



**MINUTES  
WORK SESSION  
FAIRFIELD COUNTY COUNCIL  
JANUARY 29, 2020**

**Present:** Jimmy Ray Douglas, Bertha Goins, Doug Pauley, Clarence Gilbert, Council Members; Jason Taylor, County Administrator; Tommy Morgan, County Attorney; Patti L. Davis, Clerk to Council.

**Absent:** Moses Bell, Mikel Trapp, Cornelius Robinson, Laura Johnson

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80 (e), as amended, the following persons and/or organizations have been notified of the time, date and location of this meeting: The Independent Voice of Blythewood and Fairfield, The Country Chronicle and one hundred forty one other individuals.

**I. CALL TO ORDER**

Vice Chair Goins called the Work Session to order at 5:22 p.m.

**II. APPROVAL OF AGENDA**

Motion made by Council Member Douglas, seconded by Council Member Gilbert, to approve the Agenda. ***The motion carried unanimously 4-0.***

**III. INVOCATION**

Vice Chair Goins led the invocation.

**IV. ITEMS FOR DISCUSSION**

**Animal Care and Control Ordinance**

**Public Comment:**

- Mary Lynn Kinley
- Kathy Faulk
- Randy Bright

**Points brought out in the public comments:**

- Importance of bringing forth a better animal ordinance with rules and regulations that Mr. Innes and his department can work with.
- The hope that other counties will follow Fairfield County's lead and also the hope for future discussions with State representatives.

- Continually review the ordinance for needed changes in the future. Ensure maximum impact with communication to the public of the changes. Make sure law enforcement is on board.

**Council Discussion:**

Council Member Pauley inquired once the ordinance goes into effect, will there be a window with proper notification before citizens are held accountable to the new rules, such as the new trolley/harness system. Council Member Douglas stated it should be up to the officers who respond to the calls to let the citizens know of the new rules, and he feels this should take care of a large part of this concern. Mr. Taylor agrees, and once the ordinance is passed, it would be hard to swing the pendulum to the other side immediately and think everyone will immediately know the new rules and be on board. There will be an education period, which will include working with the Sheriff's Department. In extreme cases, the new ordinance will be followed. However, within reason, we will work with the citizens. Per Mr. Innes, in the majority of cases, the department already talks to individuals they are required to visit in the event of a problem. It is not about bashing people, and sometimes people just don't understand what must be done to take care of an animal. The department does try to help and educate people. Mr. Innes feels this ordinance is desperately needed for the County. There are parts some people will like and parts some people won't like. He also feels the new ordinance should be phased in, possibly beginning with the new fiscal year. Mr. Innes also stated a lot of the changes have already been reviewed with Mr. Maxwell of the Solicitor's Office. Council Member Pauley feels a lot of this should be common sense judgment from the perspective of the Animal Control officers and the Sheriff's Deputies. Once they arrive on the scene, they should be able to determine who is and is not taking care of their animals. Council Member Pauley referred to Section 4-11 and questioned the confinement of animals in motor vehicles. Mr. Innes believes any regular citizen can break a window if the owner of an animal cannot be found and the animal is trapped inside a vehicle. Council Member Pauley's concern is if they are acting on behalf of the County, could there be a possible lawsuit from damaging a vehicle. Per Mr. Morgan, it is written in the ordinance that if any one of these individuals has probable cause and deems it necessary to break a window to retrieve an animal, the S.C. Tort Claims Act, 15-78-10, will provide the immunity for the official action. A court would have to find that there was gross negligence on behalf of that employee before any liability could attach. Volunteers would also fall under this umbrella.

Council Member Gilbert inquired what the penalty would be for citizens who have an excessive amount of animals in their home that are found to be malnourished. Per Mr. Innes, this would be at the discretion of the judge. Per Mr. Taylor, in the instance of an excessive amount of animals in a house, that would also constitute an unlicensed kennel. A kennel should be registered so the animal control employees can inspect the property and check on the animals once a year. If no registration is in place, the person should not be breeding dogs. Vice Chair Goins inquired if the Sheriff's Department and the Solicitor's office are on board with the changes. Per Mr. Morgan, the County did work with the Sheriff's office, in particular Lt. Haney and others, and they have reviewed the document. Likewise, he has spoken with Riley Maxwell, the Assistant Solicitor.

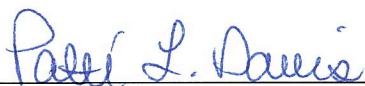
Council Member Pauley also questioned Section 4-21, kennels and pet shops, and if anything will be done to address the issue of these being in residential neighborhoods. Per Mr. Taylor, one must first have a license, and it must be determined that the location is suitable for this type of operation. More rules will need to be put in place to state what will qualify as a kennel, and he will work with Mr. Innes on this in the future. Council Member Douglas stated the State rules for a kennel are that you must have a concrete floor with a drain to be able to be washed out each day and have a place for the drain water to go.

Council Member Douglas made a motion, seconded by Council Member Gilbert, to forward the Animal Ordinance to full Council for Third and Final Reading with an understanding that it is open for a continuance of improvement. **Motion carried unanimously 4-0.**

Vice Chair Goins thanked the members of Hoof & Paw for their assistance along with everyone who supports the organization. She thanked Mr. Innes for his continued work and compassion. She also thanked Mr. Taylor and the administration staff for their work on bringing this forward.

#### V. ADJOURN

At 5:58 p.m., it was moved by Council Member Douglas and seconded by Council Member Gilbert to adjourn. **The motion carried unanimously 4-0.**



PATTI L. DAVIS  
CLERK TO COUNCIL



CORNELIUS ROBINSON  
CHAIRMAN