

**COMMITTEE OF THE FLORENCE COUNTY COUNCIL ON
JUSTICE & PUBLIC SAFETY MEETING, THURSDAY, JANUARY
18, 2024, IMMEDIATELY AFTER REGULAR COUNTY COUNCIL
MEETING, COUNCIL CONFERENCE ROOM, ROOM 804,
COUNTY COMPLEX, FLORENCE, SOUTH CAROLINA**

COMMITTEE MEMBERS PRESENT:

Jason M. Springs, (Council District 1), Committee Chairman
Roger M. Poston, (Council District 2), Committee Member (left at 10:37 A.M.)
Jerry W. Yarborough, Jr., (Council District 4), Committee Member

ALSO PRESENT:

Kevin Yokim, County Administrator
D. Malloy McEachin, Jr., County Attorney
Todd Floyd, Environmental Services
Steve Allen, Public Works Director
Hope M. Jones, Clerk to Council
Sam Brockington, Fire/Rescue Coordinator (left at 10:37 A.M.)
Shannon Munoz, Deputy Administrator (left at 10:37 A.M.)
Councilman Kent Caudle
Councilman Toney Moore
Councilman William Schofield
Councilman Willard Dorriety
Tonya Brown, WPDE Reporter (left at 11:12 A.M.)
Chief Mark Floyd, Olanta Fire Department (left at 10:37 A.M.)
Chief John Delung, Windy Hill Fire Department (left at 10:37 A.M.)
Chief Billy Dillon, Howe Springs Fire Department (left at 10:37 A.M.)
Chief Henry Humphries, Johnsonville Fire Department (left at 10:37 A.M.)
Chief Howard Worrell, West Florence Fire Department (left at 10:37 A.M.)
Tyler Fedor, Post & Courier Editor

Copies of the meeting Agenda were posted in the lobby of the County Complex, and provided to the media and others requesting copies of meeting agendas, provided to the Florence County Library for posting at the main library as well as all branches, and on the County website at www.florenceco.org/council in compliance with the Freedom of Information Act requirements for notice of meetings.

Committee Chairman Springs called the meeting to order at 10:03 A.M. Councilman Poston provided the invocation and Councilman Yarborough led the Pledge of Allegiance to the American Flag. Chairman Springs welcomed everyone who was in attendance.

MOTION TO SUSPEND AGENDA

Councilman Yarborough made the motion to suspend the agenda to have item six moved before item five and Councilman Poston seconded which was approved unanimously.

MINUTES APPROVAL

Councilman Yarborough made a motion to approve the minutes of the November 16, 2023, Justice Public & Safety Committee meeting. Councilman Poston seconded the motion, which was approved unanimously.

NEW BUSINESS:

CAPITAL PROJECT SALES TAX III REQUESTS

Chairman Springs stated there was a meeting with the Fire Chiefs and Fire/Rescue Coordinator to discuss the \$1.6 million request that was not funded in the original referendum FOR Penny Sales Tax III. They are asking for Council to fund Howe Springs, Station 5, Brush Truck, Howe Springs, Station 1, engineering and property improvement, West Florence, Station 2, Hydraulic Extrication Tools, Hannah Salem, Station 1&3, Brush Trucks, Hannah Salem, Station 3, Breathing Air Compressor. The other items the Fire Chiefs requested is for the City of Florence Fire Department in the amount of \$1.5 million to purchase two fire engines and another million dollars for 200 hydrants @ \$5,000 a hydrant. There are various water systems around the County to provide fire hydrants in areas that do not currently have them but have available water. Chairman Springs opened up the discussion for these items.

Councilman Yarborough had a question about the fire hydrants. He asked if this was part of the plan to eliminate the tanker task force included in the short/long-term goals. Chief Dillon stated that was correct. In Capital Project Sales Tax, the Fire District is constantly replacing tankers, in areas that don't have hydrants and the objective is to fill the void and the tankers will slowly go away. Chief Dillon said not only does it help with manpower but the overall cost of the apparatus and the annual cost of the maintenance on the apparatus but offers potential ISO ratings for better fire protection to the homeowners. The hydrants cannot be fixed and need to be replaced. They have been reported to their respective department and some hydrants will be additions in critical areas. Chief Delung stated the count for replacement is around 100. Chairman Springs asked if this was all on the City of Florence water system. Chief Delung stated the majority of them are. Councilman Yarborough inquired whether none of the hydrants add or extend a water line, this is putting existing hydrants on a water line. Chief Delung stated that is correct.

Mr. Yokim stated, at the Council Retreat, Council passed a \$50 million bond for CPST III-A. In the proposal, there are three different pots of money for the Unified Fire District in the County. Two million dollars was allocated for the shortfall that was cut out of the original Capital Project Sales Tax III. County Council is starting to approve bids for additions to fire stations or the construction of new fire stations. Some amounts were put in the referendum and some amounts were just placeholders. On five to six projects \$1.8 million is needed to close the gap. There is \$3 million for additional apparatus needs for the Unified Fire District. These monies are coming from those funds pending on Committee's approval and reporting out to Council. Councilman Dorriety asked out of the pots of money what's available if we do some of these things, how much does it encumber? Mr. Yokim stated from the \$50 million...Councilman Dorriety responded from the money already allocated for the Fire District. Chairman Springs said no funds

have been allocated yet. This was just a discussion. Councilman Dorriety stated the list needs to be prioritized so what you need is taken care of. Councilman Dorriety asked who would install the hydrants in the City of Florence. Chief Delung assumes the City. Councilman Yarborough stated we are waiting on the completion of the fire service, will this include the hydrants in the study? Mr. Brockington stated the company doing the master plan requested GIS total water distribution map in Florence County. There will be recommendations but not this specifically. It will address and show the weakness of the water system.

Chairman Springs stated in Capital Project Sales Tax II allocated \$750k for 150 hydrants and under 100 were done. Chief Delung stated they were newly installed hydrants. Chairman Springs stated the focus needs to be on the 150 hydrants not completed moving to repair; Chairman Springs said he is not comfortable with allocating one million towards the hydrants. Councilman Caudle said he feels the need to continue the Capital Project Sales Tax II project whether it is a new or replacement hydrant.

Chairman Springs addressed the next item, \$1.5 million for the City of Florence to purchase two new fire engines. Each municipality had the opportunity to request items to go on the Capital Project Sales Tax, in the City's list fire trucks were not listed.

Chief Dillon said Windy Hill, Howe Springs, and West Florence use the City for automatic aid. The City is in such dire straits with its apparatus they have started restricting the automatic aid they can send. Chief Dillon feels at any point in time, if the City Fire Department decides they are not responding to automatic aid, the County would need to spend \$2 million to fund six more people at these stations. The cost will be \$2 million annually. Chief Dillon stated this is why he made the recommendation to the Chiefs to assist Chief Tanner with an engine; another motion was made because there was \$750k remaining to possibly replace two of their engines. Chief Dillon stated by getting the new apparatus for the City it was also to assist them.

Councilman Poston asked Chief Dillon out of all the fire chiefs how many have problems recruiting volunteers? Chief Dillon responded that all seven have trouble recruiting volunteers compared to ten to twenty years ago. Some have done better in recruiting and retaining. Chief Worrell agrees with Chief Dillon statements and he stated the manpower shortage is critical.

Councilman Yarborough asked if the City of Florence are big picture items and is it possible to table this request until the study is completed and it will give us more a written guidance towards the items and the Committee can vote on the other items, is it procedurally sound?

Chairman Springs said that in the essence of time, the Committee would vote on each line item.

Mr. Yokim stated the City of Florence is having a budget retreat and hopefully they will consider those items. Mr. Yokim said that Chief Tanner has two trucks in the pipeline but not sure of the funding. Mr. Yokim agreed with Councilman Yarborough on tabling

items.

Councilman Schofield spoke with Chief Tanner and he stated they are trying to get something quicker for the City of Florence. Chief Tanner can get a Pierce Pumper, the earliest is the year 2025.

Chairman Springs stated he would entertain motions on the items from the Unified Fire District's list. Councilman Yarborough made the motion to approve the items totaling \$500k, and Councilman Poston seconded. The motion was approved unanimously. Chairman Springs stated the other two items listed are tabled and will be addressed at a later date. (Document attached as referenced and incorporated)

Chairman Springs received a letter from the South Lynches Fire Department with a request for \$350k. Councilman Yarborough made the motion to approve the items totaling \$350k, and Councilman Poston seconded. The motion was approved unanimously. (Document attached as referenced and incorporated)

Chairman Springs stated the next item to discuss is the accountability software for the fire departments in the County. Initially, we were pushing for a grant but not sure about the timeline of the federal government and when they will open the application process. The County has already made an investment to house the software. Motorola has provided a million-dollar proposal to provide this firefighter accountability system to cover every firefighter in the County (600 units). Chairman Springs is asking to allocate one million dollars towards the accountability software offered by Motorola. It is on State contract, the radios have been purchased, and Motorola stated they could have it in place within six months.

Chairman Springs said the Committee will vote today to put another request before Council and ask to put the request out that this be funded and at the next Council meeting, the full Council will vote.

Chief Delung asked what the million dollars included. Chairman Springs stated it is the software, first five years of support, and tablets (35).

Chairman Springs asked the Committee for a motion to move it out to Council. Councilman Poston made the motion to move out to Council but Councilman Yarborough stated he does not have enough information about it. Councilman Yarborough reconsidered and seconded the motion. The motion was approved unanimously.

The Committee took a brief recess at 10:37 A.M.
The Committee reconvened at 10:40 A.M.

OLD BUSINESS:

DOG ORDINANCE (DANGEROUS DOG SECTION)

Chairman Springs stated the Committee now has a document Section 6-12 Dangerous/vicious animal enforcement. At the last Committee meeting, we went over each line item and made suggestions.

Mr. Yokim said in Section 1 is to define the definition of a dangerous dog and include the penalties. Mr. Allen stated that nothing was eliminated from the document, maybe placed elsewhere in the document.

Mr. Allen referenced items that were discussed on page 4 item 4- requirements for any person that owns a dog that is determined by a magistrate court judge to be a dangerous dog (Dangerous Dog Levels 3 through level 5). On Page 4 item 4g(iv) leash must not exceed 8 feet and must not be a retractable leash, continue with item 4h(3) pen must have a cemented floor that extends past all walls of the pen (or the ground inside of pen must be completely lined with a suitable grade of chain link fencing extending past all walls of the pen) suitable to prevent the dangerous dog from digging out and escaping pen.

Mr. Floyd stated he separated it from when a dangerous dog causes injury and when a dangerous dog causes death and divided it into first, second, and third offenses. Mr. Floyd said he wanted the Committee to review the dangerous dog attacking a domesticated animal because they would receive the complaints. Mr. Floyd said he listed a dangerous dog to humans, on level one- aggressive behavior. Mr. Floyd said he did not know how strict or lenient the Committee wanted it to be. If the dangerous dog is showing his teeth versus actively trying to bite. Mr. Floyd exhibited it at the different levels (Levels 1 through 5) but level one is the least aggressive compared to if a dog bites the individual. The first offense is a fine and restitution but no liability insurance or pen is required. When separating the dangerous dogs to humans and animals it creates another paradigm of needs. The second offense can be a state fine which begins at \$5k and up to three years in prison once a dog is declared to be dangerous. Once the owner (Levels 1 through 5) knows the dog is dangerous, the next offense, if severe enough, we could ask the solicitor to go after the owner at the state level or we can go with the second offense with the county magistrate. Mr. Floyd said he wanted to let the Committee know what needed to be considered.

Mr. Floyd referenced boarding fees- for the owner to pay all boarding fees and medical expenses on the first business day of the month following the impound. The question is if found not guilty, does the County reimburse? And if the fees are not paid, how do we proceed to retrieve the fines? Chairman Springs said he does not feel it is an unreasonable request to ask the owners to pay the fees but if they do not pay the fees, then it needs to be a process where the County will need to dispose of the animal. Chairman Springs says the layout of this document is a tiered progression. Mr. Allen said the advantage to breaking down the document gives Mr. Floyd a way to deal with dangerous dogs to humans and gives it an avenue to deal with something less than dangerous dogs to humans but a risk to property damage especially in a rural county.

Mr. McEachin stated as he reviewed the sections defining what a dangerous dog is he questioned the puncture of skin to biting. Mr. Floyd responded it is a level 2 skin contact

(by teeth). Mr. Floyd stated he wanted to provide different levels for biting. Mr. Floyd said he may need to add verbiage for a scratch.

Councilman Dorriety inquired about if an owner has a no trespassing sign and the owner's dog is in the yard and someone comes in the yard and the dog bites the person. Chairman Springs stated the verbiage is in a section stating: this section does not apply to the animal owned by a licensed security company and owner control confined area. Mr. McEachin said the City Ordinance has an exclusion. Chairman Springs believed the section was in the City Ordinance. Mr. McEachin referenced the section from the City Ordinance Section 3-2 Definitions. 6(b) An animal which attacks a person who is trespassing or who appears to be trespassing. A trespasser is a person who is not lawfully upon the premises of the owner. Mr. Floyd said he is not saying to prosecute every case but on the extreme side where a child walked out the backdoor and was mauled by eight dogs. The dogs were on the owner's property. Chairman Springs said that the City Ordinance section 3-2 Definitions items 6(a) and 6(b) need to be added to the County's Ordinance. Mr. Allen stated he believes we are discussing two different things: fines and definitions. Mr. Allen said we have not revised the definition section in the ordinance. Mr. Allen stated after reviewing the City's Ordinance he noticed they focused on how or when to destroy an animal Section 3-11. Dangerous animal enforcement item c(4). Chairman Springs said it needs to be a part of the County's ordinance. In the City's Ordinance, under Exhibit C section c(1)(b) the last sentence. Voice command is not recognized as secure restraint under this article. Chairman Springs would like to incorporate that sentence into the County's Ordinance.

Chairman Springs stated overall what was provided is a great step in the right direction. Chairman Springs addressed the notes he made for the Dangerous Dog Ordinance.

Section 6-12 item 2: A person owning a dangerous animal shall register the animal with

animal to the vet at the owner's expense. Mr. Floyd stated Environmental Services will provide the microchip.

Section 3(a)(iii) running at large with major injury or death to other domesticated animal. Chairman Springs asked what is deemed as a major injury. Mr. Floyd said it has not been defined.

Chairman Springs said he would like to see a matrix, the action of the dog, and the action of the county so you can see how the levels progress.

Chairman Springs readdressed the boarding fees (owner paying boarding fees). Mr. McEachin said the judge would have to make the call at the hearing. Mr. McEachin stated you can reference it in the ordinance but the judge will decide to order the individual to pay the boarding fees on the disposition of a jury trial. Chairman Springs asked Mr. McEachin to research if it is legal to add verbiage.

Chairman Springs asked in the section Dangerous dog to humans 1(1) no skin contact. Is the circumstance when a dog bites the pants leg? Mr. Floyd said it could be a dog growling at the person. Chairman Springs said the first offense is a warning, 2nd offense \$150.

Chairman Springs stated on item iii-Dangerous Dog Level 3 in the first paragraph the word "hand" needs to be removed.

Mr. Floyd referenced Dangerous Dog Level 1. Do you want to keep the \$150k liability insurance? This is in the current ordinance. Mr. Floyd asked the Committee do they want to wait until the dog attacks to have the insurance. Mr. Floyd stated the original definition of a dangerous dog: a reasonable person assumes that a dog will attack if the dog is in the yard growling. This is after a court has ruled an animal is dangerous. Chairman Springs said he was okay with leaving the insurance liability for Level 1.

Chairman Springs referenced registration fees: \$200 or \$500. Are we asking for two different fees? Mr. Floyd said there are different requirements with Levels 3 through 5. Mr. Yokim stated Levels 1 and 2 is a \$200 fee. Levels 3 through 5 is a \$500 fee. Councilman Yarborough said the \$200 fee is for when a dog barks or bites a pants leg. The \$500 fee is when a dog viciously attacks a person.

Chairman Springs asked if a dog is dangerous to another animal, is a registration fee required? Do we have the same requirements for domesticated animals? Mr. Floyd stated "NO".

Chairman Springs asked in section 4(i) what are the levels for this section? Mr. Floyd stated Levels 3 through 5.

In section 4(i) add the verbiage "if the owner moves back to the County, the County must be notified before the move with the dangerous dog."

Mr. Floyd added if the dog is lost or missing it must be immediately reported to Environmental Services. Registration Fee is non-transferable. A new owner will need to pay the registration fee.

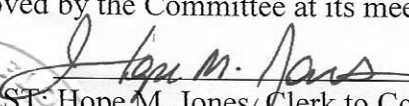
Chairman Springs stated items six (6) and eight (8) language need to be clarified more.

ADJOURN:

There being no further business before the Committee, Councilman Yarborough made a motion to adjourn. Chairman Springs seconded the motion, which was approved unanimously.

THE MEETING ADJOURNED AT 11:49 A. M.

Approved by the Committee at its meeting on February 15, 2024


ATTEST: Hope M. Jones, Clerk to Council

FLORENCE COUNTY UNIFIED FIRE DISTRICT

November 21, 2023

Mr. Yokim,

After our discussion today I met with the Unified Fire District Chiefs and the County Fire Coordinator. The Capital Project Sales Tax III (CPSTIII) was very beneficial to the Unified Fire District. There was \$1,160,000 in request that was not funded in the CPSTIII referendum. After meeting with the Chiefs, it was decided that we wish to propose the following request.

Howe Springs	Station 5	Brush Truck	\$85,000
Howe Springs	Station 1	Engineer and property improvement	\$90,000
West Florence	Station 2	Hydraulic Extrication Tools	\$70,000
Hannah Salem	Station 1&3	Brush Trucks (2)	\$170,000
Hannah Salem	Station 3	Breathing Air Compressor	<u>\$85,000</u>
Total			\$500,000

The City of Florence Fire Department responds to Automatic and Mutual Aid requests daily to assure the proper coverage responds on structure fires and to assist in improving ISO ratings. The City of Florence is in dire need to replace two Engines and a Ladder truck that are approaching twenty years of age. This request was approved by all the Unified Fire Chiefs and the County Fire Coordinator.

Florence City Fire	Engines (2)	<u>\$1,500,000</u>
Total		\$1,500,000

In CPSTIII there was approval to install 150 fire hydrants and less than 100 were installed due to inflated cost. The current Unified Fire District has approximately 200 hydrants that are broken and needs replacing on multiple water systems. There is no way to determine exact cost on each location, but the Council just purchased a hydrant for \$5000, which is what we originally quoted for in CPSTIII. The Chiefs would like to ask for funding for the replacement of 200 hydrants across the Unified Fire District.

Unified Fire District	200 Hydrants @ \$5000 a hydrant.	<u>\$1,000,000</u>
Total		\$1,000,000
Grand Total		\$3,000,000

Sincerely,

William Dillon, Jeff Dennis, Howard Worrell, Henry Humphries, Mark Floyd,
John Delung, Eddie Jordan, Sam Brockington



SOUTH LYNCHES FIRE DEPARTMENT

STATION 1 - LAKE CITY
STATION 2 - COWARD
STATION 3 - CAMP BRANCH
STATION 4 - CADES
STATION 5 - LEO-CAMERONTOWN
STATION 6 - SCRANTON
STATION 7 - NEW HOPE
STATION 8 - BAKERS - HEBRON
STATION 9 - WHITE OAK
STATION 10 - MOORE'S CROSSROADS

January 12, 2024

The Honorable Jason M. Springs, PE
Florence County Council – District #1
709 Lancelot Way
Lake City, SC 29560

Re: Funding Assistance

Jason,

As we have discussed in the past, South Lynches Fire Department has several outstanding needs for capital projects that we are not currently able to fund. Each of these items are relatively small in scope but very necessary to day-to-day operation of our department. In no order, these items are listed below:

1. Addition to Station #2 (Coward) to house rescue boat..... \$40,000
2. Repair Defective Floors at Station #6 (Scranton)..... \$40,000
3. Replace portable extrication/rescue tools at Station #1 (Lake City), Station #2 (Coward), and Station #5 (Camerontown)..... \$45,000
4. Replace fixed extrication/rescue tools at Station #1 (Lake City) and Station #2 (Coward). Existing tools are low pressure hydraulic which are outdated..... \$180,000
5. Install RFID Card Access Systems at all Stations..... \$45,000
- Total..... \$350,000**

I understand that Florence County has additional funding available from the Capital Project Sales Tax III initiative. I realize that there are numerous requests for this funding, but I believe these are very specific needs that South Lynches Fire Department currently cannot afford. South Lynches Fire provides exceptional service to its citizens with minimal financial implications for the taxpayers. Our volunteers rely on these stations and associated equipment to provide life saving measures daily.

I hope that you and council will look favorably upon this request as you allocate these additional funds. If you have any questions, feel free to contact me anytime.

Sincerely,

David Malone, Chief
South Lynches Fire Department

CC: The Honorable Kent Caudle (via email)
The Honorable Roger Poston (via email)
The Honorable Jerry Yarborough (via email)
Mr. Kevin Yokim (via email)