

Newberry County
Public Safety Committee Agenda
Monday, October 24, 2022, 6:00 p.m.
Courthouse Annex Council Chambers
1309 College Street
Newberry SC 29108

1. Call to Order – Todd Johnson, Chairman
2. Additions, Deletions, and Adoption of Agenda
3. Ordinance No. 10-24-2022 - An Ordinance establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the fire or rescue department for services provided/rendered for the Newberry County Emergency Services.
 - a. First Reading
4. Discussion of county policy on guns in public buildings, particularly fire/rescue buildings – Sheriff Foster
5. Discussion of impacts of House Bill and now law H3050 – Sheriff Foster
6. Discussion of amending the Noise Ordinance – Sheriff Foster
7. Discussion of the increase in vehicle prices and the negative impact on the budget- Sheriff Foster
8. Discussion of mowing at the Fire and Rescue Stations – Tommy Long
9. Discussion of utility bills at Fire and Rescue Stations – Tommy Long
10. Public Comments
11. Comments/Requests from Committee
12. Adjournment

ORDINANCE NO: 10-24-2022

AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE FIRE OR RESCUE DEPARTMENT FOR SERVICES PROVIDED/RENDERED FOR THE NEWBERRY COUNTY EMERGENCY SERVICES.

WHEREAS, the emergency and non-emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire and rescue department services; and

WHEREAS, the fire and rescue departments has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire and rescue departments services decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions; and

WHEREAS the County Council and Newberry County Emergency Services desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations, and guidelines; Now, Therefore

BE IT ORDAINED BY THE COUNTY COUNCIL AND THE NEWBERRY COUNTY EMERGENCY SERVICES:

SECTION 1: The Newberry County Emergency Services shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire and rescue department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in “EXHIBIT A”. The mitigation rates shall be based on actual costs of the services and that which is usual, customary, and reasonable (UCR) as shown in “EXHIBIT A”, which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

SECTION 2: A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.

SECTION 3: The fire or rescue department’s County Council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not

consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

SECTION 4: It is found and determined that all formal actions of this County Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this County Council, and that all deliberations of this County Council and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Ordinances of the County Council.

SECTION 5: This Ordinance shall take effect thirty days (30) from the date of adoption as permitted by law.

SECTION 6: The Mitigation Rates lists in Exhibit A will increase by 1.5% annually or based on the annual percentage increase in the Consumer Price Index (CPI), as developed by the Bureau of Labor Statistics of the U.S. Department of Labor, whichever is more. Rate adjustments will occur on the anniversary date of this ordinance/resolution to keep the fire and rescue department's cost recovery program in conformity with increasing operating expenses.

Passed: _____
Signature

Approved _____
Signature

VOTE ON PASSAGE: ___ Yea ___ Nay ___ Abstain

Attest: _____
Clerk

I, _____ Secretary to the Council, do hereby certify that the foregoing Ordinance No. _____ was duly published in the _____, a newspaper of general circulation in the City or Town on the ___ day of _____, 2___; and I further certify the compliance with the Codified Ordinances and the laws of the State of South Carolina, pertaining to Public Meetings.

Clerk

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

The mitigation rates below are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These rates are based on actual costs using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance).

MOTOR VEHICLE INCIDENTS

Level 1 - \$506.00

Provide hazardous materials assessment and scene stabilization. This will be the most common “billing level”. This occurs almost every time the department responds to an accident/incident.

Level 2 - \$576.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE - \$704.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,520.00

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$465.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary, and reasonable (UCR). These incidents will be billed, itemized per apparatus, plus products and equipment used.

HAZMAT

Level 1 - \$816.00

Basic Response: Claim will include engine response, perimeter establishment, evacuations, set-up, and command.

Level 2 - \$2,913.00

Intermediate Response: Claim will include engine response, assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 – \$6,875.00

Advanced Response: Claim will include engine response, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery, and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$336.00 per HAZMAT team.**

FIRES

Assignment - \$466.00 per hour, per engine / \$582.00 per hour, per truck

Includes:

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common “billing level”. This occurs almost every time the department responds to an incident.

OPTIONAL: A department has the option to bill each fire as an independent event with custom mitigation rates.

ILLEGAL FIRES

Assignment - \$466.00 per hour, per engine / \$582.00 per hour, per truck

When a fire is started by any person or persons that requires a department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the department response at a cost not to exceed the actual expenses incurred by the department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the department. The actual expenses will include equipment costs and any other costs that can be reasonably allocated to the cost of the response.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common “billing level”. This occurs almost every time the department responds to a water incident.

Billed at \$466.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$932.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery, and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,304.

Level 4

Itemized Response: You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary, and reasonable (UCR). These incidents will be billed and itemized, plus products used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary, and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, plus products used.

Minimum billed \$466 for the first response vehicle. Additional rates of \$466 per hour per response vehicle.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$466 per hour.

Truck billed at \$582 per hour.

Miscellaneous equipment billed at \$350.

MITIGATION RATE NOTES

The mitigation rates above are average “billing levels” for one hour of service, and are typical for the incident responses listed, however, when a claim is submitted, it may be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire or rescue apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance).