

Washoe County Animal Control Board

Minutes

Tuesday ~ December 13, 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 Simmonds called the meeting to order at 2:00 p.m. A quorum was established.

Chair Simmonds asked that cellphones be silenced and outlined the 3-minute time limit on public comment noting that the appellant may be allowed additional time. During public comment periods the board may not respond other than to ask staff to place on a future meeting agenda.

PRESENT: Elaine Carrick, Paul Davis, Linda Church, Kathryn Haas, Richard Simmonds and Tim Stoffel.

ABSENT: Trudy Brussard.

Jen Gustafson – Deputy District Attorney, was also present.

2. PUBLIC COMMENT (Non-action item)

There were no public comments.

3. APPROVAL OF SEPTEMBER 20, 2016, MINUTES [For possible action]

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

It was moved by Member Davis, seconded by Member Church, to approve the September 20, 2016, minutes, as submitted. The motion carried: Members Carrick, Church, Davis, Hass, Stoffel and Chair Simmonds assenting; and Member Brussard absent.

4. KENNEL PERMIT APPEAL HEARING [For possible action] – *A review discussion and possible action to approve deny or otherwise modify a kennel permit to allow Sandra James to keep five (5) dogs at 5805 Klondike Drive, Sun Valley, Nevada (unincorporated Washoe County).*

Robert A. Smith – Manager, Regional Animal Services, provided an overview of the application noting that the inspection report indicates that the animals appear to be healthy, well cared for and that barking ended shortly after arrival. An existing kennel needs to be doubled in size to accommodate the animals and that a violation occurred in February 2016. The violations were corrected in March 2016. Another citation was issued to reduce the number of animals and with a civil penalty issued upon failure to comply. Ultimately the fine was paid. Mr. Smith noted that the officers had difficulty in making contact with the appellant and voiced concerns about the issuance of a permit. Mr. Smith clarified that tethering of an animal cannot exceed 10 hours per day and that a subsequent inspection revealed that a fifth animal was present.

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Sandra James noted that Momma Girl is the other female to be spayed and that she is waiting to spay Louise. Ms. James explained that she does not intend to breed the dogs. Ms. James noted that she had delayed paying the fines as she had intended to move. The dogs do bark at people which is why she has them and pointed out that other dogs in the neighborhood bark as well with no one doing anything to make them stop.

Deanna Wild commented that she did not purchase a home to live next to a kennel and that she believes it is unfair to subject neighbors to additional dogs. Ms. Wild noted that the barking started at 5:34 a.m. this morning and that she can hear the barking even with the television on. Additionally, the dogs continue to bark at all hours of the day and night. Ms. Wild explained that she had not approached Ms. James personally and that she also hears the smaller dogs barking as well.

Wendy Macleod outlined her objection to the request noting that when she drives by the James' residence the dogs are tethered and tend to bark continuously. Additionally, the dogs are also left outside during inclement and cold weather. Ms. Macleod pointed out that she brings her animals in the house during the evening and they have a heated shelter during the day. Ms. Macleod stated she would continue to file complaints if no corrective action is taken to correct the barking and other issues.

Chair Simmonds closed the public hearing.

Member Davis stated that based on the preponderance of evidence he could not support the request.

Member Stoffel stated the he could not support the request due to the conditions and ongoing complaints.

Member Carrick commented that she could not support the request for the reasons stated by Members Davis and Stoffel and expressed her hope that once the appellant has reduced to three dogs that she will be more aware of the barking and that the tethering needs to be considered.

Member Hass stated that she could not support and concurred with previous statements.

Member Church noted that the dogs need to be spayed neutered and that surrounding neighbors have a right to expect quiet enjoyment of their own property. Additionally Member Church does not believe that dogs should be tethered outside and that she cannot support the request.

It was moved by Member Carrick, seconded by Member Davis, to deny the kennel permit to allow Sandra James to keep five (5) dogs at 5805 Klondike Drive, Sun Valley, Nevada (unincorporated Washoe County). Member Carrick stated that based on the factual findings required by Washoe County Code 55.420 and 55.400(3) cannot be made based on the evidence provided by Animal Control Officers, the applicant and other witnesses. The motion carried: Members Carrick, Church, Davis, Hass, Stoffel and Chair Simmonds assenting; and Member Brussard absent.

Chair Simmonds read the appeal process into the record.

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- 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 Anna Carr to keep four (4) dogs at 1080 Village Knoll Drive, Sparks, Nevada (City of Sparks).*

Robert A. Smith – Manager, Regional Animal Services, summarized the request noting that the home is intended to serve as the kennel. The appellant is aware that the dogs may not be outside without adult supervision. During the inspection the officer did not find any odor and that barking was minimal. The animals will have full use of the residence, which include lockable doggie doors to keep the animals inside when the owner is not present. Additionally, the appellant also has bark collars that can be used in the event the dogs become a nuisance.

Member Church left the meeting at 2:18 p.m.

Mr. Smith noted that there had been one noise complaint filed in 2014. Staff has no objection to the permit.

Chair Simmonds opened the public hearing.

Anna Carr asked for clarification on the date the complaint was filed.

Member Church rejoined the meeting at 2:19 p.m.

Ms. Carr commented that she was unaware of any complaints and that she had filed for the kennel permit upon finding out that one was needed.

Jen Gustafson – Deputy District Attorney, asked those in the audience to move their conversation to the hallway so that the board could conduct business.

Ms. Carr noted that she had rescued a severely injured and sick fourth dog from being sent to a high kill shelter. Based on her pharmacy school training she has been able to restore the dog's health. Ms. Carr pointed out that she has three ultra-sonic devices designed to reduce barking and that a fence has been added to keep the dogs away from the mail boxes. Ms. Carr encouraged neighbors to let her know of any issues so that she can take corrective action. Additionally, it is Ms. Carr's belief that the issuance of a kennel permit will increase scrutiny thus reducing future issues. Ms. Carr explained that she had reviewed the CC&R's and noted that the only restriction is on having more than two animals outside. In the absence of an HOA (Homeowners Association) only homeowners can seek enforcement actions.

Responding to Member Davis' inquiry about whether the ACB could take CC&R's into consideration on a kennel permit, Jen Gustafson – Deputy District Attorney, explained that the CC&R's were not part of the ACB's deliberative process.

Mary Hennessy stated that she lives in her brother's home across the street in a somewhat crowded neighborhood. Ms. Hennessy commented that the dogs bark incessantly all day every day and that she had not approached Ms. Carr directly as she did not wish to create a hostile situation with a neighbor. Ms. Hennessey noted that the dogs do bark in the middle of the night and that the barking, in her opinion, is not under control.

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James Carr – father of Anna Carr, stated that he and his wife lived nearby and that the neighbors could contact him and his wife if the dogs were causing an issue.

Responding to Member Davis' question if he was willing to take care of issues if the permit were granted, Mr. Carr confirmed that if his daughter or her husband were not available he and his wife would respond.

Chair Simmonds closed the public hearing.

Member Davis explained that he is encouraged that the Ms. Carr's parents are willing to assist if there is an issue and pointed out that a kennel permit can be rescinded if issues continue. Therefore, he can support the request.

Member Stoffel stated that he liked the proactive attitude in dealing with the issues using advanced technology to control things. Member Stoffel believes that the conditions have been met and he can therefore support the request.

Member Carrick stated she too can support the request.

Member Hass concurred with previous comments and stated she can support the request.

Member Church expressed her support and pointed out that if the neighbors file another complaint that the appellant will be taken to task.

It was moved by Member Carrick, seconded by Member Stoffel, to approve the kennel permit to allow Anna Carr to keep four (4) dogs at 1080 Village Knoll Drive, Sparks, Nevada (City of Sparks) on the basis that the factual findings required by Washoe County Code 55.420 and 55.400(3) can be made based on the evidence provided by Animal Control Officers, the applicant and other witnesses. The motion carried: Members Carrick, Church, Davis, Hass, Stoffel and Chair Simmonds assenting; and Member Brussard absent.

Chair Simmonds emphasized that if a barking issue continues neighbors need to notify Animal Services. Chair Simmonds read the appeal process.

6. KENNEL PERMIT APPEAL HEARING [For possible action] – *A review discussion and possible action to approve deny or otherwise modify a kennel permit to allow Margaret Lee Russell to keep four (4) dogs at 4395 Valdez Way, Reno, Nevada (City of Reno).*

Robert A. Smith – Manager, Regional Animal Services, outlined the application noting that there property was free of odor and fecal matter. The dogs barked when the doorbell rang and quickly quieted down. The property's fencing is in good repair and the residence will be used as the kennel. The appellant is aware that the animals cannot be left unattended in the yard. Mr. Smith noted that it is not unusual for properly trained dogs to refrain from barking

Chair Simmonds opened the public hearing.

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Regina Markham speaking on behalf of her mother Margaret Lee Russell explained the dogs were rescues and that she had moved in with her mother and brought in two additional dogs. Ms. Markham noted that she had found valuable information on ways to reduce barking by watching Caesar 911. Ms. Markham noted that the dogs do not go outside unattended and that she takes the dogs to the dog park at least twice a month for exercise. Since her mother is on disability she has been unable to schedule neutering of the males.

Member Carrick suggested that Ms. Markham contact the Humane Society before leaving the building for assistance regarding neutering the male dogs.

Ms. Markham explained that no one had contacted them about the barking.

Chair Simmonds closed the public hearing.

Chair Simmonds noted that one letter indicates that the pattern of barking has reduced over the past few months and that one objector may have a misunderstanding about the purpose of a kennel permit due to potential breeding.

Member Stoffel expressed his support given the steps already taken to reduce barking issue.

Member Davis explained that he is also in favor of granting the kennel permit.

Member Carrick explained that while she is in favor of the request she believes that perhaps something should be done about fencing near the mailboxes to reduce barking.

Member Hass commented that she was in favor the request.

Member Church stated she did not support the request.

It was moved by Member Carrick, seconded by Member Hass, to approve the kennel permit to allow Margaret Lee Russell to keep four (4) dogs at 4395 Valdez Way, Reno, Nevada (City of Reno). Member Carrick stated that she could make the factual findings required by Washoe County Code 55.420 and 55.400(3) based on the evidence provided by Animal Control Officers, the applicant and other witnesses. The motion carried: Members Carrick, Davis, Hass, Stoffel and Chair Simmonds assenting; Member Church dissenting; and Member Brussard absent.

Chair Simmonds read the appeal process.

- 7. KENNEL PERMIT APPEAL HEARING** [For possible action] – *A review discussion and possible action to approve deny or otherwise modify a kennel permit to allow Crystal Hallock to keep six (6) dogs at 2250 Osceola Court, Reno, Nevada (City of Reno).*

Robert A. Smith – Manager, Regional Animal Services, provided an overview of the request noting that the inspection report indicates the property is clean and free of feces and urine and that the dogs did not bark. The yard is secured with wire fencing and a kennel is built on a concrete slab that is 12 feet by 7.5 feet with plywood walls. The dogs are kept in the residence when the applicant is home and that the only complaint was a dog at large in May 2016 which attacked the neighbor's horse. The

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horse did need vet care and the owner did witness the incident. Mr. Smith noted that the kennel and the residence both meet the criteria to house the animals. Mr. Smith pointed out that in addition to scheduled inspections random unannounced inspections also occur.

Crystal Hallock commented that the May 2016 incident was the result of her sister's dog being at-large and that her sister no longer resides at her residence. Ms. Hallock explained that she does come home every two hours as she has some senior animals. Although it was not her intent to have so many dogs her father left her one when he passed as did her ex-husband in addition to the three she already had. Ms. Hallock noted that she had installed a fence around the back of the property to keep her dogs in and that she had been unaware of the need for a kennel permit. Typically the dogs are out no later than 9:00 p.m. in the summer and 6:00 p.m. in the winter. Ms. Hallock noted that the 15-year old female had been spayed about 8-years ago and that Isis has not had a litter that she is aware of unless it was when she lived with her ex-husband. Given her current age Ms. Hallock would prefer not to have her spayed. Ms. Hallock stated she is willing to neuter the males if needed.

Responding to Member Stoffel's inquiry about the claim that Ms. Hallock was constantly yelling at the dogs to "shut up", Ms. Hallock does not believe she does it constantly. Ms. Hallock explained that it is unclear why the comment was made that she has little interaction with the dogs as she comes home frequently during her work day and that the 5 teenagers in her home also assist with the animals.

In response to Member Carrick's question about barking, Ms. Hallock pointed out that someone is almost always home with the 5 teenagers living there, plus her frequent trips home during the day. Ms. Hallock noted that she had offered to bring the dogs outside for the Animal Control Officer when he commented on their lack of barking.

Chair Simmonds closed the public hearing.

Member Davis stated that given the positive inspection report and the proactive approach the appellant has taken he can support the request.

Member Stoffel had no comment on this item.

Member Carrick commented that she was undecided and was still considering the request.

Member Hass commented that while she believes Ms. Hallock is doing a good job in responding to the issues she believes that either the females or the males need to be spayed/neutered to avoid an unwanted litter.

Member Church explained that in general she believes that Ms. Hallock has tried to provide for the animals correctly. However, she would also object if she found that there was no interaction or displays of affection between her and the dogs.

Chair Simmonds commented that if the testimony provided was truthful about past litters, the spay/neutering would prevent unintended consequences.

Member Carrick stated she would want the two females spayed as a condition of approval.

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Member Stoffel pointed out that the neutering of the male dogs is easier.

It was moved by Member Carrick, seconded by Member Davis, to approve a kennel permit to allow Crystal Hallock to keep six (6) dogs at 2250 Osceola Court, Reno, Nevada (City of Reno). Member Carrick added a condition that the two female dogs Isis and Luna be spayed. Member Carrick make the factual findings required by Washoe County Code 55.420 and 55.400(3) based on the evidence provided by Animal Control Officers, the applicant and other witnesses.

Member Stoffel that he believes it would be acceptable to neuter the males instead of Isis due to her age.

Responding to Member Davis' inquiry about the ability to conceive at 12-years of age, Chair Simmonds explained that while it is possible, it is highly unlikely that conception would occur. Additionally, the average lifespan of the Pitbull breed is 12 to 15 years.

Member Davis commented that he believes the condition may place an undue hardship on the older female.

Member Carrick withdrew the original motion. Member Davis withdrew the second.

It was moved by Member Carrick, seconded by Member Hass, to approve a kennel permit to allow Crystal Hallock to keep six (6) dogs at 2250 Osceola Court, Reno, Nevada (City of Reno). Member Carrick added conditions as follows: 1) the two females Isis and Luna be spayed; and 2) that the number of animals be reduced by attrition. Member Carrick stated that she could make the factual findings required by Washoe County Code 55.420 and 55.400(3) based on the evidence provided by Animal Control Officers, the applicant and other witnesses.

Member Davis concurred with the condition to spay Luna and disagreed with the condition to spay Isis due to her age.

Member Church concurred with Member Davis' objection.

Member Stoffel commented that the spaying of the older female is an unnecessary risk and that he believes it would be better to neuter the males.

The motion failed: Member Carrick assenting; Members Church, Davis, Hass, Stoffel and Chair Simmonds dissenting; and Member Brussard absent.

It was moved by Member Stoffel to approve a kennel permit to allow Crystal Hallock to keep six (6) dogs at 2250 Osceola Court, Reno, Nevada (City of Reno), subject to condition: That the younger female Luna be spayed and the male Durable be neutered. Member Stoffel stated that he could make the factual findings required by Washoe County Code 55.420 and 55.400(3) based on the evidence provided by Animal Control Officers, the applicant and other witnesses.

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During the discussion it was suggested that if Lunda is spayed it might not be necessary to neuter Durable.

Manager Smith recommended that the condition be to neuter the two males as it is a less invasive and expensive surgery.

Ms. Hallock commented that Deuce and Isis are together and that Luna and Durable are a couple. Ms. Hallock noted that there had been no attempt to breed in the past five years and that she would neuter both males if that is the desire of the board.

Member Stoffel withdrew the motion.

It was moved by Member Stoffel, seconded by Davis, to approve a kennel permit to allow Crystal Hallock to keep six (6) dogs at 2250 Osceola Court, Reno, Nevada (City of Reno), subject to condition: That the younger female Luna be spayed. Member Stoffel stated that he could make the factual findings required by Washoe County Code 55.420 and 55.400(3) based on the evidence provided by Animal Control Officers, the applicant and other witnesses.

Member Carrick suggested that a condition be added to reduce the number of dogs by attrition.

Member Stoffel amended the motion by adding a second condition that the number of dogs be reduced by attrition. Member Davis amended the second. The motion carried: Members Carrick, Church, Davis, Hass, Stoffel and Chair Simmonds assenting; and Member Brussard absent.

Chair Simmonds read the appeal process.

The meeting recessed at 3:20 p.m. and reconvened at 3:35 p.m.

- 8. EXOTIC PERMIT APPEAL HEARING** [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify an Exotic Animal permit to allow Mike and Michelle Trevino, to keep two (2) African Servals at 3240 Churchill Drive, Washoe Valley, Nevada (unincorporated Washoe County).*

Robert A. Smith – Manager, Regional Animal Services, outlined the request noting that the two African Servals were already residents on the property and that the enclosure needs some modifications to the top. Additionally, shelter is provided with a climate controlled building. Mr. Smith noted that this is a residential area. Animal Services does not recommend approval of the request. Mr. Smith commented that the animals had been on the property since 2015. Typically African Servals can reach a weight of 40 pounds. In this case one of the animals is 35 pounds and the other is 40 pounds.

Chair Simmonds opened the public hearing.

Michael Trevino explained that the animals were put up for adoption by a person who was moving to an area where the animals were not allowed. Mr. Trevino noted that the animals are declawed and that the nearest neighbor is about 400 feet away. Mr. Trevino outlined the recommended

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modification to the enclosure that includes placing a cap over the wire as a further safety precaution. As caretakers of the animals Mr. Trevino and his wife spent time in the enclosure with them allowing the animals to come to them. Mr. Trevino explained that there was no intent to sneak the animals in. While he checked regulations for the State of Nevada he failed to check Washoe County regulations. It is unclear who actually filed the complaint as it was a telephone call that did not list any name. Mr. Trevino commented that a veterinarian has been chosen and provisions established in a will for continued care and custody of the animals. Typically, the animals make little to no noise and are fed a diet of raw chicken. Both of the animals like to play. The enclosure is locked and secured in a manner that would not only prevent the escape of the animals but also keep neighboring pets and other animals out of the enclosure. The animals were brought in from the State of Kansas and were already declawed. Mr. Trevino noted that his wife had a number of discussions with the previous owner who subsequently brought the animals to him and his wife. Mr. Trevino emphasized that the intent is to remain as caretakers of the two animals until the animals' death. The enclosure includes tunnels, logs and other features, including a bench. Additionally, his wife spends more time with the animals than anyone else. Mr. Trevino noted that they have other animals and that the Great Dane and Min-pin had met the cats and have their own enclosure and shelter on the other side of their property.

Michelle Trevino commented that she was unaware of the Washoe County requirement since she had only researched State of Nevada requirements. As caregivers these cats are not pets. The female is close to 10 years of age with an average life expectancy of approximately 20-years. Of particular concern as the cats are now used to her and her husband would be the level of care. The double-door enclosure is part of a cage within a cage enclosure with a sand pit that is cleaned on a regular basis. Mrs. Trevino commented that the female had previous interactions with humans and made-up more quickly than the male. However, with patience and time the male will now come when he hears her voice. Mrs. Trevino commented that she had once been bitten while she was playing tug with a blanket with the resulting wound only needing a band aid. The enclosure is designed in a manner that allows the animals to be fed by placing the food through a slot. The animals have been at this location since September 2015. Mrs. Trevino noted that she had worked with Doctor Barnett doing snakes and circus cats in Las Vegas (Nevada) for four years. Mrs. Trevino pointed out that she and her husband have dogs, cats and horses.

Chair Simmonds closed the public hearing.

Member Carrick commented that she appreciates the endeavor to provide the best care to the two wild animals and for that reasons believes that a sanctuary would be a better home for them. In the event this permit is not approved, Member Carrick asked that Mr. Smith explain whether or not and how Washoe County Regional Animal Services could assist in finding a sanctuary suitable for the animals.

Mr. Smith explained that staff would work with the appellant to identify a suitable sanctuary that will care for the animals. For example the facility could be something like Animal Ark. Mr. Smith recalled working with the American Association of Sanctuaries in the past and assisted in the placement of an animal in a suitable location in the State of Arizona.

Member Davis pointed out that it might be difficult to find a suitable location with an animal with hip dysplasia.

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Mr. Smith emphasized that any recommendation made would be a reputable one that has the capabilities of properly caring for the animals. Mr. Smith explained that possession of this type of animal is prohibited without an Exotic Animal Permit. The permit will be issued or denied at the pleasure of the board based on the factual finding set forth in Washoe County Code. Mr. Smith recalled an incident in which a Bobcat escaped its enclosure and ate a neighbor's dog.

Member Stoffel explained that he can support approval of the request based on his experience with large cats. Based on the testimony provided it does not appear that the animals are a significant danger to the community. Therefore, Member Stoffel will support the request without hesitation.

Member Davis concurred with member Stoffel's comments and believes that the appellants are responsible and experienced caregivers. Therefore, Member Davis will support the request.

Member Carrick explained that while she believes the Trevino's are doing their best this request should be denied with the appellants being assisted in locating an appropriate place. Member Carrick pointed out the larger issue of public safety and the housing of exotic animals in a residential area. Therefore, Member Carrick cannot support the request.

Member Hass noted that she has mixed thoughts but overall cannot support the request due to potential danger to the public and other animals.

Member Church commended the Trevino's for everything they have done. However, it is Member Church's belief that wild animals belong in the wild not in a domestic home. Therefore Member Church cannot support the request.

Chair Simmonds noted that in this case the two animals have been in in two separate home environments and would most likely be traumatized if returned to a wild environment. Chair Simmonds believes that given the enclosure and shelter provided the animals and does not post a significant danger to the public. Therefore, Chair Simmonds can support the request.

It was moved by Member Stoffel, seconded by Member Davis, to approve an Exotic Animal permit to allow Mike and Michelle Trevino, to keep two (2) African Servals at 3240 Churchill Drive, Washoe Valley, Nevada (unincorporated Washoe County). Member Stoffel stated he could make the factual Findings in Washoe County Code Chapter 55. The motion failed: Member Davis, Stoffel and Chair Simmonds assenting; Members Carrick, Church and Hass dissenting; and Member Brussard absent.

Jen Gustafson – Deputy District Attorney, commented that a tie vote is a technical denial of the request.

A brief discussion noted that there were no potential amendments that would change the vote.

Chair Simmonds read the appeal process.

9. EXOTIC PERMIT APPEAL HEARING [For possible action] – *A review, discussion and possible action to approve, deny or otherwise modify a reapplication for an Exotic Animal*

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permit to allow Joshua and Patricia Matthews to keep one (1) Canadian Lynx at 1281 Weizen Drive, Sparks, Nevada (City of Sparks).

Robert A. Smith – Manager, Regional Animal Services, outlined the application noting that the animals were not in the possession of the appellant. Mr. Smith noted that the property had been inspected. However, this application is not recognized as a pet based on Chapter 55.650 3c. Therefore Washoe County Regional Animal Services does not recommend approval.

Chair Simmonds opened the public hearing.

Joshua Matthews recalled the previous discussion and pointed out that this is not a “wild animal” nor is it a domesticated animal. Mr. Matthews pointed out that there are far more incidents of dangerous animals such as 70-million dog bites. Additionally, there is no record of a Canadian Lynx attack. Mr. Matthews pointed out that it is the responsibility of the owner to present an adequate safe environment such that the animal cannot escape. Mr. Matthews pointed out that the two officers he worked with during the process appeared supportive of the application. Additionally, it is not yet a fact that Washoe County will outlaw the keeping of this type of animal. Based on his understanding of the past discussions there may be more of a tiered structure. Mr. Matthews outlined the size of the Canadian Lynx that is similar in size to a medium sized dog such as a Beagle. Typically, the male of the species is rather solitary while the females (mother and daughter) may roam in adjacent areas. Unlike the normal pack animal such as dogs, Canadian Lynx tend to tolerate others rather than be part of a pack. The perimeter fencing is 6-feet in heights and the enclosure has been enlarged so the animal can roam more freely. Additionally, items have been added to the enclosure to provide some physical activities in the 10 by 15 foot enclosure.

The following individuals submitted statement cards in opposition but were not present to speak: Moherman and Errol M Proctor.

Steve Deisenroth commented that he had lived in the area for the past eleven years and that his home is about 5-feet from the nearest neighbors Mr. Deisenroth noted that the Canadian Lynx is related to the Bob Cat and can reach 40 pounds. Mr. Deisenroth noted that the no objections were filed as it appears that most neighbors were unaware of the request. Public safety is his primary concern noting that like military personnel a wild animal’s first instinct is to escape. Mr. Deisenroth also noted that public safety personnel are trained on how to deal with animals such as dogs and cats rather than larger wild animals.

Mr. Matthews pointed out that the size information provided is inaccurate and that a Bobcat is larger than a Canadian Lynx. While the back fence is only 4-feet in height it is located at the bottom of a 30-foot drop. Mr. Matthews believes that most of the individual neighbors who were notified either do not care or were supportive.

Chair Simmonds closed the public hearing.

Member Church had no comments.

Member Hass noted that in the interests of public safety she cannot support the request.

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Member Carrick commented that she cannot support having a wild animal in a residential area since it is not a good idea for the animal or surrounding neighbors. Member Carrick stated that she feels the declawing is cruel and inhumane. Therefore, she cannot support the request.

Member Stoffel stated that he supported the request at the previous public hearing and that he is generally inclined to support the request again. In the event the permit is granted Member Stoffel will add a condition prohibiting declawing.

Member Davis commented that while both arguments are well made he concurs with Member Carrick and cannot support the request.

Chair Simmonds stated that he did not have any objections and would support the request as well.

It was moved by Member Carrick, seconded by Member Church, to deny an Exotic Animal permit to allow Joshua and Patricia Matthews to keep one (1) Canadian Lynx at 1281 Weizen Drive, Sparks, Nevada (City of Sparks). Member Carrick stated that she could not make the factual Findings in Washoe County Code Chapter 55, based on the evidence presented. The motion carried: Members Carrick Church, Davis and Hass assenting; Member Stoffel and Chair Simmonds dissenting; and Member Brussard absent.

Chair Simmonds read the appeal process.

10. 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, commented that no objections were received on the two permit requests received.

11. UPDATE ON BOARD OF COUNTY COMMISSIONER'S DIRECTION REGARDING THE ANIMAL CONTROL BOARD [Non-action item] - *An update from the Manager of Regional Animal Services on the tentative timeline for dissolution of the Animal Control Board ("ACB").*

Robert A. Smith – Manager, Regional Animal Services, outlined the request presented to the BCC (Board of County Commissioners) in September on the rewrite of Washoe County Code that will vacate the Washoe County Animal Control Board and bring the review process solely to Washoe County Regional Animal Services. The revised code will have the First Reading in January 2017. Mr. Smith noted that until the code is adopted he is unable to definitively answer that the board is dissolved.

Jen Gustafson – Deputy District Attorney, pointed out that the BCC must have the second reading within 35 days of the First Reading.

Mr. Smith noted that Board members would be notified of the BCC's final action. During the review of the proposed Code changes staff reviewed multiple jurisdictions, all of which do not have a Permit Board.

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Chair Simmonds noted that what had been working well had been dissolved.

12. PUBLIC COMMENT [Non-action item]

Member Church noted that one of the individuals present at this meeting had whispered an angry comment to her that she could not quite hear or understand.

13. ADJOURNMENT [Non-action item]

Chair Simmonds adjourned the meeting at 4:30 p.m.

**AS APPROVED BY THE WASHOE COUNTY ANIMAL CONTROL BOARD IN SESSION ON
SEPTEMBER 7, 2017.**