

## ANIMAL CONTROL BOARD

MEETING January 26, 2009

### CALL TO ORDER 5:55 PM

**ROLL CALL:** Present: Solomon Neuhardt, Diana Kay Bachmann, David Klein, Douglas Ruebke, Sandy Weiss

Absent: Dennis Ulvestad

Minutes from the December 2, 2009 meeting were presented and approved.

### Public Comment:

No public comment

### New Business

Solomon Neuhardt introduced himself and gave a background history.

Each Animal Control Board member also introduced and gave a brief background of themselves to Mr. Neuhardt.

### Old Business

Douglas Ruebke discussed Yellowstone County and Ordinance changes they are currently considering.

Discussion began about the draft Ordinance copies each had received and suggested changes each felt were needed.

Discussion about containment requirements for convictions of Potentially Dangerous and Dangerous animals were about how each bite situation may call for different confinement restrictions. Placing these restrictions in the Ordinance would not allow Animal Control Officers to place restrictions according to how the incident which resulted in the charge to be specifically addressed. A dog which bites someone while in the dogs home would require different confinement restrictions than a dog that was out running loose off it's property and bit someone. These incidents and restrictions would be addressed once the Ordinance changes were or if approved by Council.

Solomon Neuhardt with his background being legal was asked his opinion about the draft Ordinances. Solomon stated that he felt "menacing" as a consideration for animal to be Aggressive or Potentially Dangerous was to vague. Solomon stated in his personal experience and research he felt it was easier to justify charges if the law for which a person is being charged was more specific in the actions that constitute a violation.

Solomon suggested that rather than “menacing” as describing a violation, words such as the actions of an aggressive animal would have a better chance of holding up in a Court situation. Wording such as growling, barking, barring teeth, snapping, lunging should be used. All Animal Control Board members agreed.

Animal Control Board members agreed to continue this discussion at the next scheduled meeting. Prior to the next meeting each member would come up with and bring suggestions to the next meeting. Between meetings the use of e-mail so that all would have everyone's suggestions was discussed.

Animal Control Supervisor, David Klein, agreed to get an e-mail list together in order to send suggestions to all.

Next meeting was set for February 23, 2010. 6:00pm – location to be determined at a later date.

Board members expressed concern about the limited time available at each meeting. Animal Control Supervisor suggested that the next meeting might be held at the Animal Control Office as public participation has not been present for the last several meetings and there would be enough room at the Animal Control Office to accommodate the Animal Control Board and a small group from the public if interest was shown.

Meeting adjured 7:10pm.