



ANIMAL CONTROL ADVISORY BOARD MEETING

JANUARY 9, 2019

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES FROM SEPTEMBER 12, 2018

INTRODUCTION OF NEW ANIMAL CONTROL DIRECTOR, ADAM LEATH-MARK SWANSON

FURTHER DISCUSSION OF THE HOBBY BREEDER ORDINANCE

FUTHER DISCUSSION OF 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
JANUARY 9, 2019

PRESENT: CATHY DRIGGERS
KAREN K. CLARK
JUDY MALONE
ROBERT BAIRD
DIANE FERGUSON
JESSICA RODRIGUEZ-VC DEPARTMENT OF HEALTH
SUZANNE GRUBBS-VC DEPARTMENT OF HEALTH

ADAM LEATH, VCAS DIRECTOR
MARK SWANSON, DEPUTY DIRECTOR, PUBLIC PROTECTION
DEE FERGUSON, VCAS FIELD SUPERVISOR
SHARI WILLIAMS, VCAS OFFICE MANAGER

The meeting was called to order. Pat Mihalic, Jeannine Colletti, and Nicholas Mongello have an excused absence

Mrs. Driggers calls for approval of the minutes of the September 12, 2018 meeting.

Mrs. Clark makes a motion to approve the minutes as submitted, Ms. Ferguson seconds it. The motion carried.

Mr. Swanson introduces Adam Leath, the newly hired Animal Service's Director.

Mr. Leath states he is very excited about some of the initiatives and discussions he will have with the Board members.

Mrs. Driggers resumes discussion about the Hobby Breeder ordinance. She personally feel like this month is not the right month to make the decisions about where to move with it due to the changing of board members that is getting ready to be made. Our biggest goal is to clean up some wording in this ordinance that has been around since the eighties. We want to revamp a few of the items in there. Before we can do that, we really need to have a meeting with Zoning as part of it is with Animal Control and Zoning.

Mrs. Driggers asks Mr. Leath if he has had a chance to look over the previous discussions.

Mr. Leath: I am familiar with the sterilization requirements and the exemptions only being those Hobby Breeders. The one question I would have for all of you to consider is if we have some changes to this provision, why not look at it all? Maybe there are some opportunities for us to update some of the language that's in there that may need updating or maybe not applicable anymore, or doesn't really match operations. It's far easier to bring all changes at once, and cheaper in saving tax-payer dollars to do all of that at once. Maybe just consider if that's something you would be open to.

Mrs. Driggers: That's what we did. We did the entire ordinance. It's something that once we have the new board, we can certainly go through, step by step and make sure there's no further changes. It's been approved by a board and then it's been approved by a second board. And here we are at a change. What we want to do with Zoning, we could probably go forward with that. And then with the new board, sit and go over it like you're talking about and go through everything again. Some of the housekeeping stuff that was in it, like my pet peeve is where it says only one species or breed can be bred or kept. Really, by reading it, "or kept" means you can't have a cat, or any other species. When I brought it to Council's attention, they called the county attorney, we had a discussion. They said that's not how we interpret it. I feel like I don't want to leave it up to anyone's interpretation. It really should be black and white. If you take "or kept" out, you could have your five or six pets

and then have your animals for your breeding program. It might be a really good opportunity to go through it all again as it will give everyone who is new to the board as well as Mr. Leath a chance to really get to know all of the pieces of it. I would like some input from other people on the board.

Mrs. Clark: If we've already worked on this, and even with the new board, and we say ok, this part is correct and updated, then we can address whatever other steps so that's already done and decided. And then work on the other two things. Then present the whole thing with all the changes. We've beaten this thing for three years and it's finally getting the words we need. We can finish what this section is, and then see what other sections Animal Control can guide you.

Mrs. Driggers: I have the redline version. This will show you the changes that we've made. We could send that out and at the next meeting, dig into it.

Mr. Baird discusses a law in Brevard County that is getting ready to pass that will make it illegal to sell Hobby Breeder animals in pet stores. Not to be confused with rescue animals. What if we did that here?

Mr. Driggers: None of the breeders who I'm friends with would ever sell to a pet store.

Mrs. Clark: There a big difference between Hobby Breeders and a commercial kennels.

Mrs. Driggers: I would never sell to a pet store. You don't get the backgrounds, the health guarantees. I don't know a single person, commercial or not, that would ever sell to a pet store.

Mr. Baird: How many Hobby Breeders are for cats?

Mrs. Driggers: I really don't know. I got really educated regarding the cat issues we have in our county because of the years that worked on the board trying to come up with the TNR program. But I have to say I'm not as familiar with that, I've attended some cat shows but I don't know a single cat breeder.

Mr. Leath: The USDA, in terms of what we're talking about, has two different categories. There's class A and class B. Class A are individuals who breed. There's a certain number that they allow. The reason why individuals would want to become a Class A is so that they can sell to Class B. Class B are referred to as dealers. These are individuals who don't own the animals themselves, they didn't breed them. They get them from lots of sources and then they send them to multiple places. I bring that up because Florida is a primary consumption state. You're not going to see thousands of dogs inside of a hutch like you would in Pennsylvania or Missouri because it gets too hot here. But we have, and I've actually investigated and prosecuted a number of cases, where animals are being brought into our state, which is what our state statute says they have to have appropriate health certificates under 828.29. They have to come in, even if they're transported, for appropriate vaccinations and be seen by a veterinarian. So it is a serious issue and one that I'm glad you brought up. It's one that's on my list of things that I'd love to work with you all on and get your feedback about. I do think that the pets that the county and all of us are really concerned about, are really affected by being more and more trucked in. We already have reputable breeders in our community, we have rescued pets who all need homes. Trucking more and more in from a large corporation really burdens the system and really costs additional money to the tax-payers and staff time. I'm really excited to hear that you all are interested in that.

Mrs. Driggers: I've attended several seminars with the NAIA that addresses importing dogs and cats into this state. There's been some major issues recently.

Mrs. Ferguson: Do they have to stop at the border like you do with horses when you bring horses in?

Mr. Leath: Yes. They are Ag Inspection Stations. They are both on I-10 and I-75. However, if you've ever driven through one of them, you are not required to stop if you are in a van. You are only required to stop if you are in a rented vehicle or a tractor trailer or a trailer-truck combination. When you go through those inspection stations, they ask you if you have any animals on board. If you say no, they wave you on through. If you say

yes, what kind? Do you have your coggins if it's a horse? Do you have your health certificates if it's a dog? It is an issue of enforcement. How thorough are those checks? Are the right questions being asked? You can see there's a number of people who are just bringing them in vans and aren't even required to stop.

Mrs. Clark discusses a recent case she has heard about

Mrs. Driggers: In all the years I've been breeding, I've never had to advertise any dog. I have a list of people that want them that I would never be able to fulfill. I am a little different because I don't breed as often, I breed for myself to show, so by the time I have a dog that I'm willing to place or a puppy that didn't work out, I've got an abundance of people that really would like to have a puppy. I personally wouldn't care if they got rid of every puppy mill out there. I don't consider them breeders. That's on a personal note. I would love to dig deeper into all of this.

Mr. Baird and Mr. Leath discuss the reasons why dogs are coming from Missouri.

Mrs. Driggers: Any other discussion on the Hobby Breeders?

Mrs. Clark: As long as the changes that have been made that you think are appropriate, then I don't see any of us asking any more questions.

Mrs. Driggers: We'll send it out everyone can take a look at it.

Mrs. Driggers: Mrs. Colletti is not here to discuss the tie-out dog ordinance. Does anyone want to add anything to that discussion?

Mrs. Malone: I had said that I was going to contact some of the area ACOs, I didn't get around to it. The two I did talk to is Daytona and Port Orange. They were basically the stock answer: as long as they have food, shelter and water. Neither one said anything about length of chain or the time period outside.

Mrs. Clark: But there are other counties that do have anti-tie out laws. I still say a 360 needs to be on both ends of the chain. If they can't afford \$5 to have one put on there, they shouldn't have a dog.

Mrs. Driggers: I think it had everything to do with rights. If we're putting in there what you need for a tie-out, it could easily be added in there. I believe the people who are going to have the issue with the tie-out are the same people who Mrs. Colletti was concerned about. They are the ones who aren't going to follow the rules anyway.

Mr. Leath: Anti-tethering ordinances are very popular. They certainly protect pets and a number of counties have adopted the ordinances. In particularly during natural disasters. We know with hurricane season and pets that are chained outside are most vulnerable, even if they have a house. It doesn't really help them if flood water is coming. One of the things that counties have sort of struggled with is passing restrictions and mandates onto owners without providing them with a resource. So you guys were ahead of the game when you had the spay/neuter program available, so when you said everyone has to be sterilized, there's an outlet for those who can get it. When we think about this, I totally support the idea. I think the department would agree that we don't want to see animals tied out, certainly in the heat that we experience here in Volusia. But one of the challenges is, and some of the more successful counties who have passed these ordinances, have also partnered with some of their non-government organizations within the community to get a safety net for these individuals. More importantly if we say you can't chain, what are we going to do with the dogs that are? Are there resources out there? There are fence building companies, there are even large national non-profit organizations that will give grant funding to help people build fences. Or give them education, obedience training to keep the pets within the home. I would say when this sort of thing can get to that point, I'd love your help to sort of frame what we could do for the citizens as a safety net, and a grace period so they can understand what it looks like and the requirements for them.

Mrs. Driggers: I think that's a good idea and I think that's going to be a benefit for the citizens. That could be part of what we add in when we're working on the ordinance.

Mrs. Clark: If the people who are working as animal control people, if you already know some suggestions that need to be done, there's nothing wrong with feeding it to us and let us propose it so then it's not coming from the employee. I know how the government works. If it can get fed to us, different changes you would like to see, so it's already half done for us.

Mrs. Driggers calls for new business.

Mr. Baird discusses a situation he knows of regarding dogs that are being left for a few days. He asks if that is legal.

Officer Ferguson: We'd have to investigate it. Someone would need to call it in and we would send an officer to investigate. They would post the property to try and get an answer from someone who's taking care of it. Without putting eyes on it. I couldn't tell you.

Mr. Leath provides Mr. Baird with his contact information.

Mrs. Clark: I have two things. One, signage that says dumping animals is against the law with the statute on there. It's been horrible for the past six months on Grand Avenue where the shelter is. Some of the dogs that get dumped off come to my house as well. From Plymouth to Highland Park seems to be the favorite part of dumping dogs. We'll pay to have some signs put up, but making sure it comes from the county so that there's no regulations that would be wrong. The humane society used to have a drop off station, and that got stopped. Now animal control is working with West Volusia Humane Society but the people are still dumping the animals. Can't signage be put there?

Mrs. Ferguson: I understand what you're saying, but people who dump their animals couldn't care less about a sign.

Officer Ferguson: I met with Trey yesterday and spoke to him about this concern. He stated to me that he was going to put a sign on the West Volusia Humane Society sign that's on the corner of Humane Society Road and Grand Avenue. He was talking about installing video cameras along that pathway.

Mrs. Clark: Can they put a county approved sign? Let the government agency do it so they can't say "that's just a sign". It has to come from the county.

Mrs. Clark: Also, when people call in for cats to be picked up and neutered, is there an option to not bring it back to the same place?

MR. Leath: So the question would be, what place are they proposing that they be brought to?

Mrs. Clark: Why does the cat have to come back? Is there an alternative because you have to get the cat fixed, of course, but she doesn't want it right back? It's on 17/92 where a lot of cars go through so it's for its safety as well. Is there an option, when they get the cat, and they know it can be friendly, who can determine where else it can go? To a humane society?

Mr. Leath: It's a good question. And one of the big roles that we have as the department, is to arm you with data and facts that are out there in terms of research. A lot of decisions are not always made on the data that's available and sometimes that leads to a lot of trial and error and figuring out what might work for each county. I've worked a lot with Dr. Julie Levy at the University of Florida with their TNR program and their research out of Jacksonville that they've been working on in a number of other counties, on what might happen if you remove a pet and you bring it to the shelter. We know that when we remove them from the field and bring them to a shelter, their live release rate is very low. Euthanasia is the likely alternative, which is really the reason

why TNR programs have been so successful. It increases live-release, it decreases overall costs and the community is very much in support of that. That's the change that was made here in the county. In terms of bringing them to a shelter, we know that ultimate outcome is not great for the individual cat.

Mrs. Clark: I'm not talking feral cats, I'm talking about a household pet.

Mr. Baird: Their chances are still bad. They can't adopt them all.

Mr. Leath: The other question that you had was can we move them somewhere else? Certainly if there's anyone who's interested in having a colony added to their property, I think that would be great. We certainly can connect them to a lot of the care-takers that already exist. Maybe that's something they can work directly with. But in terms of telling someone that we're going to take it from their property and put it somewhere else, there's the vacuum effect. We remove one and something else moves into place. Unfortunately in that situation it's likely that pet is not sterilized. So then now we have another one replacing it and now it's potentially reproducing and creating an even bigger issue. It's a serious problem and one that I hear you on. Looking at the data and research is really why I feel like the department is doing the program that it is now and it's been really successful. But we're always open to hearing suggestions. If you have any thoughts, any input or ideas on where you think there would be individuals interested in doing that.

Mr. Baird: If you want to relocate a cat, the procedure is they must be held for about three weeks where their new place is, before you let them loose.

Mrs. Clark: I'm talking about newly found cats, not cats that have been out there for a while.

Mr. Leath: I think the point you make is a good one. Much like there is data on how TNR programs are successful, there's really no data to differentiate a cat from one that is social to one that isn't. Which is why it's much easier and much more humane to really lump them all into the same category. At least that's the current research.

Mr. Baird: This is what I've found and I've trapped a lot of cats. Cats that are in a cage that are trapped, ones that are meowing are not feral. Ones that don't make a peep are feral. That's what I've found in my opinion.

Mrs. Clark: On another subject, the answering service. When a person dials in, you can't get to a human. Press this, press that.

Mr. Swanson: What happened was, everything use to come to Animal Services. When they went to the CAD system, all the calls go into the sheriff's office. They are dispatched through the Sheriff's office. Now there is an avenue where people can still call in there and get a live person during office hours. To reach the front desk, press 2.

Mr. Leath: We're all looking and re-analyzing how we're doing things. Certainly customer service is a high priority for us. What we want to do is, when someone is calling in a complaint about animal cruelty or something else, we want to ensure that that is not a cumbersome process, or a confusing process.

Mrs. Clark: You're already aggravated by the time you get to talk to someone.

Mr. Leath: It is something that we're looking at and I don't have a perfect answer for you. But I know staff is also concerned. When I was interviewing for the position I similarly tried to get in and there was some concerns. So it is something that we're committed to and we're looking at options. In terms of getting to the front desk, that option is there. Our concern is, if someone has issues about neglect or cruelty, we don't want that to sit. We want to make sure someone can respond immediately. If it sits in a voicemail or if someone's on vacation or sent to an email address, there's no way for it to be immediately responded to. Like first responders rely on the CAD system.

Mr. Swanson: We want the documentation as well. The time you call in, the time it was dispatched, all those things we have to analyze.

Mrs. Clark: One last thing, I worked for the government up in (inaudible) county. Alfonse Dematto was our supervisor. He had everybody cross trained so that you can't say "well this person's on vacation and they come back in 7 days". What are you supposed to do? I'm not just saying here in this department. Why aren't people cross trained to either answer questions or say I don't know let me find out and call you back. If somebody's out sick and they're an important part of the office, and you're lost.

Mr. Swanson: I believe everyone in that office is cross trained.

Mrs. Clark: I'm just saying in general. Any office up in the county building.

Mrs. Ferguson: May I bring up something? I believe you're all aware of Ponce the law. I saw your name was in it, and I thought that must be our new director. What is your stance on that? Where you would have like a registry of people who have been convicted of animal cruelty and we could do something like that for the whole state and it would be readily available so if people go to buy an animal or whatever. How do you feel about that?

Mr. Leath: So, it's not my personal opinion, it's what the Council wants and what the public needs. My job and the department's job is to really arm you and to arm the public with the data and the research that's out there. The state-wide registry has been proposed a couple of times at the state level. It's died in committee. There are currently four counties in the state of Florida that have registries. There are numbers that have considered it and decided it wasn't for them. The one thing I will say that is important to know, is that the information that those people who are seeking is currently available already. So if you want to know if someone has been charged with a crime, whether it's animal cruelty or domestic violence or any other sort of concern, that's publically available information and it's on the clerk of court's website now. It's not as easy to get to and you actually have to have the person's name and search by it. Manatee County has actually proposed an interesting solution, they actually put all of their cases regarding animals for the last ten years, it's one click on the website. You can scroll down and see it.

We had a meeting about it and we really wanted to understand what Debbie's concerns were and what the Council woman wanted. Right now we're pursuing it and doing the research and looking at the options. We'll be bringing those options back to the table ultimately for Council to make the determination on what they want. No one wants to see pets who have been abused to be in the hand of abusers. We need to look at registries, what it does, also be aware that a lot of pets that are acquired within the community. Generally a vast majority of them are found through individuals that you know or private individuals in the community. The vast majority of animals are not actually obtained, unfortunately, we wish they were, from shelters. Some of the limitations of what a registry might do versus some of the advantages it might have or all things we're currently exploring.

Mrs. Ferguson: What would be the disadvantage of having something? Why would people not want something like that?

Mr. Leath: One of the challenges with a registry in other counties I've seen is that it's typically put on one department to do. So for instance, they would say, Animal Services we need you to dedicate someone to create a framework, and it's only within the county. So if there was any of the cities, it wouldn't be applicable to those areas. It would just be in the county. And they would require someone to come in, provide their licensure, pay a fee, add that to the list, and keep that up to date. Right now Tennessee is the only state that has one. And the four counties that have them, none of them have more than five or ten people on that list. The value of having a list of five or ten people versus maybe having all of this information already available. The other thing is there's penalties. If you're an employee that works at the humane society, if you fail to look at this list, you could actually be fined personally. So there was some challenges there and the amount of resource that it actually takes to put this, versus the resources that are needed for things like spay/neuter or our foster program or adoption. Those are some of the concerns that have been brought up about a registry.

Mrs. Clark: I have one more. Animal rescues, there's a loophole about the animal being healthy and all that other stuff. I know when you're a shelter, you have a lot of guidelines, how much space the animal has in its facility, cleanliness, is it being walked and everything? There a lot of rescues out there that the poor animal lives in a crate. It's still fed and everything and may be walked, but why is there that loophole that allows a rescue that may have fifty or a hundred animals? Why do they get a break that it has to be spayed or neutered? Most rescue people want those animals spayed or neutered but they may not be as healthy.

Mrs. Clark discusses a rescue case that made national news.

Mr. Leath: If I understand your question correctly, you want to understand if there's a loophole for a private rescues as opposed to shelters? One thing I'll make you aware of is that there's actually not in terms of the state. Many states actually have their department of agriculture or the state veterinarian's office actually come in and inspect shelters. But those are actually not a requirement in the state of Florida. There's actually no agency that comes in and inspects shelters. It's really up to the local law enforcement entity to investigate a complaint. If there was a problem at a local humane society, it's actually the local law enforcement entity that would investigate that. Most of them will have what they refer to is a 501c3, which means they fill out their taxes and they have the right forms. But no one comes out and says "do you have any deceased animals on your property?", "are you taking care of them appropriately?" So there really is no double standard. They're required the same statute as the shelter is as a private individual. There's no exemptions for any of those individuals.

Mrs. Clark: On a contract that you're signing because you fell in love with that dog, and when you get it home and you're assuming because you know the state law that the animal has to be parasite free, blah blah healthy. There's the one sentence "as is". Why is that permitted? And not have something that the buyer beware that's required to give them that this animal may be sick, may have this, because of that one sentence on the contract.

Mr. Leath: I'm not sure what contract you're referencing.

Mrs. Clark: It's an adoption certificate.

Mrs. Driggers: It's a private one though. You could look at my contract. You know what my contract means? Nothing. State law trumps it. It's not that anybody is saying that "as is" is okay on there, they can write whatever they want on there. But we have laws that already exist.

Mrs. Clark: These go by donations. \$300 donation to get this dog.

Mrs. Driggers: It's still a sell. Call it what you want, it's still a sell. You buy a dog from the shelter, that's still a sell. If you're given money for whatever it is, it's a sell.

Mr. Leath: The statute you might want to take a look at and what I think you're referencing is 828.29. That is the official certificate of veterinarian inspection required for any animals transported into this state and/or animals offered for sale. It doesn't necessarily have to be sale, but offered for sale. There is an exemption there. It does say "sale". That loophole is what you were talking about specifically. The way in which we look at those situations is, it's case specific. If someone signs something that says adoption versus someone signs something that says it was for sale, that's where you're talking about specifically. You're correct. There is a difference in the two.

Mrs. Clark: And a lot of them get away with it. They shouldn't be allowed to say "as is".

Mr. Leath: One thing to consider is, our concern is standard of care. Understanding that there are state statutes that say that you have to provide a certificate. Those are certainly things that we look at and investigate. Our primary concern is the standard of care that is provided for those animals, which is the same

across the board. They have to provide the same standard of care whether they're an individual, they're a rescue, or they're a county shelter. We would look at all of those on the same platform and if they're not providing appropriate care, that is an environment free from disease, they're getting appropriate veterinary care for any injuries or illness that occur, and that they are provided with reasonable and wholesome water, food and shelter. Those are all things that they have to provide and that we look as a minimum standard.

Mrs. Clark discusses ARK when it made national news.

Mrs. Driggers: I think you're concerned with is rescues that are not official rescues, like a shelter. Would they not fall under individual? Say I decided I wanted to rescue animals at my home. Would it not fall under the same thing as far as how they're cared for?

Mr. Leath: The standard of care is the same across the board regardless of your affiliation of a title or your registration status with the IRS. All of them are required to provide the same standard.

Mrs. Driggers: So if there is an issue with that, then you need to investigate it.

Mr. Leath: That's correct. And something that we really want your help with and something that you'll see coming down the pike, we want to transform routine assignments into extraordinary experiences for the citizens of Volusia and for the animals that we are responsible for in ensuring that their care is provided for. We want to ask all of you, if you see any issues within the community, if animals are not receiving appropriate care, we want to make sure the public knows how to communicate, how to report that. We take those complaints very seriously.

Mrs. Driggers asks if there is anything further to discuss.

Ms. Rodriguez passes out the number of animal bite incidents that were reported to the Volusia County Health Department (see attached).

Mrs. Clark discusses the benefit of having the Volusia County Animal Services Facebook page in regards to how many animals have made it back to their owners.

Date and time for next meeting: April 10, 2019 at 9:00am. (This date has been changed to April 24, 2019 at 9:00am)

Meeting adjourned

Animal Incidents Reported to FDOH-Volusia 2018

Month	EH District			Animal Type						BPHL Testing			
	DB	Deland	NSB	Dog	Cat	Raccoon	Bat	Other*	Total	# Tested	Animal Tested	# Pos	Positive
January	34	50	26	33	72	3	0	2	110	5	3C;1D;1R	0	N/A
February	33	33	16	51	25	2	1	3	82	7	1B;2C;4R	0	N/A
March	30	38	29	63	29	3	2	1	98	10	1B;4C;5R	0	N/A
April	38	35	21	66	24	0	2	2	94	13	4C;8R;1S	1	1R
May	39	37	35	76	29	3	1	2	111	3	1C;2R	0	N/A
June	42	54	15	71	38	0	2	1	112	8	1B;1C;3R;1P;1G;1Don	0	N/A
July	41	46	17	73	27	3	0	1	104	9	5C;1D;3R	0	N/A
August	28	40	22	64	24	0	0	2	90	3	2C;1D	0	N/A
September	35	34	16	51	26	3	2	3	85	2	2C	0	N/A
October	27	48	16	68	22	0	0	1	91	6	2R;2D;1G;1C	1	1R
November	34	35	26	67	26	1	0	1	95	5	5C	0	N/A
December	29	42	27	56	30	3	0	8	98	29	4C;2D;1H;1R;1S;1Sh	9	N/A

***Disclaimer: Numbers may not add up to equal each other (District and Animal) due to missing information ***

Other includes: Squirrel, Pig, Mouse, and Rabbit

KEY
R= Raccoon
B= Bat
C= Cat
D=Dog
P=Pig
G=Goat
S=Squirrel
Don=Donkey
Sh=Sheep
H=Horse