



ANIMAL CONTROL ADVISORY BOARD MEETING

MARCH 14, 2018

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES FROM DECEMBER 6, 2017

UPDATE ON THE HOBBY BREEDERS WORKSHOP – MRS. DRIGGERS OR MS. CLARK

FUTHER DISCUSSION ON THE TIE OUT OF DOG ORDINANCE – MRS. COLLETTI

NEW BUSINESS

PUBLIC PARTICIPATION

SET DATE & TIME FOR NEXT MEETING

MEETING ADJOURNED

VOLUSIA COUNTY ANIMAL CONTROL
ADVISORY BOARD MEETING
MARCH 14, 2018

PRESENT:

KAREN K. CLARK
DR. PAUL REHME
JESSICA RODRIGUEZ
JEANNINE COLLETTI
JUDY MALONE
ROBERT BAIRD

SERGIO PACHECO, VCAS DIRECTOR
DEE FERGUSON, VCAS FIELD SUPERVISOR

The meeting was called to order. Pat Mihalic, Cathy Driggers, Diane Ferguson, Alexander Penalta and Nicholas Mongello are absent.

Karen Clark calls for approval of the minutes of the December 6, 2017 meeting.

Mrs. Collette makes a motion to approve the minutes as submitted.

Mrs. Malone seconds the motion.

The motion is carried

Ms. Clark asks for an update on the Hobby Breeders workshop. This workshop was held to change the wording throughout the law. We worked it out and it seems everything is fine. One of the things was about having a personal microchip scanner on your property. This was one thing that was removed. We had all spoken about this in previous meetings. Now, all of the animal control officers have scanners. This takes away some of the financial burden of the Hobby Breeders. We have finally made the changes final, to be presented to the County. I believe Cathy is going to be writing a letter to back everything that was said, and hand that in. We can finally get the Hobby Breeder's section taken care of. I believe we were trying to take it away from Zoning so that it had clearer, concise verbiage. At one time the County said "yeah that sounds really good". With the letter that Cathy will be writing to finally put this through to go through the channels to make it better. I believe Sergio, you were in agreement with all the changes?

Mr. Pacheco: Yes

Ms. Clark: So now it's actually going to go through the process. I don't know how long it takes. I know it takes thirty days to approve, and so many days and months to finally get it read by the County Attorney.

Mr. Pacheco: Before it goes through that, Mrs. Driggers wanted to meet with someone from Zoning. We have to invite either the Director or whoever's in charge in Zoning. They have a Zoning Board just like we do here. It probably has to be approved by the Zoning Board. We still have some hurdles to jump.

Mrs. Clark: I think that the hurdles are really low because all along it was just a few things and they were on board with it. So maybe whoever here wants to volunteer, it would probably be easier for Cathy and myself and anybody else to go to the county office over there and speak to them instead of having another whole big meeting here. We can actually go to Zoning. Having a meet and greet over there, having a letter already pre-written.

Mr. Pacheco: I can make a phone call, but I would think having that person here in case the other Board members have questions, would be the right way to go. That's my opinion.

Ms. Clark: At the Zoning office.

Mr. Pacheco: All right I'll make a phone call.

Ms. Clark asks how the other Board members feel about having it at the Zoning office.

All Board members agree with it.

Mr. Pacheco discusses who to contact at Zoning.

Ms. Clark asks the Board if there is a day that would be preferable for anyone to attend the meeting.

Mrs. Collette states Monday, Tuesday and Wednesday is not good.

Ms. Malone states Thursday and Friday

Mr. Baird states it did not matter.

Mr. Pacheco states he will try for Thursday or Friday.

Ms. Clark states what we would do is send him the minutes of the meeting, if he wants them. The way we want to present it, with all the changes in it. If we send him that ahead of time so he can review it.

Ms. Clark calls for further discussion on the tie-outs of the dogs.

Mrs. Collette: I still stand with my opinion and my conviction. I don't even like the word "tie-out". It's been said that they can be tied out for a certain amount of time, and who's going to decipher that amount of time? Most animals that are tied outside, their owners work or they really don't care. They think that's humane. My take on it, is if you have a dog or an animal that you want to tie out, you either get a fence or you get a leash, or keep them in a house. That is my take. The reason again, we go back, an animal is not property. I'll go to my grave believing that. We have to consider an animal a living, breathing soul if you will. It does feel, it does get lonely, it does get cold, it get everything else being tied. It's of no use, not to itself, not to anyone else. If it's going to protect someone, and someone goes in there, it's tied. Where's it going to go? It's not property.

Ms. Malone: You mean you don't want the dog tied out at all at any time?

Mrs. Collette: Yes ma'am, because a dog tied outside is vulnerable to being raped by another dog, being attacked by another dog. It's tied, where's it going to go?

Ms. Malone: I let my little dog out on a 25 foot lead. I stand there and watch. She runs and plays.

Mrs. Collette: Exactly. You are a minority.

Ms. Malone: But by what you're saying, even that is not correct.

Mrs. Collette: That is correct, you're there. But how do we know that everyone's as great as you to watch their dog? Everyone who is in animal control can attest to what they see. They see it all the time. If there's another way to get around it, that's fine. But basically, any dog that's out there, should either be brought in or the owner is there. How many are stolen? They're not property. If we start looking at them as our pets and as living breathing, caring animals that are used every day for the benefit of people. They have a purpose and it's not to be tied outside and just left there. That's my take on it.

Mr. Baird: How can you enforce it? They don't have enough time to run to all these places.

Ms. Malone: How will they know if the dog just went outside, or if it's been outside all day? How are they going to determine that?

Mrs. Collette: That's what I'm saying, you don't. So if we make it where they either have a leash and they're walked or they have a fence.

Ms. Malone: Not very many people can afford a fence. Or, I live in an apartment complex.

Mrs. Collette: But we're talking about the majority. If you have a complex, you have a dog that you walk on a leash. Because that's a law. If you live in complexes, the dog's got to be walked on a leash. We have laws in West Volusia, dogs got to be on a leash. Or a fence.

Ms. Clark: Well this is kind of like reporting a wellness check and a complaint.

Mrs. Collette: Exactly.

Mr. Pacheco: Let's focus on the tie outs. As far as dogs being property, according to the law that's what the dogs are.

Mrs. Collette: Then the law needs to be changed.

Mr. Pacheco: That's your opinion. We have to take one thing at a time. You're bringing too many things at one time. You're concerned about the tie outs, you're concerned about animals being called property, you're concerned about calls coming in, check conditions and that sort of stuff. Let's focus on these two first. Dee, do you have any thoughts?

Officer Ferguson: If we pass a law or ordinance about tying dogs out, and people who work all day long are either going to surrender that animal to the humane society because they cannot afford a fence. This will show an influx of animals turned in to the humane society. Also, if the dog has separation anxiety or doesn't even want to be in the house, my dog personally prefers to be outside. Not tied out, he is in a fence. But people don't have many options if they're renting a house and they can't put a fence up or if they can't afford a fence. They're going to tie the dog out. Instead of it being in the house, either tearing up or messing up their house, or living its life in a crate. To me, a dog on a tie out has more room to move around because I know there was something brought up about a dog was meant to move around. That's why we put in the ordinance about free from entanglement. If we catch a dog that's tangled up, we can issue a citation on that. Now I have had dogs in the past that had anxiety or separation that tore my house up. Now is it fair for that dog to be put in a crate or is it more fair for him to be out on a long tie out, outside? Dogs are meant to be outside in my opinion. They're derived from the wolf. They're designed to be outside and survive outside. Granted, if someone doesn't have a fence, if it's not spay or neutered, yes it's going to be exposed to other animals. But you know as well as I do, irresponsible owners are going to be irresponsible with their animals. That's why we're here. To educate and enforce the laws. I don't 100% agree with all dogs must be in a house. You've got Great Danes, Pitbulls, you've got people who can't afford to follow the laws as it is. That's why we offer low cost spay and neuter. At least these people will get that done. Then they won't be exposed to other dogs outside. You'd be surprised how many dogs that are already spay and neutered now in this County. I just see a nightmare happening with passing an ordinance for tie outs. The humane societies are going to get fuller, people are going to be dumping more dogs because they can't afford to do what the ordinance says. To me a dog is happier outside than stuck in a house or in a crate. As long as it's managed properly. That's why we have humane tie outs.

Mrs. Collette: On some of what you said, I can agree. As opposed to being in a crate, but a lot of dogs, again, saying that they love to be outside, they're fine in a crate. I know a lot of dogs that will go in the crate at the time that the owner is working. I don't approve of it myself. I would like to see a dog, in a perfect world, I would like to see a leash or a fence. Like you said, some of them are tied outside. But again, you've got the extreme.

People leave their dogs outside and forget that they're even there. I've seen dogs with water that is like soup at 95° outside, full of dirt. They forget about them. We've seen dogs that have marks all over them and their skin is raw because they're in a hole. So there has to be a balance. I understand that. But you mention wolves. Nobody ties a wolf. A wolf is free to run. It's got four legs.

Officer Ferguson: I used that as an analogy on how a dog is bred.

Mrs. Collette: All the more reason you should not tie it 24-7. I'm saying 24-7. I'm not saying never. I'm saying left out there, seven days a week, three hundred sixty five days a year. And it happens.

Ms. Malone: I still go back to, how are the animal control officers supposed to determine how long that dog's been out there?

Mrs. Collette: Well a lot of times you can see how long it's been. Dee knows she can more or less get a general idea by the surroundings of how long that dog's tied outside. Maybe we need to have some sort of balance in between. Some kind of a law where they're not tied out 24-7.

Ms. Clark asks Sergio if there's a current law on the books that you can't leave an animal tied out.

Mr. Pacheco: Not that I'm aware. There's some laws on the books, if I'm not mistaken, where you're allowed to tie out the animal at certain parts of the day. But to have an ordinance to be illegal to tie an animal out, I'm not aware of that.

Mrs. Collette: Even your shelters, the last I read a shelter has to be off the ground and has to have three sides and a roof. A lot of people, I've been told even by our animal control, a tree is a shelter. No it's not. They say it's not cold, it's out of the sun and it's fine. The water's outside. The water's outside getting filthy and steamy hot and it's 95°. Why? Because they forget about the animal.

Mr. Pacheco: In my years of experience, I can't even think of any animals that were tied outside that died while they were tied outside.

Ms. Malone: My thirteen years at animal control, I don't ever remember of hearing of one.

Mrs. Collette: Do they have to die to get it to this point?

Mr. Pacheco: No. There's people out there, when they see a dog tied up, and they're concerned about the dog, we immediately dispatch an animal control officer to check it out.

Mrs. Collette: I know you say take one thing at a time, but there you're going right back again to wellness check. Somebody has to call up and say I see this could you do a wellness check. The next thing you know, you have a cop at your door, you got a phone call, because your name was given out and your phone number.

Mr. Pacheco: What people need to do, they can call anonymously.

Mrs. Collette: No they can't. They won't go out.

Mr. Pacheco: You're completely wrong.

Ms. Malone: I answered the phone at animal control for 13 years. I would definitely take an anonymous calls like that.

Mrs. Collette: I have been told that you have to give your name.

Ms. Malone: Only on certain complaints.

Mr. Pacheco: Let me clarify. The only complaint that we do not take anonymously is barking complaints. If that individual is consistently calling anonymously on a certain address, and we find no violations, then we ask you to leave your name so you can fill out an affidavit. Give a time frame, give us some information. But you can make complaints anonymously on check conditions. You don't have to give your name.

Mrs. Collette discusses a past check conditions complaint. She was told by Dee that a wellness check was a complaint.

Mr. Pacheco: It is.

Mrs. Collette: It is wrong. And that's why you're seeing the drama. People don't want the drama. That's why you're reading 2-3 times a week of animals that are found when it's too late. They're abused, starved. Why? Because nobody called because they don't want the drama that I'm having.

Ms. Clark: It's neighbor retribution.

Mr. Pacheco: That's why you call anonymously.

Officer Ferguson: Or have the person that's calling you, call us.

Mrs. Collette: That will happen after what I had to go through. My name was given out and I said, I'm only letting you know what I heard, I didn't see.

Mr. Pacheco: The minute you leave your name, it's public record.

Mrs. Collette: For a wellness check? Then something needs to be changed. You know what? Nobody's going to call. You're going to have a lot of animals be brought in. You're not going to be able to educate them. There's a difference between a complaint and a wellness check. A big difference.

Mr. Pacheco: Just don't leave your name.

Mrs. Collette: They know my voice. They know me like a blood relation. And they should know my integrity. I'm not going to make these poor guys and girls go out there on something.

Ms. Clark: I know that when I call in, they ask if I want to call in anonymously or if I want to put my name on it.

Mrs. Collette: What do I have to do? Use that magic word "anonymous"?

Mr. Pacheco: Yes.

Mrs. Collette: I'm asking Dee

Officer Ferguson: I've been here 23 years. I have yet to see people stop calling us on check conditions. Whether it's anonymous or they leave their name. We have not had any dogs die because someone has not called.

Mrs. Collette: Do they have to get to that point?

Officer Ferguson: That's what I'm saying, they've been calling us to do check conditions. It's a complaint.

Mrs. Collette: My question was, in the future if I call and you know it's me and I say to you "this is what I see, I'm calling anonymously", what's going to happen?

Officer Ferguson: We go out, and check it out. We respond to every single complaint that comes in.

Mrs. Collette: I know you do but what I'm saying is, is my name going to be mentioned?

Officer Ferguson: If you don't want to be anonymous. It's public record.

Mrs. Collette: So when I called on behalf of these two people who called me, two days in a row, I had to say I want to be anonymous?

Officer Ferguson: Yes

Mr. Pacheco: Why didn't you have them call, and say they're anonymous?

Mrs. Collette: They did not want to.

Ms. Malone: If they don't want to report it, then they don't really care.

Mrs. Collette: I wouldn't go so far to say that. They cared enough to reach out.

Ms. Clark: This boils down to, when anybody calls in, if they want to be anonymous, you say anonymous.

Mrs. Collette: So I have to say the magic word, that's fine. Hopefully I won't have to.

Officer Ferguson: Keep in mind if you keep calling about the same address anonymous, and we go out there and we don't find anything wrong, we're not going to take anonymous calls on that address.

Mrs. Collette: I understand that.

Ms. Clark: Is there a way to have them have a photo or video and still be anonymous?

Officer Ferguson: No.

Mr. Pacheco: Because someone took it.

Ms. Clark: Can a photo be sent to you anonymously that you can see the current conditions and then you would go there?

Mr. Pacheco: All they have to do is call anonymously and send someone out there.

Officer Ferguson: And if we see something we'll take a picture of it.

Mr. Pacheco: I'd understand if the public didn't have a choice where if they wanted a check conditions or a complaint, and they had to leave their information, I would truly understand. But you have a choice. You can call anonymously.

Ms. Clark: Do people still have to call the police non-emergency number to have animal control? Or did it get changed back?

Mr. Pacheco: They call the non-emergency police department number. They've taken over dispatching. The sheriff's department.

Mrs. Collette: On the weekend, how does that work?

Officer Ferguson: It would have to be an emergency, a life-threatening to the dog. The dog would have to be in distress before we would respond on the weekend.

More discussion regarding whether pets are property.

Ms. Clark discusses "Ponce's Law" regarding the process that turned it into a law.

Mr. Pacheco: We all understand that animals are living and breathing but the word property means something belonging to someone. Not that it's property like your car or stereo. It's just some way to define that animals as being yours.

Mrs. Collette: But most people don't look at an animal like we do.

Mr. Pacheco: You can't force everyone that feel the way you do about pets.

Mrs. Collette: I totally understand that but you can enforce and take away that word property.

Ms. Clark: How about by the next meeting, I'll help you. We'll look across the country and see what law is already on the books. Every state is different. If we can compile this information, if something can be done, then call Sergio and ask to be put on the agenda and give an update of what's being done. Is that acceptable?

Mr. Pacheco: Yes. If you do your background research, you can bring it.

Mr. Baird: If you feed an animal for a certain amount of time, is that considered your animal?

Mr. Pacheco: Yes. If you're providing nutrients to the animal, shelter, it becomes yours.

Mr. Baird: How long does it technically take? I was debating this with an animal rescuer. She says if that's the case, if you're feeding raccoons, then those are your raccoons.

Mr. Pacheco: Raccoons are not domestic animals. Just dogs and cats.

Mrs. Collette discusses a situation regarding feeding and sheltering animals.

Mr. Pacheco and Mrs. Collette discuss why people will not call animal control for a sick or injured animal because they are afraid the animal will be euthanized.

Mrs. Collette discusses a situation regarding a sick or injured colony cat.

Ms. Clark requests that this conversation be continued after the meeting.

Mr. Baird discusses an injured colony cat and brings up the length of time it takes to get an appointment for spay/neuter.

Mr. Pacheco informs the Board of plans to add another veterinarian and another veterinary assistant to enable the clinic and the spay/neuter bus to run 5 days per week.

Mrs. Collette and Mr. Baird discuss the priority given for pregnant cats.

Ms. Malone requests that Sergio let her know when it is time for another veterinary assistant to be hired

Mr. Pacheco discusses the process needed to hire another veterinary assistant

Next meeting set for June 13, 2018

Meeting Adjourned