

VOLUSIA COUNTY ANIMAL CONTROL  
ADVISORY BOARD MEETING  
AUGUST 26, 2019

PRESENT: CATHY DRIGGERS  
KAREN K. CLARK  
BOB BELT  
ROBERT BAIRD  
DEBBIE DARINO  
JEANNINE COLLETTI  
SUZANNE GRUBBS

JOE POZZO, DIRECTOR PUBLIC PROTECTION  
MARK SWANSON, DEPUTY DIRECTOR PUBLIC PROTECTION  
MICHAEL RODRIGUEZ, ASSISTANT COUNTY ATTORNEY  
ADAM LEATH, VCAS DIRECTOR  
SHARI WILLIAMS, VCAS OFFICE MANAGER  
DR. JENNIFER GREEN, VCAS VETERINARIAN

ERIN WOLLETT, ATTORNEY FOR JOURNEYS END

The meeting is called to order at 5:30PM. Kara Keef, Kenneth Mullen and Pat Mihalic are absent.

Mr. Leath: We want to meet with you today because it is our intent to make sure that everyone is informed and aware of the facts as we know them currently in regards to Journey's End Animal Sanctuary, Inc. We want to make sure that all of you have a full understanding of the facts and circumstances that were brought forth to the County and that you also are aware of the information the County currently has and its intent to move forward with that information. This is a public forum. Any of the members of the Animal Control Advisory Board are permitted to interact and speak. This is not a public hearing so those individuals from the public will not be able to provide comment during this time. We'd love to be able to have an engaging conversation with any questions that come up throughout that process. I will turn it over to Michael Rodriguez.

Mr. Rodriguez: The reason we called this special meeting is to discuss the situation that's involved with Journey's End. Mainly because this is what has been received as a highly emotional situation, but also warranted due to the conditions that have been discovered at the site as part of the County's investigation. What we want to do here today is to basically inform this Board, especially since this Board is an Advisory Board to the County Council, of the progress and results of the current investigation, what it is we're currently attempting to accomplish both in terms of trying to work with Journey's End to reach a resolution to the situation or if a resolution cannot be reached, then what is the ultimate enforcement action that is being contemplated. The other thing we're looking at is for your assistance. Your assistance in advising staff with the things you want to see as well as your assistance as members of the community in trying to achieve a resolution with Journey's End. There has to be complete community involvement in this. Where we're at currently, and one of the important things to note is throughout all this process, the County's Legal Department has been working with the Attorney for Journey's End and she is present, Erin Wollett. We have been in constant communication. We have been sharing information. She is privy to all the information that is before you. We have not hidden anything from Journey's End. We are working together to try to find a comfortable resolution but at the end of the day, any resolution that can be reached has to be done with the consent of Journey's End and Florence Thuot. If there's going to be a resolution, she's got to consent to the resolution. If we get resistance or lack of cooperation, then all of the mechanisms that Animal Services has under the Code and under the Florida Statutes are at our disposal to use in this manner. So I'm hoping that you did review the materials we sent you. These materials are the result of the investigation. I will pass it off to Adam who can give you why and how the County got involved in this situation. The purpose of this meeting is, we want to use this Board and we want to assure Counsel as well as the residents of the County that we are doing everything to try to resolve this situation. The main message to get out is, the County is concerned both with the

conditions of the animals on the site and to be honest, Ms. Thuot's condition as well. I was at the site, I was present with Journey's End's attorney with the independent veterinarian who is the veterinarian for the City of Tallahassee when the site visit was done. That was August 5<sup>th</sup>. That was when I was on site and it wasn't just a cursory visit. I was there from about 10am to 3:30 in the afternoon. With that, we want to work with this Board and receive any recommendations or guidance or information this Board has. Your information and guidance will be brought up to the County Council so the Council has all the information necessary at the time when action needs to be taken or as well as if a resolution or settlement can be reached in the situation then so be it. We've presented certain offers to Journey End's counsel as ways to resolve the situation and we want to be able to use this opportunity as a clearing house to give the facts as they are, as we've investigated and we present and get beyond the fog of everything else that's out there to really pinpoint what the case is, what the situation is and either find a way to get to a resolution or inform you that we've exhausted all of our administrative remedies, we've exhausted all options and that we have an entity that's not going to cooperate and therefore here are the methods that we have at our disposal to bring the situation to resolution.

Mr. Leath: I wanted to begin by outlining how we became involved in this case. I was approached by a number of concerned citizens within the county who wanted not to provide their identity. Their concern was that they would no longer be available to go to the property and provide care for the animals. They did not want to provide their identity at that given time. They wanted to provide us with a number of their concerns. I met with this group on June 28<sup>th</sup>, and several photographs were provided to me at that time. Because I'm governed by what is admissible and what would be admissible evidence in a court of law. I asked where those photographs were originating from and who took those photographs. I was provided with the information of Simon Davies. Mr. Davies has actually been to the property and volunteered for three years. He was able to provide us with the individual dates of the concerns that he outlined, one of which is the cat that you see to the right. The cat was found not to be moving, was covered in urine and feces and the cat was later to be found dead in the same exact location by Mr. Davies. This is an additional photo of Barney. This was a German Shepherd that stayed at the location for a long period of time and staff was very concerned about the fact there were open bed sores on the dog and the dog had remained in this condition for many months. The staff was very concerned about the pain and suffering that this dog was enduring. They were trying to get her to seek veterinary care and to ultimately make sure the dog was alleviated of any type of pain and suffering, which ultimately took place three to four months after it was brought to Journey's End attention. The dog was later euthanized. This was one photo of the cat house. There's a number of locations throughout the property that had excessive accumulations of urine and feces, where the animals were living among the urine and feces. The matting of the hair, as well as the coats of the individual animals were also of concern to Mr. Davies. Mr. Davies also indicated specifically on July of 2018 that a deceased cat was found in the ac unit while he was in that particular room providing daily care to the cats. He was instructed to bury the cat at the back of the property and brought his concerns to management at Journey's End. You'll see in your packet there are a number of photographs that I did not illustrate but this packet encompasses all the photographs we were provided by Mr. Davies as well as his affidavit. So you can read exactly what he provided to us and what it is his concerns were. They asked us to be able to take a look at those concerns. Which is what took place. On July 8<sup>th</sup>, myself and Dr. Jennifer Green responded to the property, met with Ms. Thuot and discussed our concerns. We walked the property, looked at the conditions that the animals were housed in, and looked at the individual medical conditions of those animals. You can also refer to the next statement which is referred to as Forensic Veterinary Statement authored on July 15<sup>th</sup> for a full and comprehensive view of the response of that date. There is a total of 27 pages which really outline what I've summarized to the left. We found wide-spread untreated, improperly managed medical conditions for the animals that were on the property, of which we counted 141. Ms. Thuot indicated she had 188 on that particular day. There were several of the animals that had serious health conditions that are not being managed fully. There were a lack of appropriate vaccination and county licensure for all of the animals. There was a lack of appropriate state mandated coggins testing for the horses that were on the property. Incomplete and absent medical records for a number of the animals there. Current cleaning and sanitation practices were not effective in maintaining a clean and healthy environment for the animals to live in. Current daily monitoring practices and routine veterinarian inspections were delinquent. The housing conditions for dogs and cats at Journey's End were inadequate for the animal's welfare. The group and size of dogs and cats were too large and did not allow for proper monitoring of the animals or individually identifying animals.

We also found the storage and labeling of medications were deficient. Some temperature dependent medications were stored improperly, expired medications were also seen throughout the property.

There were a few of the photos that we took that particular day on the left, you actually see a cat that drags its rear legs. It is paralyzed, it is unable to move its rear legs. On Daisy, which is the dog to the right, does have rear limb paralysis on both legs. The dog does have some treatment of those conditions but it is a chronic wound. The dog is smashing its pelvis against the concrete floor every time it walks around because it sort of bounces itself around, which is a great deal of management that would be required in order to maintain the health and welfare of the animal in a current state.

We provided an Order to Provide Care to Ms. Thuot on July 25<sup>th</sup>. I was there along with Officer Norma Waterman. We provided her with the order which was also made available. We identified nine specific animals that we had very serious concerns about. Those animals you see listed here had a number of what we described as untreated medical conditions and ordered that Ms. Thuot maintain care of these animals. They had to receive veterinary care within 48 hours. We mandated that she bring these animals to a veterinarian of her choice and that the only requirement that we had is that she follow the treatment protocol outline provided for particular animal by the veterinarian. Animal Services was not involved in the examination of these animals. We weren't involved in the decision, whatever decision was made. We provided her just the instructions to ensure that these animals were seen within 48 hours and that she must comply with the treatment outlined by that veterinarian.

Two of the dogs listed at the top, Lionel and Troubles, were determined to be in very poor condition. She ultimately euthanized those two dogs. The remaining animals did seek veterinary care. They did have a veterinarian come to the property for the large animals and the small animals, the dogs and cats, were brought in to a veterinarian at our discretion. She did bring those in and provided those records to us.

The second and subsequent inspection took place on August 5<sup>th</sup>. As you heard from Mr. Rodriguez, there was a request that a second independent inspection take place. We reached out to Tallahassee Animal Services, Dr. Rachel Barton, who's the Director of Veterinary Services for Tallahassee as well as a fourth year veterinary student from the University of Florida, along with counsel from both Ms. Thuot as well as the County with Mr. Rodriguez were present during this inspection. They found as outlined in the next report which is the last forensic veterinary statement a number of pretty significant concerns. One of which was outlined in the photo to the left, the cat we say dragging its rear limbs, had a great deal of urine and feces scalding and feces stuck to its fur. This was not something that has been provided ongoing treatment. IN the large animals, we found that the pigs that we had indicated immediate veterinary care was needed were still in need of veterinary care. The prolonged treatment plan that had been identified had not been maintained. You see the picture in the top left, this pig actually walks on its knuckles. It's unable to actually bear weight on its fore-limbs. There are a number of open wounds and sores that were infected on the face of the other pigs that were on the property. The dog that you see to the left actually had a very large, splitting mass and when questioned, Dr. Barton asked what the on-going treatment was for this particular dog, they indicated that the mass would eventually rupture and the dog would bleed to death and they were waiting for that period of time to take place. There was no on-going treatment or on-going monitoring of the care of this animal by a licensed veterinarian in the state of Florida. You see the Beagle to the right had unmanaged and pretty serious glaucoma. As we go through each of these, I outlined just a couple of things I wanted to identify to all of you today. Similar to what I found when I was on the property, there is a general level of unsanitary conditions for the animals there. There is a pretty strong odor of urine and feces throughout the property, animal bedding, the furniture that's located there and on the animals themselves. We also during our inspection found that there were, as we indicated before, a number of medications that were either expired or not labeled. This was also a fact that was found similar to when Dr. Barton conducted her inspection of which she identified even controlled substances, opioids that had access to the individuals who worked at the property and were not being maintained appropriately. We found a number of animals that were not identified, there was no way for them to be individually identified from one another. In fact the actual number of animals was not something that was immediately available to us or known by staff or Ms. Thuot. There were inadequate care of the dogs that were requiring bladder expressions. These

dogs were unable to urinate on their own and would require manual expression for their bladders. This was only taking place twice daily, which would mean they would have been over 18 hours without their bladder expressed. This was a serious concern outlined by Dr. Barton. There was also a general Rodent and insect infestation throughout the property both within the areas where animal medications were housed but also where animal food and human food was housed. There were over 99 individual medications at the property that were from animals that were either not on the property any longer or did match a particular animal on that property. Animals were under active treatment were out of medications suggesting that animals were not receiving the medications that they needed. One animal was supposedly receiving an opiate for pain medication but had an empty bottle of medication. Staff could not tell when its medication ran out or if it was a controlled drug. This could be a red flag for any drug diversion or abuse by people and further investigation by law enforcement was warranted according to Dr. Barton.

Some of the other concerns that were noted in the report, I'll point to you, the rodent and insect infestation was pretty egregious throughout the property as well as the unsanitary conditions for the animals. Many of the animals were identified as underweight and having eye infections, ear infections, skin infections, irritated skin, a number of treatable conditions that had not received nor could they provide documentation that treatment had been sought for the individual animals themselves. As we indicated earlier the capacity for care, which is what we define in our industry as the ability for someone to provide care for an individual animal. That capacity of care is determined by the resources available to individual agency, whether that's a private rescue group or the County, or any shelter that's sheltering animals. Their capacity to provide care is what they're measured by. So if you are bringing in additional animals past the point of resources that you have available to them, you have exceeded your capacity to provide care. In this situation, I would quote Dr. Barton as "the organization has dangerously exceeded its capacity to provide care resulting in unnecessary animal pain and suffering. Staffing is inadequate to meet the basic needs for the animals each day as well as their advanced medical conditions".

The last thing I will leave you here is that there's really not a lot of organization to the organization. There is no written cleaning protocols, identifications for animals, medical treatment for individual animals or the basic care being provided, documented in any meaningful record that we could identify. Group housing of animals identified a number of animals that, as a pecking order was established, animals that were more fit were able to get and gain access to resources where other animals were not. We found a number of animals that were untreated medical conditions were also emaciated and did not ultimately have access to the resources that they need. There's also some pretty serious concern in general with the care that the animals are receiving ongoing. The capacity to provide care, once it has been passed and animals continue to come in or there is no individual capacity to identify what that care is supposed to be, we find that a number of the animals fall through the cracks. A number of instances in both inspections were identified where unnecessary pain and suffering whereby there was no justifiable reason and the individual medical conditions were very treatable did not receive treatment. As we see in the affidavit with Mr. Davies, deceased animals are a commonplace and ultimately the capacity to provide care has been far exceeded. We have grave concerns for the animals but also Ms. Thuot. In conversations with those who are very close to the property, Ms. Thuot has very serious problems ambulating around the property. Her ability to even provide self-care is greatly diminished. Her ability to bathe, there's no place for that on the property, all of the locations with showers are filled with a lot of debris. She in fact can't get to most of these areas. There's some pretty serious concerns that we have for the animals but also our concerns are also for Ms. Thuot as well.

With that I'll move forward to Mr. Rodriguez for our timeframe moving forward.

Mr. Rodriguez: All along while trying to find a resolution, one of the things I'm trying to get hearing the case and what my approach in providing counsel to Animal Services in enforcing the County's code as well as Florida Statutes is we're not going after this use because of its use. We're not necessarily arguing that there has to be "x" number of animals on the site. The ultimate goal, and I've worked with their attorney on this, really look at it as a balance of scales, and that what we have right now is a tipping point that there are too many animals in relation to the number of staff on the site. So any type of resolution is going to have to come to basically balance these same scales. Either reduce the number of animals that is going to be in accordance

with the number of staff or increase the number of staff in order to be able to care for the animals. The County has nothing against Ms. Thuot's mission statement, which is to provide a hospice for animals that really aren't going to be available for adoption. One of our concerns, and one of the concerns I saw, is whether the organization has strayed from its mission of being a hospice for animals and has now converted itself into a no-kill shelter. Yet does not have the proper levels of staffing to actually operate an animal shelter. So, one of the proposals, going back on the time-line, here's the time-line as we're going forward here, we have provided Journey's End's counsel with what is basically that finish line. That deadline that time zero when action has to be taken if a resolution cannot be met. And that's, looking at it right now, it's going to be September 30<sup>th</sup>. Where some type of a resolution has to take place. The County will be formalizing, but we have received an offer from the ASPCA to assist the County, if it comes time to remove the animals, the ASPCA is providing its services at no charge to the County. To assist in the removal of the animals, provide them with care, provide them with an examination. At that point either try to find a way to have these animals adopted out or transferred to another facility or that there be whatever proper disposal has to be done to the animals pursuant to the Code. So, one of the things we have offered and I have offered this to the Counsel to pitch to both Journey's End and Ms. Thuot, and I think difficulties in the time-line going forward to whether are we really dealing with an organization, because Journey's End is a 501c3, or we dealing solely with Ms. Thuot individually? But the concern in one of the proposals we've raised for it to be presented to Journey's End or to Ms. Thuot is as part of a possible settlement, again, I want to bring out every option, I want the community's help, I want this Board's help in relaying this message to Journey's End, have open houses. When we were on site, the Veterinarian said there are plenty of animals on site that are in the condition that they can be adopted. Every animal that's at Journey's End is not in the condition that they cannot be adopted. There are a vast number of animals there that can be adopted. If there's a way to open to the community, to have some type of open-house where the animals can be put up for adoption and these animals can be adopted out, that is a mechanism where we can achieve some sort of a resolution.

All these are all contingent. We've made certain proposals, but all these are contingent on Journey's End and Ms. Thuot accepting them. But, going forward from here, we need to find a resolution. If this continues to drag forward, we're worried about the conditions of the animals as well as Ms. Thuot's condition. It is evident from two inspections, it is evident from our investigation, that the concern is a lack of ability to provide proper care. Because the center is understaffed and the staff that are there are overwhelmed and cannot keep up with what is necessary to provide proper care. Especially the proper care of those animals that are there because of Ms. Thuot's original mission to provide hospice for these animals. If there's a lack of ability to provide proper care, from record-keeping isn't kept up to date. If these animals cannot receive the attention, they do not receive the proper timing and attention, I think one of these staff members, she's part-time, when we were there on the inspection, it takes her almost 3 ½ hours just to get through the medications for the animals. And she's the only one who's there to do that. As I said, we're not going after the use, we're not going after what it is she's trying to accomplish. If the organization was able to have the requisite number of staff members to care for the over 100 animals there, those 100 animals can stay. But the staffing levels and the population levels are uneven. And that's what's causing the problem. That's what's causing the center to fall under the thresholds and standards, the statutory and ordinance standards. That's what has prompted this action and investigation and potential enforcement action. So, we want to achieve at least something going forward, but we need to have a time-frame in order to do this. We cannot leave it open-ended. So because of the availability of the ASPCA we have determined September 30<sup>th</sup> is the time-frame to come up with some type of, if we come to an agreement and they're showing progress and they're showing something, on September 30<sup>th</sup> she must have "x" amount of animals or she must hire "x" amount of staff. By September 30<sup>th</sup> we have to have some form of a resolution and some form of agreement that can be enforced by the County with the cooperation of Ms. Thuot and Journey's End. But if we receive resistance and refusal to do anything to come to a resolution, then we have the assistance on-call beginning in October to go in and resolve the situation. At this point I guess we can open it up to discussion from the Board. Let Ms. Wollett have a short time is she want to refute anything I've said, but I think most of what I've said is in line with the communications we've had.

Ms. Wollett: Good evening, at this point my representation is of the 501c3 and not Ms. Thuot individually. I was present during the inspection. I don't have anything to necessarily refute that you've said. I came tonight myself to gather facts, listen to the Board to take back to my client, who cannot attend here tonight herself.

Talking with Ms. Thuot, unfortunately I didn't know about this hearing until about Friday, but what she did send me is a list of nine veterinarians that she contends are the veterinarians that routinely see these animals. She wanted me to, and I just didn't have the opportunity or time to do it before tonight's meeting, my plan is to reach out to these veterinarians, relay to them what the Tallahassee Veterinarian's findings were and to see if they agree. To see if they have records that these animals are in fact being treated. So there's a possibility that I would be able to deliver to the Board some mitigating information from some are veterinarians. I don't know if that's true, I could reach out to them and they may agree in some fashion. But as I state here today, I don't know that. I would like the opportunity to be able to provide that information as it comes to me. I think for now, that's really all I have to report.

Mr. Rodriguez: One of the conditions that I discussed with Journey's End's counsel when the independent veterinarian was going to be there is, as far back as the beginning of August we were going to give basically once this report came out, we were going to give Ms. Wollett and Journey's End every possible opportunity to provide any other veterinarian information to refute, to counter, so we can compare. That's always been on the table. At all times just to make this Board aware, that it's always been part of contemplated that once this report went out, they would get a copy of the report and they would be able to respond to it with any of their veterinarian experts and we would be able to weigh all the information in determining our decisions to move forward.

Ms. Wollett: One final thing, I did talk to Ms. Thuot after I had reviewed the report and told her that there are a number of issues. But the primary perhaps being the imbalance. The number of staff members to the number of animals. She acknowledged that. Her response essentially is she's actively advertising, recruiting, to try to get additional staff members, it has not happened. But she's aware of that, she totally agrees with that and is doing what she can to change that. So we'll see if it ends up with additional staff members.

Mrs. Colletti: I've seen it online and I've seen it in the papers. She is actively looking for help.

Ms. Clark: And it's paid help.

Mrs. Driggers: My question is about the facility itself and the buildings. While we're looking at the staff versus the animals, just from pictures and what we're reading, there's structure damage that needs to be fixed in order to house some of these animals. Is there anything going on with that? Are they looking for help or something the community can maybe help in that fashion?

Mr. Leath: She has indicated in the time that we were there that her intent is to demolish the cat house and to build another house. From my understanding and speaking with those close to Journey's End that has been the plan for many years now. At this particular time that intent hasn't resulted in the ultimate change. But what we did find when we were there are a number of concerns with the housing from the structural standpoint as well. There is an active code case that was independent of our investigation, and a number of issues they're working through to achieve some type of outcome there. But you're correct.

Ms. Clark: They put in for the permits to build a \$139,000 cat house. It took its travels through the County and according to Florence, about two weeks ago they finally got the permit all done. There was an architect and a builder. I don't know the size of the building but it was to house all the cats at that level. A manufacturer of the top line of flooring that goes into any kennel area, the company is, when the building gets to a certain point, that floor company will be coming there, donating it and installing the flooring for this. So I know it's much further along than people had. It just took a while for the permitting to get through the County if I'm correct.

Mr. Leath: I only know that there's an active case. I don't represent Code Enforcement and I don't have access to view the permits.

Ms. Clark: Ok because when I stopped over there, she said it was either just after your staff left that she got the notice that the permit was accepted for this \$139,000 cat house.

Mrs. Driggers: However, it wouldn't take years to do that.  
(Inaudible-many speaking at the same time)

Ms. Clark: I don't believe that she is fabricating that they got the permit so, the fact that they got the permits for the design and everything for this house to be put on the property, that means that they're taking a really giant step. Especially since corporations are coming in with it as well. So that the amount of money that has to be spent on it will be considerably less because those floors cost tens of thousands of dollars to be put in. And then you have to pay the person to put it in. But the company is actually going to provide it.

Mr. Baird: I think we can all agree this place is in trouble. What you're doing is, you're doing an inspection on the titanic because it's sinking. The lady has lost control, no question. She's what? 91? Maybe she's not capable of running this (inaudible). Maybe the County should take it over. This is a home for these animals. Sure they're in bad shape, but can't the County come in and take it over? You have a jail with all these people there who can come over there and start cleaning and working on stuff. Why can't you do that?

Mr. Rodriguez: Legally speaking what we have is a private property owner. And while there is a question we believe that the property is actually owned, Counsel I don't know if you have any clarifying information, we believe that Ms. Thuot owns the property personally. We don't know what type of agreement or arrangement she has personally with the 501c3 to operate on the property. So we can't just go in and take over a corporation without providing proper due process.

Mr. Baird: Couldn't the prisoners be called volunteers?

Mr. Rodrigues: We can't take ownership. We can't confiscate her nationalize. It's a corporation and a private entity. We can't just go in there and claim by eminent domain, we can't take someone's house. One of the things we have to stress, she resides on this property. It's also her house.

Mr. Baird: She will not cooperate with you right?

Mr. Rodriguez: I cannot say whether she will cooperate or not. All indications that we have received, I cannot answer for her nor will I answer for her. To this state right now that we're in, we have received some cooperation but to reach the end goal which is the proper care of the animals whether there has to be "x" amount of animals that will correspond with "y" number of staff or whether she increases the number of staff in order to care for those animals that are there now. But the question of the County going in and taking this place over, we can't do that. Legally we can't do that.

Mrs. Darino: This is a train wreck. Period. So many things are wrong with this issue here. Beginning with Ms. Thuot's age, her ability to organize or have an organization that's running the way it should be for the benefit of the animals. My biggest thing is if one animal's suffering, that's one too many. You said that there's veterinarians that take care of the animals. Then why are they in this condition the way they are? Why isn't the Department of Health or somebody in there for her benefit as well? She's not getting younger, she's getting older. I think the best solution for this problem is a bigger organization coming in and helping out, like the ASPCA's offer. They've done it in the past for other problems like hoarding and those huge amount of animal issues that we've seen all over the country. Building a new cat run or this and that, that isn't going to help the problem at all if you don't have the proper staff, you don't have the proper veterinarian care for these animals, you don't have the medicines to take care of it and you're just counting on the public to donate. Obviously this is a big story and you can't even get volunteers to help her right now. And she's going to pay them. So this problem isn't going to get better, it's only going to get worse. From this issues arises what's next for other people in the community? I think maybe we need to come up with some extra ordinances or laws or something to kind of rope that in a little bit so there's some kind of guideline that people go by. If you look at Ms. Thuot, and you don't look at her age, I walked in and I didn't know who she was or anything else, and I saw those animals. I'd be going felony, misdemeanor, a list this long. She needs to go to jail. That's what I'd be thinking. On the flip side, I am all for Ms. Thuot because it's not what she's done. It's the intentions of her heart that you have to look at. Her intentions are better than anybody I've seen lately. That alone would make me want to

separate her from this situation as much as possible. The difference between her and a hoarder, there's a big difference. She's not crazy. She's not a hoarder. But what's happening to her sanctuary is a hoarding situation. It's out of control. So I think that the best route is the ASPCA's offer to help the County to help Ms. Thuot and help her because she's obviously not living in a clean condition. And that's not good either. That's my suggestion.

Mr. Baird: What would the ASPCA do? Are they going to be coming in and work here?

Mr. Rodriguez: I believe, and Mr. Leath can clarify, the ASPCA would assist in actually removing the animals from the site.

Ms. Colletti: And doing what with them?

Mr. Rodriguez: That would be part of our MOU with the ASPCA, what's to be done with the animals that are there. They'll have their protocols, we will go over with them what their protocols are. If animals are in a certain condition, they need to be put down, then they would need to be put down. If there's animals that can be adopted, then they could be adopted. We've also suggested voluntarily to the association, if we can find other sanctuaries in the country or other no-kill shelter that would take some of these animals, we would send them there.

Ms. Colletti: but how would we know where we're sending them? I mean there is adoption agencies. I have a kitten right now as we speak that's no more than 2 months old. They were selling him for meth. I can't find a home for that beautiful tiny little kitten that's out there now. How are you going to find a home for a dog with three legs, a dog with a cart, a dog that's blind, a dog that has some things, without checking to see where those animals are going, you know what's going to happen to them? They're going down.

Mr. Rodriguez: That would be up to whatever agreements are made with the ASPCA and then the condition of the animal and what its proper disposal is, whether the ASPCA will take it somewhere else. One of the methods and mechanisms that we're trying to reach some kind of resolution is to find a way that we could places for these animals to be cared for. Or that the population is reduced in one way or another so that it can be commiserate with the staffing that those animals that are there that are being cared for, cannot be adopted, can stay at Journey's End. But that they receive the proper amount of care with proper staffing levels. Both paid staff and volunteers. The biggest issue and what is really driving us to find some sort of resolution is its balance. It's that there are too many animals for the level of staffing that the organization provides. And if it's a question of whether we have to go the Board of Directors of the corporation, and it has a Board of Directors, Ms. Thuot's not alone in this, but it's to direct the Board that there's a situation here, the County has found a situation and we want to work with the Board. So the three main issues that we have on site, let's call it two and a half issues, one is the number of animals in relation to the staffing level. The other is that the vast majority of the animals on site have not been vaccinated. So that then results in a situation where it can be a danger to the public and to the volunteers who go on site. Now what we have been told is the veterinarian explains well some of these animals are too old to be vaccinated. However, the statute does not have an exemption for old age for vaccination. Statutorily a veterinarian has to provide a report that the condition of the animal is currently in will not make it admittable to vaccination. However, if that condition ceases, the animal must be vaccinated. From based on the veterinarian's report and observation, the majority of the animals at the site are not of an age that they're too old to be vaccinated. That's where we get to where the mission has gone astray because when you go from being a hospice to animals, and then becoming a no-kill shelter, there're animals arriving there who are, these aren't canine or feline senior citizens. There is a concern that animals that need to be vaccinated, they're in a condition to be vaccinated, need to be vaccinated. And as part of the vaccination, the registration is a reflection that the animal has been vaccinated. If there are animals that are in the condition that they met the statutory condition, that they cannot be vaccinated, we'll take a note of those. Because statutorily they meet that exemption. But it's not a blanket, an animal is too old to be vaccinated. The statute does not provide that blanket. It just simply states that if it's in a condition, it's exempt as long as that condition exists. Once that condition ceases to exist, the animal must be vaccinated. The problem is we don't have any record, we've not been provided any records to show that in order to properly exempt those animals.

And that was one of the concerns in the veterinary report is that there is a lack of record-keeping to tie specific animals to specific medical care and that's a concern whether there are animals that if they are being provided care, that there isn't any proper record-keeping reflecting that care is being provided. That's again, a reflection of there's a shortage of staff. And either the volume of animals needs to come down to correspond to staffing, or staffing has to come up to correspond with the number of animals.

Ms. Colletti: But yet staffing comes and goes. We all know that. You're here today, I mean we've lost how many vets? Staffing comes and goes. There's no guarantee that those people are going to stay there either. And you're saying that you're looking for out for Florence's welfare, I don't know anything that's going to kill her faster than to have somebody come in there at 91 years old and take her animals. I don't know of anything. I know myself, I take care of my animals. But when I can't, they're going down every last one of them. Just because of what's going on here.

Mrs. Darino: That's the point. She can't take care of them. Neither is anybody else that she has volunteering there. That's why these animals look like they do. That's why that facility looks like it does. It's not that she's a bad person, we all know she loves them. But if you love them enough then you need to get help. If you can't get the help that they need, this is about the animals too. There's one of her, there's two hundred of them. And they're very sick and they're living in awful conditions and they should not have to live like that or be in pain, suffering. You have medicine bottles that are just written on by who knows who? Half of them are expired, it's filth. I don't think that this was her intention when she started out but she's to a point in her life where she's overwhelmed with this problem. And this problem is much bigger than just some volunteers that come in and do. She needs structure. She needs organization. She needs someone to either take over the sanctuary and still be there with her animals or an organization that's much bigger than her in our little community. Yes there's animals that adopt out all the time from the rescues, but there's not 200 of them at one time. So you need a bigger organization that knows how to handle bigger problems like this to come in and help.

Ms. Clark: I would like to know how much of staff should come up to what you have today. Bona fide, written, signed commitments staff. Whether it be paid or volunteers with vets included in there.

Mr. Rodriguez: The number, hypothetically speaking, if Journey's End comes to us and says we are going to have "x" amount of staff there. At that point we're going to defer to our experts and, Dr. Barton is actually an expert in shelter medicine and shelter management.

Mr. Leath: The posted data for the National Animal Care and Control Association, the Association of Shelter Veterinarians and the Florida Animal Control Association is 15 minutes per animal per day. Minimum. To be able to provide minimum standards for cleaning and sanitation.

Mr. Rodriguez: That's the standard that has to be met.

Ms. Clark: The other thing, if I make a phone call and I can have boxes of vaccines donated, just the rabies correct? If I can get that stuff donated, which I know I can, and they go over there, and the number of animals that are there along with the form for some of the old ones, then that could be taken care of. The record-keeping, I still have that program. The other thing is, I've spoken to Henry Schein, I've spoken to other organizations, but the September 30<sup>th</sup> deadline. Can't that be stretched? Because now that myself and other people that have good networking that could help bring this in, get rotary in there one time, I mean get the place cleaned up and painted. Sherwin Williams would donate the paint for the place. I'm sure that we can get file cabinets, the proper ones that are needed.

Mr. Rodriguez: In all honesty, and in moving forward and prosecuting this case, you can make that place look immaculate. And if you're understaffed, it's going to get beyond the scope of the staff. Because the number of staff that are there, if you focus them to be, in all honesty, the condition of the cat house from those pictures that were presented, to when we conducted the investigation, completely changed. It helps that they knew that we were coming on August 5<sup>th</sup> to prepare the site for inspection. At that point, whether there's enough staff to maintain it in that condition, I don't know. We don't know. Now, the September 30<sup>th</sup> deadline, I am willing to

work on, not that everything has to be completed by September 30<sup>th</sup>. The key is by September 30<sup>th</sup>, we have to have, if we're going to avoid removing the animals, the parties have to enter in to a written agreement to be executed by all the parties, to do a plan, to move forward with a plan. Hypothetically if there's a management of numbers of staff, number of animals, consenting to regular inspections on the part of the County, to inspect that the agreement is being followed to. Those are things that are all on the table we can enter in to. By September 30<sup>th</sup>, if we're going to avoid having to go in and remove the animals, the parties have to enter in to a plan at that point moving forward. If it's just going to keep on going, you're looking at now, a progression of about two months. Where there are animals there in a certain condition that can worsen. Because we don't believe that there's proper levels of staffing there to remedy their condition to remedy the situation.

Mrs. Colletti: What kind of staff are we talking about? Are we talking about people who are knowledgeable about what they're doing? Or people that have a background of taking care of animals?

Mr. Rodriguez: I can necessarily dictate the type of staff. But there would be an expectation that you would have staff there familiar with animal sheltering. The concern is if you have staff that's improperly trained or not knowledgeable of the situation. If we come up to sudden improvement, we're open to this. That you must have on staff a minimum "x" person with these criteria. Both parties can come up with their own, a veterinarian and animal staff, animal sheltering experts in determining that this is the criteria for the people that need to be there on staff. And then structuring it. There's volunteers that can this, there's workers that can do this. We can get to that point in an agreement that you agree to do this. But we need to come to some sort of a resolution and if again, hypothetically speaking, if we still have someone who says I'm not going to do anything, I'm going to do it my way, we're going to have a situation that isn't going to improve. And if the condition is below the standards set by Florida Statutes and County Code, the County has to take action.

Mr. Baird: How many people are on the Board at this place?

Mr. Rodriguez: the identity of the members of the Board is public information.

Mr. Baird: Can't the Board have a meeting and try to work this out?

Mr. Rodriguez: They could, and that's the Board's counsel right behind you.

Mrs. Darino: the fact that they already have volunteers who try and take care of these animals, and this rescue is in the shape it's in, just shows that the volunteer thing isn't working. Look at the place. Look at the animals. So if you're going to have volunteers, at the very least, they need some skills. You've got volunteers all along and they're just now talking about how bad this place is? It didn't get that way overnight.

Mr. Rodriguez: You're suggesting if there are certain defined tasks for volunteers to take?

Mrs. Colletti: Or someone with a degree that would be on call to be able to (inaudible)

Mr. Rodriguez: Right, or to differentiate between staff and volunteers. Staff has certain designated duties that are going to be corresponding with their expertise. Volunteers are there to do things that you don't need a specific expertise, but you can assist, feeding, cleaning. That's going to have to be something that the Board's going to have to determine and then we can review it. If there's certain things that, as part of the agreement, that would be subject to certain inspections or reviewed by the County to ensure that these standards are met. As well as if the Board has some duty to review to make sure that these standards are met as part of their duties as an organization.

Mr. Baird: Have you talked to the homeowner next door?

Mr. Rodriguez: As part of this investigation, we have not communicated with them.

Ms. Clark: My question is if Stetson gets involved with this, which that's one of the things out there that's going on, they have to do volunteer things. It's part of being a student at Stetson. There's a woman in there that's like an organizer and she's seriously thinking of getting in so I would gear her to you Adam. Or do you get to talk to this person along with the attorney?

Mr. Rodriguez: In all candor, this is one of the reasons why we brought this matter and I advised staff to bring this matter to you. Use your community contacts. We can right now, sit here and say oh I have this organization they have folks who can volunteer, I have this organization that can do things. But none of that will result in anything if these folks don't get in contact with Journey's End, and Journey's End says yes I will take their help.

Ms. Clark: So we should be gearing everybody to the attorney? If you could give me a number later because these people are serious.

Mr. Baird: Isn't there a pool of people on community service duty that would be willing?

Ms. Clark: They go in there too. I believe that they also have some community service personnel in there.

Mrs. Colletti: We have community service where I work, where they want to sell this little kitten for meth. And that's community service. They're on the phone from the time they come in.

Mrs. Driggers: My question, I have people being involved with the Kennel Club, I try to stay away from a lot of these chats, but I have had people approach me about it. I've been fairly quiet about it because I didn't know how much can be shared. So are you saying that if there's people that are interested in in helping, that it's perfectly fine to say the conditions are such and they can certainly use your help, and send them in that direction? What's ok with us sitting on the Board to be ok to share?

Mr. Rodriguez: I have always reflected with Journey's End's Counsel that if there's going to be a resolution without having to go to the County has to take action, it's going to have to come from the community. If the community is there to assist and if Journey's End and Florence accept the assistance, which is the key, then we can move towards getting the resolution to make sure that there is enough assistance there to make sure that the animals receive the proper care.

Mrs. Driggers: Ok. My answer to them so far has been there's an actual open investigation going on and there's nothing I can say at this time.

Mr. Rodriguez: At this point we have now given you the results of the investigation, this is where we're at. All the information that has been produced, has now been made public. You have everything. Everything we have given to you is now a public record. Anyone can make a request for a public record. This is now the result of our investigation. Therefore, this is the condition and the situation that we're in now. If we're looking at community assistance to remedy the situation, to make it better, for all those folks who love Florence, now's the time to help Florence. And the County will welcome any assistance if we can come up with at the end, a resolution to this where the animals will receive proper care, and in all candor, Florence receives proper care as well. It's not a question that she can't have "x" amount of number of animals on the site, that's off the table. But it's going to be, she now has all these animals on the site. The actual operations of the organization, in our opinion, have gone beyond what the mission statement originally was. So therefore now you're going to have to provide the proper staffing and organization with what you intend to operate, what you're actually operating instead of what you intended to operate.

Mrs. Colletti: Karen, does she not have a niece that is next in line to take care of her?

Ms. Clark: Yeah, in 2002 Bruce (inaudible) was the attorney and she did a trust.

Mrs. Colletti: So where is she?

Mrs. Clark: the niece was on the property when I was there. What people here may not know is a lot of the animals that come in here is, you may see some things in photos, but over the years I've photographed, usually when they came in, when they were at the vet, and usually a week or two or three later, especially when they have the mange from head to toe and the only thing normal is the nose, three weeks later, the dog's got fur. I mean that's what they do. When they come in they're usually in a more horrific state than what you see them in. Now that they got those little wheelchairs for these dogs, I don't know if you've ever been there, but yes they're off the wheelchairs and when it's time to go out, they put the wheelchairs on.

Mrs. Colletti: Where's the niece?

Mrs. Clark: She's there from what I understand. I'll be going back over there. Now what am I supposed to do? I'm going over there, is there any restrictions on what I say or do over there? She lives around the corner from me.

Mr. Rodriguez: I can't advise any restrictions. We brought the matter to this Board. You're an advisory board to the County Council. I think if you are acting as an individual and not necessarily speaking for the County, but you can speak as an individual.

Mrs. Darino: Aside from the animal abuse, I want to go over to the legal side of this. Are you pushing to prosecute her? Can you say? And my suggestion would be I would hope not. Even though the circumstances are what they are.

Mr. Rodriguez: All we can say is the matter was referred to the State Attorney's office. At that point it's in the State Attorney's office discretion. Without the State Attorney's office here, I will not speak for the State Attorney. We're focusing on what we can focus on, which is going to be under Chapter 14 of the County Code as well as those provisions in the Florida Statutes that govern the proper care of animals.

Mrs. Driggers: In the code enforcement subject, it does play a part in getting it up to code in order to continue.

Mr. Rodriguez: right. Code enforcement will handle those matters that are outside of Chapter 14 of the code.

Mrs. Driggers: Would they also handle the sanitation part of it, or would the Health Department handle that? If there's no place for her to be, that's an issue.

Ms. Grubbs: Some of our concerns would be the lack of vaccine for the animals and the risk of rabies exposure to her and her staff as well as some of the ill animals especially that are diarrheal, they can transmit depending on what the bacterial infection is to the owner or to the volunteers who are there. The sanitation is definitely a concern.

Mrs. Driggers: They noted in the report that there's already been an issue when she had some stitches and came home and urine gets in to that and it became more infected. It sounds like there's major issues with sanitation. All that plays a part in also being able to keep the animals.

Ms. Grubbs: That would definitely impact her health as well as a concern for her staff and volunteers.

Ms. Clark: I understand that they steam it with a professional steam cleaner all the time. At least twice a day.

Mrs. Driggers: Who does?

Ms. Clark: Whoever the staff is.

Mrs. Driggers: In those pictures they didn't.

Ms. Clark: Well some of the pictures are a year old.

Mr. Rodriguez: I can tell you somewhat, when we went onsite on August 5<sup>th</sup>, there's an area of the room that's called the game room, where Florence lives and sleeps. The smell of ammonia was over-powering in that room.

Ms. Clark: If you got there early in the morning at any shelter, especially like West Volusia or the others, the staff goes in there and cleans and the public is usually a couple hours later, it's all clean. Is that what you found?

Mr. Rodriguez: No. What I found was, to me, the smell of ammonia of, in my personal opinion that was a room that had not been thoroughly washed.

Mrs. Colletti: Either that or you had a very sick cat that was having issues.

Mr. Rodriguez: No no no. This was beyond just being one animal. It was over-powering. Personally for me, it was beginning to burn my nostrils. That was just my personal observation. And when I read the veterinarian's report, she concurred. I'm giving you, as someone who was there on August 5<sup>th</sup>, someone who was there and staff knew we were coming at that time. We were there at 10:00am.

Mrs. Colletti: All the more reason why to think it could have been a number of cats that do have kidney issues. I know myself I can clean my cat's box and if they have issues it's going to knock your socks off and the box was just cleaned maybe 2 hours ago.

Mr. Rodriguez: There's a difference. There's a big difference.

Mrs. Driggers: We had something similar, and this happens when people get older and they can't care for the animals and they're afraid to get somebody involved. And instead of asking for help, it gets out of control. I had somebody in our club, an older woman who had breathing issues, she only had 4 dogs. I walk in her house, it's the same thing. There was the smell of that. It's not because there were 200 dogs in there, it's because her dogs were doing obviously what the same type of urine that's happening in there. But there's a big difference between having an accident and cleaning it up or living in that. And it was unhealthy for her, it sounds like it's unhealthy for this situation. That has to be handled.

Mr. Rodriguez: My concern on personal observations, the smell was stronger in the game room. It actually minimized as you walked back towards the back rooms of the house, which is what her staff told us. She can't even access those back rooms anymore. Where there are other dogs and some cats. As you went further back, the smell was less, it was easier to breath. So what it shows, in my own lay opinion, that front room has a higher concentration.

Ms. Clark: That's where the crippled and the paralyzed dogs are.

Mr. Rodriguez: And the biggest concern, and that's also where Florence lives.

Ms. Clark: That's what those people may have said. They don't stay there overnight.

Mr. Rodriguez: Those were her own words. Her staff says they're worried about her moving toward the back because they're afraid she may trip on a dog or she may trip on clutter. There's nothing against clutter, but the doorways are narrow, you have dogs and cats darting around, they're concerned. They prep everything for her in the evening when they leave, and then she's basically confines herself to the game room area with the other dogs. In her communications with us, she seemed to concur and reflect to us that that was the case. And that was reflected as well in the veterinarian's report. Dr. Barton, in addition to doing her observations, she was also interviewing staff, interviewing Florence, and gathering all the information. So these are all things that

raise the level of concern that is there proper care being provided and is the staffing levels commiserate with the amount of the proper care to meet the statutory standards set by the code.

Mrs. Driggers: So if you're trying to help her that's a big piece of the puzzle, it's really important that that area be sanitized.

Ms. Clark: I was there two Thursdays ago at 4:00 in the afternoon and I went into the game room and it didn't smell, and I hate cat piss, and like you had when your eyes burned. Maybe by that time of day on that particular day, it had gotten cleaned. Because I didn't hit it. But when the dogs get all excited, and yeah there are some dogs here and there throughout the place, and they're in there by themselves or with a buddy, and when you open a door of course it's going to get excited. One of the things that was in the report, that was kind of, not a cheap hit, but when you say how would you like to be locked up in a room all day? Well everybody knows that if you have a dog, you go to work and you come home 8 or 12 hours later. What does the dog do? It gets all excited to say hello and want to be held. You did quite a report. And it was very professionally written. It just bothers me that she can't get that cat building done really, really soon. That would alleviate the cat problem because I have Aaron Pest Control saying they would come in and help without charge, which I did another time many years ago.

Mr. Rodriguez: I think it's important to note we need to separate the facilities issue from the staffing issue. You can have a state of the art facility but if you don't have enough staffing, that state of the art facility is going to fall in to disrepair because it's under staffed. So with proper staffing, her current cat house is sufficient.

Inaudible, many speaking at once.

Mr. Rodriguez: In all candor, when we both went in there we were like wow this is actually a lot better than we thought it was going to be.

Ms. Wollett: It's less about the facility. If it was a choice between spending the money to build a cat house or spending that money on staff, the dollars going toward staff would keep the mission alive.

Inaudible

Mr. Leath: She uses Dr. Frieberg a lot in Ormond Beach. I did speak with Dr. Frieberg and received all of his records from 2014 to present. He also indicated that he had never been to the property. He sends his daughter to go to the property. She supposedly goes there once a month and he examines and treats animals that are brought to him. Which is also the other concern. If you are relying upon individuals who don't have the appropriate understanding to recognize illness, disease, serious veterinary concerns, and you're just bring the animals that you believe need veterinary care, what happens to the ones you didn't recognize that needed it and didn't receive it? So those records I have in my possession and did go over pretty intently.

Ms. Darino: His daughter came to the facility, did she not see what you guys have seen?

Mr. Leath: They're both also on the Board. I can't say what their motivation or individual interests, I can only tell you what I was told and what information I received.

Ms. Clark: Can you make it known that these animals, the hundred cats or so and all those dogs, they do not roam the neighborhood. I live behind her, you don't hear a sound from Florence's house.

Mr. Rodriguez: I can tell you as part of our investigation, the issue of free roaming cats or noise is not an issue. We're solely focused on the cats that are within the perimeter of her property. That's the entire scope.

Ms. Clark: There's no complaints about their dogs wandering or barking?

Mr. Rodriguez: That's not an issue.

Ms. Clark: So that's a major plus in her favor.

Mr. Rodriguez: Right. It's not part of the investigation.

Ms. Clark: I just wanted to bring it out that I feel that it also wasn't a noise issue, which would have prompted police and everything. This is an animal condition, staffing problem.

Mr. Rodriguez: We have provided to you, and we've provided to the public the exact instances that prompted the investigation. At the beginning of January of this year we had five complaints that were investigated and there was resolution to them. And then the meeting Mr. Leath had with the volunteers. That's what participated the investigation. Nothing else.

Mrs. Driggers: And it's the issue of the welfare of the animals.

Mr. Baird: What if tomorrow morning she gets up, slips and trips, and breaks her hip? Now she out of there. What's going to happen? Do you have any idea who's going to run it?

Ms. Clark: Thuot's niece I would assume.

Many speaking at once

Mr. Rodriguez: The County is not privy to the organizational structure or any type of succession plan. I can't provide you with a definitive answer. Anything anyone says is speculation without reviewing the records of the organization.

Mr. Baird: The conclusion is the place needs a lot of money put in to it and people. There's no way around it.

Mr. Rodriguez: The number of animals comes down to be commiserate with the number of staff or the number of staff goes up to be commiserate with the number of animals.

Mrs. Driggers: So the facility itself, you feel like the facility's size, all the animals that were there stayed and the staffing was brought to condition that the facility size is okay for the animals that are there?

Mr. Leath: I think the concern is the decisions are made based upon a lot of emotion. One particular pet is isolated into one room because of aggression or isolation or individual understanding their own personal feelings. There's not a lot of structure so if animals were not in group housing and sort of fending for themselves, and if there was structure put in place and a veterinarian was there to routinely provide oversight, I think that there is a chance that they could provide reasonable care given a totally different structure than the current facility is in.

Mrs. Driggers: I think it's also important that because it's just going to continue, I understand the whole idea behind it. Understanding their mission to provide hospice care to those animals, but at some point in time, when they get to a point where they cannot, in hospice care for people they do not allow pain to continue. That's part of the mission of hospice. So when you get to the point where you can't control that pain, then there needs to be something done in order to be handling these animals humanely. So I think that needs to be part of the agreement that's going to be brought forth if you're both going to agree because otherwise you're going to be right back in the same situation because animals will just continue to be brought in and continue to live their lives. The number of staff isn't going to fix if this animal is in such pain.

Mr. Rodriguez: I will refer to Dr. Barton's report. She does distinguish between human hospice and animal hospice and what it is that should be properly done for animal hospice. Any type of agreement we're going to be able to reach, we are going to defer and base it on Dr. Barton's expertise and any expertise Journey's End will provide if we will achieve a resolution based on that, which will be reflected in any type of settlement.

Ms. Darino: Is there a limit on how many animals can be there?

Mr. Rodriguez: No. The Zoning Code that she's currently zoned for doesn't apply because her use was there prior to that zoning. She's grandfathered in. She's not subject to the animal limits under the Zoning Code. Now it comes down to, if she want to have a thousand animals there, she's going to have to provide the right adequate amount of staff to care for the thousand animals so that their condition doesn't fall below the standards of care.

Ms. Wollett: I will say that's she has volunteered that she is no longer accepting any animals. It had been many months since the last cat that she had taken in and many months since the last dog. There is unofficial acknowledgement that no additional animals before some plan is (inaudible).

Ms. Clark: She had mentioned to me that it was 2 years or more that she has not taken in a dog and it's over 18 months that she has not taken in a cat, unless it was severely messed up.

Mr. Leath: You should definitely review the report and review the records because I found that to not actually be the case. I found a number of records coming from animal services departments, animals that were brought in, Lionel and Troubles specifically, had been brought in sooner than the timeframe you just outlined.

Ms. Clark: Were they messed up as far as injury or ulcers or broken bones? Because that would have been the only exception for them to get in.

Mr. Leath: It's in the report.

Mrs. Colletti: So you're saying animal control brought some of them in?

Mr. Leath: She has received animals from a variety of sources. Some are animal services departments from around the state. Not us.

Mr. Baird: Are there going to be any more meetings on this, or is this it?

Mr. Leath: September 11<sup>th</sup> is the next scheduled meeting and that's to go over the finalized ordinance changes.

Ms. Clark: Can we have another one with Journey's End? Erin, do you feel that it would be beneficial for you to have us convene again? To benefit Journey's End? Because you're the person we would have to speak to.

Ms. Wollett: Let me ask a question of you Mr. Rodriguez, so if September 30<sup>th</sup> is the deadline to have an agreement in place or some meaningful progress, if that comes and goes and we don't meet that, is there something that would have to be done as far as formal of the County Council to authorize something, or it could just, the action that would be taken place by the agency to come in and remove animals. Could that or would that just be done?

Mr. Rodriguez: The arrangements are, the Council will have to approve the memorandum of understanding with the ASPCA. So we cannot act, we cannot enter in to any agreement with the ASPCA without Council approving such an agreement. So that would need to be presented. Any type of settlement that we enter in to that would be binding and signed, would be signed by the Council, which means the matter will be brought forward to the County Council for execution of the agreement. Now if we are making bona fide progress, if we feel that we are reaching an end, I would advise staff to continue on that way if we see true progress. I feel you should be able to gauge from your client soon whether she's going to want to do something, or she's set steadfast against it. If your client is steadfast against any type of settlement or moving towards settlement, then continuing to, I don't want to advise my staff to basically negotiate against themselves.

Ms. Wollett: My initial thinking is that it makes sense to me, I don't know what my client will ultimately agree to, it makes sense to me that the vaccination, the rabies statute needs to be followed. To me that makes sense. Does registration go along with that?

Mr. Rodriguez: Registration is based on proof of vaccination.

Ms. Wollett: So if the issue is a cost issue, I understand that maybe it's not that expensive, but perhaps we would ask as a non-profit whether the County has any sort of room for either a waiver or lessening of any kind of cost related to that.

Mr. Rodriguez: I think if, we don't care whether they pay for vaccinations or not, as long as they're properly vaccinated. So it's going to come down to the registration. What's the County registration for dogs and cats?

Mr. Leath: Less than \$10.

Ms. Wollett: I think on those two points and if we can make some significant, real progress with the number of staff, whether it's volunteers or actual paid staff, that is something that could be accomplished and needs to be accomplished. My sense from my client is that there would likely not be an agreement and this is initial at this point, as to sort of adoption events. My client feels strongly that the animals who are there, need to stay there. She has very strong opinions as to adoptions and how they don't work out. That is not her formal, final position, but for the benefit of the Advisory Board, those are the initial feelings Florence has about that. I don't know whether it would be considered significant progress if the animal numbers are not moving. They are all staying. But there is significant staff increases. I don't know how this would be monitored because we can have a whole list of people who say they are going to be volunteers and staff, we won't know for 30-60 days how many of those people actually show, what the actual engagement is. So is this a rolling?

Mr. Rodriguez: If you provide us with what is the population number of the animals there, and then we're going to be able to take the figures and determine what's the adequate staffing that's required in order to meet the standards. As part of the agreement, staffing levels have to reach this level in order to show that there's proper care. The concern will be, you can have hundreds of people working there but if there's an issue where there are animals is not approving for, there isn't any proper care and conditioning of the animals, then we're going to back to square one.

Mrs. Colletti: There again you need education. You can't just put somebody in there that's doing community service.

Mr. Rodriguez: That onus is going to be on Journey's End, not on the County.

Ms. Clark: On the vaccine, the veterinarian gives a certificate. There are some cities around that do not charge for the tag. There is a certificate that the veterinarian signs and like other shelters, since they're not going to be adopted out, they are there, why would they need a tag when other bona fide shelters don't have a tag for their animals?

Mr. Leath: They're in the city limits.

Ms. Clark: Right. But when they get adopted out, then they get the tag, they're told to get the tag. But if these animals are going to be dying here, what's the use of the tag when you have the rabies certificate? The whole thing would be emailed to you anyway. That should cover their requirement of having a rabies shot.

Mr. Leath: It also is a reason why the County would be able to follow through with a rabies vaccination. The only way we know that the vaccine takes place is with the licensure. So that we can actually monitor and maintain records of the individual numbers of the animals that are there. It also ensures that if we have a bite, of which we've had situations where animals have attacked people visiting the facility, and so if those animals are not appropriately vaccinated, we don't have record of that, the licensure is how we do that.

Ms. Clark: Well there's a thing out there, I don't know the name of the thing, but when a veterinarian does that, there's supposed to send the records of the rabies, which is protected by Homeland Security, as far as who the owner is, to the animal control department. Do you get the people that are doing these shot clinic? Are they handing in, all those people and the vets, handing in their rabies certificates to you? Or did that policy change? I use to do a lot of shot clinics and we had the program, they got it in. We had a big meeting with all the veterinarians with the Animal Control Board, they were very upset because they didn't want to give up their clients until they had to learn that the Department of Homeland Security protects the identity of the owner.

Ms. Clark further discusses veterinarians handing in their rabies certificates to animal control.

Discussion among many members regarding the handing in of rabies certificates by veterinarians.

Ms. Clark: What if I can get a vet crew in there to do this in two days and have everything all done?

Mr. Rodriguez: If their vaccinated, then that provision of the code where we have a pending violation, she would come into compliance.

Ms. Clark: And the owner would be Journey's End Animal Sanctuary with that address. It would be the description of the dog, the manufacturer's name, the vaccine and the serial number of the actual vial and whether it's spay or neutered.

Mr. Baird: You know what? You're worried about the vaccinations. They're all going to be vaccinated and the ASPCA is going to take them out and animal control is taking them out. ASPCA should have a rep here, it they're the saviors how come the ASPCA didn't show up?

Mr. Rodriguez: We don't have an agreement yet.

Ms. Clark: What ASPCA? Unless it's from New York City. Any ASPCA that's around the country does not belong to them or under their cover.

Mr. Leath: It's the American Society for the Prevention of Cruelty to Animals located in New York City.

Mr. Rodriguez: There will be an agreement entered by the County with the organization. We're not just hiring someone off the street. There will be a memorandum of understanding delineating the duties, obligations that will be executed by the County Council and the organization.

Mrs. Driggers: Just to clarify this, I believe what Karen's trying to say it's doing the vaccine, having the certificates but not having a county tag. Right now, with the statutes the county tag within a rescue all of their animals are required to have a county tag?

Mr. Leath: There's no exemption. Just like an individual, you breed and sell, all of yours are required to be licensed and vaccinated. An individual from the public an organization, a rescue all of them are required to be licensed and vaccinated per our ordinance as well as the state statute.

Mrs. Driggers discusses requirements of having county tags.

Mr. Rodriguez: You're looking at a multi-faceted, you've got a potential case for lack of vaccination, potential case for lack of registration, and then there's also the potential case for not having proper care.

Ms. Clark: so really you're looking at thousands of dollars just to make sure they have tags when they're going to go there to die.

Ms. Wollett: On the scale of these problems, that's small. I don't think that that is our main issue. It's really the care of the animals, the number of staff, that's where the focus.

Ms. Clark discusses getting veterinarians there to do a massive examination of each animal.

Ms. Darino: Do they have a guideline to go by that is in accordance with the County or the State so they have something to refer back to?

Mr. Rodriguez: We don't have anything specific aside from the statutory standard of care is for an animal. We don't regulate the private operating manuals and procedures of shelter organizations. If their operations are inadequate so the conditions of the animals fall to not being in compliance to County code and statutes, then that's a citation.

Discussion regarding these reports being made available to the public.

Mr. Rodriguez: A way to wrap this and wind this back, the more voices that Florence hears to assist her in coming to a resolution, the better it's going to be for everybody.

Ms. Clark discusses the difficulty in getting healthy cats adopted and how difficult it would be to adopt out the unhealthy ones.

Mr. Rodriguez discusses there are plenty of healthy cats there that could find homes.

Ms. Colletti states there's no way you're going to find homes for them.

Many speaking at once regarding an adoption event at Miami-Dade County.

Continued discussion of ways to hold adoption events.

Mr. Rodriguez: She's got to be able to use the help of the full Board she has and separate this from just being Florence alone isn't Journeys End. There's an organization. Perhaps even stress to Florence, you're not alone in this. You have an organization. You have a community. Let's all come together to come to a resolution. It's best for her and it's best for these poor animals.

Discussion regarding the September 30<sup>th</sup> deadline.

Ms. Wollett: What I'm hearing is the County wants to see action, effort, progress. My message to my client will be. Let's meet halfway. What can we do to show the County that we're doing that? So again, we're going to make some progress on the vaccinations, make some progress on the licensing, make some real progress on the staffing, volunteers. Maybe make some progress on even with some tight rules, an effort to have an adoption day. Not for all of the animals obviously, but there are select animals that are healthy-ish that maybe could go to good homes. If we are doing a multi-prong approach, we being the 501c3, sounds to me like the County's not going to come in, in the cloak of darkness, with the ASPCA, and take these animals. But we've got to do that.

Mr. Rodriguez: Right. We've got to see progress. If I can see reasonable progress, then that's something I can advise staff, we're moving somewhere, let's keep moving. But if things get derailed then we have to use everything we have at our disposal.

Ms. Clark discusses getting all the animals vaccinated, identified and organizing an adoption.

Discussion regarding West Volusia Humane Society taking some of the animals.

Mr. Rodriguez: From our dealings with her and my communications with Journeys End's Counsel, her position is no animal's ever getting adopted out of this place. The hurdle is where we're at right now with the County's discussions with Journeys End's.

Ms. Wollett: I think the County would like to see some effort to do an adoption day. Right? But if that's a deal breaker, then all efforts have to be on staffing and the condition of the premises and the care of the animals. It's not just one or the other, it all needs to be taking place.

Mr. Rodriguez: The bottom line under the Code, if she wants to have 200 animals there, she has to have the appropriate level of staffing so that their condition meets the requirements of the Code and Statute. The County is not married on a specific number of animals on the site. In order to meet the requirements of the Code and the Statute, is that the animals receive the proper care and the animals are in the proper condition. In order for them to achieve that, whether it's done by proper staffing or proper care, however that is done, that's what needs to be done. Right now, based on our investigation, it's not done and therefore she's not complying with our Code and with State Statutes and that's it. At the end of the day, that's what this case is all about, the proper condition and care of the animals and as long as she finds a way, the organization finds a way so that the animals receive proper care, however you get there, and that's the bottom line.

Discussion regarding adding an update to the agenda of the September 11<sup>th</sup> Animal Control Advisory Board meeting.

Meeting adjourned.