

Animal Control Commission

October 9, 2023 at 5:30pm

MEMORANDUM

Bloomington Animal Shelter

3410 South Walnut Street, Bloomington, IN 47401

MEMBERS

Sue Allmon –present in person
Sita Cohen – present in person
Chris Hazel – not present
Valerie Pena – present in person
Nancy Riggert - present in person
Laura Soto – not present

GUESTS

Robert Deckard

STAFF

Michael Clark – present in person
Aleksandrina Pratt – present via zoom
Lisa Ritchel – present in person
Virgil Sauder – present in person

I. APPROVAL OF MINUTES

Nancy moved to approve the **September 18, 2023**, as written.

Valerie seconded.

Motion passes. 3-0-1, Sita abstaining.

II. NEW BUSINESS

i. Appeal of neuter – Scooby

Virgil stated that Scooby, owned by Robert Deckard, was currently at the shelter after being found at large for the 3rd time. Scooby had been noted as running at large previously but officers were only able to cite Robert these three times. On December 7th of last year, Scooby was let loose, possibly to chase deer, and was found injured at that time. Scooby was taken to the Animal Shelter and examined for injuries prior to being returned to his owner. The most recent occurrence was September 26th. The individual holding the dog stated that they had seen the dog multiple times over the last few months running off leash without his owner. The officers picked Scooby up and brought to shelter for mandatory neuter. Mr. Deckard was not interested in having the dog neutered and requested an appeal.

Robert Deckard stated that the dog was his baby. Stated multiple times that “Officer Amy” should be on record that Scooby should not be neutered. Mr. Deckard stated that he finds comfort from Scooby and values Scooby as a support animal. Mr. Deckard explained that he had a previous dog that was spayed and the dog then nipped someone. Believes that altering dogs can make them aggressive. Does not want Scooby hurt. Stated that Scooby has never hurt anyone and believes Scooby has saved his life on multiple occasions.

Valerie explained that she realizes that he does not want anything to happen, but in the Commission’s experience over the years, they have not seen neutering making dogs aggressive. Stated that legally he cannot utilize any dog parks if the dog is not neutered. Sue stated that it is possible that Scooby has

impregnated other dogs when he was running loose. Valerie, stated that the main issue is the improper breeding when he is running. Sita further stated that the issue is the potential issues that can arise when Scooby runs. Mr. Deckard stated that he cannot afford the cost. Valerie inquired if the cost of the neuter could be waived in this situation. Virgil stated that that could occur. Mr. Deckard began softly speaking over the Commission members' questions. Virgil inquired if there were any follow-up questions. Virgil explained to Mr. Deckard that the Commission needed to discuss the issue amongst themselves and asked Mr. Deckard to wait outside.

Sita stated that she feels that the dog needs to be neutered. Valerie agreed and stated that though Scooby may run again, getting him neutered is the next step.

Valerie moved to deny appeal for the neuter.

Nancy 2nd

Motion passes 4-0-0

ii. Request to Declare Vicious – Bently

Aleks Pratt, City Legal, stated that the new ordinance is not currently effective. The new ordinance will become effective after it becomes officially published, according to the State statute. Therefore this case will be considered using the previous ordinance.

Officer Clarke stated that the dog Bently, also known as Benz, was receiving a bath and the dog bit the nephews of the owner. Virgil stated that the adults in the house stated that the owner was another relative, though the dog had lived with this family for the last three years. Virgil stated that the weekly bath was routine per the household, but that the dog often goes crazy after the bath. The dog went after the youngest and bit. The older kid stepped in to help and was bitten multiple times. The owner/caretaker signed the dog over at the time of the rabies quarantine. During the quarantine period he changed his mind. At that time the Animal Control Officer explained the vicious declaration with the Commission. All contact with the owner/caretaker was via phone. No one has come to the shelter to sign paperwork confirming their decision, visit the dog, or posting a bond for care. Virgil stated that due to this discrepancy, Animal Control was proceeding with the declaration.

Sue requested clarification on who was the owner. Virgil stated that during the initial response to the bite, the adults in the home stated that the dog was owned by James Taken. Charles Morrison signed the dogs over in the name of his brother, James Taken. The dog has lived with Charles Morrison and Tatianna Martin for the last 3 years.

Valerie inquired how the dog has been while in the shelter. Officer Clarke stated that he has treated the dog in the kennel and the dog seemed ok, but that he did not take the dog out of the kennel due to severity of previous injuries. Sita stated that she inquired with shelter staff concerning the dog and that staff stated that the dog was not presenting as mentally sound in the kennel.

Valerie stated that based on the ordinance, vicious is the only definition that fits due to the injuries occurring in the home. Since there are no prior incidents then the declaration is dependent on the severity of wounds only. The case notes and photographs provide support for this definition.

Valerie moved to declare the dog Bently, Vicious
Sue seconded.

Motion passes 4-0-0.

Valerie reviewed the requirements of the vicious declaration. Inquired if there has been discussion if the dog should be signed over. Virgil stated that with children in the home and the somewhat unpredictable nature of the attack, it would be good to have the dog removed. Virgil further stated that the owners have not made attempts to work with the shelter to get the dog back, so likely will not reclaim, but it is within the Commission's right to remove ownership of a vicious dog.

Valerie moved to remove ownership rights to Bently.

Sue Seconded

Motion Passes 4-0-0

iii. Request to Declare Habitual Offender – Flynn

Virgil stated that in the case noted there are two dogs owned by two separate brothers. Tonight the dog at issue is Chance and the dog's owner Douglas and Carla Flynn. At this time Molly and her owner Casey Flynn do not meet the Habitual Offender ordinance.

Sita stated that these dogs live in her neighborhood and states that they see the dogs at large all the time. Stated that she has heard that there is an individual with dementia living there who lets the dogs out. Officer Clarke stated that that has come up in the conversations with Mr. Flynn, but the issue of curbing the dogs running at large remains.

Officer Clarke stated that the dogs have been picked up from a wide range of locations from 11th and Morton to Lowes. Officer Clarke stated that the dogs are very friendly but is concerned about the dogs' safety as well as motorists. Valerie inquired if given the nature of the household if the dogs have a safe place to be contained. Officer Clarke stated that they do not currently have any fencing.

Commission discussed if the dogs should be removed from the home for safety or care concerns. Officer Clarke stated that the dogs appear to be very loved by the family. Virgil stated that it was the preference of Animal Control to keep the dogs in the home and attempt to continue to resolve the issues.

Valerie inquired about the case where the owner was abusing Chance. Virgil stated that the investigation into this was inconclusive. Officer Clarke stated that the interactions that he has witnessed do not lead to this conclusion.

Valerie moved to declare Douglas and Carla Flynn Habitual offenders and reasonable option should be made available so that outside containment can be given to the dogs.

Nancy seconded.

Motion passes 4-0-0.

iv. Animal Shelter Adoption Fees

Virgil stated that at the last Animal Control Commission meeting it was requested that a proposal for new fees be presented to the Commission. The new proposal would be to adjust adoption fees to \$100 for dogs, \$90 for cats, and \$60 for rabbits and to allow for reduction of fees for older, and harder to place animals. Virgil stated that the majority of animals that flow through the shelter, these fee increases should not create a problem.

Nancy inquired into what is included in the fee. Virgil stated that this will continue to include spay/neuter, basic vaccinations, microchip. The majority of animals will be rabies vaccinated as well. Nancy remarked that this is a lot for a small fee. Virgil agreed that the fee does not cover all that is provided so he would like the commission to reexamine the fees again in 2024.

Sue moved to accept the proposal

Nancy seconded

Motion passes 4-0-0

v. Request for a sub group to prepare a proposal for a Pet Registration Ordinance

Virgil requested a committee of one or two members to assist in pulling together a proposal for ordinance changes concerning pet registration that can be brought back to the Commission for discussion. Sita stated that she would be interested. Suggested that Chris Hazel be asked due to previous work on the issue.

III. REPORTS

i. Animal Care and Control Report

Virgil stated that the shelter continues to operate at capacity or above. There continues to be a high need for owner surrenders. Stray and Animal Control intake is up over 2022. There is concern that the increase in strays could be tied with the inability to take in owner surrenders as quickly as there is need, so this is being monitored and examined. Medical costs are rising. The shelter has been blessed with good donations to the Medical fund. The shelter waived adoption fees for a week due to a donor who paid for the adoption fees. This resulted in many adoptions. For the rest of the month adoption fees for dogs are reduced due to Adopt-a-dog month.

ii. MCHA update

Sue reported that staff are in the process of vacating the offices at the shelter and moving everyone to one campus. Still looking for a book-keeper and volunteer coordinator. Held annual Run for the Animals and Barktoberfest. Had a successful event, grossed about \$14,000.

iii. Animal Management Commission update

Valerie reported that the County has moved forward with new ordinance changes for Dangerous and Vicious. The chart provided in the packet was developed by one of the Commissioners. The County Commission is currently short two commission members.

VI. ADJOURNMENT

Valerie moved to adjourn the meeting.

Sue seconded.

Motion passes, 4-0-0.

The meeting adjourned at 6:29pm.