



## ANIMAL CONTROL BOARD

### MINUTES

April 20, 2023

The City of Knoxville Animal Control Board considered the following permit applications and topics for discussion at their October 17, 2023 meeting at 1:30 pm in the Young-Williams Animal Center conference room, 3201 Division Street, Knoxville, Tennessee.

*This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 9-44-101, et seq.*

### **CALL TO ORDER**

Chairman Janet Testerman called the meeting to order at 1:49pm.

### **ROLL CALL**

Board members present were: Heidi Wyrosdick, Darlene Gwaltney, Dr. Lisa Chassy, Janet Testerman, Sarah Glass (late)

Absent: Lisa Skinner, Officer Keith Hogue

In Addition: Doug Gordon (City of Knoxville Law department), Allison Jackson (lawyer with \_\_\_ representing Petland), Teresa Lucas (Protect the Harvest), Deputy Chief David Powell

### **PERMITS REVIEWED**

- 1) #870 Sloan Allen, 5720 Sanford Road for hen permit. Heidi Wyrosdick made a motion to approve, Dr. Chassy seconded. Unanimous **APPROVAL**.
- 2) #869 Ashley Stouch, 2220 Barker Ave. for hen permit. Sent back for more information.
- 3) #864 Rachel Cortez, 1921 Spring Hill Rd. for a hen permit. Darlene Gwaltney motioned to approve, Heidi Wyrosdick seconded. Unanimous **APPROVAL**.
- 4) 3304 Gillenwater Drive for keeping goats vs. goat grazing. They are in RN-1 and therefore can't approve. Dr. Chassy made a motion to deny, Heidi Wyrosdick seconded. **Unanimous DENIAL**.
- 5) #865 Doug O'dell, 4321 Mildred Drive for hen permit. Dr. Lisa Chassy motioned to approve, Heidi Wyrosdick seconded. Unanimous **APPROVAL**.
- 6) Jess Metzky for hen permit. Dr. Chassy motioned to approve. Darlene Gwaltney seconded. Unanimous **APPROVAL**.
- 7) Tennessee Valley Poultry Club at Chilhowee Park for Animal Exhibition. Chair Testerman moved to approve, Dr. Chassy seconded. Unanimous **APPROVAL**.
- 8) #866 Smokey Mountain Dairy Goat Association at Chilhowee Park for Animal Exhibition permit. Chair Testerman motioned to approve, Heidi Wyrosdick seconded. Unanimous **APPROVAL**. Heidi asked if they were selling animals. The application didn't say.

## **TOPICS DISCUSSED**

Chair Testerman passed out a packet of information and mentioned members of the Animal Control Board may have heard or seen in the news over the last couple of days, that Young-Williams has proposed to consolidate Animal Control operations that currently reside under KPD and the Sheriff's department under the purview of the animal center. She noted it is the only piece of the animal welfare pie that they don't manage and for a few reasons, including it would be better for the pets and pet owners of our community to develop a community-based model and would allow law enforcement to focus on their core mission of keeping our communities safe. At any point you consolidate services, she said, it becomes more cost-effective, efficient and creates more consistencies. She referred to highlights in the folder she passed out and said that YWAC has been the municipal partner to the city and county since 2004. Prior to that, it was the Knoxville-Knox County Animal Shelter, and then YW became a 501(c)3 in 2012. Highlighted, she pointed out, were a number of the center's successes, noting they had been a trusted partner with the city and county for nearly 20 years, and, historically, YWAC used to manage county animal control when it was under the health department, and the city has always managed their own. All entities have been in conversation for a number of years to determine how animal control could be more collaborative, and from YWAC's perspective, the industry has changed a lot, and this transition would, as mentioned, create more of a community-based model while also bringing industry expertise to the table. She pointed out all of the responsibilities YWAC currently does and what animal control currently does. YWAC's goal is to keep animals in homes and to do more mitigation in the field by creating more sustainable solutions. She said it's a lot easier to bring an animal into the shelter than to keep it out, and for a long time we've taught the community that the center is a dumping ground for animals and worked hard to shift that mindset and to be a resource for pet owners and teach them we should be the last resort, not the first resort. Statistically, 40% of pet owners don't want to surrender an animal. They've just hit a life hurdle and we want to connect them with and provide resources.

From a business operations standpoint, this shift would create more consistency, more thorough service and become a one-stop-shop for problem-solving.

This is what YWAC is already doing. This is what employees of the center wake up and do every day, and this would allow there to be one voice in the field, working toward the same goals and eliminating duplication of services. YWAC is not recreating the wheel. It's very common for shelters to oversee field services.

She said she wanted to bring this to the board to walk through. Deputy Chief Powell was there to speak to this issue and help reinforce that both the Police Chief, Sheriff and both mayors are in favor and support this move.

From a staffing position, YWAC would retain 17 positions with a little different structure. All current officers would have the opportunity to interview for their jobs, and, if they opted not to, YWAC would hire those roles. They would look for those individuals who are customer-service driven because the role is more social work than law enforcement and what the center is already doing with our Pets for Life program, going door-to-door and building trust with pet owners. 80%+ of those pet owners have never taken their pets to a vet, and YWAC has a vet who goes out once a week with the team to provide meds and wellness exams, and it's more of a proactive approach versus reactive. Also, returning animals in the field opposed to bringing them straight to the shelter would be a goal.

She said there was a meeting held at the shelter the previous evening with members of City Council and County Commission to take a tour and learn about this proposal, and she felt that

went really well. She talked about working with Best Friends Animal Society, the largest animal welfare organization in the country, that has worked with other shelters on this transition. Kansas City Pet Project is cited in the packet as a model and is similar to YWAC in the shelter world.

Deputy Chief Powell said it would not be much different as the current officers are civilian officers and not sworn. That have a municipal officer title like parking officers and public building authority officers. He does not view animal control as a law enforcement function.

Doug Gordon asked who would issue citations after the transition. Powell said it would be written in the ordinance that YWAC staff would just like PBA. Chair Testerman said it would be much like codes enforcement.

Dr. Chassy if they're bonded to carry weapons. Chair Testerman said the county is, but the city is not.

Powell said it just makes sense and pointed out that if there was a cruelty case today, he doesn't know of one investigator who is equipped to handle that case, and we really need to focus on the manpower they have for criminal acts. He clarified he's not inferring that animal control is not important, but YWAC is far more equipped to handle this responsibility.

Chair Testerman said that YWAC would still have a law enforcement liaison when a search warrant or something criminal-related comes up.

Powell used the example that if Animal Control has a call and the owner says get off my property and a disturbance ensues, they'd have to call for patrol for support.

Doug Gordon asked who would be responsible for permits. Chair Testerman said part of the proposal is to expand the board to include a county representative because the county has no animal advisory board, but other jurisdictions have a more wholistic board.

Doug reiterated his question on who would collect the permits and the money. Powell said that's still up for discussion but not unlike other 3<sup>rd</sup> parties like PBA who handles city business.

Dr. Chassy brought up the city pet licenses and that the tag is \$15 if a pet is unaltered and \$5 if so and the shelter keeps \$1.50 of that. Chair Testerman said, ideally, she'd love to do away with the city tag and use rabies tags as the identifier, but Dr. Chassy said it's inherently been a motive for people to get their pets fixed but YW sells less than 5000 year.

Doug said we could drop a lot of these permits and if someone has more chickens then they're supposed to, they would receive a citation, and ought to really reword to make it a zoning violation, but a lot of this stuff really doesn't need a permit. It would simply be a matter of being compliant. Dr. Chassy pointed out that a hen ordinance has a lot of restrictions and parameters while a pot belly pig permit has no outlying requirements for how to house a pig other than the number of feet from a neighbor's property line. She said we also have very little reason to decline a permit. Doug said as long as they've checked the boxes then the permits have to be approved and there's no discretion.

Chair Testerman mentioned it's been proven that when an animal control community-based model that compliance goes up because they're being educated on what the ordinances and laws are.

Dr. Chassy said the discussion of animal control consolidation came up as early as 2003 so this is not the first time to be discussing this topic.

Powell said he always felt Animal Control would be a better fit with YWAC.

Chair Testerman urged the board members to look through the packet of information and bring any questions they have, and that the board would ultimately need to vote on the recommendation.

The question was asked if the City owns YWAC for the reason that when there are issues with animal control the city gets sued and now YWAC would be the ones that get sued.

Heidi asked how the confiscation of animals would work. Chair Testerman said it would work just as it does now. Officers can't just walk on someone's property and confiscate their animal. She provided the FAQs from the packet, which outlines varying circumstances. Doug said we can get a warrant to seize an animal if there's an ongoing crime. If there's a witness to an ongoing crime you don't need a warrant because those of exigent circumstances; however, if a citizen witnesses a crime involving an animal, then we can get a warrant from criminal court. Testerman pointed out that circumstance would be a state criminal charge at that point. Doug said when we talk about confiscation in city ordinance we're talking about taking an animal at large on the street or in a trap.

Powell said city code often mirrors state code, but City court judge can't rule on confiscation.

Chair Testerman said there would be an inordinate amount of training in conflict resolution, customer service, etc.

Doug reminded everyone we're a nonprofit and not a government entity to which Chair Testerman clarified that YWAC is the municipal shelter. Doug said his role is to advise the city and the board. He said one of his concern is if someone makes a mistake, the city has liability and the shelter does not but you can deal with that through insurance. We have exposure now through our other practices.

Powell said it should not be a big ordeal to get the law office and KPD aligned on what needs to happen.

Chair Testerman said her hope would be that everyone takes the information and does their research and then discuss and vote at the next meeting.

Teresa with Protect the Harvest and AKC are proposing some changes to the ordinance amendments that were passed in January. Doug said the codes had still not been updated online.

Doug said Document A is the ordinance that City Council passed document B one version of the amendments, which are Petland's and PtH in yellow and don't include the blue notes

Document C is from Patty at AKC

He said in reviewing Doc. B, he didn't have any legal concerns.

Doug said on Page 4, Section 11 – transport across state lines, which should have been taken out.

Heidi asked what "commercial" means. Teresa clarified it should someone with a business license versus a hobby breeder who has one litter a year. Heidi asked how much they would have to sell to warrant a business license. Doug said \$2000. Heidi said commercial needs to be defined and depending on the breed, one litter could easily be more than \$2000. Pet retail establishment is someone required to get an animal control permit from the board.

Janet said she'd said she'd set another meeting to pick back up on this conversation. There were also a couple of permits that will need to come back for approval. Chair Testerman told Deputy Chief Powell that he'll need to tell Hogue to let the denied permit know why.

The meeting was adjourned at 2:53pm.