

**HEALTH & HUMAN SERVICES COMMITTEE
MINUTES
FEBURARY 10, 2009**

The Health & Human Services Committee met on Tuesday, February 10, 2009 in the Committee Room, located on the second floor of the Administration Building beginning at 1:15 p.m. Mr. Jeffcoat, Committee Chairman presided.

Members Attending:

Johnny W. Jeffcoat, Chairman

James E. Jim Kinard, Jr.

Debra B. Debbie Summers

William B. Banning, Sr., V Chairman

Bobby C. Keisler

Also attending: Katherine Hubbard, County Administrator; Joe Mergo, Deputy County Administrator; Larry Porth, Finance Director/Assistant 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.

Ordinance 08-16 - An Ordinance to Amend the Lexington County Code of Ordinances, Chapter 14, Building and Building Regulations; by Adding a New Article Therein for the Purpose of Establishing Regulations and Requirements Related to Smoking in Retail Food Establishments in the Unincorporated Areas of Lexington County - Ms. Hubbard, County Administrator, presented revisions to Ordinance 08-16. She said previous discussions have lead to requests for definitions for "attached bar" and "bar" as well as "private establishments."

She reported that the difference between a bar and restaurant is that the gross receipts would define the establishment. Fifty percent or less of the revenue of the bar which serves alcohol must come from the sale of food and if greater than fifty percent it would be classified as a retail food establishment. Ms. Hubbard provided a definition of a private club or bar and noted that the key to defining this private establishment was its membership roster and fees. The private club or bar would not be part of a public establishment but a separate building with a separate entrance and memberships would not be allowed at the door.

Ms. Summers indicated that the ordinance should be about the workplace and that smoking is a health issue. She said it was about the quality of life for the workplace and protecting the community of Lexington County. Mr. Derrick cited information from the National Restaurant Association's website on smoking issues. The Committee asked if a second public hearing would be required if the County went to a totally smoke-free workplace ordinance since the initial public hearing was on signage rather than smoke free throughout all businesses in the County. Ms. Hubbard replied that the County Attorney would need to advise on how to proceed. The Committee directed staff to look for a way to allow businesses to make the choice to become a private club, if they wish, and bring back revisions to the next meeting. It was also requested to make the definition of a private club simple enough that it is achievable. For information only, no action taken.

Citizen's Request to Amend Animal Control Ordinance - Animal Services - Chris Folsom, Animal Services Coordinator and Joe Mergo, Deputy County Administrator - Mr. Joe Mergo, Deputy County Administrator, presented a request for proposed changes to the Animal Control Ordinance. The request is from a citizen, Ms. Allyson Sheldon of Lexington County, and deals with animal restraint and confinement in rural areas. The question is should an animal be required to be contained or confined on its own property and the means of the confinement. Mr. Mergo reported that twelve out of the fourteen municipalities in Lexington County have adopted the County's Ordinance as their official town ordinance. Cayce and West Columbia have their own animal control.

Mr. Derrick said that during a meeting he and Mr. Mergo had with the citizen a few valid points were brought up. One important item was about signs posted at chicken farms warning about the spread of poultry disease that is extremely contagious. Mr. Derrick said this is not something that needs to be in the animal control ordinance but it is something that the County needs to brief its animal control officers, sheriff's department, zoning and building officials, public works, and other employees whose work places them in these areas and should be aware of the threat of contamination and the spread of disease. Also, discussed was the three-year rabies vaccination noted in the changes and not stated in the ordinance. Mr. Mergo responded that animal control does recognize the three-year rabies vaccinations. He reported that staff was working with Dr. Charlotte Krugler, State Veterinarian at Clemson Extension, in putting together an education program for staff whose jobs would put them in the area of chicken farms.

Mr. Derrick expressed his concerns about the need of education in the rural communities because those pet owners do not think about confinement issues or the fact that they may be violating the leash law. There was discussion on giving a warning for first offenses instead of a ticket for violation. Mr. Mergo reported that staff has spoken to citizen groups who have had questions about the County's animal control ordinance. Animal Services does provide information and tours of the animal shelter to schools and groups in an effort to educate the public. For information only, no action taken.

Old Business/New Business - None.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Judy R. Busbee
Assistant to the Clerk

Johnny W. Jeffcoat
Chairman

Diana W. Burnett
Clerk