

**Lincoln County Animal Services**  
**Advisory Board Meeting Minutes**  
**December 15th, 2020**

**Attendees:**

Dr. Ashley Oliphant, Chairman

Hannah Beaver, Animal Services Director

Dr. Karen Miller

Robin Franklin

Diane Leatherman

Mark Connolly

Doug Woods

Michael Hull, Senior Animal Services Officer

Lindsey Houser, Animal Control Administrative Secretary

**Guest Attendees:**

None

**Opening:**

After the board received their meeting materials, Chairman Oliphant opened the meeting at 6:31 PM.

**Approval of Minutes:**

Chairman Oliphant asked the board if there were any suggestions or changes required for the minutes from the last advisory board meeting on December 3rd, 2019. Having none, the ASAB approved the minutes.

### **Current Draft:**

Director Beaver opened the discussion of the current draft that the board had before them by noting that changes made or suggested by legal would be shown in red and that these would be the talking points of the meeting. Referencing the definition of ‘adequate shelter’ on page 2 of the draft, Mark Connolly noted that the removal of “a nonmetal cylinder with one enclosed end” may evoke concern from the public. Director Beaver proposed modifying the definition to include “designed to house a dog” or potentially adding “at officer’s discretion”. Michael Hull and Mark Connolly were both in support of this change. Chairman Oliphant recommended modifying the definition to include “other structure designed to house a dog”. Mark Connolly added to this discussion by stating that it would be unfair to eliminate the use of any new dog housing products that may come on the market.

Director Beaver referenced a change made to the definition of “adequate vet care” and asked for Dr. Miller’s opinion on the change. Dr. Miller was in agreement with the change that had been made.

Referencing page 4 and 5 of the draft, Mark Connolly raised a concern that the current draft had a 12 foot minimum length for a dog to be tethered. His concern was that there was no exceptions for hunting dogs, herding dogs or dog training. Mark also mentioned that Orange County, North Carolina’s ordinance listed these exceptions in their ordinance. Michael Hull recommended the addition of the word “permanent” to fix this issue. Chairman Oliphant expressed concern that adding “permanent” may give irresponsible dog owners the wiggle room to say that a situation is temporary or permanent when in truth, it may not be. Director Beaver stated that she would look into the issue and find a solution.

Referencing page 11 of the draft, Mark Connolly questioned how it would be possible to declassify a level 1 dangerous dog. He proposed that this may have been a typing error. Director Beaver stated that she would re-examine this section and look into correcting any possible mistake.

Referencing the exotic animal section of the ordinance that begins on page 12, Chairman Oliphant asked if there had been more requirements in this section previously. Director Beaver stated that she would revisit this section and look into it.

### **Fees and Penalties Section:**

Referencing the fees and penalties section of the draft, Director Beaver stated that the areas of concern in this section were citations and repeat offenses. Director Beaver read an email from the legal team to the ASAB and asked for their opinion on these two matters.

Chairman Oliphant asked what would constitute a lesser citation and Director Beaver replied, stating that a lesser citation could be issued for things such as nuisances, leash law violations, tethering violations and failure to rabies vaccinate animals.

Chairman Oliphant also recommended a separate fee schedule for animal cruelty cases if that is something the legal team would agree with, although this may complicate things. Chairman Oliphant also recommended making the fee schedule very strict, but allowing officer's discretion in the field.

In response to Chairman Oliphant's comment about officer discretion in the field, Director Beaver asked Mark Connolly his opinion on officer's discretion in the field because of his background in law enforcement. Mark responded that in his opinion, officer discretion was always best.

Director Beaver noted that the current fee schedule draft lacks wording that allows more officer discretion. Chairman Oliphant warned that changing that wording may cause suspicion amongst members of the public and that officer discretion was only good when there are good animal control officers employed at LCAS. Director Beaver responded, stating that the current officers employed at LCAS are the most qualified we have had to date.

Chairman Oliphant and Robin Franklin both expressed concern that the time period for citations in the fee schedule were too long. Chairman Oliphant then recommended removing all time-frames from the violations fee schedule, which would give more officer discretion. Mark Connolly and Doug Woods were in agreement with this, with Doug adding that this change would remove complications from the process. Director Beaver stated that this would be something to discuss with the legal team.

Director Beaver ended this portion of the meeting by stating that she once legal has submitted their final review of the draft, she will email that to the ASAB. Director Beaver intends to hold private meetings with every commissioner prior to the public hearing for the ordinance. Once the commissioner meetings have happened, Director Beaver wants to meet with the ASAB one more time to review the BOC's comments and concerns before it becomes the final draft.

**Public Comments:**

None

**Next Meeting Dates:**

Tuesday, January 19<sup>th</sup>, 2021 was the initial proposed meeting date, but due to scheduling conflicts with a member of the ASAB, it was moved to Wednesday, January 20<sup>th</sup>, 2021.

**Motion to Adjourn:**

A motion was made by Doug Woods to adjourn the meeting, with a second by Dr. Karen Miller.

The meeting ended at 7:17 PM.

