

**HEALTH & HUMAN SERVICES COMMITTEE
MINUTES
FEBRUARY 27, 2007**

The Health & Human Services Committee met on Tuesday, February 27, 2007 in the Committee Room, located on the second floor of the Administration Building beginning at 2:50 p.m. Mr. Carrigg, Committee Chairman presided.

Members Attending:

John W. Carrigg, Jr., Chairman	Johnny W. Jeffcoat, V Chairman
Debra B. Debbie Summers	Bobby C. Keisler
William B. Banning, Sr.	William C. Billy Derrick

Also attending: Katherine Hubbard County Administrator; Larry Porth, Finance Director/Deputy County Administrator; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Review of the Outdoor Burning Ordinance (Goal 2) - Public Safety/Fire Service - Chief Bruce Rucker, Assistant Sheriff/Director of Public Safety and Homeland Security and Synthia Williams, Environmental Coordinator, Public Works - Chief Rucker provided information of proposed amendments to the current outdoor burning ordinance with assistance from Public Works, Fire Service and DHEC. Proposed amendments were discussed from the following sections:

ARTICLE IV. OUTDOOR BURNING

Sec. 30-107. Compliance with article provisions.

- 1 - Delete the word **“unincorporated”**
- 2 - Add **“serviced by the Lexington County Fire Service,”**

Sec. 30-108. Location.

- 1 - Change Sec. 30-108 Location Header to **“Location of residential yard debris burning.”**
- 2 - Delete the words **“the burning”** and add **“Open burning of leaves, tree branches or yard trimmings on the premises of private residences and burned on those premises,”**
- 3 - Change each occurrence for **“50 feet “** to **“100 feet”**
- 4 - Add **“Open burning for the purpose of land clearing or right-of-way maintenance must be conducted in accordance with the SC Department of Health and Environmental Control (DHEC) Air Quality Regulations 61-62.2 and 61-62.4 and S.C. Code 1976, § 48-35-10 et seq”**

- 5 - Delete **“Notwithstanding the above, if the fire is contained in an approved waste burner, it must be located not less than 15 feet from any structure.”**

Sec. 30-110. Prohibited during hazardous conditions.

- 1 - Change Sec. 30-110 Prohibited during hazardous conditions Header to **“Fires shall be prohibited as follows”**
 - 2 - Add **“The following materials shall not be burned in an open fire. Asphalt and asphaltic materials, paint, plastics, metals, treated wood, paper, petroleum products, demolition debris, dead animals, construction debris, household chemicals, household garbage, tires, trade waste and cardboard.”**
- 3 - Add **“Open burning for the purpose of land clearing and right-of-way maintenance. Except as specified by DHEC Air Quality Regulations 61-62.2 and 61-62.4”**
- 4 - Add **“Open burning for the purpose of land clearing, and right-of-way maintenance shall be prohibited during the ozone season (April 1 through October 30)”**

Sec. 30-113. Exemptions.

- 1 - Under (c) delete **“This article does not apply to the burning of debris on site by a licensed contractor during new construction of a home or other building.”**
- 2 - Add **“Fires set for the purpose of training public fire-fighting personnel when authorized by the appropriate governmental entity, and fires set by a private industry as a part of an organized program of drills for the training of fire-fighting personnel. These will be exempt only if the drills are solely for the purposes of fire-fighting training and the duration of the burning is held to the minimum required for such purposes. Prior approval by DHEC is required only for sites which are not established training sites.”**

Sec. 30-114. Restrictions; exceptions.

- 1 - Delete the word **“substantially”**

Sec. 30-117. Conflicts of article with state law.

- 1 - Delete **“If any conflict arises between the provisions of this article and any state law, the provisions of state law shall prevail and be controlling.”**
2. Add **“The provisions of this article shall prevail and be controlling over provisions of state law if such is allowed by state law. Otherwise, if any conflict arises between the provisions of this article and any state law, the provisions of state law shall prevail and be controlling.”**

A motion was made by Mr. Jeffcoat seconded by Mr. Derrick to recommend to full Council to move forward with the first reading of the amended outdoor burning ordinance as written.

In favor: Mr. Carrigg Mr. Jeffcoat
 Ms. Summers Mr. Banning
 Mr. Derrick

Opposed: Mr. Keisler

Update on Automatic Vehicle Location System (AVL) and Paperless Reporting System (Goal 1) - Public Safety/EMS - Brian Hood, EMS Coordinator – Chief Hood gave a power point presentation update on the Automatic Vehicle Location System (AVL) and paperless reporting system. For information only. No action.

Proposed Additions to the Animal Control Ordinance (Goal 2) - Animal Services - Joe Mergo, Director - Mr. Joe Mergo, Animal Services Director, outlined proposed additions/amendments to the animal control ordinance as a direct result of issues encountered by Animal Services staff during the performance of their duties. The proposed additions/amendments were discussed for the following sections of the ordinance:

ARTICLE II. ANIMAL CONTROL

Division 1. GENERALLY

Sec. 10-31. Definitions.

1- Add:

“Shelter - Shall be defined as a structure appropriately sized for the animal to stand or lie in a normal manner. The structure must have a roof, three sides, appropriate sized opening for ingress and egress and a dry floor so as to protect the animal from the elements of weather.”

Add new section:

Sec. 10-?? Sale of Pets.

- (a) No person shall trade, barter, auction, lease, rent, give away, or display for commercial purpose, any pet, on any roadside, public right-of-way, public property, commercial parking lot or sidewalk, or at any flea market, fair or carnival.
Council requested to add the word “sell” to this section.
- (b) No person shall offer a pet as an inducement to purchase a product, commodity or service.
- (c) Licensed pet shops, commercial kennels, county animal shelters, and licensed pet rescue organizations may be exempt from the requirements of this section with prior written approval from the animal services director or designee. The written approval document must be kept on site and produced upon request to law enforcement and code enforcement personnel.

Sec. 10-41 Enforcement of Article.

- (d) Add “Further, after reasonable attempts to capture and/or restrain unsuccessfully a pet in violation of any section of this article (by physical means and/or trapping), as a last resort the pet may be destroyed.”

A motion was made by Mr. Banning, seconded by Mr. Keisler to amend the proposed additions to add the word “sell” to the proposed new section Sec.10-?? Sale of Pets and to recommend to full Council to move forward with first reading of the proposed animal control ordinance as amended by the Committee.

The vote in favor was unanimous.

Approval of Minutes - Meeting of January 23, 2007 – A motion was made by Mr. Jeffcoat, seconded by Mr. Keisler to approve the minutes for January 23, 2007 as submitted.

The vote in favor was unanimous.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to Clerk

John W. Carrigg, Jr.
Chairman

Diana W. Burnett
Clerk