

ANIMAL CONTROL COMMISSION

Minutes of the Special Meeting

June 2, 2008

A special meeting of the Fairbanks North Star Borough Animal Control Commission was held at the Borough Administrative Center in the Assembly Chambers, 809 Pioneer Road, Fairbanks, Alaska. Ronnie Rosenberg, Chairperson, called the meeting to order at 6:41 p.m.

MEMBERS PRESENT:

Ronnie Rosenberg, Chair
Shellie Severa, Vice Chair
Mary Ann Fortune
Jamie Marschner
Karen Wilson

GUESTS PRESENT:

Kathryn Dodge
Michelle Casavant
Robbie Wyman
Jeanne Olson
Chris Eshleman

ABSENT:

Shirley Harris
Kathryn Cardarelle

STAFF PRESENT:

Matt Ruger, AC Manager
Barry Jennings, Director of Emergency Ops
Sandy Klimaschesky, Lead Animal Tender

New commissioner Jamie Marschner was introduced by the Chair and the agenda for the meeting was unanimously approved. The Chair reviewed the procedures used for special meetings: Each of the four agenda items will be introduced, public testimony will be heard and limited to three minutes per person then the commissioners will discuss the items and ask questions of the Animal Control staff. On at least two of the items the Chair will ask the commissioners for a consensus and take a vote. Afterwards the commissioners may make comments then the meeting will adjourn.

Item A. Proposed Ordinance No. 2008-23 amending Section 6.12.010 D of the FNSB Code of Ordinances relating to animals under the age of eight weeks or that appear unhealthy.

Assembly Member Bill Stringer proposed this amendment and it was referred to the commission for their consideration and recommendations on April 24th, 2008. The current ordinance reads, "The animal control officer may accept animals from their owners for humane disposal or for adoption, except that animals under the age of eight weeks, or that appear unhealthy, shall be accepted for disposal only. Animals placed for adoption shall be held at the discretion of the animal control officer. No animal delivered by its owner for disposal shall be released for adoption." Assemblyman Stringer's proposal would strike the language "except that animals under the age of eight weeks, or that appear unhealthy, shall be accepted for disposal only". The Chair informed the commissioners they can agree with it, disagree with it or modify it, or make suggestions, or the commission doesn't want to respond. However, the commission needs to discuss it and make a decision. She then asked the staff for a short report on the change's potential impact on the shelter.

Matt Ruger stated "it could be a good thing or not a good thing." If the shelter gets the support needed from fosters to help with those animals it could be "a very good thing". The shelter is not staffed to take care of nursing animals or to care for underage animals until they're adoptable. If the language is adopted as proposed, the shelter will need approved fosters ready to remove the animals from the shelter by the end of the business day—within an hour or two if

the animals are nursing and the mother is not with them the babies need to eat just about constantly. Without active community assistance the change won't make a lot of difference because the shelter is not staffed or funded to for the care of those animals. If they come in with the mother they would still need to be picked up by the end of the day because they still require around-the-clock care. From the health and disease control perspective, they are very susceptible to illness but cannot be vaccinated until they are a certain age. Very young animals, especially puppies, also bring disease into the shelter and the fact that they cannot be vaccinated until a certain age opens the door to disease control problems. So, from the perspectives of both care and health, a lot of community support is needed. "If (the shelter) can get that support and get those folks to come and get those animals when they need to be gotten, then I believe this could be a really good thing. If not, I don't see it changing the way we do things too much from an operations standpoint."

Ronnie Rosenberg asked if the shelter is able to get fosters for animals with special needs. Ruger replied that when people sign up to be fosters they tend to only want to foster an animal they might want to adopt. He stated there is list of approved fosters (Note: there are 66 approved fosters and six new applications awaiting an ACO visit) and the foster coordinator routinely goes through the whole list and is told "no" because the animal she is trying to place is not the kind of animal they are looking for. "Very few fosters will say 'just give me what you've got and I'll take care of it.' We would need dedicated fosters, especially for young animals in the winter time. I have tried to foster animals that are underage if they come in with their mother and are nursing, and sometimes have even talked the owner into loaning us the mother until the animals are adoptable, but was unable to find a willing foster because everyone we contacted said, 'I don't want a houseful of puppies in (January or February)'. That's the biggest drawback: getting fosters that are capable and willing to take underage animals." Ruger noted that fostering litters is more successful during the warmer months, noting that a cat with a litter of 5-day-old kittens was fostered out last week.

Rosenberg added, "My understanding is that the language would remain in here that the animals would remain at your discretion so that if there is no place for them and they can't move out soon enough or there are too many to place, then you don't have to hold them." Ruger said that was his assumption also.

Rosenberg then asked if there was anything further in terms of the "unhealthy animals" part of the statute. Ruger noted he has a little more discretion there. With the blessing of his chain of command the Shelter Fund has been there to help take care of those animals. "'Unhealthy' can mean almost anything. It can mean just the sniffles or it could mean it's missing a leg. We have had animals come in that were in that range that we have found homes for. It's a little more cut and dried when you say 'underage animals shall be accepted for disposal only'. 'Under eight weeks' is a lot more concrete than 'unhealthy'. With 'unhealthy', where do you draw the line?"

Rosenberg asked if there were any further questions for Ruger from the commissioners.

Mary Ann Fortune asked if there has been a problem in the past with locating fosters specifically for litters of puppies under 8 weeks old. Ruger replied yes, that was an issue because people don't want a litter of puppies in their home during the cold months. "The dispatcher—who is also my foster coordinator—I have seen her in tears on many occasions because she is told 'no', 'no', 'no'." He noted that the change sounds good but to work it will require dedicated community support.

Rosenberg noted the situation is similar for pregnant animals and Ruger noted that Pet Pride will generally take pregnant cats. "I can give her a call and 95 times out of 100 she will pick

them up. With dogs it's a different story. SCL (Second Chance League) can sometimes help us place sled dogs but that is about the extent of it."

Ruger was asked if the borough advertises for fosters and if the commission could go out and recruit. He stated he does advertise, there are foster applications freely available at the front counter, and anybody coming in that the staff thinks may be even remotely interested is asked if they would like an application. He stated he is also working with his account representative with the TV station about adding a 15-second spot about the need for fosters to the rotation of ads he does throughout the year. Right now they are running ads on proper restraint and animal bite prevention.

Rosenberg asked Ruger if he felt there would be a problem if the proposal is adopted and people start thinking they can "unload litters at 5 and 6 weeks, and do you have any ideas of what we could do to deter that? Even under the best situation that's not good, even if we can find fosters." Ruger answered that if the proposal passes and people get that perception then he would have a hard time finding fosters with the influx and the euthanasia of underage animals may actually go up if people think the change means underage animals won't be euthanized and bring more in. "That does concern me, especially on Sundays, because we are not staffed (to find animals fosters on Sundays)." The shelter is only staffed for feeding and cleaning on Sundays, so trying to find someone to place underage animals with and still get their job done would be a very difficult task. "Maybe some signage? I'm still trying to figure out a way to get past that. I am concerned that if you take the language out and don't put something in there that says 'however', then people will think its fair season and anything from newborns to 8 weeks they can just drop them off. Then we will be buried in a situation we don't like." The concern is that this response from the public could backfire on the intent of the change and increase, not decrease, euthanasia of underage animals.

Rosenberg stated that was her concern as well because a lot of the public that relinquishes litters over and over will continue doing it. They don't necessarily follow public meetings or read the newspaper, so there may be a need for some kind of poster or radio campaign or something to try to reach more people.

Rosenberg then asked if there were any other comments from the commissioners and, noting none, opened the floor to public comment after which she said the commission would make amendments and/or take a vote on the proposal.

Kathryn Dodge, 665 8th Ave, commented that she supports the ordinance change as proposed. She stated that she believes it allows flexibility for the staff, community and the animals and is appropriate for both the young animals and the medical (unhealthy animals). She noted she was confused by claims that young animals present medical concerns that couldn't be addressed the same as other medical concerns. She also noted that she applied to be a foster three months ago for puppies and kittens and I hadn't heard anything yet. She said she followed up with the shelter twice to see if there was a problem with her application and was told that they are just busy. When asked by Rosenberg if she'd had an officer visit yet she stated she hadn't: "Maybe I'm unacceptable in some way. That's all I can figure. I am equally confused as to why we are so successful with medical issues but not so successful with the young. We seem to find ways to dance around the medical very easily and I support that. I have fostered animals from the shelter that have benefited from the Shelter Fund and would certainly not want that to see that change. We seem to be very flexible there even when the ordinance was contrary to both of them. We seem to be less flexible with the others, so that's just confusing to me, just something to be thinking about.... If you go outside on the street and

ask three people you don't know if they took a 6-week-old dog down to the shelter, three people would not know that the dog would be euthanized. They find out when they get to the shelter. I am confused as to why you think we would get more if they don't know the dog was going to be euthanized, if they don't pay attention to the public meetings. There seems to be some confused logic that doesn't make sense to me. Changing this brings us into alignment with the Animal Shelter Fund and the good that it does with regards to medical care for animals. It is really needed, fabulous, appropriate, all of those good superlatives. It also allows good flexibility in alignment with Code to do the things that we all want to do..."

Robbie Wyman, 2420 Nugget Loop, noted that she supported omitting the language as proposed noting that it allows options. "It opens the door and I understand and I sympathize on both sides of the road what we are faced with."

Rosenberg, noting no further public testimony, opened the meeting to commissioner discussion in pursuit of a decision.

Fortune noted she agrees with allowing (the shelter) to have the option to accept animals under the age of 8 weeks. "I, too, don't see that it's going to make that much of a difference in the amount of euthanasias that are taking place already. I was thinking of the possibility of writing a letter to the editor just to let people know what's out there. I don't think there are a lot of people out there that will know the difference from before and after (the change). A lot of the community honestly does not know... what our ordinance is. A lot of them don't read, they don't listen to the news."

Rosenberg noted if the proposal passes the Assembly then the commission has done all they can do as they are advisory. "We could do a Community Perspective piece (in the newspaper). It would have limited reach but everything helps. I think signs in laundromats and things like that would be the way to go but we can think about how we would want to publicize it if the ordinance gets changed."

Karen Wilson asked if the Shelter Fund has any type of funding for younger animals. Rosenberg stated that it doesn't: it exists to support the needs and functions of Animal Control and a division of Animal Control (the shelter). The Fund will do what we they do as they have always done both for individual animals in need as well as for equipment needed by the shelter and things of that nature. "I don't know how many of these litters we are going to get. Some fosters take on the complete expense of the animal they foster. Others that foster rely on us for specialized foods and veterinary care. Depending on whether or not there are thousands of underage animals, that would be a strain, but I am not anticipating that will be the case. So we would budget accordingly when we have a better idea. Obviously we always have puppy food and kitten food and milk replacer and that kind of stuff on hand. I am in favor of (the proposal), but the logistics of dealing with this at night and on weekends and on holidays.... If a bunch of puppies come in and they're 6 weeks old they can eat puppy chow or soft canned food. If they're 2 weeks old and we don't have somebody that can get out of work right away and come pick them up and start syringe feeding them then those are the animals that will have to be euthanized because there is no one to take that on. And then there is the issue of getting them adopted if you have multiple litters at the same time, especially when we get multiple litters of the same sort, such as lots of sled dog puppies. We'll just have to see how it goes. And, again, the ordinance as proposed would allow euthanasia when it is unmanageable, when there aren't fosters at the discretion of the officer. As far as "unhealthy"—for as long as I can remember even before the fund—there were animals that were unhealthy. How do you define that? Is that a broken leg? Is that an abscess? Is that major cardiac problems? That's actually the reason

the Fund was started. So the proposal really brings the ordinance into compliance with practice. As far as animals that are infectious are concerned, their owners are often told that we cannot accept them for adoption, that they will be euthanized. We can't put it in a congregate setting. She stated she was willing to try the change and see how it works and if there are ongoing problems the ordinance can always be amended again. For many of the animals she stated she thinks it will work and will be a good thing.

Shelli Severa asked Ruger how many underage animals have to be put down each year. Ruger answered that the numbers aren't tracked by age but by category for species, temperament/behavior, illness and those types of things so it's hard to get the statistics. However, the new shelter management software that's coming will be able to track it more precisely. He also noted that in his checking with people from other shelters and the American Humane Association, he doesn't have as much flexibility as some of the privately run shelters and rescues have, but the standard practice at both municipal and private shelters is euthanasia if an animal is nursing, it's not with the mother, and it's not capable of taking solid food. "Another option may be to look at keeping the language in the ordinance but lowering the age. I don't know."

The general consensus was that it was better to remove the language than tailor it then use discretion on an individual, case-by-case basis to keep it simple. Noting no further requests for discussion, Rosenberg asked for a motion. "Do we make a motion to support the change in it' proposed form?"

Fortune moved to accept the proposal, **Wilson** seconded the motion and a vote was taken by show of hands. The proposal passed unanimously. Rosenberg noted the assembly and Assemblyman Stringer would be notified the commission supports the proposal unanimously in its proposed form.

Item B. Proposed Changes to the Fee Schedule

Rosenberg noted there were copies of the proposed fee schedule changes circulating among the commissioners and guests and opened the floor to questions from the commissioners.

Jamie Marschner asked if the current fees were \$86 for dogs and \$50 for cats or if those were the new fees. Ruger replied that those are the current fees and they are not changing. Changing them would make a negligible difference because those fees are waived if an animal is not spayed or neutered. Most animals that come in are intact so the adoption fee is waived for most animals: adopters are just charged the spay or neuter fee charged by the performing vet. He added, "The shelter's whole purpose is to get animals adopted so targeting people who want to adopt a pet is the wrong way to go about increasing revenue. I don't want to discourage someone from adopting at all, and with the economy the way it is we are already seeing a slowdown and hearing talk that they just can't afford it anymore. There is talk about turning in horses and livestock. It's tough economically for all of us so we don't want to penalize someone for wanting to adopt an animal and drive down adoption numbers." The increased fees are primarily on people who cannot or will not control their animals and thereby drive up costs. However, adoption fees did increase moderately for a couple of small animals: Rabbits went from \$5 to \$35 "because we had people that were coming in to adopt rabbits to feed to their snakes." A hand-tamed rabbit at the pet store costs about \$100 so adopting one for \$35 at the shelter is still a bargain but makes it too expensive for snake food. Guinea pigs went from \$5 to \$20 for the same reason but are still considerably less than purchasing one at a pet store. Other adoptions stayed the same. "The only reason those went up is that we don't want them to be

food for people or other animals. We're in the business of adopting pets, not food." The other area was the increase in cremation fees for vets simply because it hasn't gone up in a while. This budget situation is energy-driven so the cremation fee was scaled to more accurately reflect what it costs to do a cremation. One place where the fees actually went down was animal trap rentals. "Trap rental has been \$2 a day since I've been the manager and it never made any sense to me that when somebody's trying to give us a helping hand we charge them for it. We can make up the fees in other places to make the trap rental free." There is still a deposit and a rental fee after 7 days "because we do have those folks that come in and rent a trap then forget about it for 6 months". The rental fee is geared more toward helping people remember and encourage them to bring the traps back than toward producing revenue. The rest of the fee increases are on fines and impound fees. The folks that are driving and creating the workload are the ones that will pay the bulk of the increases.

Fortune voiced her support for the \$10 charge for surgery appointments missed without notifying Animal Control or the vet. Ruger noted that while some people legitimately forget and miss a surgery, more people habitually miss surgeries trying to get around the ordinance and hoping they won't be caught so they can have an intact animal. Some mornings the dispatcher spends a couple of hours following up on habitually missed appointments or trying to locate people who try to fraudulently circumvent the ordinance requirements. The \$10 fee is an attempt to eliminate the time locating and visiting people intent on sidestepping the requirements of their contracts, sometimes over and over again. The fee *will not* be assessed on people that call and change their appointment because they're sick or their animal is sick.

Rosenberg asked if there were further questions or comments on the fee schedule, noting she thinks it's a good way to bring the revenues into a little bit more of a reality with what's spent. She also noted support of the rabies vaccination fees for people coming to the clinics with multiple animals. "If they come with 70 or 80 animals they pay per animal. They have the option of having a veterinarian go to their homes which may or may not be more cost effective, I don't know." Ruger noted the rabies clinic fee changes were actually driven by the fact that the State is not providing rabies vaccine and supplies anymore. "We're purchasing our own and we are also purchasing cat-specific vaccines since we can do that now that we are buying our own. I did some of the math on this and based on last year's figures it cost's us about \$8.50 to vaccinate an animal so if we have someone that comes in with 72 animals to vaccinate for \$50 we're losing our shirt." He noted most people with that many animals coming to the clinics are mushers and the purpose of the clinic is to provide low-cost rabies vaccinations to those who need it, not subsidize businesses.

Noting no further commissioner comments, Rosenberg opened the floor to public comment.

Dodge agreed that this is a nice way to do the fee changes and that we don't want to discourage adoptions. She also liked the elimination of the trap rental fee but stated she thought the 7 days of free rental should be extended to 14 to allow for unforeseen circumstances. "Two weeks seems reasonable because sometimes when you try to trap a dog it doesn't go as planned or work as quickly as you thought it might. Generally, I like the model you've come up with and support it."

Jeanne Olson, 1890 Hollowell Road, North Pole, veterinarian, stated that she would like to put on record that, although she supports the fee change schedule, the reason the ordinance requires to Borough to provide a low-cost rabies clinic was for public health and to prevent rabies epidemics. "Because of that, you ought to keep in the back of your minds that when a musher cannot afford to vaccinate all of their dogs they won't. That puts it in a ripe environment

to have a rabies epidemic when somebody brings another contaminated Arctic Fox pelt down from the North Slope. I'm just reminding you of why we are required to have a low-cost rabies clinic in the Borough."

Noting no further comments, Rosenberg opened the floor for a motion on the proposed fee schedule. Wilson moved to accept the fee schedule as proposed, Fortune seconded the motion and it unanimously passed a vote by show of hands.

Item C. Discussion of Posting of Recordings of Animal Control Commission Meetings on the Borough Website

Rosenberg state that she believes special meetings and regular meetings should be posted on the Borough web site. She noted she got email from a citizen over the weekend requesting that the proposed agendas as well as approved minutes be posted on the website and that also seemed like a good idea. "In thinking about other meetings that we have, such as bite hearings which we do not ordinarily have on a regular basis, it would be my recommendation that those not be posted. We have individuals at those hearings representing themselves, we often have child witnesses, and while those are open meetings that anyone can attend, those are not public meetings and the public cannot testify. Oftentimes people get emotional in either the bite or the outcome especially if conditions are placed on the animal that the owner disagrees with, up to euthanasia. I don't know that those need to be forever archived on the Borough website for people to listen to or that it serves the public interest. Divorce cases are similar, they are open to the public but they are not put on the website for you to sit and listen to. My other concern is that we do from time to time have publicly-noticed committee meetings and staff are not always present for those because we don't have staff support for that. And I don't know how those can be uploaded, if we have recording capability for that. I don't want us to get in a situation where we cannot have a public committee meeting just because we don't have audio access. In terms of the regular meetings and the special meetings I think that's a really good idea and I want to hear from the other Commissioners.

Fortune and **Wilson** agreed with Rosenberg's points, including discretion in bite cases. Wilson also voiced support for better public notification of meetings on the part of the Borough.

Wilson moved, and **Fortune** seconded, a motion to post the agendas, recordings and approved minutes on the website. Rosenberg asked for public comment.

Dodge stated agreement for the idea. "I was real encouraged to hear about it. As you say the differentiation between the meetings makes sense." She also noted some avenues for better publicity.

A vote was taken by show of hands and the posting of regular and special meeting recordings (excluding bite hearings), agendas and approved minutes on the website was unanimously approved.

Item D. Discussion of Telephonic Participation by Commissioners and if Approved, Drafting a Procedure for such Participation

Rosenberg noted this item came at the request of a commissioner not present about telephonic participation by commissioners. She spoke to Mona Lisa Drexler who referred it to Cynthia Klepaski and then Renee Broker. It was decided that "because all of the commission meetings are public, in order to have telephonic communication it is up to the commission to decide its

own procedures as long as legal approves them and in order to have something that will comport with the Borough's enforcement of open meetings. Any location from which a commissioner is going to be communicating telephonically must be reported ahead of time in the public meeting and in the public meeting notice and the location has to be available and open to the public. In other words if a commissioner is going to participate on a speaker phone from home that would have to be noticed ahead of time, posted on the public website and in the newspaper, and their home would have to open to any member of the public wishing to come to that site. If traveling on business and in Seattle in a hotel room, the room number would have to be noted at the public meeting and the participant would have to allow anyone to come to their hotel room. There are no exceptions to that, that's how it is. That's one aspect of it to consider before we pass it. Another aspect to consider is whether we want this or not. We could get commissioners that decided to participate from home, they don't care if the public came and we could have lots of people participating from home which may or may not be a good thing. I have served on nationwide boards where people call in but it doesn't allow the interface with the public. I think it will be unwieldy and I think it would get screwed up because I think you would have people that wouldn't understand it no matter how much you explain it and the chance of violating the open meeting law would be great. The Borough has been down that road before. What they told me, if we decide we want to do it we need to draft as tight of a procedure as we can and then it needs to go to Cynthia and Renee and they will look at it and give us feedback."

After a short discussion, the commission voted unanimously to abandon the idea.

COMMENTS/ANNOUNCEMENTS

Wilson: I would just like to note that I see Jeanne Olson's point of view about the rabies clinic expenses; however, it seems that the substantial cost involved has to do with having a licensed veterinarian there and I don't know if there is a way down the road, if there is a way they would be willing to work with us for no charge.

Fortune: There again, the amount of mushers that show up responsibly to vaccinate their dogs as opposed to the ones that we don't have any idea where they are or how many dogs they have, realistically, I don't see it making any difference.

Ruger: If they compete they are required to show proof of rabies vaccination anyway, so the thing is the recreational mushers that go out on the trail it may impact. The folks that we're seeing as competitors aren't allowed to race unless they have proof. It's a cost of doing business just like if I owned a bakery and I'm making you, a taxpayer, pay for my flour. It makes no sense to me and (with the fee changes) we are (still) doing it practically right at cost.

Rosenberg: The problem that I see is that we are not getting the target group, the problem people, the really poor people who are living out in the hills whose animals are coming into contact with rabid foxes and things like that, are not by and large the people showing up at these clinics. That's the problem and for that you would need outreach which we don't have. You would need people driving around in a van doing this or veterinarians doing this to try to reach those people. The same with spaying and neutering you need to go where they are, like public health and the AIDS Association and all these other things that go to where the target group is.

Ruger: Another thing is that a lot of this is driven by the fact that last year the State was supplying vaccines so that saved us about \$20,000 a year, not just for the clinic. So now we have to recoup our costs. We knew when the State dropped the program our costs would go up

and our prices would have to increase. I was surprised they didn't have to go up as much as I thought they would. The ordinance limits us to no more than 10% over cost, so we have a ceiling there. The answer to your (Wilson's) other question about the vets: probably not in this lifetime. They increased their fee on us 288 percent last year. It's become traditional that we are the fundraiser for IVMA so I don't see them not charging us. Last year we paid them \$3,000 for 1 day for eight vets working two hours each. That's substantial; it's darn near as much as it cost me for the overtime for all of the employees.

Wilson: I was flabbergasted when I saw that.

Ruger: I was too because we didn't budget for it and I got the word 2 weeks before the clinic and it pretty much rolled my eyelids back. It went from \$2,000 for two 6-hour clinics to \$3000 for one 8-hour clinic.

Rosenberg: Why don't they put this on? It's their own fundraiser and their own thing and they can take care of all the paperwork and all the people that come in. They have that option but have chosen not to. Any other comments from the commission? I will go forth then as the Chair of the commission and inform the Assembly that we approved these two things. I will probably go to testify if I am able to when this comes up and I will let them know that we did have questions about how it's going to work with the underage animals.

The meeting was adjourned at 7:40 pm.

Submitted by Janice Vanderheiden for Matt Ruger June 24, 2008.