

**Lincoln County Animal Services**  
**Advisory Board Meeting Minutes**  
**November 5th, 2019**

**Attendees:**

Dr. Ashley Oliphant, Chairman  
Hannah Beaver, Animal Services Director  
Dr. Karen Miller  
Robin Franklin  
Diane Leatherman  
Doug Woods  
Michael Hull, Senior Animal Services Officer  
Lindsey Houser, Animal Control Administrative Secretary

**Guest Attendees:**

None

**Opening:**

After the board received their meeting materials, Chairman Oliphant opened the meeting at 6:30 PM.

**Approval of Minutes:**

Chairman Oliphant asked the board if there were any suggestions or changes required for the minutes from the last advisory board meeting on September 3rd, 2019. The minutes were approved with a motion from Doug Woods and a second by Robin Franklin.

**Current Draft:**

Director Beaver stated that this draft had been updated after a meeting with the county attorney on 11/4/19. The definitions in the current draft are more fleshed out, although some definitions

are still in the works. The term “owner” is still being defined as LCAS is not in the business of attributing property to an owner. The terms “nuisance”, “stray” and “tether” are also still in the works. The goal is to make sure that the ordinance does not over-define words.

County Manager Kelly Atkins referenced PG.3 of the current draft, stating that “his/her designee” should be added to the end of the sentence “The Office shall be headed by the Director of Animal Services, who shall be appointed, supervised and evaluated by the County Manager.”

County Manager Kelly Atkins also referenced 92.05.I and 92.05.II, asking if this wording reflected what the ordinance really wanted to say here. Should you separate city and county laws? Director Beaver replied, stating that was not the intent of that section and that local law includes both city and county. Chairman Oliphant suggested removing “and city” from the end of section II.

Director Beaver pointed out that definitions that were previously located on page 4 of the current draft are now located in section 92.03. Director Beaver also pointed out that the county attorney liked the legal wording used in the tethering section of the ordinance.

Director Beaver then referenced the 92.08 Leash Law Section, asking if there were any places anyone noticed that were leash law areas but that weren’t on the list. Dr. Ashley Oliphant stated that there were none missing.

County Manager Kelly Atkins referenced 92.08.2.B asking if “within the jurisdiction” should be clarified. He suggested adding “residing within the neighborhood”.

Director Beaver stated that when the Goodson Place neighborhood was added into Lincoln County Leash Law areas, a resident asked how the process of dismantling the leash law would work. County Manager Kelly Atkins stated that this should be addressed, noting that other ordinances use a 75% majority to dismantle things that have been petitioned for. The board was in agreement with this.

Director Beaver referenced 92.09.II, stating that the addition to this section (in red) allows citizens to pursue civil action for nuisances so that LCAS can concentrate on animal cruelty and public safety.

Director Beaver stated that overall there were very few tweaks to make to section 92.11. Most of the changes made were language revision. She did reference 92.11.II.A, stating that it was important that this language must be certain so that when a dog is surrendered to LCAS, the shelter is allowed discretion on how the dog is disposed of.

Director Beaver stated that she and the county attorney were taking a further look into “Dangerous Dogs from Other Jurisdictions- 92.11.V”.

Director Beaver also stated that the county attorney is taking a further look into “Declassification- 92.11.VI” because there is a lack of precedent in regards to this matter in NC. Dr. Ashley Oliphant stated that we should fight to keep this section and make it work because it is innovative. Director Beaver asked the board their opinion on how the powers of declassification of dangerous dogs should be dispersed. Should it be given to one person as the

Director of Animal Services or to a board? Dr. Ashley Oliphant stated the decision should be made by a panel. The board was in agreement with this and Director Beaver stated that she would be researching this further.

County Manager Kelly Atkins referenced 92.11.VII.A, asking how the ordinance would define “bona fide professional security guard”. He stated that we should use caution when using that word because it does appear as an issue in court a lot. Dr. Ashley Oliphant suggested removing “bona fide” from that portion.

County Manager Kelly Atkins referenced the phrase “laid out” in 92.14.I.B and suggested using something that sounded more professional.

Director Beaver referenced 92.16.II and asked for Dr. Karen Miller’s opinion on this as she is a veterinarian. Dr. Miller stated that she liked this and was in agreement with it.

AS Director Beaver referenced “Fees and Penalties 92.18”, County Manager Kelly Atkins suggested that she reference the fee schedule that Planning and Inspections uses.

County Manager Kelly Atkins also recommended including an amendments page with the ordinance, allowing the public a quick reference. This would be helpful in the future.

Robin Franklin asked if there was a time limit included in the tethering section of the ordinance. Director Beaver stated that there was not. With LCAS’ current resources our best bet was educating owners on tethering properly.

### **Exotic Update:**

Director Beaver began the exotic update by expressing the need to be very careful and intentional with the ordinance’s definition of “exotic”. She is currently compiling lists of correct mammal/reptile species names from other resources.

Dr. Ashley Oliphant asked if these lists would make this ordinance section lengthy, to which Director Beaver replied that it could be potentially lengthy.

Director Beaver stated that LCAS’ goal should be to have responsible relationships with exotic owners by regulations, as opposed to alienated exotic owners. She also stated that requiring insurance for exotic owners may be too strict.

Dr. Oliphant asked if there would be a penalty for owners who fail to register their exotic animals. Director Beaver stated that this was something to be looked into.

Director Beaver mentioned allowing a grace period to register exotic animals without a fee, as this would give us good information and the ability to know all the exotic animals residing in Lincoln County.

**Identifying Next Steps:**

Director Beaver stated that she hopes by the next ASAB meeting, she will have a completed draft.

Director Beaver mentioned speaking to other Dangerous Dog Board Members so as to not surprise them since their duties serving on their board will be affected by the new ordinance.

Dr. Ashley Oliphant suggested extending an invitation to HATS as well as the Humane Society to discuss the new ordinance before it goes in front of the Board of Commissioners. She also asked Director Beaver if LCAS staff would see the draft ordinance, to which Director Beaver replied that they would.

**Public Comments:**

None

**Next Meeting Dates:**

Tuesday, December 3rd, 2019

**Motion to Adjourn:**

A motion was made by Doug Woods to adjourn the meeting, with a second by Dr. Karen Miller.

The meeting ended at 7:37 PM.