

# **Animal Advisory Board Minutes**

**March 9, 2011**

## **Call to order**

Ida Estep called the meeting to order. The following Board Members were present: Voting members: Ida Estep, Brenda Simmons, Dianne Barrett, Bess Nicholson, Jackie Oakley, Mark Speed, and Dr. Elyse Goldman, DVM; ex-officio members: Franklin County Animal Control Director Graham Stallings, and Franklin County Humane Society President Kelly Larson and non-voting member Commissioner David Bunn.

**Members of the public to speak** Estep recognized President of the Franklin County SPCA Rebecca Rodgers to address Communication and Volunteer needs and PurrPartners Representative Lawanna Johnson discussing continuing issues.

**Members of the public** Estep recognized the Animal Control Officers and members of the public. as well as County Commissioners Dunston, Foy and Swanson during the meeting. A sign-up sheet was passed for a complete listing of all in attendance.

**Introduction** Estep welcomed and thanked everyone for coming to the meeting. The introduction outlined the protocol for this meeting. This is a public meeting based on the County Commissioners meeting format and each speaker will have 5 minutes to speak with a 2 minute warning. Estep reviewed the by-laws of the AAB, including the Board's responsibilities and restrictions. She commented to the boards' and the publics' responsibility of sensitivity, and respect during the highly emotional nature of this meeting. See Attachment 1.

**Public Member Comment** President of the Franklin County SPCA Rebecca Rodgers discussed the importance of good communication between the FCAS, upcoming meetings of the AAB and the animal welfare groups active in the county i.e. FCHS, Purr Partners and the general population. She said the SPCA is very willing to help out. Her second comment addressed volunteers. She felt the county web site is not clear and suggested use of the FCSPCA to let people know about volunteering opportunities at the shelter. Many high school seniors are interested but the established minimum age to volunteer is 18.

Ms. Lawanna Johnson addressed the subject of the night's meeting, \*(the premature euthanasia of a puppy by Animal Control), and would like the Board to consider that AC

procedures were not followed and an animal died. Further, she said that a SOP has been written and those procedures were not followed. She asked, "Where is the accountability?"

1. Place cards (hangtags) on doors when an animal is picked up.
2. Minimum 72 hour hold before an animal is euthanized.

Both of these are in the SOP and she would like to see something in place to make sure there is accountability. What is in place now is not working. Ms. Johnson asked for a recommendation from the Commissioners to deal with issues for effective accountability.

### **Motion to Adopt the Minutes**

Nicholson so moved, Simmons seconded, and the motion carried to approve minutes of the January 19, 2011, AAB meeting.

### **Presentation by the Ruiz Family**

Ms. Ruiz thanked the AAB and everyone for coming to the meeting. \*(Note: The purpose of the meeting is to discuss the euthanasia by Animal Control of the Ruiz's puppy "Rocky"). Ms. Ruiz explained the relationship and attachment of her children and everyone in the family to Rocky. \*(Note: Ms. Ruiz was very emotional, very upset and at times tearful during her presentation.) There were repeated requests from a neighbor for AC to pick up 2 dogs on the neighbor's property, now known to be "Rocky" and "Baby" Ruiz. AC picked up the 2 dogs. \*\*Attachment 2 – Includes pictures of Rocky and Baby and the family. The service request 145440, case UID 145439, case#0349. No rabies tags were being worn by either dog as noted on service request.

February 23: Ms. Ruiz called the Shelter to ask if the puppies were at the Shelter. At that time she was told the puppies were not there. \*(Note: Ms. Ruiz explained this very emotionally and the heartache this has caused her family.) Ms. Ruiz spoke with Stallings after Rocky was euthanized and discussed this phone call between Ms. Ruiz and an ACO. This call has been recorded and Stallings stated to Ruiz that he had listened to the tape of the phone conversation.

February 24: Rocky was euthanized 2 hours before the required 72 hours.

At this point Ms. Ruiz asked for a change from the incompetence at the Shelter by the Commissioner, not a "slap on the wrist" or an apology.

Ms. Ruiz's daughter Victoria Dupree spoke about her attachment to Rocky \*(Note: She also spoke very emotionally and tearfully).

## **Response by Graham Stallings, Animal Services Director**

Stallings recounted the events that occurred in this incident. Stallings reported, this concerns 2 stray dogs roaming the neighborhood on someone else's property. First report- February 14- A neighbor had complained to AC that she was concerned about her children being able to play outside because of the roaming by the 2 dogs. An ACO went to the location and was unable to find the dogs. Stallings stated: AC does not pick up dogs on the owners property and does not pick up a dog unless there is a complaint made against the owner.

February 21- One week later another complaint was filed by a neighbor. An ACO went back to the location; the 2 dogs were not on the owner's property and were impounded at the shelter. No hangtags were placed.

February 24- One of the 2 dogs was selected in the euthanasia process 2 hours before the required guidelines of 72 hours.

Stallings said that as a county employee he accepts full responsibility of all animals that are euthanized. Stallings reviewed the euthanasia selection process. He said: "I apologize to the owner and accept responsibility of our actions and we will learn from this." In the future the method of computing the 72 hours will change. The 72 hours will NOT start on the day the dog is picked but will start the next day. These decisions \*(regarding euthanasia) are painful and difficult. There were 2800 animals euthanized at the FCAS in 2010. Stallings continued that any other discussion of his employees will not be addressed before this audience. This shelter has come a long way and we need the support of the citizens, and this Board \*(AAB) to stand behind us.

## **Reading of statement from Ms. Angela Harris, County Manager**

Estep read a statement prepared by Ms. Harris who regretted she was unable to attend the meeting. Estep read the statement in its entirety. Attachment 3. The letter recaps the events surrounding the premature euthanasia of the puppy "Rocky" Ruiz. The statement continues that if proper steps had been taken this could have been prevented. Her office offers a sincere apology. Further the statement promises to put in steps to make sure this situation is not repeated. "The goal is to ensure quality and compassionate animal services to our community.

## **Discussion by the AAB**

Estep: The AAB has previously discussed using hangtags. \*(These are tags to be put on neighbors doors if AC has picked up animals in the area) No hangtags were placed when these

2 dogs were picked up. The addresses of the lost dogs and the dogs picked up are exactly the same. Estep stated she did not understand why these 2 documents were not compared. Estep said she is not entering into personnel issues. Estep addressed the 72 hour time requirement. Had the time requirement been adhered to, Dr. Barth, DVM \*(contracted DVM with the county to perform euthanasia for the Shelter) would have already left for the week and Rocky would not have been euthanized on February 24. Dr. Barth was not consulted about this euthanasia. Estep repeated that this Board is not allowed to enter into closed session.

Goldman: This incident is nothing new. I will not discuss personnel. These issues have come before this board in the past, and it's frustrating for the public and the Board. The entire impoundment process fell down at so many different steps along the way. If the employees were consciously doing what they were supposed to be doing this would not have happened. This did not have to happen.

Simmons: 1. Hangtags are written into the SOP and were not used. 2. When the phone call came into the Animal Shelter to ask about the dogs the exact address \*(of the caller) was written down and the addresses are on the cages of the dogs brought in, the addresses are the same, if these addresses had been checked... The dogs were not old enough for Rabies vaccines. This has happened before. If the guidelines had been followed this did not need to happen. We are looking at clear evidence in black and white. We want to know what it's going to take to change this. We can put all the rules we want but if no one follows them it's just a piece of paper.

Estep: We can make recommendation the County Commissioners. How do you motivate folks?

Bunn asked Stallings if the main problem is personnel.

Stallings: Different decisions could have been made starting at the front desk and going all the way back. To answer the question –Yes.

Bunn: The next step is to have the County Commissioners discuss personnel issues.

Larson: Commented that this is not an isolated incidence, it's not the only time mistakes like this have occurred and a family has been affected. One must ask questions. What can be done so this doesn't happen again? There needs to be a deterrent in place, not just an apology. We have to make sure that no family has to go through what this family had to deal with. The County also needs to play a bigger role in the pet overpopulation.

Stallings: Expressed Dr. Barth's concern as a DVM she will not be liable for euthanizing an animal that she has not examined and risk euthanizing the wrong animal.

Estep: Taxpayers are paying for this service. . They pay the ACO's salary. There is a failure to view the public when they come into the shelter as customers. They need respect and care of the animals they bring in and that they as taxpayers have paid for. The respect and care is not there. This is a repeated problem.

Goldman: Stallings is to go to the County Manager. Commissioner Bunn will come back to this board with concrete suggestions and actions to be taken within a given length of time.

Stallings: Suggested Bunn speak with Ms. Harris and go from there.

Bunn agreed to do that.

Estep: Commented that if the AAB cannot work something out with the County Manager then it should be taken directly to the County Commissioners and be placed on the agenda. There is a general consensus of the AAB.

Estep asked Bunn if he will take that responsibility and report back.

Bunn: Yes I will.

Estep extended a sincere apology to the Ruiz family for their loss.

Date of next meeting: Wednesday, March 23, 2011 at 7:00pm \*(Note the time change)

Motion to Adjourn: Simmons so moved and Barrette seconded. All in favor.

Respectfully submitted,

Elyse Goldman, DVM

\*Note: Parenthesis have been used for clarity and to convey the emotions during the meeting.

## Attachment 1

Welcome by Ida Estep Chairperson AAB

Outline of protocol—based on procedures used at the Commissioners' meetings

This is a public meeting, not a public forum. This means that the public is invited to attend all meetings and has the option to speak at the start of the meeting. But after that public speaking period, the right to speak belongs to Board members and any individuals identified on the agenda.

Speaker signup sheet—no signups after speakers begin. So, if you want to speak now is the chance to sign up.

Everybody has a maximum of 5 minutes, Ms. Simmons has a stop watch and will hold up a sign warning when there are 2 minutes left. Please conclude on time so that everybody has a chance to speak.

After the public speaks, the Board will review the minutes of the last meeting.

The next item on the agenda will be a presentation by the Ruiz family concerning their experiences with Animal Services over the past week.

Graham Stallings, Animal Services Director, has been requested by Angela Harris, the County Manager, to make the response from County Animal Services.

After his presentation, I will read a brief statement from Angela Harris and at her request. She would have attended but her mother is having serious heart surgery.

## Discussion

The Board will then take the statements under discussion.

It may be useful right now for me to read briefly the provisions of the by-laws under which the Commissioners created this Board so the public can understand both our powers and the restrictions placed on the Board.

These responsibilities include:

“Reviewing and evaluating on an on-going basis policies and procedures as related to Animal Control Department issues, needs, services, ...”

“Monitoring and recommending modifications or additions to the general operations of the department.”

“Serving as an Administrative review board regarding...concerns related to animal activities in the County.”

“Performing other duties as deemed necessary.”

In conclusion, some of the issues to be raised are highly emotional. I would request that all speakers present their material in as straight forward a manner as possible and that the audience listen quietly and respectfully to what is said.

**From:** Angela L Harris [mailto:alharris@franklincountync.us]  
**Sent:** Tuesday, March 08, 2011 7:36 AM  
**To:** iwestep@earthlink.net  
**Cc:** Graham Stallings  
**Subject:** March 09 AAB mtg. statement

Attachment 3

Ida,

As you are aware, I will be unable to attend the Animal Advisory Board meeting on Wednesday (due to my mother's heart surgery.) I do feel that it is necessary to provide the Board with a statement from my office, and I appreciate your willingness to pass the statement along.

It has been brought to my attention that a young puppy belonging to the Ruiz family in Franklin County was put down prior to the normal holding period of 72 hours. After discussing the matter with our Animal Services Director and reviewing the information he provided, we both concur that there were steps, if taken, could have possibly prevented this from occurring. We find the circumstances regrettable and offer a sincere apology.

My office is committed to addressing this matter with vigilance, and moving forward, every effort will be made to ensure that this situation is not repeated. Administratively, the matter will be dealt with in an appropriate manner that reinforces our goal of quality and compassionate animal services to our community.

Thank you,

Angela L. Harris

