

Lancaster County Council Public Safety Committee

Tuesday, March 15, 2016

**County Council Conference Room
Council Administration Building
100 N. Main Street
Lancaster, SC 29720**

1. **Call to Order – Committee Chair Steve Harper** **8:00 a.m.**
2. **Approval of the agenda** *[deletions and additions of non-substantive matters]*
3. **Minutes of the February 9, 2016 meeting – pgs. 2-7**
4. **Citizens Comments**
5. **Discussion / Action Items**
 - a. Draft Noise Ordinance. *John Weaver and Doug Barfield – pgs. 8-11*
 - b. New aerial maps – Pictometry for the county. *Kevin Granata – pgs. 12-15*
 - c. Sheriff's Office grants. *Sheriff Barry Faile – pg. 16*
 - d. Fire Service RACI Chart. *(chart provided under separate cover) Councilman Larry McCullough*
 - e. Grant applications – Fire Departments. *Darren Player – pg. 17*
 - f. Information only – state mandate for Coroner's office – *pgs. 18-19*
6. **Adjournment**

*Anyone requiring special services to attend this meeting should contact 285-1565 at least
24 hours in advance of this meeting.*

**Lancaster County Council Public Safety Committee agendas are posted at the Lancaster County
Administration Building and are available on the Website: www.mylancastersc.org**



Members of Lancaster County Council
Public Safety Committee

Steve Harper District 5, Chairman
Bob Bundy, District 3
Larry McCullough, District 1

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Minutes of the Lancaster County Council Public Safety Committee Meeting

101 N. Main Street, Lancaster, SC 29720

Tuesday, February 9, 2016

Council Members present were Steve Harper, Larry McCullough and Bob Bundy. Also present was Steve Willis, Debbie Hardin, John Weaver, various Department Heads and spectators. A quorum of the Lancaster County Public Safety Committee was present for the meeting.

The following press was notified of the meeting by e-mail or by fax in accordance with the Freedom of Information Act: Lancaster News, Kershaw News Era, The Rock Hill Herald, Fort Mill Times, Cable News 2, Channel 9 and the local Government Channel. The agenda was also posted in the lobby of the County Administration Building the required length of time and on the county website.

Call to Order

Chairman Steve Harper called the meeting to order at 8:05 a.m.

Approval of the agenda

Bob Bundy moved to approve the agenda as written. Passed 3-0.

Minutes of the January 12, 2016 Meetings

Bob Bundy moved to approve the minutes of the January 12, 2016 meeting. Passed 3-0.

Citizens Comments

There were no citizens that came forward for comments.

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Discussion / Action Items

Sheriff's Office grants

Sheriff Barry Faile reported that his office has applied for the following grants:

| Grant Type | Grantor (SCDPS) | Agency Match (LCSO) | TOTAL |
|--|----------------------------|--------------------------------|---------------------|
| Justice Assistance Grant 2016 – Domestic Violence Investigator | \$129,525.00 | \$14,392.00 | \$143,917.00 |
| Justice Assistance Grant 2016 – Chemist for Drug Lab | \$176,577.00 | \$19,619.00 | \$196,196.00 |
| Justice Assistance Grant 2016 – Crime Scene Investigator | \$203,879.00 | \$22,652.00 | \$226,531.00 |
| Justice Assistance Grant 2016 – Narcotics Investigator (3 rd year) | \$107,665.00 | \$11,963.00 | \$119,628.00 |
| Total | \$617,646.00 | \$68,626.00 | \$686,272.00 |

The Sheriff further discussed that these positions are consistent with the 5-year plan. If the grants are awarded they would be in the 2016-2017 fiscal year grant match. These grants can be applied for each year for three years. At the end of the three years, the positions will have to be funded by the county.

Larry McCullough moved to recommend favorably to full Council. Passed 3-0.

Administrative Assistant position with Coroner

Karla Deese, Assistant Coroner, spoke regarding moving a part-time administrative assistant position to full-time hours. Ms. Deese explained that due to new state mandates and the growth of our county, they wish to establish office hours on Friday to keep up with the workload and to be consistent with other county office operations. Ms. Deese further noted

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that for the remainder of 2015-2016 fiscal year the estimated cost is \$3,000 to fund the additional hours and \$7,300 for the full fiscal year 2016-2017.

Kimberly Hill, Budget Analyst noted that the \$3,000 will come from within their current budget for this year and the position will be added to their budget request for 2016-2017.

Steve Harper requested that when state mandates have been added, please include those mandates as part of the documentation to Council.

Larry McCullough requested that the Coroner review their fee schedule to consider the real cost of documents and processes to insure that we are charging appropriately.

Bob Bundy moved to recommend approval to Council. Passed 3-0.

Draft Noise Ordinance

Steve Willis stated that Attorney Doug Barfield has worked on a draft to the noise ordinance. The present ordinance has two sections (1) the first is in the General County Code and is geared towards club type noises and amplified noise; and (2) the second is in the UDO. This one is unenforceable, as the devices to measure, the sounds as described are no longer produced. The only way to proceed with a workable ordinance was to start over.

Attorney Doug Barfield discussed that the existing noise ordinance makes no sense. He reviewed the Greenville model and did not like it either. His approach is simple and something that the deputies can work with. Attorney Barfield noted that defining the excessive noise is the direction that he took and reviewed the following draft information for Committee comments:

Article II. NOISE

Section 23-21 Definition.

Excessive Noise is any loud and unnecessary noise which disturbs the peace and quiet of any unincorporated area of the County of Lancaster or which causes disturbance, discomfort, or annoyance to any reasonable person of normal sensitivities in any incorporation area of the County of Lancaster or which endangers or injures the safety or health of any person or domestic animal in any unincorporated area of the County of Lancaster. This shall include but not be limited to noise made by human voice or any mechanical, electric, or electronic machine or device. In determining whether a noise complained of constitutes excessive

noise, the finder of fact shall consider all relevant factors including but not limited to the following:

- (A) The intensity and level of noise;
- (B) The nature of the noise including whether it was unusual and whether it was produced naturally or unnaturally;
- (C) The duration of the noise;
- (D) The date and time of day or night the noise occurred;
- (E) The general characteristics of the area where the noise was produced;
- (F) The general characteristics of the area where the noise was heard;
- (G) The distance between the source of the noise and the hearer of the noise;
- (H) The reasonable expectation of quiet of persons where the noise was heard;
- (I) Any prior complaints concerning the noise or its source or the person producing the noise.

Section 23-22. Prohibited Acts.

It shall be unlawful for any person to make or continue or cause to be made or continued any excessive noise in any unincorporated area of the County of Lancaster.

Section 23-23. Exceptions.

This Article shall not apply to:

- (A) Noise emanating from a lawfully established business or industry on a fixed site in any unincorporated area of the County of Lancaster except a business licensed for on premise consumption of alcoholic beverages, which business shall be subject to this Article.
- (B) Noise emanating from governmental activities, airports and aircrafts, railways, emergency signal devices, parades, carnivals, school band practice and performances, school or government sponsored athletic events, or similar activities.
- (C) Noise caused by emergency operations for the immediate safety, health, and welfare of the unincorporated areas of the County of Lancaster and its inhabitants or to restore property to a safe condition following a calamity.
- (D) Noise emanating from construction activities, agricultural activities, tree harvesting or land clearing activities, lawn care activities, or similar activities between the hours of 6:00 a.m. and 10:00 p.m.

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Section 23-24. Enforcement and Penalties.

- (A) The provisions of this Article shall be enforced by the Lancaster County Sheriff's Office.
- (B) A person violating this Article shall be guilty of a misdemeanor and shall be punished by a fine and/or imprisonment as provided by Section 1-10 of the Lancaster County Code of Ordinance for a first and a second offense and by a minimum fine of \$250.00 and/or imprisonment as provided by Section 1-10 of the Lancaster County Code of Ordinances for a third or subsequent offense. Each occurrence shall constitute a separate offense.

Bob Bundy moved to authorize the County Attorney and Attorney Doug Barfield to work together to develop an ordinance. Passed 3-0.

The Ordinance will come back to the Committee for final review prior to going to County Council.

Draft 2016-2017 FY budget requests for Pleasant Valley Fire

Pleasant Valley Fire Chief was present for any questions regarding the Pleasant Valley Fire budget. Council had no questions.

Larry McCullough moved to proceed with the budget as presented. Passed 3-0.

General Comments from the Department:

Steve Willis and Bob Bundy complimented EMS for the management of their narcotics. DHEC recently conducted a surprise inspection and praised EMS for the outstanding job.

Larry McCullough praised Recreation regarding the Clemson Study and Mr. Brookover's response to questions.

Chris Nunnery provided an update regarding the radios. Currently they are procuring land for the antenna sites. Mr. Nunnery noted that they purchased four refurbished buildings for the price of one.

Sheriff Faile mentioned needing Council's support for an armored rescue vehicle.

Larry McCullough noted that he has been working with Darren Player on roles and responsibilities and the RACI Chart concept (RACI= Responsible, Accountable, Consulted

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and Informed). This process helps to demystify all the moving parts and pieces of the Fire Service and Emergency Management Department. Councilman McCullough would like to present this cart at the next Public Safety Committee meeting. He stated that this is a tool that could be utilized in other areas of the county.

Adjournment

Bob Bundy moved to adjourn. Passed 3-0.

Respectfully Submitted:

Approved by the Public Safety Committee

Debbie C. Hardin
Clerk to Council

Steve Harper, Chairman

Agenda Item Summary

Ordinance # / Resolution#: Not Yet Assigned

Contact Person / Sponsor: Sheriff Faile / Doug Barfield

Department: Sheriff

Date Requested to be on Public Safety Committee Agenda: March 15, 2016

Issue for Consideration: Whether or not it is appropriate for Council to amend Chapter 23, Article II, Sections 23-21 through 23-23 relating to Lancaster County's Noise Ordinance?

Points to Consider: The reasons as to why a new noise ordinance should be implemented have been outlined previously by the Administrator, the Sheriff and his legal advisor. A summary of that reasoning will be reviewed by those officials upon the attached ordinance being presented to the committee.

Funding and Liability Factors: N/A.

Council Options: Approve or reject the revised language in the attached DRAFT ordinance.

Recommendation: It is the recommendation of the Administrator and Sheriff Faile that the existing Noise Ordinance be amended as set forth in the attached Draft ordinance.

STATE OF SOUTH CAROLINA

)

ORDINANCE NO. 2016-

COUNTY OF LANCASTER

)

)

AN ORDINANCE

TO AMEND CHAPTER 23, ARTICLE II, SECTIONS 23-21 THROUGH 23-23 OF THE LANCASTER COUNTY CODE OF ORDINANCES BY THE DELETION OF SECTION 23-21, 23-22 AND 23-23 AND SUBSTITUTING THEREFORE LANGUAGE SET FORTH HERINAFTER.

WHEREAS, County Council previously considered the issue of excessive noise within the boundaries of the unincorporated sections of Lancaster; and

WHEREAS, so as to define with specificity the rules and regulations regarding excessive noise, Council did pass Ordinance No. 692 (October 3, 2005) and Ordinance No. 846 (September 10, 2007); and

WHEREAS, upon consultation with the Lancaster County Sheriff and upon recommendation of the County Administrator, Lancaster County Council has determined that a revision to the County's noise ordinance is appropriate.

NOW, THEREFORE, by the power and authority granted to the Lancaster County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

- A. Chapter 23, Article II, Sections 23-21 through 23-23 of the Lancaster County Code of Ordinances are deleted in their entirety.
- B. Substituted and replaced therefore is the following:

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- (a) The intensity and level of the noise;
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- (d) Noise emanating from construction activities, agriculture activities, tree harvesting or land clearing activities, lawn care activities, or similar activities between the hours of 6:00 a.m. and 10:00 p.m.

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AND IT IS SO ORDAINED

Dated this _____ day of _____ 2016

LANCASTER COUNTY, SOUTH CAROLINA

Bob Bundy, Chair, County Council

Steve Harper, Secretary, County Council

ATTEST:

Debbie C. Hardin, Clerk to Council

First Reading:
Second Reading:
Third Reading:

Agenda Item Summary

Ordinance # / Resolution#: n/a

Contact Person / Sponsor: Kevin Granata

Department: GIS

Date Requested to be on Agenda: 3-15-2016

Issue for Consideration: New aerial maps for the county. Our current maps are 5 years old. Based off the growth in the panhandle area. We are in need of new imagery. Pictometry can provide us with that imagery and a lot more. We believe that this product offers an excellent value. The enterprise-wide license means that anyone in county government can have complete access to all of the imagery and software for their use. This technology will improve the efficiency of the departments who deploy it, increase the safety of first responders and the public, increase tax revenue, provide disaster coverage and allow many different agencies within the county to have a common, shared database of critical information about the community.

Points to Consider: See attached list. We will get our normal aerials, the ability to look at a property from all four sides, we will get building foot prints, and a tool to compare the sketches to the new foot prints. In the case of a natural disaster in our county. Pictometry will come in and fly the county at no additional cost.

Funding and Liability Factors: Adding a Technology Fee to the building permits. We have also contacted the Lancaster County Water and Sewer District, Lancaster County Natural Gas, and the City of Lancaster about contributing to this project so they will be able to use this information also.

Council Options: To purchase Pictometry. We are getting a lot of extras with Pictometry for just a little more than the cost of a normal aerial flight. Due to the continued growth in the pan handle especially over the last five years. The state is recommending that we get a new flight within the next year. If we didn't have the growth the state would recommend that we wait.

Recommendation: Seek the Technology fee on the Building Permits and see if the Water and Sewer, and Natural Gas as well as the City of Lancaster would be willing to contribute to this project. By them contributing to the project they will have a license to use Pictometry in their organization.

How is Pictometry used?

There are endless applications for Pictometry. In essence, the only limit is your imagination. From 9-1-1 dispatching centers, emergency management agencies, and first responders, to engineering firms, community planning agencies, and transportation departments, Pictometry provides visual information that lets you see everywhere, measure anything, and plan everything.

9-1-1:

- * Instantly view multiple images of caller location at time of call
- * View alternate traffic routes to incidents
- * View each address from multiple angles for entry and escape points
- * Measure height, length, and width of buildings
- * Provide remote guidance on location of electrical wires and other obstacles that might impair equipment or helicopter access
- * Integrate third-party information such as dispatch software and records management systems
- * Monitor foot chases through visual clues and provide assistance to officers on the scene
- * Using visual clues, help identify true location of incidents that are called in that may not be the actual incident area.

Law Enforcement:

- * Identify staging and surveillance areas
- * Officer Safety
- * Search, raid, and seizure planning
- * Photo documentation for search warrant applications
- * Traffic control analysis, evacuation planning, and routing
- * Land/air coordination in search and rescue efforts
- * Setup foot chase/crime-in-progress perimeters in seconds
- * Turn night into day - winter into summer
- * Historical archiving and accident reconstruction
- * Logistical analysis
- * Statistical mapping

Fire Departments:

- * Preplan responses for major structures and facilities

- * Locate and establish field command centers
- * Measure hose distance from water sources and hydrants to fire
- * Zoom in and inspect structural composition, roof layout, and access points
- * Access structural inventories such as sprinklers and hazardous material lists
- * View impact of wind direction on neighborhood for potential evacuations
- * Integrate third-party data such as plume impact
- * Send coordinates of house numbering systems to MDTs in vehicles en route

Assessor's Office:

- Remotely determine the accuracy of parcel data in some of the harder to access areas
- Reduce field visits or revisits and related labor and fleet maintenance expenses
- Boost tax base by adding possibly missed property changes, but also help us to ensure that we have accounted for all structures in Lancaster County. This can be done by using the Change finder tool.
- This data can also be used for any future damage assessment projects
- Prioritize parcel review based on comparative analysis
- Reappraisal
- Time and gas savings in not having to conduct field inspections
- Formal and informal appeals
- Abundant views can aid in the determination of fair market value
- Detect properties not previously accounted for in tax records

Building and Zoning and Planning Departments:

- Evaluate sites for new development
- Preview properties for additional, new construction, and permits prior to field visit
- Investigate land use classifications, such as "bona fide" agricultural purposes, commercial residential
- Take a virtual tour of every square foot of each property in a jurisdiction without having to schedule a field visit
- Measure square footage, area, height, widths, distances, angles elevations of buildings, properties and roads
- Assist in Planning for future land use, and zoning layers
- Achieves a return on investment and potentially gains new revenues.



Budget Proposal

Proposal for: Lancaster County, SC
Project Name: Lancaster County, SC 2017
Contract Term: 6 Years
Number of Flights: 2

Pictometry Rep: Bradley Robertson
Phone Number: (704) 292-4894
Email: bradley.robertson@pictometry.com
Date: 2/18/2016
Expiration Date: 8/16/2016

Single-Flight Summary

Project Total: \$216,668.00

Traditional 3" Neighborhood and 9" Community with 6" Orthos Imagery

Multi-Flight Summary

2 Flights over 6 Years

Flight #1 Total: \$182,818.00

Flight #2 Total: \$187,648.00

Agenda Item Summary

| | |
|---------------------------------|---|
| Ordinance # / Resolution#: | Discussion/ Information |
| Contact Person / Sponsor: | Barry Faile |
| Department: | Sheriff |
| Date Requested to be on Agenda: | March 2016 Public Safety Committee March 28, 2016 County Council meeting |

Issue for Consideration:

Sheriff grants through Department of Homeland Security.

Points to Consider:

These are 100% grants with no local match. All items are capital expenditure. The only recurring expenses would be for fuel and maintenance on the vehicle. This will be covered in the Sheriff's annual operating budget.

Items include:

| | |
|------------------------------------|---------------|
| Thermal Image Camera | \$15,000.00 |
| Emergency Rescue Vehicle (MedEvac) | \$300,000.000 |
| Dual Band Handheld radios (15) | \$108,530.00 |
| Radio Charging Base w/ Recondition | \$3,700.00 |

Funding and Liability Factors:

None – 100% grant funding.

Council Options:

This is information only.

Staff Recommendation:

N/A; this is within the Sheriff's discretion. I do commend him for utilizing federal grant funds for equipment rather than requesting local tax dollars.

Committee Recommendation:

This is information only.

Agenda Item Summary

Ordinance # / Resolution#:

Contact Person / Sponsor: Darren Player

Department: Fire Commission

Date Requested to be on Agenda: March 15, 2016, Public Safety Committee

Issue for Consideration: Grant applications filed by Fire Departments under the Assistance to Firefighters Grant Program. The Fire Commission requests County Council budget for and provide the 5% match for successful grants awarded by FEMA on grants submitted by individual fire departments within the county. All grant applications are part of the overarching goals of the Fire Commission and within the allowed equipment purchases. The Fire Commission voted unanimously on March 3rd to forward these applications to the Public Safety Committee requesting it forward the match requests to full Council with a positive recommendation.

Points to Consider: County Council provided funding, as in past years, from the budget, for the five percent match required for any successful grant application(s). Charted below is a list of grant applications with the amount of 5% match required should the grant be awarded.

Funding and Liability Factors: Total funding needed if all grants were awarded is \$44,783.00. This represents a match of 5%.

Council Options: Council may choose to fund a budget amount coving the possible total or Council can consider each grant if it is awarded. Council could also choose not to fund any match amount.

Recommendation: The Fire Commission voted unanimously to request the 5% match be provide on all grants that could be awarded. Staff recommendation is also that Council fund the 5% match.

| FD Name | Grant Number | Description | Total Amount | Federal Share | Local Match |
|-----------------|-------------------|-------------------------------------|--------------|---------------|-------------|
| | | | | 95% | 5% |
| Heath Springs | EMW-2015-FO-01381 | Firefighting Equipment | \$20,163.00 | \$19,203.00 | \$960.00 |
| Heath Springs | EMW-2015-FO-00118 | Regional Radio (Stations: 9, 15, 7) | \$163,809.00 | \$156,009.00 | \$7,800.00 |
| Indian Land | EMW-2015-FO-03974 | Firefighting Equipment | \$24,900.00 | \$23,715.00 | \$1,185.00 |
| Kershaw | EMW-2015-FV-01352 | Firefighting Vehicle (Rescue) | \$300,000.00 | \$285,715.00 | \$14,285.00 |
| McDonald Greene | EMW-2015-FO-00143 | Regional Radio (Stations: 2, 8, 12) | \$116,005.00 | \$110,481.00 | \$5,524.00 |
| Rich Hill | EWM-2015-FO-05539 | Firefighting Equipment | \$24,996.00 | \$23,806.00 | \$1,190.00 |
| Tradesville | EMW-2015-FV-02473 | Firefighting Vehicle (Tanker) | \$290,626.00 | \$276,787.00 | \$13,839.00 |
| TOTAL | | | \$940,499.00 | \$895,716.00 | \$44,783.00 |

Debbie Hardin

From: Karla Knight
Sent: Wednesday, March 09, 2016 12:35 PM
To: Debbie Hardin
Subject: New ammendment from DHEC
Attachments: DHEC Ammendment.pdf

Debbie,

Attached is the DHEC amendment we referred to in the last meeting. The amendment states fines will be levied against doctors and funeral homes. However, when we perform a contract county cremation, we are responsible for acting as the funeral home, which subjects us to the fines.

Karla Knight Deese, D-ABMDI #2059
Chief Deputy Coroner
Lancaster County Coroner's Office

P.O. Box 1809
Lancaster, SC 29721
803-416-9919 (office)
803-416-9911 (fax)

803-427-2545 (cell)

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Effective January 1, 2016

Death certificates, electronic filing

Section 44-63-74(A) of the 1976 Code is amended to read:

(A)(1) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics within five days after death.

(2) The funeral director or other person acting as the funeral director who first assumes custody of a dead body shall file a death certificate. He also shall obtain:

- (a) the personal data of the decedent from the next of kin or the best qualified person or source available; and
- (b) the medical certification of cause of death as provided in department regulations.

(3) Medical certifications of cause of death must be completed and returned to the funeral home director within forty-eight hours after receipt of notice of the death by the physician in charge of the patient's care for the illness or condition which resulted in death, except when an inquiry is required by a coroner or medical examiner. If the cause of death cannot be determined within forty-eight hours after death, the medical certification must be entered as pending, and the physician, medical examiner, or coroner shall submit a supplemental report to the state registrar on a form furnished by or approved by him as soon as practicable. The supplemental report shall be made a part of the death certificate. If the forty-eight hour period terminates on a weekend, federal holiday, or state holiday, the physician must file the certification by the end of the next business day. In the absence of this physician or with his approval, the certificate may be completed by his associate physician, the chief medical officer of the institution in which the death occurred, or by the pathologist who performed an autopsy upon the decedent.

(4) Death certificates must be transmitted electronically between the funeral home director and the physician, coroner, or medical examiner certifying the cause of death in order to document the death certificate information prescribed by this chapter. Required signatures on death certificates must be provided by electronic signature. An individual who acts, without compensation, as a funeral director on behalf of a deceased family member or friend, physicians certifying fewer than twelve deaths per year, and funeral homes that perform fewer than twelve funerals per year are exempt from the requirement to file electronically but must comply with the requirements of items (2) or (3), as applicable.

(5)(a) A physician who fails to certify the cause of death within forty-eight hours, without good cause shown, may be assessed an administrative penalty for violating item (3). The department shall notify the Board of Medical Examiners if a penalty is assessed. Each day after the initial forty-eight hour period shall constitute an additional violation.

(b) A funeral home or funeral director who fails to file a death certificate or collect data or collect medical certification of cause of death as required in items (1), (2), or both, without good cause shown, may be assessed an administrative penalty for violating the respective item. However, the department must not assess a penalty against a funeral home or funeral director for the delay or inability to collect personal data of the decedent pursuant to item (2)(a). The department shall notify the Board of Funeral Services if a penalty is assessed. Each day after the initial five day period in item (1) shall constitute an additional violation of that item.

(c) A physician, funeral director, or funeral home that is required to file electronically pursuant to item (4) but who fails to file accordingly may be assessed an administrative penalty for violating item (4).

(d) The administrative penalties are:

- (i) two hundred fifty dollars for a first violation or a warning letter;
- (ii) five hundred dollars for a second violation; and
- (iii) one thousand dollars for a third or subsequent violation.

(e) The department shall retain any administrative penalties collected pursuant to this subsection and must allocate all of these funds to the Bureau of Vital Statistics for its use.