

Washoe County Animal Control Board

Minutes

Tuesday ~ March 8, 2016~ 2:00 P.M.

WASHOE COUNTY REGIONAL ANIMAL SERVICES CENTER

CLASSROOM

2825 LONGLEY LANE, RENO, NEVADA

MEMBERS

Richard Simmonds, Chair
Elaine Carrick, Vice-chair
Trudy Brussard
Linda Church
Paul B. Davis
Kathryn Hass
Tim Stoffel

1. CALL TO ORDER/ROLL CALL [Non-action item]

Chair Carrick called the meeting to order at 2:00 p.m. A quorum was established.

PRESENT: Trudy Brussard, Elaine Carrick, Kathryn Haas, Richard Simmonds and Tim Stoffel.

ABSENT: Linda Church and Paul Davis.

Legal Counsel was not present at this meeting.

2. PUBLIC COMMENT (Non-action item)

There were no public comments.

3. ELECTION OF OFFICERS [For possible action] – 1) Chair; and 2) Vice-chair

Chair Carrick opened the nominations for Chair.

Member Stoffel nominated Richard Simmonds to serve as Chair.

Member Simmonds accepted the nomination.

The nomination was seconded by Member Hass.

Hearing no other nomination Chair Carrick called for the vote.

The nomination to elect Richard Simmonds as Chair carried with Members Church and Davis absent.

Chair Carrick turned the meeting gavel to Chair Simmonds.

Chair Simmonds opened the nominations for Vice-chair.

Member Hass nominated Elaine Carrick to serve as Vice-chair. Member Brussard seconded the nomination.

Member Carrick accepted the nomination.

Hearing no other nominations Chair Simmonds called for the vote.

The nomination to elect Elaine Carrick as Vice-chair carried with Members Church and Davis absent.

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4. APPROVAL OF DECEMBER 8, 2015, MINUTES [For possible action]

Hearing no public comment Chair Simmonds asked for Board discussion or a motion.

It was moved by Member Brussard, seconded by Member Stoffel, to approve the December 8, 2015, minutes, as submitted. The motion carried with Member Church and Davis absent.

5. KENNEL PERMIT APPEAL HEARING [For possible action] – *A review discussion and possible action to approve deny or otherwise modify a kennel permit to allow Michael Burris to keep five (5) dogs at 11795 Osage Drive, Reno Nevada (unincorporated Washoe County).*

Robert A. Smith, Manager - Regional Animal Services, provided an overview of the request noting that the applicant previously held a kennel permit and had replaced one of the animals originally listed. Mr. Smith noted that while the original permit had no objections, there were two objections to this application. Mr. Smith explained that the officer responding to a previous complaint about an aggressive at-large dog found that the animal was contained on the applicant's property and that a complaint of neglect also appeared to be unfounded as all the animals appears healthy and that a complaint for unsanitary conditions was also unfounded. Mr. Smith explained that Animal Services had been unable to validate any of the complaint about at-large or aggressive animals or unsanitary conditions.

Chair Simmonds opened the public hearing.

Michael Burris commented that he has been at this location for about 8 years and that while he has not received a citation he has received notices about dogs at-large. Mr. Burris noted that from a distance coyotes strongly resemble the Silver Huskies that he has. Mr. Burris noted that Animal Services had declined to provide him with information about the person filing the complaint without a court order. Mr. Burris noted that from time to time the dogs tend to find ways to escape the kennel and that he may at some point spay the females. Currently one of the females is too young. Typically, Mr. Burris noted that he would not breed the dogs more than twice per year and, in response to a board member's question, he stated that over the last several years he has had only about six litters of puppies. Mr. Burris then provided additional detail on the set-up of the kennel that includes a kennel enclosure inside the main kennel with each animal having separate shelter, shade, food and water as well as a larger play area in the main kennel area. Mr. Burris noted that while there is a padlock on the outer gate he does not lock it unless he is absent from the property. Mr. Burris noted that the female is separated from the rest of the dogs when entering and during her heat. Mr. Burris commented that he is selective when breeding the dogs that sell for approximately \$800.00.

David Wilson expressed his concerns about some of the comments made and explained that he believes that the permit should be null and void for the four dogs or that the fifth dog needs to be removed from the property. Mr. Wilson stated that he has called in five complaints and assisted in the round-up of at-large animals two or three times. Mr. Wilson noted that Mr. Burris' dogs have gotten on to his property to defecate and voiced concerns about the safety of neighborhood children when the dogs are at-large. Mr. Wilson noted that he believes that Mr. Burris needs to be educated on how to control the dogs and his concerns about excessive barking in the summer when windows are open.

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Mr. Burris noted that Huskies are not typically aggressive and that they bark when “riled up” or when playing and may take some time to quiet them.

Chair Simmonds closed the public hearing.

Member Carrick noted that the appellant has a large parcel totaling about 30-acres and that she would have significant concerns if this were a smaller property. However, she is inclined to support the request based on the information presented by Animal Services.

Member Brussard commented that she had no issues with the request and recommended that Mr. Burris take steps to assure that dogs are less likely to escape the kennel.

Member Stoffel concurred with additional steps to mitigate at-large issues and can support the request.

Chair Simmonds noted that one of the animals on the original permit had been replaced and that the two younger dogs have been added. Chair Simmonds also noted that at the time the application was submitted by Mr. Burris, the two new puppies were under the age when he would have had to count them for purposes of needing a kennel permit and was proactive in seeking the new permit. Chair Simmonds believes that Mr. Burris has made an effort to comply with the requirement of the statute.

Member Hass noted that while she originally had some concern about this being a puppy mill those concerns have been alleviated. Therefore, she can support the permit as presented.

It was moved by Member Carrick, seconded by Member Brussard, to approve a kennel permit to allow Michael Burris to keep five (5) dogs at 11795 Osage Drive, Reno Nevada (unincorporated Washoe County). Member Carrick stated she could make the factual findings required by Washoe County Code Chapter 55 based on the evidence provided by Animal Control Officers, the applicant and the other witnesses. The motion carried with Members Church and Davis absent.

Chair Simmonds read the appeal process into the record.

6. KENNEL PERMIT APPEAL HEARING [For possible action] – *A review discussion and possible action to approve, deny to otherwise modify a kennel permit to allow Margarita Ceballos, to keep four (4) dogs at 2600 Courtland Way, Sparks, Nevada (City of Sparks).*

Robert A. Smith, Manager - Regional Animal Services, outlined the request to keep four (4) German Shepard dogs noting that the inspection indicated that the property is capable of housing the animals with some modifications to the fencing, specifically a section of wood fencing that the appellant has indicated would be replaced by a cinder block wall. The property was found to be free of feces and order and that an anonymous letter had been received saying that the appellant did not properly care for the cats and dogs on the property. The complainant has indicated that they were unable to attend today's (March 8, 2016) meeting.

Chair Simmonds opened the public hearing.

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Jeffrey Campos commented that there were no cats on the property and that the wood fence will be replaced with a concrete wall. Mr. Campos pointed out that the dogs are taken to the dog park at least once per week and taken to a professional groomer on a monthly basis. Additionally the animals are fed twice daily and are current on all vaccinations. Mr. Campos explained that his brother owns the female and has indicated a desire to breed her at least once so that she has a companion. Mr. Campos noted that there is a specific area set aside for the female when she is in heat and that it appears she is about to enter that cycle in the near future. Once a litter is produced the female will be spayed. Improvements identified in the staff report will be completed as weather permits. Mr. Campos stated that the dogs are not papered or registered.

Nestor Lemus-Ceballos explained that the intent is to have a playmate for the female that he will keep. Mr. Lemus-Ceballos noted that his mother is generally home and brings in the dogs if they start to bark. As pointed out by his brother the dogs are taken to the dog park for exercise at least weekly. Mr. Lemus-Ceballos noted that he is a seasonal worker and that his mother takes care of the dogs when he is not home. Mr. Lemus-Ceballos explained that he will either rehome or bring the puppies to the shelter for adoption.

Chair Simmonds closed the public hearing.

Member Carrick expressed her concern about breeding the female to produce a playmate when the shelters have a number of dogs available for adoption. Therefore, while she is supportive of the request, but she believes that a condition should be added to require that the female be spayed.

Member Haas concurred with Member Carrick's comments and noted that breeding and bringing unwanted puppies to the shelter is not, in her opinion, being a responsible pet owner. However, she will support the kennel permit with a condition requiring that the female be spayed.

Member Brussard commented that she finds it irresponsible to have puppies just to have puppies.

Member Stoffel commented that he believes all dogs should have a chance to breed at least once. However, this applicant apparently does not have any suitable placement other than the Humane Society and concurred with the recommendation to require that the female be spayed.

Chair Simmonds responded to Mr. Campos' question about whether the spaying would be an issue if proper homes for the puppies were found stating that the issue would be at the discretion of the board.

Member Carrick noted that the issue of homeless pets is due to owners not having pets spayed/neutered resulting in many animals being left at shelters.

Mr. Smith noted that any condition on spaying of the female should include a timeline as part of the condition.

Chair Simmonds explained that many veterinarians will not spay a female during their heat cycle due to increased risk of complications. Therefore, it is suggested that the spaying be completed within the 30-days or 30-days after the dog is out of heat if she enters heat soon.

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It was moved by Member Carrick, seconded by Member Brussard, to a kennel permit to allow Margarita Ceballos, to keep four (4) dogs at 2600 Courtland Way, Sparks, Nevada (City of Sparks), subject to conditions 1) that the female dog be spayed within 30-days of the issuance of this kennel permit or within 30-days after the end of her heat cycle. Member Carrick stated she could make the factual findings required by Washoe County Code Chapter 55 based on the evidence provided by Animal Control Officers, the applicant and the other witnesses. The motion carried with Members Church and Davis absent.

Chair Simmonds read the appeal process.

7. **UNCONTESTED KENNEL PERMIT APPLICATION APPROVALS** [Non-action item] – *An informational update on the number of uncontested cattery/kennel permits issued by Animal Services.*

Robert A. Smith, Manager - Regional Animal Services, noted that four (4) kennel permits were approved without objection and that two (2) are pending for the June 14, 2016, meeting. Mr. Smith explained that he believes that the reduced number of kennel permits can be attributed to the improving economy that allows individuals to purchase a home rather than living with other family member.

8. **INFORMATIONAL PRESENTATION ON THE STATE OF NEVADA OPEN MEETING LAW (OML)** [Non-action item] - *An informational review and possible discussion about the Nevada Open Meeting Law.*

This item continued until the June 14, 2016, meeting.

9. **WASHOE COUNTY ANIMAL CONTROL BOARD MEMBERS AND/OR STAFF ANNOUNCEMENTS, REQUESTS FOR INFORMATION AND SELECTION OF TOPICS FOR FUTURE AGENDAS** [Non-action item] – *Limited to items not addressed elsewhere on the agenda. While the Washoe County Animal Control Board may not engage in discussion or take action on any item identified under this topic and items may be placed on a future agenda for discussion and possible action. The next regular meeting of the Washoe County Animal Control Board is scheduled for June 14, 2016.*

No new agenda items were identified.

10. **PUBLIC COMMENT** [Non-action item]

There were no public comments.

11. **ADJOURNMENT** [Non-action item]

Chair Simmonds adjourned the meeting at 2:51 p.m.

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AS APPROVED BY THE WASHOE COUNTY ANIMAL CONTROL BOARD IN SESSION ON JUNE 14, 2016.