

# Animal Control Commission

June 14, 2021 at 5:30pm

Bloomington Animal Shelter – Zoom Meeting  
3410 South Walnut Street, Bloomington, IN 47401

<u>MEMBERS</u>	<u>STAFF</u>	<u>PUBLIC</u>
Sue Allmon - present via zoom	Jacquelyn Moore - via zoom	No public present
Sita Cohen – present via zoom	Lisa Ritchel - via zoom	
Chris Hazel – present via zoom	Virgil Sauder - in person	
Valerie Pena – present via zoom		
Nancy Riggert - present via zoom		
Laura Soto – present via zoom		

## **I. APPROVAL OF MINUTES**

Sita moved to approve the May 10, 2020 minutes as written.

Nancy seconded. Roll call vote: Sue: “yay,” Sita: “yes, yay,” Chris: “yay,” Nancy: “yay,” Laura: “yay,” Valerie: “yes.” Motion passes 6-0-0.

## **II. NEW BUSINESS**

### **i. Resolution for Establishing Meeting Participation (Resolution 2021-01)**

Jacquelyn explained that City Boards and Commissions are asked to adopt a hybrid plan if they would like to provide an electronic participation option along with in person participation. Starting July 1, once the emergency is over, unless a hybrid policy is established, meetings will go back to 100% in person participation. She then outlined the sections of the policy as follows. Electronic participation is permissible only if the members can communicate simultaneously with each other and the public is able to attend and observe the meeting. Any member who participates electronically will be counted for quorum. They can be counted for a vote on any final action, only if they can be seen and heard. All votes will be taken by roll call. If and when this policy is in place, one would need to let Virgil know at least three days before the meeting if participating electronically, so that arrangements could be made. Once this policy is in place at least 50% of the members must be physically present. No member could participate electronically more than 50% of the time. Exemptions for this requirement are possible for military service, medical condition, death or emergency. A member could participate electronically for two consecutive meetings but would have to be in person at the third. The minutes would identify each member present, who participated electronically and the means in which they participated, who was absent, the members of the public and the means in which they attended. There are a number of final actions for which electronic communication is not allowed such as establishing a budget, reducing personnel, increasing a fee, raising a tax. If the governor were to declare another emergency or if there was a local emergency, the Commission could revert back to the virtual meetings, but the minutes would still have to record who participated by virtual means, who was present and absent, and votes would be done by roll call. If members of the public participate or observe, standard rules for public comment would apply. A staff person would not be required to be physically present.

Sue moved to adopt the hybrid policy. Sita seconded. Roll call vote: Sue: “yes,” Sita: “yes,” Chris: “yay,” Nancy: “yes,” Laura: “yes,” Valerie: “yes.” Motion passes 6-0-0.

### **III. CONTINUING BUSINESS**

#### **i. Wildlife Plan Updates and Discussion**

Virgil explained that the consultant search is ongoing but with the retiring of an animal control officer and other duties he has been unable to make much progress. He has however added a specific wildlife conflict and concerns reporting system so that information can be gained to do targeted education. Virgil is also working on information flyers and website pages so that resources are easier to find through the City site. Valerie remembered that the Commission was going to continue to look at the wildlife plan. Virgil stated that he believes it has been tabled for now. Sue shared that she remembers that since the City was hiring a consultant to do the work, the Commission was going to hold off on further discussion. Nancy remembered that as well.

#### **ii. Joint City/County Ordinance Group**

Nancy reported that Sita did a great job looking at the definitions. Nancy found it very helpful. Sita reported that she enjoyed doing that and explained that she compared the City definitions with the County definitions to see if they were the same and if they were not, asked herself if they could be. She found that maybe 25% or so were the same, others were practically the same, and others she was not familiar with. Valerie explained that the next meeting will be July 21, 2021. She thinks the biggest challenge and discussion point will likely be regulation on the number of animals allowed. Sita also recommended choosing one format in regards to using paragraphs or bullets points and making it consistent across both City and County ordinances. Valerie agreed that this would make it easier for the citizens.

### **IV. REPORTS**

#### **i. Animal Care and Control Report**

Virgil reported that he sent out the shelter stats and pointed out that cat intake continues to move back to pre-COVID levels of intake. On the positive side, the adoption rates for cats from January through May have been the highest they have been in the last six years. The current process with appointments shows to be working very well for cats. Dog intake is not statistically different from last year, however the adoption numbers are lower. This may be due to the current scheduling system not working as well for dogs. He is looking for solutions for this. Officer Eubank retired as an Animal Control Officer after sixteen years with BACC. The first half as an animal care technician and the second as an ACO. Virgil added that she started 6 months before he did and it is very different without her at the shelter.

Next Virgil gave an update on the Gregory Baker case. A fence has not been built, but Mr. Baker does have supplies for a pen or a large kennel for the yard. While the dogs' conditions have improved and Chop has not been at large, Mr. Baker did not follow through with the requirements. Sita asked what the Commission does in non-compliance situations like this. Virgil answered that Mr. Baker was given a few extra weeks, but did not comply, so at this point, the citations that were held in abeyance would come back and he is liable for the fines. If Chop is seen at large again, he would either be impounded or Mr. Baker would have to bring Chop to the shelter for neuter. Chop has not been seen at large since April, but as of last week, the fence has not been built. Virgil stated that conversations with Mr. Baker continue and letters have been sent. Nancy asked what the current fine total is. Virgil answered that the last set of fines is \$450 but there was also a balance that he was paying on from a previous issue. Chris asked what

happens if he doesn't pay. Virgil answered that first a reminder letter is sent, then legal sends a letter, then it goes to collections. Jacqueline added that if it goes to collections, the agency adds their fee so the fine increases by 30%. Nancy then asked if all he needs to do is put up the pen. Virgil answered that the motion that was passed actually required that he put up a fence. Valerie shared that it is unfortunate that the money will likely go towards fines rather than to the fence.

**ii. MCHA Update**

Nothing to report.

**iii. AMC Update**

Valerie reported that the County meeting was straightforward with three cases and the meeting resolution discussion. Ken also provided an update to the members on the meeting of the joint ordinance group.

**V. ANIMAL CONTROL COMMISSION DISCUSSION**

Valerie suggested taking off July if there are no pending items. Virgil reported that there will likely be 1-2 potentially dangerous cases. He added that the meeting will be pushed back a week to July 19 due to the July 4<sup>th</sup> holiday.

**VI. PUBLIC COMMENT**

No public comment.

**VII. ADJOURNMENT**

Sita moved to adjourn. Sue seconded. Roll call vote: Sue: "yes," Sita: "yes," Nancy: "yes," Laura: "yes," Valerie: "yes." Chris had already left the meeting by this time. Motion passes 5-0-0. The meeting adjourned at 6:06pm.