrineau.

Many city and town officials across the state have met the Municipal Association's field services managers, who travel to the state's municipalities to connect them with the Association's resources. The three-member team includes Charlie Barrineau, Naomi Reed, and now, Desirée Fragoso, who joined in January 2025.

Most recently, Fragoso served as the city administrator for the City of Isle of Palms for six years and approximately three years as the city's assistant administrator.

"I have deep admiration for the work the Association does to support and advocate for local governments in the state, and I am honored to join their team as the new field services manager," Fragoso said. "I look forward to collaborating with local leaders and helping them reach their goals and strengthen their communities."

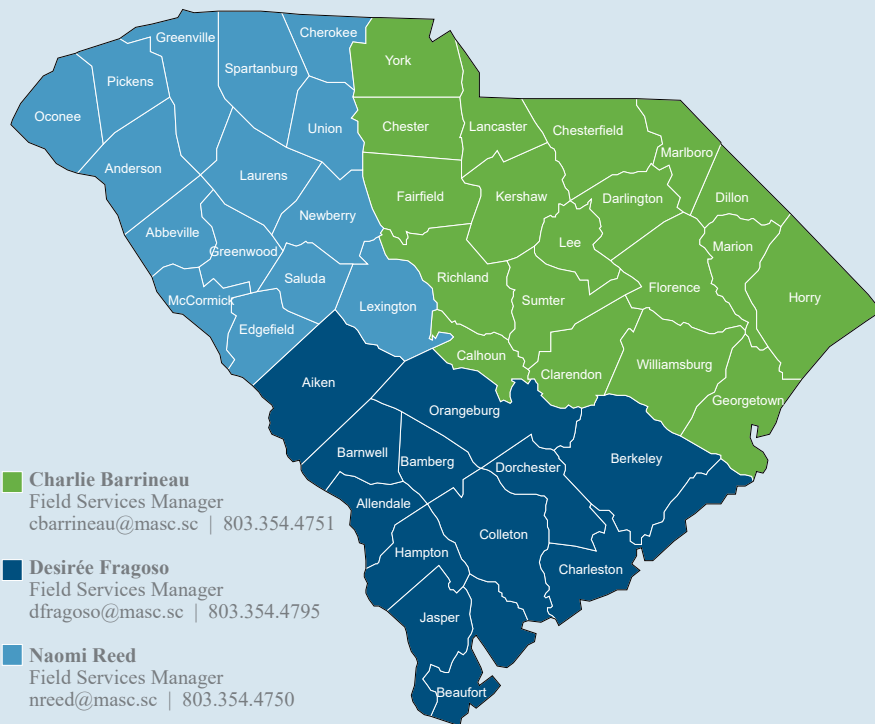
The field services managers are available as a resource for municipal officials who identify significant questions or challenges. They also provide hands-on technical assistance, regularly attend city and town council meetings, conduct informational sessions and goal-setting workshops, and offer training for newly elected officials.

The three field services managers strive to make ongoing contact with every city and town in South Carolina, no matter how large or small. In 2024, the team counted 3,573 individual contacts made across the state, with some of the most common types of technical assistance questions including training opportunities, American Rescue Plan Act funds, planning and zoning, business licensing and human resources.

Each field service manager has their own territory for ongoing communication with specific cities and towns, and they divide the state roughly into thirds. Charlie Barrineau handles the northern coastal region, Desirée Fragoso works with the southern coastal region, and Naomi Reed assists with the Upstate.



Field Services Managers



A woman in a blue shirt, Bethany Pendley, is standing at the front of a room, holding up a document. She is addressing a group of people seated at tables. The room has several circular logos on the wall, including one for 'GOOSE CREEK'. A digital clock on the wall shows '14:28'.

RMS Loss Control Staff Make Employees and Property Safer

Loss Control Manager Bethany Pendley presents a regional driver training session in Goose Creek.

When an accident injures an employee, or when it damages or even destroys a property, insurance claims can be there to help recover costs and restore losses. Still, there is a scenario better than this for the municipality: a situation where careful risk management practices prevented the loss from ever occurring in the first place.

This is the logic behind the Loss Control staff of the Municipal Association of SC Risk Management Services. RMS administers two insurance programs for cities and towns: the SC Municipal Insurance Trust and the SC Municipal Insurance and Risk Financing Fund. Through Loss Control, RMS helps its members build effective safety and loss control programs. Because the insurance programs are self-funded, prevented losses will not only save the programs money, they will save the member municipalities money as well.

Loss Control offers a huge variety of resources to SCMIT and SCMIRF members, including model policies and procedure manuals for law enforcement and fire services. They offer specialized risk management toolkits on many different forms of liability, risk self-assessments, online training courses and guidance on Occupational Safety and Health Administration.

Both SCMIT and SCMIRF members have access to the response to resistance simulator, an interactive training system where police officers make real-time decisions about which degrees of force to use in dangerous situations. For SCMIRF members, they offer everything from a legal hotline for labor and liability issues to cybersecurity services as well as specialized risk toolkits, such as parks and recreation liability, public officials' liability,

sewer backups, special events liability and workers' compensation.

"Other valuable resources are the loss control consultants that can visit on-site to collaborate with members," Loss Control Manager Bethany Pendley said. "During a visit, a consultant may address loss trends by evaluating reported claims and offering recommendations on safety and risk management program improvements for preventing future losses. The consultant is also available to educate municipal employees on safety and risk management topics."

In 2024, Loss Control hosted 63 member-specific training sessions around the state, and conducted 416 visits with SCMIT and SCMIRF members.

The members of the Loss Control team have a wide variety of backgrounds that help with their work. For example, Pendley has a depth of experience in both claims adjusting and training, while Loss Control Consultant John Ciesielski brought many years of experience working for SC OSHA. The team also includes Loss Control Consultant Kayde Niemira and its newest member, Public Safety Loss Control Consultant Trevor Hall.

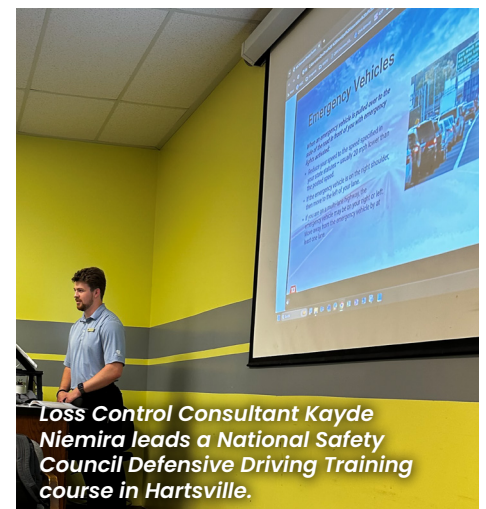
"Having worked in the public safety sector for the last 23 years in 911 communications, career and volunteer fire departments, EMS, law enforcement, and six years as an insurance agent, I am well prepared to provide our members with a variety of insight and risk analysis as it pertains to the Association and the success of their organizations," Hall said.

Loss Control territories list

The Loss Control team now has a list of which staff member is the contact for a particular SCMIT or SCMIRF member, broken out by different types of risk

management issues. Hall, for example, is the contact for all police- and fire-related issues for SCMIRF members. Pendley, Ciesielski and Niemira cover specific territories for administration, public works, utilities and parks topics. They also cover police and fire issues for all SCMIT members.

SCMIT and SCMIRF members can find the full Loss Control territories map at www.masc.sc (keyword: 2025 Loss Control territories).





Police Foot Pursuits Need Safety Evaluations

Foot pursuits can be an important tool used by police officers to apprehend suspects, but they come with risk of injury for everyone involved, including bystanders and officers.

Since 2020, the SC Municipal Insurance Trust has reported that foot pursuits of fleeing suspects has accounted for nearly 100 claims and more than \$1 million in incurred costs.

The Municipal Association of SC Risk Management Services' Public Safety Training, taking place May 15 in Columbia, will address the ways that officers can prevent injury when chasing and apprehending suspects. Michael Ranalli, retired chief of police for the Glenville, New York, Police Department will lead the session exploring whether the outcomes of a pursuit are worth the risk.

SCMIT and the SC Municipal Insurance and Risk Financing Fund also offer a model policy on foot pursuits which member municipalities can adopt as one of the law enforcement policies available to help reduce risk as much as possible.

The model foot pursuit policy calls for officers to continuously assess risk during a foot pursuit, and requires them to

“evaluate the risk involved to themselves, the suspect and the community versus the benefit of continuing.”

Whenever possible, officers should consider alternatives to a foot pursuit, according to the policy, including area containment and surveilling until additional officers become available.

It also asks officers to consider a wide variety of factors:

- Whether the suspect is armed
- The seriousness of the suspect's offense, and whether the suspect poses a threat to the community upon escaping
- Whether the suspect's identity is known, making apprehension at a later time more practical
- Whether the officer is acting alone, will receive backup shortly, and is able to maintain radio contact
- Whether environmental conditions are conducive to the pursuit, and if the pursuit will endanger others in the area
- If the officer is in a physical condition to pursue

The policy requires pursuing officers to immediately report a description of the suspect, if they are armed, the reason for the pursuit, the direction of travel, and a

continuous update on the location. It also requires the primary officer to maintain a consistent and sufficient distance from the suspect, providing an opportunity to take cover from gunfire and to coordinate with backup officers. When possible, they should also attempt to alert others in the area to police presence.

Police supervisors also have responsibilities under the policy. They are expected to monitor a pursuit as it is happening, directing resources to make the pursuit as safe as possible, and to order a termination of the pursuit if they find that the risk to the officer, the public or the suspect outweighs the significance of apprehending the suspect. Finally, the policy calls for officers who have engaged in foot pursuits to complete a formalized review form of the action, to be reviewed by their supervisors.

The Public Safety Training session on May 15 will also address law enforcement officer moonlighting, health and wellness for first responders and updates on Occupational Safety and Health Administration fire service regulations. Learn more, and find model policies for SCMIT and SCMIRF members, at www.masc.sc (keywords: SCMIT, SCMIRF).



Development Impact Fees Require Planning, Studies and Hearings

With the U.S. Census reporting South Carolina as the fastest-growing state in the nation in 2023, some experts predict its population will grow by as much as 19% over the next 20 years.

While this population growth is a significant sign of prosperity, it comes with plenty of infrastructure challenges, adding pressure to systems that are already overburdened. Costly improvements and expansions to roads, water or sewer systems are frequently necessary to keep pace with growth and maintain the standard of service that existing residents expect.

Development impact fees, or impact fees, are one-time charges imposed by municipalities as a condition of development approval. Impact fees are designed to ensure new growth proportionately contributes to the costs of public infrastructure improvements necessitated by their construction. This arrangement promotes equitable growth by preventing existing residents from bearing the financial burden of infrastructure expansion required by new developments. They also encourage responsible urban planning by ensuring that infrastructure keeps pace with development.

Impact fees necessarily increase the cost of new development, and litigation can sometimes arise. For city and town councils, ensuring that their municipalities have imposed impact fees using proper methodology can help protect them from litigation.

A local government imposing impact fees must follow the steps set forth by the Development Impact Fee Act, found in SC Code Section 6-1-9. Here's a general summary of the process:

Direct the planning commission

Before imposing impact fees, municipalities should have a comprehensive plan in place or a capital improvements plan which complies with SC Code Section 6-1-960(B.)

The council can adopt a resolution directing the local planning commission to conduct the requisite studies and to recommend an impact fee ordinance. The resolution is to generally contain direction on the type of public facilities to be supported by the impact fee.

Prepare the necessary documents and ordinances

The planning commission must develop

- a capital improvements plan;
- impact fees based on service units and sound engineering studies; and
- an ordinance imposing the impact fees drafted to include the various elements required by SC Code Section 6-1-940.

The Development Impact Fee Act also requires a report on the effect of impact fees on affordable housing prior to the imposition of impact fees. This report is typically undertaken at this stage in the process.

Once the planning commission has developed the required items, it should adopt a resolution making its recommendations to council.

The process is technical and cumbersome, and most planning commissions decide to hire professionals to assist. If professionals are engaged, all procurement policies must be followed.

Enact the ordinance

The city or town council may determine to amend or alter the recommendations of the local planning commission. Following at least 30 days of newspaper notice, the council shall hold a public hearing on the question of adopting the impact fee ordinance and approving the capital improvement plan. The ordinance must be approved by a positive majority.

Once in place, the municipality must be sure to administer its impact fee program in accordance with the ordinance. There will also be ongoing accounting and reporting requirements.

The enactment process for development impact fees is undeniably rigorous, but these steps help ensure compliance with both federal and state legal concepts. The benefits derived from impact fees are typically well worth these initial hurdles.



Some Public Documents Require Immediate Release Under FOIA

For municipal officials who respond to requests under the SC Freedom of Information Act, a well-known aspect of FOIA is the deadline for responding.

Within 10 business days of receiving the request for recent documents, the responding public body must respond with its determination on whether the item requested is an available public record, and the reasons for it.

Then, within 30 calendar days of making the response on whether the items are public documents, the public body must provide the documents to the person making the request. In the case of a public body requiring a deposit to be paid for the document, it must provide the documents within 30 days of receiving the deposit. In cases where the requested documents are more than 24 months old, these deadlines are slightly extended.

There are, however, several key exceptions to this system of deadlines for FOIA responses.

The law requires public entities to provide copies of documents, or an opportunity to inspect the documents, immediately upon request, in cases when the person requesting them appears in person at the public entity's offices during business hours, and without being required to make a written request.

SC Code Section 30-4-50(D) names the items that a municipality must provide immediately, with no waiting period:

- **Crime information from the last 14 days.** Information about the basic details of any crime or report of an alleged crime, such as those found in an initial police incident report, are among those most commonly sought by the news media. The law notes that information may be redacted from reports when it is exempt from disclosure under the law. Because exemptions exist for information that would constitute an unreasonable invasion of privacy, some of the common redactions on incident reports include information about victims or juveniles.
- **The identities of anyone jailed or imprisoned in the previous three months.** News media will very frequently seek this information as well.
- **Minutes of recent council meetings, or the meeting of any other public body,** such as a board, committee or commission. The rule applies to all public meetings that have taken place during the previous six months.
- **Documents distributed to a public body for review during a public meeting.** Like the rule on minutes, this requirement is applicable only to the last six months. Generally, the supplemental material included in a

council meeting packet meets this definition. Because FOIA considers these materials, with some very limited exceptions, to be immediately releasable, many city and town governments will post items, such as meeting packets, on their website as a standard procedure. This makes the material easy to retrieve and can go a long way towards reducing time spent answering FOIA requests.

In SC Code Section 30-4-(D), the law notes that this practice establishes compliance with FOIA, but only so long as the public body will also produce the documents upon request for anyone who appears in person.

Note that the rules on public meeting minutes and packets differs from the FOIA rule on public meeting agendas. While cities and towns may post minutes and packets voluntarily — and often will — they are required under FOIA to post agendas to the website, in cases where they have websites. That aspect of agenda posting appears alongside the FOIA rules about distributing the agenda to the media and posting it at the meeting location.

Learn more about FOIA in the SC Press Association's publication, Public Official's Guide to Compliance With South Carolina's Freedom of Information Act, available at www.scpres.org.



Recreation Trails Build Better Communities and Better Economies

The Mary Black Foundation Rail Trail, nearly 2 miles in length, is a part of the Daniel Morgan Trail System.

Photo: PAL: Play. Advocate. Live Well.

As the executive director of the Spartanburg nonprofit PAL— Play, Advocate, Live Well — Laura Ringo has long-known the importance of recreational trails for economic, health and environmental well-being. Cities around the state are drawn to developing trail networks for all of those benefits.

“Trails provide a free, accessible, low-barrier-to-entry place to be physically active. They also bring a significant economic benefit,” Ringo said. “Developers see trails as a quality-of-life feature for residents, and they are a way for their development to stand above and beyond other developments when they’ve got access to a great connected network ... They are also great for the environment. They connect people to nature, and do it in a way that’s not overwhelming for people. They’re great for community connectiveness. People look each other in the eye, they wave and say hello, they connect neighborhoods to each other, to schools.”

Demand for adding new trails has been increasing for many years now, but Ringo said the COVID-19 pandemic boosted demand even further, as trails became safe places to experience nature at a time when many people were confined to their homes.

“We’ve seen our trail use skyrocket since then, and we’re certainly not alone,” she said.

But while cities and other entities agree on the need and importance of trails, it takes time, effort and funding to turn trail dreams into reality.

“It’s a journey. It not an overnight kind of thing,” said Chris Story, Spartanburg city manager.

In Spartanburg, the catalyst for an expanding trail network is the Mary Black Foundation Rail Trail, a 1.9-mile rail-to-trail conversion from a former Norfolk Southern railroad corridor.

The trail, considered a showpiece of Spartanburg’s Daniel Morgan Trail System, opened in 2004 and has drawn economic development and has established a popular recreation outlet.

“We’ve found the trail network has proven to be something people want to be close to. And when people want to be close to something, that creates economic development opportunities,” Story said, adding that at least three apartment developers, along with retail and restaurant developments, have specifically sought to be on the trail network.

“It’s a lifestyle motivation,” Story said. “For example, if you look at it through the lens of an apartment developer, you’re marketing a quality of life. To be able to say, ‘Immediately out your front door you have a recreation amenity,’ is a nice plus. From a developer’s perspective, it’s a high-value proposition.”

And from a city and community perspective, Story said trails are incredibly cost-effective.

“We don’t want to ignore other outdoor recreation elements we offer, but other types of outdoor recreation can’t match the bang for the buck of a trail system in regard to the number of people it can serve, the hours of the day it’s accessible,” he said. “The maintenance costs are easily justifiable in context of how many lives can be positively touched.”

Spartanburg has had a longstanding partnership with the PAL, the nonprofit that has led efforts in planning, fundraising and engagement work to determine the best trail routes, Story said. And partly because of the success of the city’s trail development, legislation was passed offering property owners a state tax credit for donating easements for trail buildouts, he said.

Using that public-private-nonprofit approach to building out a trail system brought more partners to the table and helped smooth the way for what can be a complicated process,

Story said. For example, Ringo said a mile and half trail along a creek that opened in Spartanburg in 2023 required obtaining easements from 26 different property owners.

“As a nonprofit, we worked with the city and county on routing and then we approached the property owners,” Ringo said. “It’s a lot less intimidating when a nonprofit comes to talk about an easement on their property, versus somebody from the government.”

It still took five years of work, but all of the property owners eventually said yes.

PAI’s work in Spartanburg with the city and county on an urban trail eventually led to plans for the Saluda Grade Trail, an ambitious 31.5-mile route in South Carolina and North Carolina. As they were negotiating with Norfolk Southern railroad to route the trail under a trestle, the railroad’s real estate arm said

it was interested in selling the line that runs from Inman, South Carolina, into North Carolina.

The route is split evenly between the two states, with land acquisition expected to be completed this summer, followed by engineering and design work. Ringo said she hopes the first phase of construction will begin in 2027.

The trail will follow the inactive Saluda Grade rail line, running north from Inman, through Campobello and Landrum before ending in the Zirconia community in North Carolina. Joe Lanahan, Inman’s city administrator, said the trail will offer new life for an asset the city has had for more than 100 years.

“Inman, like a lot of towns in South Carolina, exists for two reasons — agriculture and textiles. Spartanburg County at one time produced more peaches than the entire state of Georgia and Inman was proud to have 12 different packing sheds for peaches along with Inman Mills. The train is what made both of those things possible,” Lanahan said. “However, for the past 35-plus years that mode of transportation for those industries has not been in use. Peach farms closed and textiles shifted to moving things by truck.”

The train line hasn’t been used for nearly 15 years, but it still bisects the city.

“Seeing it sitting there doing nothing to help stimulate economic development and health and wellness was very disappointing,” he said. “So it was very exciting three and a half years ago when it became a conversation about a trail, and two years ago it became actual money from the State House,” he said.

Lanahan said he is hopeful in the next two to three years the city will be able “to get asphalt down and get folks walking.”

In anticipation, the city’s master plan from three years ago identified parking areas for the trail and ways to help with downtown traffic. The city also is engaging with the community that will be affected by the trail, and working to be a good clearinghouse for information.

“The Number 1 thing is education. You need to get ahead of the questions that are going to come with this,” Lanahan said. “If your grandfather bought that farm 85 years ago and the train has been in your backyard all that time, you deserve and should be able to understand what the change in use is going to mean to your piece of property. Everything from when the trail is going to be open, how are we going to make it secure, what does trash pickup look like?”

In Conway, the city has been purchasing property along its river and swamplands to keep it from being developed and to mitigate flooding. As an added benefit, it provides an opportunity for an extensive recreational trail network.

“What’s awesome about those properties is how beautiful they are, and how inaccessible they are,” said Adam Emrick, Conway’s city administrator. “By being able to put trails through these spaces, not only do we make connections with areas we weren’t able to make connections with before, but we’re able to open up these pristine, beautiful areas to the public.”



The plan of the Saluda Grade Trail is to use a former rail corridor as a recreational trail to connect Inman, Campobello and Landrum in South Carolina with mountainous areas in North Carolina. Photo: Scott Park.



Conway's downtown Garden Walk provides an inviting connection between Third Avenue and Scarborough Alley. Photo: City of Conway.

The trails also allow the city to better tell its story.

"We don't want to be just that city that is close to Myrtle Beach. We want to be known for the ecological beauty we have," Emrick said. "There have been spots where we've stood and looked over the Waccamaw River and said 'This is the story we need to tell.' And by opening up these areas with trails and boardwalks, that's going to be what tells that tale."

The city has a growing trail network, and a recent expansion to its Riverwalk offers an even better connection to the city's thriving downtown.

Conway also recently received \$2 million from the state to begin engineering work on the Kingston Ferry and Trail project, aimed at helping the city safely get pedestrians and bicyclists across the Waccamaw River.

The city also is in the process of acquiring 800 acres from Santee Cooper near the former location of the Grainger Generating Station. Emrick said he hopes that the 3.5 miles of riverwalk through the property, which will be easily accessible to downtown, could be open in about three years.

"There won't be anything else like it," he said. "It's like having a state park downtown."

Mary Catherine Hyman, Conway's deputy city administrator, said the city's Pathways and Trails Plan, completed in September 2022, created a guide for where the city should prioritize adding trails, while a city ordinance requires that some new developments provide a connection if they are located close to a trail.

"Getting a plan is very important. It helps wrap your hands around it. Then you need to foster relationships with adjacent municipalities, universities, anyone who might be interested," she said. "Then hire staff that's passionate about making the community better."



Running along Lawsons Fork Creek, the River Birch Trail is also part of the Daniel Morgan Trail System. Photo: PAI. Play. Advocate. Live Well.



Numerous Grants Available for Park Projects

Municipalities that are pursuing park projects have many different grant resources available to them, much of it available in federal dollars administered through state agencies.

Grants run on all sorts of funding cycles with their own deadlines. Those interested should check out agency websites for final grant timelines.

SC Department of Park, Recreation and Tourism

www.scprt.com/grants

Outdoor Recreation Legacy Program

- This program provides new or significantly improved recreation opportunities in economically disadvantaged communities. ORLP projects are selected through a National Park Service-led national competition of projects. Population thresholds apply.

Land and Water Conservation Fund

- The LWCF is a federal program providing matching grants for the acquisition or development of outdoor recreation areas and facilities. It requires a 50% match.

Recreational Trails Program

- Funded by the Federal Highway Administration, the RTP is a highly competitive program for trail project grants, typically with eight of 20 to 30 applications awarded.

Parks and Recreation Development Fund

- PARD is a state-funded, nonreimbursable grant fund decided on by local legislative delegation.
- The grant cycle for PARD funds is open year-round.

Undiscovered SC Enhancement Grant

- The program assists communities with the development of publicly owned tourism products and attractions that will encourage visitation to South Carolina. Funds must be used for tourism attractions.

SC Department of Commerce

SC Community Development Block Grant Program, Community Enrichment grants – www.cdbgsc.com

- This program is designed to fund public facilities, services and other activities that strengthen existing communities and support a high quality of life within priority areas that include safe and healthy communities.

Appalachian Regional Commission funding – www.sccommerce.com/appalachian-regional-commission-arc

- South Carolina makes ARC Area Development funds available to grantees for purposes including building regional culture and tourism. To be eligible, a project must be located in South Carolina's Appalachia region and benefit residents of Anderson, Cherokee, Greenville, Oconee, Pickens, Spartanburg and Union counties.

Southeast Crescent Regional Commission funding – <https://scrc.gov/SCRC-Region/south-carolina>

- SCRC invests in projects located within eligible counties that support basic infrastructure, business development, natural resource preservation, and workforce development.

SC Department of Transportation

Transportation Alternatives Program – www.scdot.org/projects/community-transportation-alternatives.html

- TAP grants can fund multiuse paths and trails, as long as they are for transportation, such as for work, school or commerce. There is a spring round of funding and a fall round.

Post-Storm Tree Work, Regular Maintenance Both Bring Risks

When Hurricane Helene tore through western South Carolina in September 2024, it left behind a trail of fallen-tree wreckage, which many communities have worked to clear away well into 2025.

This challenging work has again highlighted the significant dangers of tree work, both from emergency work to address damaged trees and from the regular work needed to trim and maintain them.

In both cases, cities need to be careful to hire only licensed tree care businesses and experienced professionals to cut trees. Arborists and tree workers certified by the International Society of Arboriculture must pass a written test of basic arboricultural knowledge and attend continuing education courses to maintain their certification. Ask for a Certificate of Insurance and request that the municipality be named as an additional insured before the work begins.

Also in both cases, cities can require personal protective equipment, or PPE, for any city workers assigned to tree trimming. This includes safety glasses, a helmet, gloves and ear protection when the workers use power equipment. Workers operating chainsaws should have proper training in their use, and should wear chainsaw chaps protecting their legs if working from the ground.

Responding to storm damage

In addition to fully uprooted trees, storms can break branches that pose hazards to pedestrians, vehicles, buildings and powerlines. That in turn can create liability exposure for cities and towns in cases where the trees are on municipal property.

After a storm, it's critical to perform hazard inspections. When hazards exist, cities need to be able to mark the hazardous trees and address them as soon as possible, potentially closing off parks or other affected public areas temporarily.

If there are any twisted, dead or broken limbs, the city will need to remove them to minimize the chance of a future loss. If limbs are close to utility lines, report them immediately to the local power company. Never attempt to move downed utility lines or trees touching utility lines.

Routine maintenance

Publicly owned trees like those in a park or positioned along downtown sidewalks should be properly maintained to keep them healthy, safe and capable of providing shade and property appeal. Good tree maintenance begins with regular inspections to determine if a tree needs pruning, mulching, fertilizing, irrigation or pest management.

The American National Standards Institute and the International Society of Arboriculture publish tree pruning and safety standards, known as the ANSI A300 (Part 1) Pruning Standard. The standards are highly technical, providing diagrams of the order in which to apply specific cuts to a tree, making its removal as safe as possible while also minimizing harm to the tree. Just as with emergency tree work, workers should perform hazard inspections of trees and their surroundings before getting started.

Regular tree pruning needs to happen when the trees are dormant. Deciduous trees, or trees that shed their leaves at the end of the growing season, typically have a period of inactivity during the winter.

It's also important to avoid "topping" trees. Topping refers to removing the entire top of a tree, such as removing a portion of its trunk or primary branches. It significantly stresses the tree and leaves behind wounds that are prone to disease and decay, making the tree less safe and reducing its lifespan and aesthetic appeal.

The Occupational Safety and Health Administration maintains numerous resources for understanding and guarding against the hazards of tree care work. Learn more at <https://www.osha.gov/treecare/hazards-solutions>.

Managing Risks in Dog Parks Can Keep Canines — and Humans — Happy



Providing an enjoyable place for dogs and their owners to play and socialize, dog parks have seen steady growth in popularity over the years.

The facilities still come with risks to dogs and humans alike — everything from dog bites, dog-to-dog disease transmission, or even dog-to-human disease transmission. Parks departments need rules that can help make their experiences enjoyable and safe.

Here are some key areas that cities and towns may want to focus on for dog park rules:

Responsibility of dog control – The rules should specify that the dog owner or handler is responsible for keeping the dog under control at all times and is responsible for the dog’s behavior. Consider noting SC Code 47-3-110, stating that liability for dog bites or other attacks against a person in a public place rests with the owners or people who have the dog in their care.

Cleanup – The rules should also note that the owner or handler is responsible and must possess the tools required for the cleanup and disposal of dog waste. Posting signs about cleanup in multiple locations will improve compliance.

Where dogs are not allowed – Along with the park set aside for dogs, cities should also designate where dogs are not allowed. Common areas where dogs are prohibited are playgrounds, athletic fields, or areas of special or programmed events, including games and practices.

Vaccination and spay/neuter requirements – State law, under SC Code Section 47-5-60, requires pets to be vaccinated against rabies. Other common vaccinations

that dog parks may required include DHPP vaccines or kennel cough vaccines. Many dog parks will also require the dogs to be spayed or neutered.

Fees and registrations – Some public dog parks establish fees for dog owners. If the city has established registration fees for dogs residing in the city, the rules could make note of this as well.

Dogs per person – Consider limiting the number of dogs per adult owner to improve the likelihood of owner control over the dogs. Consider also setting age limits for supervised children to be in the dog park as well.

Leash requirements – When a park is “off-leash” for dogs, the rules might still note that dogs must be leashed anytime they are outside of the fenced-off area, or must be immediately leashed and removed if they are showing aggressive behavior. For a park requiring leashes for dogs, park rules could limit the leash to 6 feet or less to mitigate trip and entanglement hazards.

Beyond rules for using the park, cities and towns must establish policies and procedures for the inspection, regular maintenance and repairs of dog park facilities as they would with other park facilities. They should train the staff responsible for doing so, documenting the training and documenting the regular maintenance efforts.

The American Veterinary Medical Association has resources at www.avma.org to help officials understand the risks for dogs and humans in parks or other social settings.



Background Checks Strengthen Recreation Safety

Some municipal functions, such as parks and recreation, rely heavily on volunteers or contracted services to help facilitate recreational activities offered to youth. Parents trust these workers with their children, and so they must take care to provide a safe and healthy environment for every participant.

A 2023 case where the City of Napa, California, and its contractor, the Friends of Scientopia settled a lawsuit for \$18.5 million after a child attending a city-sponsored, science-themed day camp suffered severe burns from a failed chemistry demonstration is an example of the types of danger that could occur in a city-sponsored event, highlighting the importance of municipalities taking proper steps to vet outsiders providing instruction during events.

When vetting volunteers, instructors or coaches, municipalities must establish standard procedures to make sure that the people or organizations involved are qualified and do not increase risk for the city.

Following these steps can help ensure participants of recreational programs are in good hands.

- **Applications** – Have candidates for parks and recreation volunteer roles complete an application to gain an understanding of their relevant credentials and other basic information.
- **Background checks** – Complete thorough background checks, including criminal history, employment verification and reference checks, to assess the suitability of candidates.
- **Certification and qualification verification** – Verify instructors' certifications, qualifications and training relevant to their roles, such as first aid and CPR certification, as well as specialized training in specific activities.
- **Skills assessment** – Evaluate candidates' teaching abilities, communication skills and knowledge of safety protocols through practical assessments or mock teaching sessions.
- **Behavioral interviews** – Use behavioral interview techniques to assess candidates' problem-solving skills, conflict resolution abilities and commitment to safety and professionalism.
- **Reference checks** – Contact previous employers, colleagues or mentors to gather insights into candidates' work ethics, teaching styles and reliability.

When a city selects candidates for parks and recreation roles, it should provide onboarding and training to ensure that instructors and coaches understand safety and injury prevention.

Vetting recreation instructors is critical for making sure that recreation programs keep their participants safe. By implementing careful background checks, skills assessments and ongoing support mechanisms, cities and towns can build a team of qualified and dedicated instructors who contribute to the success of recreational programs and promote a positive and safe participant experience.

Members of the South Carolina Municipal Insurance and Risk Financing Fund can access the Parks and Recreation Liability Toolkit for additional guidelines on everything from utilizing employees and staff safely to risk management in facility operations as well as sports programs. For more information on reducing liability risk exposures within recreation programs, contact Bethany Pendley, loss control manager, at bpendley@masc.sc.



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Calendar

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

APRIL

8 Risk Management Services: OSHA Confined Space Competent Person Training. Municipal Association of SC, Columbia. Topics include general requirements of the Occupational Safety and Health Administration standard, the employer's responsibility to individuals working in confined spaces, confined space recognition, requirements for entry, atmospheric hazards, physical hazards, personal protective equipment and regulatory requirements.

10 SC Municipal Finance Officers, Clerks and Treasurers Association Spring Academy. Cooperative Conference Center, Columbia. Topics include the business license class schedule update, Freedom of Information Act requests, records management, audits and artificial intelligence.

11 Municipal Court Administration Association of SC Spring Meeting. Cooperative Conference Center, Columbia. Topics include the expungement process, supporting mental health awareness in the court system, setoff debt program updates, navigating sovereign citizen encounters and understanding Ishmell orders and notice of correction.

24 SC Municipal Human Resources Association Spring Meeting. Cooperative Conference Center, Columbia. Topics include employee assistance programs, and an SC Public Employee Benefit Authority update on retirement and insurance benefits.

MAY

7 - 9 SC Community Development Association Annual Meeting. Beach House Resort, Hilton Head Island.

15 Risk Management Services: Public Safety Training. Cooperative Conference Center, Columbia.

20 Municipal Elected Officials Institute of Government: Freedom of Information Act in SC and Municipal Governance and Policy. Regional Council of Government locations.

20 Business Licensing Essentials Training. Virtual.

JUNE

1 - 4 SC Association of Municipal Power Systems Annual Meeting. Sonesta Resort, Hilton Head Island.

10 Setoff Debt Program: 2025 Employee Training. Municipal Association of SC, Columbia.

11 - 13 Main Street SC Annual Retreat. Location to be determined, Aiken.

11 Setoff Debt Program: 2025 Employee Training. Municipal Association of SC, Columbia.

12 SC Association of Stormwater Managers Second Quarter Meeting. Cooperative Conference Center, Columbia.

24 - 25 Municipal Court Administration Association 101 Session A. Municipal Association of SC, Columbia.

26 SC Business Licensing Officials Association Accreditation in Business Licensing Exam. Municipal Association of SC, Columbia.