

**SEMINOLE COUNTY
ANIMAL CONTROL BOARD
REGULAR MEETING & DANGEROUS DOG PUBLIC HEARING**

**June 14, 2007
7:00 PM**

MEMBERS PRESENT: Debra Garrambone, Chairman
Chris LaSage, Vice Chairman
Barbara Woodall
Lisa Giltner
Dr. DeHaven Batchelor
Bill Shaffer

MEMBERS ABSENT: Barbara Lewis

OTHERS: Commissioner Dick Van Der Weide
T. E. Stone, Director of Public Safety
Mary Beth Lake, Animal Services Shelter Supervisor
Carole Coleman, Animal Services Field Supervisor
Elaine RiCharde, Clerk to the Board

The following is a non-verbatim transcript of the Seminole County Animal Control Board meeting held June 14, 2007, at 7:00 PM, at the Animal Services Shelter Conference Room, 232 Bush Boulevard, Sanford, Florida.

I. Call to Order.

II. Roll Call.

Roll Call was taken by the Clerk to the Board. There being a quorum present, Chairman Garrambone called the meeting to order at 7:15 PM.

III. Public Hearings.

Chairman Garrambone announced this meeting included a public hearing to consider an appeal, filed by Carl and Lisa Washington, of Animal Services finding sufficient cause to classify their dogs, "Roman" (file number FL SC DD 1700081) and "Solomon" (file number FL SC DD 1700082) as dangerous dogs and to recommend destroying the dogs.

Chairman Garrambone announced Animal Services staff would present their case. The Board would then take testimony from the owners of the animals killed by the Washington dogs, and then the dog owners would give their testimony. She asked anyone present who wished to speak to complete a speaker's form.

T. E. Stone, Director of Public Safety, was sworn and stated his name for the record. Mr. Stone presented Animal Services case whereby the dogs, while running loose off the owner's property, killed a neighbor's cat on October 5, 2006, and, again while running loose of the owner's property, killed a neighbor's dog on May 30, 2007. Mr. Stone answered questions from the Board.

Carole Coleman, Animal Services Field Supervisor, was sworn and stated her name for the record. Ms. Coleman gave testimony that the dogs are approximately three years old. Therefore, the complaints Animal Services received as far back as 2000 on Rottweiler dogs residing at the Washington address were not these two dogs but other Rottweiler dogs owned by the Washington family.

Dr. Batchelor joined the meeting at 7:25 PM. The meeting recessed at 7:30 PM so those Board members who chose to could see the dogs.

The meeting reconvened at 7:30 PM.

Carole Coleman, who was still under oath, answered questions from the Board.

Carole Hamlin, 1056 Long Branch Lane, Oviedo, Florida, was sworn and stated her name for the record. Ms. Hamlin gave testimony on the incident that occurred October 5, 2006, when the dogs killed her cat. She submitted into evidence photographs of the cat that was killed. Ms. Hamlin gave testimony that a few weeks prior to October 5, 2006, the dogs chased her daughter into their home. Ms. Hamlin answered questions from the Board.

Stephen Tribbey, 1049 Long Branch Lane, Oviedo, Florida, was sworn and stated his name. Mr. Tribbey gave testimony about the incident that occurred on May 30, 2007, when the dogs killed his dog. Mr. Tribbey answered questions from the Board.

Mark McMahon, 1046 Long Branch Lane, Oviedo, Florida, was sworn and stated his name for the record. Mr. McMahon gave testimony about the incident that occurred on May 30, 2007, when the dogs killed the Tribbey dog. Mr. McMahon answered questions from the Board.

Carole Coleman, who was still under oath, submitted into evidence photographs of the Washington house and fence. Ms. Coleman stated she did not take the photographs and was unable to give any testimony other than to confirm the photographs were of the Washington house.

Stephen Tribbey, who was still under oath, answered questions from the Board about the fence on the Washington property.

Carole Coleman, who was still under oath, gave testimony about the Seminole County Code where the code speaks to animals being loose on the animal owner's property. Ms. Coleman clarified for the Board that a property line ends at the sidewalk, and that the sidewalk and property between the sidewalk and street is an easement and not private property. Ms. Coleman answered questions from the Board.

Lori Heinis, 1008 Silcox Branch Circle, Oviedo, Florida, was sworn and stated her name for the record. Ms. Heinis resides behind the Washington residence, and gave testimony about the fence on the Washington property. Ms. Heinis answered questions from the Board.

Cheryl Smith, 1025 Long Branch Lane, Oviedo, Florida, was sworn and stated her name for the record. Ms. Smith gave testimony about the Washington dogs being in her garage approximately three months ago. Ms. Smith answered questions from the Board.

Thomas Hosp, 1029 Long Branch Lane, Oviedo, Florida, was sworn and stated his name for the record. Mr. Hosp gave testimony about his experience with the Washington dogs.

Natalie Hosp, 1029 Long Branch Lane, Oviedo, Florida, was sworn and stated her name for the record. Ms. Hosp gave testimony about her experience with the Washington dogs.

Elizabeth Tribbey, 1049 Long Branch Lane, Oviedo, Florida, was sworn and stated her name for the record. Ms. Tribbey gave testimony about her experience with the Washington dogs.

Lisa Washington, 1050 Long Branch Lane, Oviedo, Florida, was sworn and stated her name for the record. Ms. Washington gave testimony about the fence on her property and Rottweiler dogs she has owned over the years to include "Roman" and Solomon". She submitted into evidence photo copies of health and shot records on "Roman" and "Solomon". Ms. Washington answered questions from the Board.

Carl Washington, 1050 Long Branch Lane, Oviedo, Florida, was sworn and stated his name for the record. Mr. Washington gave testimony about the fence on his property and the incident on May 30, 2007, when the Tribbey dog was killed. Mr. Washington answered questions from the Board.

Lisa Washington, who was still under oath, addressed the board about her willingness and ability to make corrections on her property in order to confine the dogs if the dogs were released to her.

Commissioner Dick Van Der Weide asked to speak. He stated he would not be casting a vote on this appeal and was in attendance as the Board of County Commissioner's liaison to the Animal Control Board.

Chairman Garrambone asked the Board if there were any witnesses or staff members they wished to recall. Mr. Shaffer asked to question Mr. Stone about the authority under the County Code that allowed him to recommend destroying the dogs. Tad Stone, who was still under oath, said the Florida Statutes, Chapter 767.11(b) was the authority he relied upon to declare the dogs dangerous. He said the decision to destroy the dogs was based on the nature of the attacks when the cat and dog were killed, and the fact that the animals have aggressively approached people.

Chairman Garrambone closed the public hearing and the Board began its deliberations. Theresa Bryant, Animal Services Veterinary Technician, answered questions from the Board regarding the dogs' behavior while impounded at the shelter. The Board called for an example Certificate of Registration for Dangerous Dog to review the conditions they could impose if the dogs were released to the owner.

Motion by Chairman Garrambone to uphold Animal Services initial determination that the dogs known as "Roman", file number FL SC DD 1700081, and "Solomon", file number FL SC DD 1700082, are dangerous dogs. Second by Dr. Batchelor. The motion passed unanimously on an individual voice vote.

The board recessed at 10:30 PM and reconvened at 10:36 PM.

The Board resumed its deliberations. Motion by Dr. Batchelor to release the dogs to the owner with the conditions enumerated in the sample Certificate of Registration for Dangerous Dog, based on the Florida Statutes and the Seminole County Code, with the following additional conditions: that a Certificate of Registration for Dangerous Dog shall be executed for each dog; that both dogs shall be neutered at the owner's expense; that the owner shall pay all fines and fees; that both dogs shall be injected with an identifying microchip implant and shall be marked with an identifying tattoo; that the owner shall obtain proof of homeowner's insurance to cover the dogs; that the owner shall have thirty (30) days to comply with all conditions; that the owner shall pre-pay thirty (30) days of board per dog pending such compliance; that the owner may request an extension of the time to comply in order to obtain municipal permits, etc.; that failure to comply with all the conditions within the thirty (30) days and absent a request for an extension of time shall result in the dogs being considered abandoned and the property of Seminole County. Second by Ms. LaSage. The motion passed unanimously.

IV. Old Business.

A. Large Animal Evacuation Plan.

Mr. Stone advised there are three regional sites designated by the state as large animal evacuation sites, the closest one being the Kissimmee livestock area. He recommended relying on the state plan to use this facility considering there are neither local facilities nor sufficient manpower to deal with this issue.

V. New Business.

Chairman Garrambone announced there was no new business.

VI. Reports.

- A. Pet Spay/Neuter Program for Low Income Residents.
Society for the Prevention of Cruelty to Animals of Central Florida, Inc. (SPCA) Proposal to Provide Pet Spay/Neuter Services to Seminole County Low Income Residents.

Mr. Stone advised the re-build plan does not include spay/neuter facilities. Rather, the County is developing an agreement with the SPCA in accordance with the program proposal made to and approved by the Board.

B. Volunteer and Education Program Report.

Diane Gagliano, Program Coordinator, introduced herself to the Board. She reviewed a report on the progress of the volunteer, education and foster programs.

C. Paw Partners Report.

Chris Mitchell introduced herself to the Board. Ms. Mitchell represents Paw Partners of Seminole County, a 501(c)3 organization. Ms. Mitchell said Paw Partners is similar to the Friends of the Libraries group. She said Paw Partners' agenda is to help the animals at Animal Services. Ms. Mitchell spoke about how this group came to be, their membership and plans.

D. Pet Data Report.

VII. Minutes: March 15, 2007.

VIII. Confirmation of Next Meeting Date.

IX. Adjournment.

Motion by Dr. Batchelor to adjourn the meeting at 11:25 PM. Second by Mr. Shaffer. The motion passed unanimously.¹

Respectfully submitted,

Clerk to the Board

¹ The meeting was adjourned before the Board reviewed the PetData report or approved the March 15, 2007, minutes or selected their next meeting date.