

Lincoln County Animal Services
Advisory Board Meeting Minutes
October 2nd, 2018

Attendees:

Hannah Beaver, Animal Services Director

Dr. Ashley Oliphant, Chairman

Dr. Karen Miller

Robin Franklin

Mark Connolly

Doug Woods, Vice Chairman

Diane Leatherman

Michael Hull, Senior Animal Services Officer

Lindsey Houser, Animal Control Administrative Secretary

Guest Attendees:

Commissioner Anita McCall

Opening:

Director Beaver handed out the minutes from 9/4/18 as well as a draft of the Dangerous and Potentially Dangerous Dog Ordinance. Dr. Oliphant opened the meeting at 6:31 PM. Danielle Rudisill was the only board member not in attendance. Director Beaver announced her resignation from the board effective October 1st, 2018.

Approval of Minutes:

Chairman Oliphant asked the board if there were any suggestions or changes required for the minutes from the last advisory board meeting on September 4th, 2018. After giving the board a moment to look over the minutes, Chairman Oliphant offered a vote for the approval of the minutes to the board. The board unanimously approved the minutes.

Dangerous and Potentially Dangerous Dog Draft Ordinance Final Review

Chairman Oliphant directs the board's attention to the final draft of the Dangerous and Potentially Dangerous Dog Ordinance. Director Beaver refers to the first portion that was added to the draft (underlined and written in red). Since the last meeting, Director Beaver added this portion in order to maintain transparency with the owners of dogs being deemed dangerous or potentially dangerous.

Upon further review of this draft, Doctor Oliphant points out a misspelling of the word "gag" on page 3.

Director Beaver stated that she added the words "Level 2" in front of every "dangerous dog" phrase throughout the ordinance.

Director Beaver references point 4 under the Potentially Dangerous Dog Requirements and Maintenance section. This point was added into the ordinance to give Lincoln County Animal Services a place to require that a dog deemed dangerous be spayed or neutered if they are not altered already.

Director Beaver references 92.07.5 Declassification of Dangerous and Potentially Dangerous Dogs. This portion was added into the draft upon request from the last meeting. Director Beaver suggests declassification only if an owner petitions- not automatically. This declassification would require a fee which would be approved by the Board of Commissioners. This fee would be a result of the extra work required of LCAS employees. Chairman Oliphant suggests a \$100 declassification fee. Diane Leatherman asks what the yearly registration fee for owning a dangerous or potentially dangerous dog would be. Michael Hull suggests a \$50 yearly fee for registration. Doctor Oliphant states that she believes these are fair fees.

Mark Connolly suggests doing the "K9 Good Citizen Test" by the AKC by an unbiased, unaffiliated evaluator, regardless of who taught the behavior training class that is required by the declassification system in the ordinance. This test would not be a financial burden, as it is often done for \$10 or \$20.

Chairman Oliphant suggests adding "and assessment from an unbiased trainer selected by LCAS" to 92.07.5 B1.

Mark Connolly states that a dog that was declassified should not be eligible for declassification again upon relapse. Director Beaver suggests adding a section D to 92.07.5 that states there are to be no double declassifications.

Director Beaver mentions a few language revisions from the county management. County management had mentioned that there is currently no term length for the serving advisory board. Commissioner McCall states that some terms could be 2,3 or 4 years. County Management also suggested defining a message on the warning sign for a dangerous or potentially dangerous dog's enclosure. Chairman Oliphant and Mark Connolly suggest using a "Beware of Dog" sign because it can be easily attained.

Robin Franklin asks how LCAS would keep up with a dog deemed dangerous or potentially dangerous if an owner relocates. Director Beaver states that 92.07.4 (b) is missing a statement that makes requirements for if an owner relocates with a dog. She also states that the dog should not be relocated without approval of LCAS. Commissioner McCall asks if there will be a fine for not getting approval to relocate, to which Director Beaver replies yes.

Mark Connolly asks about defining the phrase “serious injury”. Director Beaver states that there would be a series of definitions from the NC State Law at the beginning of the ordinance.

Robin Franklin asks what would happen if an owner refuses to turn an animal over to LCAS, citing a previous incident. Director Beaver spoke with the county attorney on this matter who said the first step of action in this case would be to send a certified letter stating the potential charges the animal owner could face.

Doug Woods references the Maintenance of a Dangerous Dog section and suggests defining the type of muzzle, specifically a molded basket muzzle. He believes a molded basket muzzle is best. Mark Connolly suggests requiring an inspection of an animal’s muzzle at the home inspection. Director Beaver ends the conversation on this particular topic by stating that the general description “basket muzzle” should be enough because it is a very specific type of muzzle.

Director Beaver references 92.07.3 (e), stating that there is no fee schedule for this penalty. Mark Connolly states that he believed a \$100 penalty would be fair. Michael Hull asks if a penalty fee would increase with each violation, to which Mark Connolly replies yes.

This discussion of violations leads to a discussion of the outcome of a dog it reaches a second violation after being deemed potentially dangerous. There is discussion that it could be added to the ordinance that if a potentially dangerous dog commits two violations, it would become property of LCAS. Director Beaver asks if this would be too strict. Chairman Oliphant expresses her concern that that this could be too strict in some cases. Mark Connolly suggests a hefty fine for a potentially dangerous dog that is found running loose. This fine must be paid before the animal would be able to be reclaimed by its owners.

Commissioner McCall requests clarification on the levels of dangerous dogs. Director Beaver states that a Level 1 is a higher level.

Mark Connolly asks if Lincoln County would be liable if a dog became property of LCAS, was sent to rescue, and then the dog had an issue upon its release to a rescue organization. Director Beaver replies, stating that the owner of the animal at the time of the incident is liable. For LCAS to release an animal that had been deemed potentially dangerous, a liability waiver would have to be signed. Diane Leatherman asks if the liability waiver is a current practice at LCAS, to which Director Beaver replies yes and then explains the current behavior waiver in use.

Animal Services Updates:

Director Beaver informed the board that LCAS is geared up for a potential response needed for the impending hurricane. Repairs at LCAS are currently happening to meet standards required by the Department of Agriculture.

Next Meeting Dates:

There is not a meeting scheduled for November.

The next meeting scheduled is on Tuesday, December 4th, 2018 at 6:30 PM.

Public Comments:

None

Motion to Adjourn:

Doctor Karen Miller made a motion to adjourn the meeting. Doug Woods followed with a second. The meeting ended at 7:21 PM.