

**NEWBERRY COUNTY COUNCIL PUBLIC SAFETY AND COURTS COMMITTEE  
MINUTES  
May 20, 2024**

The Newberry County Council Public Safety and Courts Committee met on Monday, May 20, 2024, at 6:00 p.m. in Council Chambers at the Courthouse Annex, 1309 College Street, Newberry, SC, for a special called meeting.

Notice of the meeting was duly advertised, as required by law.

**PRESENT:** Leon Fulmer, Committee Chair  
Karl Sease, Committee Member  
Johnny Mack Scurry, in place for Mr. Johnson  
Jeff Shacker, County Administrator  
Sheriff Lee Foster, NCSO  
Tommy Long, Emergency Services Director  
Eric Nieto, I.T. Director  
Brandon Wicker, Emergency Services Coordinator  
Andrew Wigger, Clerk to Council/PIO

**Absent:** Todd Johnson, Committee Member

Mr. Fulmer called the meeting to order at 6:00 p.m. and determined a quorum to be present.

Mr. Sease led the invocation and Pledge of Allegiance.

**1. Additions, Deletions & Adoption of the Agenda.**

- Mr. Fulmer requested the addition of a public comment section after item four and an opportunity for county administrator comments and committee member comments following that. Mr. Scurry made a motion to accept the agenda as amended, Mr. Sease provided the second and the motion was approved 3-0.

## 2. Staffing Concerns – Sheriff Lee Foster.

- Sheriff Foster said they are experiencing a problem that is not dissimilar from most law enforcement in South Carolina and the United States – shortage of personnel and personnel leaving and going from agency to agency. He added that the applicant pool is not great. At present, the NCSO is down by four people. They also have two in training, and they will not be available to the public for at least 16 weeks because of training and field training. This means, theoretically, they have six openings in the NCSO. This is equivalent to a whole shift of people. Sheriff Foster added that the jail is down four people and that is a whole shift, as well.
- To help make up the difference, Sheriff Foster said they are using overtime, but that is time and a half, and they are doing innovative scheduling. The jail, he said, is a unique situation because there is a minimum number of people they have to have on duty at any given time. In law enforcement there is no minimum, there is just danger to the officers and danger to the public not having enough officers to respond in a prompt manner, according to Sheriff Foster.
- Regarding the staffing issue, Sheriff Foster said most of it has to do with salary in that people jump around looking for a higher salary. He added that there was once a time most law enforcement agencies were in the same genre as far as salary and there once was a time if you worked in Richland County, you also had to live in Richland County; however, that is no longer the case with most places saying you have to live 45 minutes to an hour of the agency and are allowing employees to take cars home.
- Sheriff Foster said the county is at a crossroads and it is not a great place to be in as NCSO's salaries are not completely competitive with agencies in this area. Recently, the NCSO lost two deputies to the S.C. Highway Patrol, who raised their

- salaries up. They also lost one to Cayce and one to a private security agency.
- Sheriff Foster said once they hire someone, they have the ability to hold them here for about two years because an agency that would hire someone in that two-year range would have to pay NCSO back part of their salary, equipment and training. This means most agencies do not look at those in that two-year period.
  - Sheriff Foster said some of these agencies pay signing bonuses in addition to a higher salary than NCSO pays. He added that they realize they cannot keep up with the S.C. Highway Patrol as they are paying experienced officers between \$75,000-\$85,000 a year.
  - Sheriff Foster said when someone leaves like that, and they've invested money, that other agency gets the benefit of what Newberry County taxpayers paid for. He added that the officer that went to Cayce, they just bought a bunch of equipment for him because he was on the tactical team, and that equipment is cut to fit.
  - In South Carolina, according to Sheriff Foster, it is against the law to honor contracts in government/law enforcement. He said he wishes they had some way they had to sign a contract so they pay them back, or another agency would, but there is nothing on the horizon for that.
  - Sheriff Foster requested they look at it, consider it and understand what we are in right now. He said he thinks they are doing a great job of plugging the holes, but they cannot keep doing it. For example, he said he had one employee who has worked nine days straight and will work the rest of the week too, and he appreciates people like that but not everyone will do that.
  - Mr. Scurry asked how far apart the county from the average. Sheriff Foster said he is not going to compare to the S.C. Highway Patrol because he said the state right now is raking in money and are able to give it out. He said the county is about

\$3,000-\$5,000 away from most of the county's competitors outside of S.C. Highway Patrol and state government. He added that he is not necessarily talking about the starting salaries, but the salaries as you progress through the county system. He said most of these agencies are looking for deputies with five years or more of experience because it takes about two to three years for a law enforcement officer to understand everything they need to do.

- Mr. Sease asked if there is a policy in place on the number of days they can work or hours within the month. Sheriff Foster said there was not. Mr. Sease then asked if there is a policy in place that an employee leaves, they must reimburse the county for equipment purchased. Sheriff Foster said the county could pass a policy, but it is not enforceable because that would be a contract and you cannot sign a contract with government employees.
- Mr. Scurry asked if there were signing bonuses for new employees. Sheriff Foster said a lot of employees offer bonuses, but they don't give them the bonus all at once, so they divide it up over a certain amount of time. He said he is not really a big fan of signing bonuses more than he is retention bonuses, but they just gave all NCSO employees retention bonuses. However, he said there is a fault in that too, and the one who left the county got that and was gone within the month. However, he does think the retention bonuses did help.
- Mr. Fulmer followed up on the cost of the training and the county not being able to recover that. Sheriff Foster said for two years, they can recover that from the agency that hires them, and if they do not pay it then the Criminal Justice Academy fines the agency and puts a judgement against them. They are only able to recoup basic things, the salary the county pays them and the cost of equipment specifically for that officer. He added that is state law, but past that after two years, there is no way to recoup the money.

- Mr. Fulmer asked if there was a policy about deputies taking vehicles home that lived a certain distance away. Sheriff Foster said yes, and the policy is that you have to be within 35 miles generally, he said they did this to try and recruit from the Columbia area. He added they have two that live outside Newberry County, and they have been allowing deputies to take vehicles home for years.
- Mr. Fulmer asked if Sheriff Foster thought it would be beneficial to instead of doing longevity bonuses to do longevity raises, county wide. Sheriff Foster said the bonuses they gave, they were able to do because they had so many vacancies, but no guarantee they can do that next year. He thinks some kind of longevity raise would be beneficial. He said there is a reason the person at the top is making more money, you have a lot more responsibilities and you are paying for those responsibilities. However, he said what is costing the county and the profession are not the people on the lower tiers – which he said they need to bring up as well so they can get people to come here – but when you get in that section of midlevel supervisors and above, and lose them, you lose your experience, education and talents.
- Mr. Fulmer asked if there is a policy in the county for performance bonuses. Sheriff Foster said they have in various forms, he said there was once a time that the county just did performance bonuses. He said the problem with that, if the person doing the rating doesn't do it honestly, it does not do any good. He added that he doesn't think they had a good way of evaluating someone's performance because it was one size fits all and you get an evaluation that is the same for someone that is a clerk versus someone who drives heavy equipment, etc.
- Sheriff Foster thanked the committee for listening, and just thinks they need to try and figure something out to help and that it is not just Newberry County, but it is all over the state.

He said some counties are much better off than others and some are a lot worse off than Newberry County.

- Mr. Fulmer said he agrees with him, and they need to do something with it and the committee appreciates him bringing the issue to their attention.
- Sheriff Foster said they understand the well has a bottom, but anything that could be done to help stop the bleeding would be appreciated.
- Mr. Fulmer took the opportunity to commend the NCSO and the correctional officers at the jail, especially those who live in the county and most folks are lifelong residents of Newberry County, such as himself. Through the years, he said he has developed great respect for what the NCSO is asked to do, and he appreciates the sheriff being present.

### 3. Fire Service update – Chief Jason Fulmer.

- Mr. Jason Fulmer said thank you for passing the second reading (of the budget) and hopefully they can pass the third reading to get a new truck into the county.
- Mr. Jason Fulmer asked if council has any plans for replacing the aging fleet and they need about seven more trucks and he knows the money is not there, but if there are any plans.
  - Mr. Leon Fulmer said at this point, they know there is a need, to say there is a plan in place in order to make it happen tomorrow, he doesn't think they have such a plan, but they know that is a critical need. From his standpoint, that is a major goal to have something in place to replace that aging equipment, not just in the fire service but across the board.
- Mr. Jason Fulmer asked if there was a start date on grass cutting at all the fire stations.
  - Mr. Shacker said he knows Mr. Mac Bartley got the numbers to add that to the contract and he thought that had already started and if not it is starting quickly.

- Mr. Sease said last year he knows they talked about doing a fire service audit to know what the needs were to try and come up with a plan. Mr. Shacker said that has not started yet, the RFP is ready to go, and he thinks it would be good to reissue it.
  - Mr. Fulmer said he'd really like to see an audit.
- Mr. Scurry asked if he heard correctly that they are seven trucks short.
  - Mr. Fulmer answered in the affirmative and Mr. Long clarified that they aren't short, but the trucks they have are older and are in need of replacement.

#### 4. Discussion of Cost Recovery Ordinance – Tommy Long Emergency Services Director.

- Mr. Long gave a copy of a potential ordinance, which he said is not a final version. He said if council wants to go forward with this, the county would bill insurance companies for expenses being on the scene of wrecks and different fires. The intention is not to bill the individual if they do not have insurance or if their insurance provider denies the claim, just the insurance company. This should not increase their premiums as this is something they are already paying for.
- Mr. Sease said he thinks it is a great idea and said with all of that construction on the interstate, they could have probably bought a couple of trucks with all the calls.
- Mr. Long added an outside agency would handle the billing, they would just have to document all the calls they go to, and that company will get a cut.
- Mr. Fulmer said he thinks it is a good idea to pursue it to put something in place to recoup some of that cost. He added he has concerns about how they do it, but if people are already paying for it through their insurance, they need to recoup that.
- Mr. Shacker said these insurance companies are budgeting that expense and the concept would be only to pursue this through insurance and there are some questions about treating

residents versus non-residents and they need to do some research.

- Mr. Shacker said he wanted to see their reaction and if they are favorable, this would be a great work session topic once they polish up an ordinance.
- Mr. Fulmer said a question he has is what surrounding counties are doing. Mr. Long said Laurens and Saluda counties already do this.
- Mr. Shacker said what they'd like to recommend is the money go to a capital account to purchase equipment, like fire trucks.

#### 5. Public Comments.

- Mr. Robert Dennis thanked the committee for rescheduling as he has been attending every Public Safety and Courts Committee meeting he can and to him, it seems like this committee has been cancelled more so than any other meeting a committee has. He also thanked Mr. Sease for recommending an ordinance to have someone sit in when another council member cannot attend, he said he thinks that is important because public safety is not a quarterly meeting, it is a monthly meeting. He said if you have board planning meetings and other meetings that are monthly, he thinks public safety needs to be a monthly meeting.
- Mr. Dennis also thinks the meetings need to be reported to council, he said sometimes minutes get lost and there needs to be a verbal (report). He said Mr. Fulmer is the chair of the committee and whenever you make that verbal outside of the minutes to give a solid backing of what they are asking for, that relays to council what they need in public safety. He said public safety is not just firemen, it's the rescue squads, EMS, anyone that falls under emergency services public safety.
- Mr. Dennis thanks the committee for reimbursing the Prosperity Rescue Squad money that was spent to upgrade this county and then thanked them for putting money in to buy 30



more air packs to give out to the county departments to bring them into compliance. He said the word compliance needs to be shared along with the dollar sign because if they are not in compliance and something happens to any public safety individuals then the county will be brought into compliance by a financial fine. He said they were fortunate several years ago that Newberry County was not hit with a fine for a fire they responded to in Saluda.

- He said they don't come to every meeting asking for money and it is not because they want to fill their stations with the brand-new equipment it is because they want to comply with what they are sending down to them.
- Mr. Dennis then thanked Mr. Nieto for livestreaming and there were at least three meetings that were not livestreamed and there were complaints about other committees being livestreamed, but public safety wasn't. He said he thinks they need to be consistent with what they do for Newberry County.
- Regarding grants, he also thinks it is very important, because he has received phone calls belittling him about grants. He said for 36 years in emergency services, they put in for grants and there are grants they do not get and that is unfortunate because they don't make the cut because of information, or they don't reach the statistics. He said recently, they contracted with some grant writing groups and unless he is unaware, they have not received anything. He said individual fire departments have because they put in for the grants like V-Safe (Volunteer Strategic Assistance and Equipment) which is money that's been set aside each year as long as it is contingent on what the state is allowed to put to the side and this year they got \$13,200, which was used to upgrade their ventilation system with three fans. Last year, they were able to purchase extrication equipment. He said they do put in for grants, and they don't get them all, but the grants that they have received have benefited Newberry County by millions of dollars over his past 36 years in emergency services and they won't stop

- putting in for them. He added if they could get some type of service that can better write grants, that will call them and ask questions, he truly feels they can get that out there.
- Mr. Dennis then spoke of the state of affairs for Newberry County. He said he heard the word audit mentioned and he said an audit is an ugly monster, and they had a pay study not too long ago, and the county paid a lot of money for that study and the county is not able to accommodate financial support with that pay study. He said you think about an audit with the fires service, he said Mr. Long can pull all of the statistics and give the council that audit, he said Mr. Long can pull the service of all the vehicles and to give him the \$40,000 and the county does not need to pay someone to do that.
  - Mr. Dennis then referenced the previously mentioned fire trucks, he said he was here when they lined up seven trucks on Newberry Square and it was a great day for many fire departments, but the problem with that is the county did not accommodate the years after that. He said he is not casting blame because those there are new to Newberry County government. He said, in the past, if something was placed in the budget it was taken out prior to coming to the seven council members and he thinks that is where it needs to be to the seven individuals. He said not just the trucks but the equipment.
  - Mr. Dennis said Newberry County is growing and each committee member should ride the entire county. He referenced a new subdivision and if a house catches on fire, they not only put out the house on fire, but the two houses beside the home and maybe even behind it.
  - He said the subdivisions are going to become a headache and a heartache for Newberry County and emergency services. He said don't take this as he is trying to say don't bring them, he said they want them and they want more people to come and live and work in Newberry County, but before you can have them live and work in the county, they have to establish

- emergency services. He added that emergency services are things people look at, like crime rate.
- Mr. Dennis said they have held that fine line of providing because of their volunteers. He said he thinks that is very important to remember because they are asking for money for a fire truck, grass cutting and money for law enforcement, that it comes with a greater weight of value that someone can know that they were on site in a matter of minutes. He said in his career of emergency services, there are two areas that have to be funded, emergency services and garbage collection and that both of those areas tend to find the most controversy. If someone doesn't get a response in a timely manner, they complain.
  - Mr. Dennis said we've got to step our game up a little bit better and one truck a year isn't enough, and they do not want to fall behind again.
  - Mr. Sease told Mr. Dennis they appreciated him coming out and talking and added they are trying and last year they started a revenue stream for emergency services from FILOTs, but it will take a while to get the money built up.
  - Mr. Dennis then said Charleston County increased their budget by \$4 million following the deaths of nine firefighters. He said for a volunteer program, the training is impeccable in Newberry County but making the training available is hard with volunteers.
  - Mr. Fulmer said the number one question people ask when it comes to emergency services is what your response time is. As far as volunteers, he thanked the volunteer service, and they provide a huge money savings to Newberry County.
  - Mr. Gregg Grantham, a volunteer, said one of the things he's trying to get is treating Airbnb like they are, a business, and taxing them like a business. He said require them to have business license and pass the same standards Holiday Inn and other places have to go by, he said they have a bunch of them at Lake Greenwood and Lake Murray and you can make a pretty

good amount of taxes and right now they aren't paying anything. He said while out driving around, look at the roads and they look like trash. He said imagine what patients feel like when they are being transported.

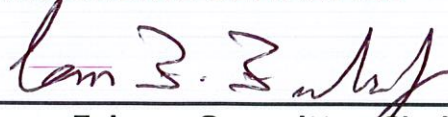
#### 6. Comments from County Administrator/Committee members.

- Mr. Shacker said in terms of the amendments council made related to FILOT agreements, it looks like some of those will hit in tax year 2024 and they will start to see a little bit of revenue come in from that.
- Mr. Scurry asked when you redline a fire truck, is it over mileage or age. Mr. Long said mileage is not an issue, but it is more the age. Mr. Fulmer added repair cost with Mr. Long said that the older they are the harder they are to repair. Mr. Fulmer said they have tankers that are rusted through, unable to hold water.
- Mr. Fulmer said he greatly appreciated everyone coming out and that they do hear them, and they will certainly take it back to council and try to come up with a path forward.

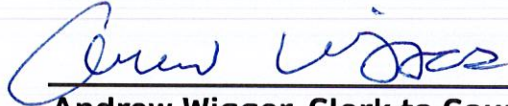
#### 7. Adjournment.

- Mr. Scurry made a motion to adjourn; Mr. Sease provided the second and the motion was approved 3-0.

**NEWBERRY COUNTY COUNCIL PUBLIC SAFETY  
AND COURTS COMMITTEE**



**Leon Fulmer, Committee Chairman**



**Andrew Wigger, Clerk to Council**

**Minutes Approved:** 6-5-2024