

ANIMAL CONTROL ADVISORY BOARD MEETING

January 4, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

**Members Present:**

Eric Blow, Wayne Caudill, Dr. Carolyn Congleton, Dr. Linda Grimes, Hugh McCormick, and Beckey Reiter.

**Others Present:**

Biff Baker, Legislative Research Commission; Mark Farrow and Ann Stewart, Department of Agriculture; Jon Woodall, McBrayer, McGinnis, Leslie & Kirkland representing KACO; Nancy Yelton, KACO, Denny Dannelley, KACO, and Richard Tanner, Magistrates Association.

Chairman McCormick called the meeting to order. Due to the lack of a quorum, no business was conducted. The next Board meeting is scheduled for February 15, 2001, at 10 a.m., Room 188, Capitol Annex. .

## ANIMAL CONTROL ADVISORY BOARD MEETING

February 15, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

### Members Present:

Eric Blow, Penelope Caudill, Wayne Caudill, Dr. Carolyn Congleton, Judith Cooke, Dr. Linda Grimes, Mary Beth Hendricks, Hugh McCormick, Margie Patton, Beckey Reiter, and Anne Willson.

### Others Present:

Mark Farrow and Ann Stewart, Department of Agriculture; Lydia Caudill

Chairman McCormick called the meeting to order.

### New Business:

Motion was made by Eric Blow to approve minutes of the December 8, 2000 meeting; motion seconded by Beckey Reiter; motion passed.

Chairman McCormick announced that he was resigning from the Animal Control Advisory Board effective February 15, 2001, and asked for nominations for election as Board Chairman. Wayne Caudill nominated Beckey Reiter. Motion to cease nominations was made by Mary Beth Hendricks; seconded by Linda Grimes. Ms. Reiter will assume duties as Chairman at next meeting.

Mr. Farrow advised that Commissioner Smith had hoped to attend the meeting, but a previous commitment prevented him from doing so. Mr. Farrow informed the Board members that letters and grant applications for the second round of funding would be mailed to all county judges the following week and asked if the Board members wanted to make changes to the grant applications. The following items were suggested:

1. Encourage counties not funded during first round to resubmit their applications.
2. Inform county judge/executives that property and shelter must be owned by county, but the county could contract with humane societies, animal shelter, etc., to perform animal control and shelter services.
3. Note in letter that funds are for construction or renovation only.
4. Change wording on application pertaining to number of animals brought into a shelter; number of animals picked up by animal control officer, number of animals adopted, number of animals euthanized.

5. More detailed budget.

The Board discussed all 39 grant applications and voted unanimously to deny funding for the following counties:

Grant Number	County/Applicant	Comments
AC001	Owen	Insufficient information in application; application did not contain 3 year plan; failed to meet minimum standards
AC003	Montgomery	County seeking reimbursement
AC004	Hardin	Purchase of truck
AC007	Logan	Property and building owned by humane society
AC008	Kentucky River	Purchase of incinerator; privately owned
AC009	Lawrence	Property and building owned by humane society
AC010	Hopkins	Property and building owned by humane society; purchase of trucks
AC012	Bourbon	Purchase of equipment
AC014	Daviess County/Green River Area	Low priority - has nice shelter; no commitment from other counties being assisted
AC018	Glasgow/Barren County	Purchase of equipment; application did not include 3-year plan
AC019	Henderson	Purchase of equipment; parking lot improvement
AC021	Estill County	Purchase of equipment; establishment of spay/neuter program; application did not contain building plans; facility not enclosed
AC022	Breckinridge	Requesting funds for operational expenses of facility; submitted by magistrate - does county support request
AC023	McCracken	Purchase of equipment; training; property not owned by county
AC024	Harrison	Purchase of equipment; establishment of spay/neuter program
AC025	Franklin	Application did not contain 3-year plan
AC028	Lincoln	Property is privately-owned; requesting funds for reimbursement of expenditures
AC029	Campbell	Parking lot expansion -- has nice shelter
AC030	Pulaski	Requesting funds for livestock removal; purchase of equipment
AC031	Marshall	Purchase of equipment; property privately-owned; application did not contain 3-year plan
AC032	Greenup	Purchase of equipment
AC033	Russell/Adair	Construction of veterinary clinic - vet would own after 5 years
AC035	Pendleton	Requesting funds for reimbursement
AC036	Rockcastle	No county assistance; does not comply with dog law
AC037	Calloway	Purchase of equipment; installation of drainage system
AC038	Grant	Has nice facility; received \$50,000 appropriation in 2000 -- low priority
AC039	Edmonson	Property and shelter privately-owned

Applications to be given further consideration are as follows:

Grant Number	County/Applicant	Comments/Additional Information Requested
AC002	Mason	Provide copy of deed showing county ownership of shelter; itemized list of shelter grant expenditures; how will future operating costs be funded; provide definitive 3-year plan for animal and sheltering program; explanation of in-kind contribution calculation
AC005	Allen	Provide confirmation that shelter will be on county-owned property; itemized list of shelter grant expenditures; how will future operating costs be funded; include definitive 3-year plan for shelter; explanation of in-kind contribution calculation
AC006	Christian	Provide deed showing county ownership of shelter; itemized list of shelter grant expenditures; how will future operating costs be funded; explanation of in-kind contribution calculation; copies of inter-local agreements from Trigg, Caldwell and Todd counties
AC011	Gallatin	Provide confirmation that shelter will be on county-owned property; itemized list of shelter grant expenditures; how will future operating costs be funded; provide detailed justification for expenditure of \$40,000 for land acquisition; explanation of in-kind contribution calculation
AC013	Laurel	Provide confirmation that shelter will be on county-owned property; itemized list of shelter grant expenditures; how will future operating costs be funded; explanation of in-kind contribution calculation
AC015	Bell	Does shelter accept cats; provide copy of deed showing ownership of shelter property; itemized list of shelter grant expenditures; how will future operating costs be funded; explanation of in-kind contribution calculation
AC016	Clark	Provide confirmation that shelter will be on county-owned property; itemized list of shelter grant expenditures; how will future operating costs be funded; explanation of in-kind contribution calculation
AC017	Marion	Provide copy of deed showing ownership of shelter property; how will future operating costs be funded; explanation of in-kind contribution calculation
AC020	Taylor	Provide confirmation that shelter will be on county-owned property; itemized list of shelter grant expenditures; how will future operating costs be funded; explanation of in-kind contribution calculation; provide copy of building plans
AC026	Martin	Provide confirmation that shelter will be on county-owned property; itemized list of shelter grant expenditures; how will future operating costs be funded; explanation of in-kind contribution calculation; provide copy of building plans

AC027	Boyd	Provide copy of deed showing county ownership of shelter; itemized list of shelter grant expenditures; how will future operating costs be funded; provide definitive 3-year plan for control and sheltering program; explanation of in-kind contribution calculation
AC034	Tri-County	Indicate in what county shelter will be built; provide confirmation that shelter will be on county-owned property; itemized list of shelter grant expenditures; how will future operating costs be funded; provide copy of building plans; explanation of in-kind contribution calculation

Mr. Farrow will send letters requesting additional information.

The next meeting will be held Thursday, March 22 at 10 a.m., Room 188, Capitol Annex.

Meeting adjourned.

## ANIMAL CONTROL ADVISORY BOARD MEETING

March 22, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

### **Members Present:**

Eric Blow, Dr. Carolyn Congleton, Judith Cooke, Dr. Linda Grimes, Mary Beth Hendricks, Judge Dave Hourigan, Hugh McCormick, Margie Patton, Beckey Reiter, and Anne Willson.

### **Others Present:**

Commissioner Billy Ray Smith, Harvey Mitchell, Mark Farrow, Doug Thomas, and Ann Stewart, Department of Agriculture; Biff Baker, Legislative Research Commission

Chairman Beckey Reiter called the meeting to order.

Motion was made by Mr. Blow to approve minutes of the February 15, 2001, meeting; motion seconded by Ms. Patton; motion passed.

Motion was made by Ms. Cooke to approve payment of expenses and fee of Dr. Fetko to conduct Officer Safety and Animal Behavior training; motion seconded by Dr. Grimes; motion passed. Payment for 50 tapes to be distributed during training was also approved. Training will be held March 30-31, 2001.

Motion was made by Ms. Patton to approve agreement with NACA regarding Level I training; motion seconded by Dr. Congleton; motion passed. Training will be conducted August 6-10, 2001. Brochures will be mailed to county judge executives and dog wardens announcing training. Mr. Blow is working with vendors to get estimates for equipment to be distributed during training to counties who have a need for such equipment.

Ms. Reiter raised the question of animal control citations. The following concerns were discussed: Does the Board want to use the uniform citation form? Would citations be strictly for court use or could the citations be prepayable? Would a uniform citation require that fines be paid to district court? Can the Board develop a citation form for use by animal control officers only and be prepayable? Is Administrative Office of the Court (AOC) approval necessary? Can the Board develop and adopt regulations that fines would be prepayable? Would fee matrix be established by the Board or by local ordinance? What happens if individual does not prepay fine or is charged with cruelty to animals -- are they required to appear in district court? If the uniform citation is not used, how will they be cited? Could they be cited on Board-developed citation? Who would receive money collected? Mr. Blow advised that Jefferson County requires fines to be paid to the court if the uniform citations are used -- prepayables are not allowed. They have, however, passed a local ordinance which allows for a county citation and prepayment of fines to the county animal control program. Mr. Farrow stated that the Board may not have statutory authority to adopt regulations allowing for prepayment of fines. He will investigate this issue and also contact AOC for assistance before developing a citation.

Commissioner Smith spoke with the Board concerning several issues, among those were: Board's authority as vested by Governor; animal and livestock diseases; dead animal

disposal and rendering/processing plants; animal control and sheltering; how to get counties to sell more state dog licenses; how to get counties more involved in animal control; animal control and sheltering legislation, including future funding by pet food tax, general fund dollars, or possibly increasing state dog license fees and decreasing reporting requirements. Commissioner Smith also requested that the Board submit their budget request before July 30 to be included in the Department's budget. The Commissioner asked for the Board's assistance and suggestions in all these areas.

Harvey Mitchell also spoke with the Board concerning animal control and dead animal disposal laws and regulations in other states, including the Missouri's Animal Care Facilities Act. (Copies of Act provided to Board members.) He encouraged the Board members to talk to their legislators concerning funding for these programs and possibly new ideas for changes in the laws of Kentucky.

Mr. Farrow reported to the Board that the balance of the Animal Control Fund, as of March 22, 2001 is \$39,577.56. Mr. Farrow also reported on the Trixie case which has been submitted to the Court for a ruling. A ruling is expected within 90 days and will have a major impact on how the Board views dog laws in Kentucky. He also suggested to the Board members that they might consider rewriting, in its entirety, the state's dog law.

Mr. Farrow reiterated the Commissioner's request to submit budget request figures as soon as possible.

Ms. Reiter opened discussions on grant applications and the members voted to approve the following grant applications:

<u>Grant Number</u>	<u>Applicant</u>	<u>Amount of Award</u>
AC002	Mason County	\$30,000
AC006	Christian County	\$108,000
AC011	Gallatin County	\$50,000
AC013	Laurel County	\$10,000
AC015	Bell County	\$50,000
AC016	Clark County	\$30,000
AC017	Marion County	\$12,000
AC020	Taylor County	\$40,000
AC026	Martin County	\$50,000
AC034	Tri-County	\$120,000

Allen County (AC005) and Boyd County (AC027) were not funded due to lack of funds and/or insufficient information, but will be encouraged to reapply during the second round of funding.

Mr. Blow moved to award the grants to the above counties in the amounts indicated; motion was seconded by Dr. Congleton; motion passed.

Ms. Reiter listed issues to be discussed in future meetings, including: suggested minimum operation standards for shelters and basic requirements for animal control officers and dog wardens.

Mr. Blow asked for Board approval to schedule Don Reick to conduct a seminar, in April, on Capture and Restraint for Small Animals and Livestock. Mr. Reick agreed to come to Kentucky for expenses and \$150 (approximately \$700 total). Ms. Patton moved to schedule the seminar and pay Mr. Reick's expenses; motion was seconded by Ms. Cooke; motion passed.

The Board discussed scheduling another seminar in Euthanasia Training, possibly in Lexington. Dr. Congleton agreed to look into scheduling the training.

The next meeting will be held Thursday, April 26 at 10 a.m., Room 188, Capitol Annex.

Motion was made by Ms. Cooke to adjourn; seconded by Judge Hourigan, motion passed. Meeting adjourned.



## ANIMAL CONTROL ADVISORY BOARD MEETING

April 26, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

### **Members Present:**

Eric Blow, Margie Patton, Mary Beth Hendricks, Judy Cooke, Judge Dave Hourigan, Dr. Linda Grimes, and Beckey J. Reiter.

### **Others Present:**

Harvey Mitchell, Mark Farrow, and Ann Stewart, Department of Agriculture; Biff Baker, Legislative Research Commission

Chairman Beckey Reiter called the meeting to order.

Motion was made by Ms. Patton to approve minutes of the March 22, 2001, meeting; motion seconded by Judge Hourigan; motion passed.

### Old Business:

Ms. Reiter reported that training session held March 30, 2001 was a success. There were 106 participants. She didn't have a list of counties who sent representatives but was real pleased with turnout. Mr. Blow had a list of counties represented.

NACA training: Applications have been sent to all counties. Training will be held August 6-10, 2001.

Capture and Restraint Training to be held April 27, 2001: 40+ participants have registered for the seminar.

Mr. Farrow discussed the importance of pre-approval of expenses for training, printing, etc. Any information that can be provided will assist in getting expenses approved: type of training/meeting, information on speakers (social security number, address, etc.), why particular speaker should be used, estimate of costs, including speaker's fees, travel expenses, printing fees, etc. Approval from Finance should be in hand before contracts are signed with speakers/presenters. Information should be sent to Mr. Farrow.

Euthanasia training: Dr. Congleton was working to schedule another session on euthanasia training. Issue was tabled since Dr. Congleton was not present at meeting. Training is tentatively planned for the fall of 2001.

Citations: Mr. Farrow reported that he had been in contact with Administrative Office of the Courts and Kentucky State Police. He was advised that statutory authority would be needed to make fines prepayable and before animal control officers could start using the uniform citation. It was also suggested that the Board do a media blitz advising people that dog licenses need to be purchased, the cost of the license, and the consequences of not purchasing a license.

Mr. Farrow advised that he had spoken with a Representative who is willing to assist in rewriting or making major changes to KRS 258. He also stated that the legislator had an interest in seeing that the language be strengthened and to make sure that counties understood that they have the obligation to enforce the law, including sheltering as well as enforcement of dog license requirement.

Mr. Farrow then reported on the Trixie case: Judge Crittenden issued an opinion stating that the fiscal courts were responsible for hiring dog wardens and maintaining animal shelters. He also dismissed the counties sued for a lack of revenue. Basically, he said that each county would have to be sued in their own county. Commissioner Smith and the Department has no responsibility for dog pounds and dog wardens. The Court retained jurisdiction over the licensing issue as relates to the Department. He (as well as outside counsel) are not sure what that means at this point. The Plaintiffs could still go forward on that issue. The case is not final and appealable, so nothing can be appealed at this time.

There was a discussion of what the Department and Board could do to advise the public of attempts to try to improve animal sheltering. It was agreed that a proactive approach would be helpful.

Mr. Mitchell discussed the issues of BSE and dead animal disposal. He asked whether the animal shelters would be more cooperative if dead animal pick-up was available to them. A meeting is planned for Friday, April 27 to discuss the question of dead animal disposal. It has been suggested that a disposal fee be added to the dog license fee. Possibly the two issues could be combined in legislative proposals.

The Board discussed counties' responsibilities in sheltering and licensing as well as funding for those projects. Methods to obtain funding were also discussed, including the possibility of eliminating state dog licenses; implementing an animal license; charging a wholesale pet food tax with monies going to counties; or possibly requiring a cat license. Mr. Farrow stated that many states empower the counties to make decisions regarding type of licensing, enforcement of laws, and funding for care and sheltering programs.

#### New Business:

Ms. Reiter suggested that the Board hold a retreat to discuss legislative and budget issues. June 7 and 8 at Barren River State Park was suggested. Ann will contact the park about lodging the evening of the 7th and a meeting room for the 8th. Ms. Reiter requested that everyone be familiar with KRS 258. Notices will be send to Board members when arrangements have been made.

Mr. Farrow advised the Board that the Animal Control grants were mailed Wednesday, April 25.

Motion was made by Mr. Blow to adjourn. Meeting adjourned.

PLEASE NOTE: I contacted Barren River State Park to check on rooms for June 7 and 8. The lady working registration thought that was VERY FUNNY. My next step was to contact

the Department of Parks to see if there were rooms available at any park. You should have received a meeting notice by this time, but in case you didn't...We have a block of rooms at the Blue Licks State Resort Park in Mt. Olivet for the night of the June 7; we also have a meeting room for the 8th. The cost of the rooms will be inter-accounted. You will be responsible for your meals (dinner the 7th, breakfast and lunch the 8th), but will receive reimbursement on your expense voucher. You will also be reimbursed for mileage. The reservations clerk at Blue Licks has requested that I send a list of all those requiring rooms by May 15. I'll be out of the office from May 11-May 28, so I'll need to know if you're attending by this **Thursday, May 10**. Please give me a call as soon as possible.

ANIMAL CONTROL ADVISORY BOARD MEETING

June 8, 2001  
Blue Licks State Park  
Mt. Olivet, Kentucky  
9:30 a.m.

**Members Present:**

Beckey Reiter, Eric Blow, Margie Patton, Mary Beth Hendricks, Anne Willson, Dr. Carolyn Congleton, Dr. Linda Grimes, and Judy Cooke

**Others Present:**

Mark Farrow and Ann Stewart, Department of Agriculture

The meeting was called to order by Chairman Beckey Reiter.

Motion was made by Mr. Blow, with second by Ms. Patton, to approve minutes of April 26, 2001 meeting.

Mr. Blow gave a brief report on the NACA Level I training scheduled for August 2001. To date 22 participants have registered. Motion was made by Ms. Patton, and seconded by Dr. Grimes, to approve 22 registrants and notify them of acceptance to program. The deadline for registration is June 15 and the remaining 18 slots will be filled on a first come basis.

The Board discussed the possibility of scheduling NACA Level II training next year and how to fund the cost of training and equipment. Mr. Farrow advised that the balance of the Animal Control Fund, as of June 4, 2001, is \$39,582.13 and that training and equipment costs could be paid from this fund. Mr. Blow suggested that some training be held at state parks in order to reach more people. It was also suggested that a yearly schedule of training seminars be sent to county judges to allow enough time for participants to register.

The Board proposed the following budget figures for the next biennium:

Board Administration	\$50,000
Training	\$100,000
Equipment	\$150,000
Construction grants (new)	\$3,000,000
Renovation grants	<u>\$1,200,000</u>
TOTAL	\$4,500,000

Several issues were discussed by Board members regarding changes in KRS 258, funding sources for animal control programs, distribution of funds collected and enforcement of statutes and regulations:

- Eliminate state dog license requirement.
- Implement pet food tax.
- Eliminate livestock fund (if pet food tax is implemented). Let counties establish livestock fund programs.
- Allocation of funds to counties based on population, with requirement that part of tax be set aside for training and equipment.
- Department of Agriculture to monitor county programs to ensure funds are being handled properly; funds withheld if counties were not meeting guidelines established by Board.
- How to enforce rabies vaccination requirement.
- Vaccinate puppies at 3 months; add cats to vaccination portion of statute.
- Should only veterinarians give vaccinations; should "qualified person(s)" not be allowed to give vaccinations to their own dogs.

Changes to KRS Chapter 258: (A handout containing suggestions for changes was given to Board members by Mr. Blow.) Board members discussed Mr. Blow's proposed changes and offered suggestions, as indicated on handout. Additional comments are as follows:

005 -- Period after rabies; should remainder be deleted?

025 -- Why was this added originally? Repeal 025?

043 -- Rewrite: County health departments may sponsor mass rabies immunization clinics with fees to be determined by local board of health/health department. Delete "or qualified persons" and change "designated by the Cabinet for Health Services to "designated by government entity." Delete 2.

055 -- No changes.

065 -- Can't enforce; adult to report – leave as is.

075 -- Could be changed; health department requirement.

085 -- Health department. responsible for expenses – owner responsible for shipping costs; shelter does not have to pay. (Health departments responsible for confining stray dogs suspected of having rabies, for euthanasia and testing. Add new section – health departments pay expenses. Submit in draft, delete if necessary. Could Board provide funding? Could, but rightfully belongs to health departments.

087 -- No changes.

095 -- Strike committee name; change definition of dog

105 -- Change 1 and 2 – “may” to “shall”

115 -- Repeal.

117 -- No change.

119 -- No change. 125 – Repeal? (Livestock fund). Update livestock definition. Eliminate program (IF pet food tax passes, funds could go back to counties and they could set rate and have programs for reimbursement. ) At year end funds should go to animal control fund for county for sheltering and animal care. (Mr. Farrow will contact J. K. Henshaw, Farm Bureau) Pet food tax could be put in state fund to pay livestock fund claims.

135 -- Repeal current language - Section 1. Insert new language.

145 -- Repeal.

155 -- Repeal.

165 -- Repeal

175 -- Repeal

185 -- Repeal

195 -- Shelters should keep records -- should this be done under minimum standards? Licensing/permitting shelters. Rewrite -- makes sense if pet food tax is implemented. Mr. Farrow suggested enforcement be placed with Attorney General's Office. Definition of shelter (all) and control services – see Missouri definition.

205 -- Repeal.

215 -- Repeal – insert new language, exception – revise (c) and (d); change veterinary to medical

225 -- Add animal control officer.

235 -- (1) and (2) add “no liability clause” – repeal current (4) – MARK will rewrite 235. rewrite (2) “dog in field...”

245 -- Delete “licensed;” delete “any dog button or;” delete “which bears a license tag for the current year;” -- should “poison” be in another section.

255 -- Insert new language – delete old language

265 -- Board members would like feedback. Nuisance law.

275 -- Check with State Farm about abolishing Livestock Fund. Repeal?

285 -- Repeal

295 -- Repeal?

305 -- Repeal?

325 -- Repeal?

335 -- Leave as is.

345 -- Repeal

355 -- Repeal? (Livestock fund.)

365 -- Leave as is.

500 -- Leave as is.

Delete kennel definition; change definition on animal control; look at definition of attack.

Chairman Reiter distributed a handout to members – on page 48, 436.605, she suggests adding “animal control officers.” Should officers be legally sworn agents of county?

Regarding legislation to be proposed during the 2002 General Assembly, the following was discussed:

Should two bills be represented? One regarding \$1.50 license – this should be deleted and licensing be left to county governments to decide whether they want to issue a dog license and the amount of the fee for the license.

The other bill would pertain to the pet food tax: Tax should be wholesale instead of retail. Board members requested Mr. Farrow to get copies of the 1998 pet food tax bill and send to members for review before the next meeting. They would also like a draft copy of 258 to reviewed at next board meeting.

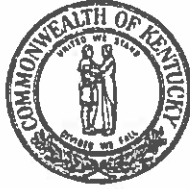
Next meeting August 24 at 10 a.m, Room 188, Capitol Annex.

Mr. Blow moved to adjourn meeting, Ms. Cooke seconded. Meeting adjourned.



*Nicole*

BILLY RAY SMITH  
COMMISSIONER



**RECEIVED**  
1-22-03

OFFICE TELEPHONE  
(502) 564-4696  
FAX - (502) 564-2133  
TTY - (502) 564-2075

COMMONWEALTH OF KENTUCKY  
DEPARTMENT OF AGRICULTURE  
500 MERO STREET, 7TH FLOOR  
FRANKFORT, KENTUCKY 40601

**MEETING NOTICE**

**TO:** Animal Control Advisory Board Members  
**FROM:** Mark Farrow  
Chief of Staff/General Counsel  
**DATE:** August 2, 2001  
**SUBJECT:** Animal Control Advisory Board Meeting

The next Animal Control Advisory Board meeting will be held Friday, August 24, at 10:00 a.m., Room 188, Capitol Annex.

Please call Ann Stewart as soon as possible to confirm your attendance. She can be reached at 502/564-4696, ext. 224.



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ANIMAL CONTROL ADVISORY BOARD MEETING

RECEIVED  
1-27-03

August 24, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

**Members Present:**

Becky J. Reiter, Eric Blow, Margie Patton, Mary Beth Hendricks, Judy Cooke, Anne Willson, Wayne Caudill, Judge Dave Hourigan, Dr. Carolyn Congleton, and Dr. Linda Grimes.

**Others Present:**

Mark Farrow and Ann Stewart, Department of Agriculture; Biff Baker, Legislative Research Commission.

Eric Blow called the meeting to order. He then gave a brief summary of the NACA Level I training held in Lexington, August 6-10, 2001. Thirty-four of 40 participants registered attended, with all but 3 attaining a passing grade of 80 percent or above. Those who failed will have the opportunity to retake the exam if they desire.

He also asked for discussion on whether the Board was willing to purchase equipment (capture poles, gloves, etc.) for participants of the NACA training as discussed at an earlier meeting of the Board. Motion was made by Ms. Patton to purchase the necessary equipment and seconded by Ms. Hendricks. The motion was approved and the Board will purchase equipment for Estill, Perry, and Taylor counties. The estimated cost is \$800.

Mr. Blow has been in contact with Animal Control Equipment Services (ACES) whose employees also perform design work for shelters. He asked the Board's opinion concerning the possibility of ACES designing a one-day workshop for county officials and/or their designees to assist in planning shelter construction. After some discussion, it was suggested that Mr. Blow contact ACES to discuss the possibility (and cost) of purchasing floor plans for distribution to counties interested in applying for Animal Control Advisory Board grant funds.

Ms. Reiter asked for approval of minutes from the June 7, 2001, meeting. Ms. Patton moved to approve the minutes, Mr. Blow seconded the motion, motion passed.

Ms. Reiter asked for an update on (1) the implementation of a uniform citation for animal control officers and (2) a proposed draft of KRS Chapter 258. Mr. Farrow stated that a proposed draft of 258 had been prepared and requested that board members review the changes for discussion at the next board meeting. ~~The question regarding a uniform citation has been tabled pending changes in statutes and regulations.~~

The Board reviewed and discussed the 26 applications received for Animal Control Advisory Fund grant funds.

Grant Number/ County/ Amount Requested	Comments/Additional Information Requested
AC201 Montgomery County \$80,000	Seeking reimbursement of construction costs of shelter. Low priority.
AC202 Campbell County \$8,800	County budget of \$22,000; decent facility; didn't fully explain in-kind contribution; low priority.
AC203 Warren County \$79,565	County needs help; could they renovate current building; humane society provides services through contract; request more information, cost breakdown.
AC204 Ohio County \$24,377	Annual county budget \$96,000; suggest that 3-year plan include having staff certified to euthanize by injection; county-owned property; program administered by sheriff; delete costs for driveway sealing (\$2,967); request letter of support from fiscal court.
AC205 Grant County \$67,600	Requesting funds for renovation; shelter has over-crowding issues; need to do more with cats; request itemization of costs.

AC206 Hardin County \$20,000	Want to add cat room; shelter is well run; two officers -- both have received NACA training and euthanasia training.
AC207 Boyd County \$60,000	Board wanted to fund last round, but ran out of money; received all requested information; shelter handles many animals; has substantial support; included in expenditures are permit fees and costs for asphalt -- these should be eliminated; good application; \$50,000 grant possible.
AC208 Estill County \$49,500	Requesting funds for "regional facility" improvements; need new office, cat room, fence, roof repairs -- cat room really needed; no spay-neuter program; no euthanasia program; problem with parvo; figures seem to come from unknown place; shelter has contract with Lee County; dog warden has received euthanasia and NACA training; request an explanation of exactly what they want to build (more specific plans and figures); itemization of costs; letters of support from Lee, Jackson and Owsley counties (will the counties provide support -- either financial or in-kind); 3-year plan.
AC209 Bell County \$81,372	Funded last time (\$50,000); low priority.
AC210 Floyd County \$50,000	Application not clear; requested additional information - county did not respond; county has \$20 million budget; grant request to be used for purchase of vehicle, computer, cabinets, refrigerator; new employee. Also want to install air conditioning and have roof repaired. Ask county to resubmit costs to cover roof and a/c, with more detail of project.
AC211 Allen County \$75,000	County now owns land; responded to additional information request, but more information needed. Warren County no longer taking animals from outside county -- Allen County needs help; they are interested in euthanasia training; need to provide floor plan and more detail of project. Mark will call Judge.
AC212 Butler County \$95,204	Have nothing; currently using private provider (private land); in-kind contribution will be property; application complete; deduct \$2,000 for land preparation and \$3,400 for parking lot and sidewalks; good application.
AC213 Rockcastle County \$65,000	County now owns land; concerns about kennel size (too small); suggest they revise plans to have less, but larger, dog runs; 3 year plan is weak - request additional information; ask how much work has already been done and what the cost of additional construction will be. Stipulation of grant -- land is not be deeded back to humane society.
AC214 Ballard County \$50,000	Vet houses animals; vet will sell land to county; do they have commitments from other counties if Ballard serves as a regional facility? More information needed. Ask that they resubmit application next round.
AC215 Woodford County \$50,000	County owns land and wants to build new shelter -- humane society has been providing services to county. They are now operating on a month-to-month basis with humane society. Need more information on construction costs.
AC216 Harlan County \$50,000	No building; Corps of Engineers has contracted to sell land to county; employee has been trained; real need in county; good project.
AC217 Oldham County \$25,000	Want to construct outside pens and put roof on kennels -- aluminum awning would cost less; no construction costs included in application; low priority.
AC218 Bullitt County \$50,000	County needs help; application does not contain itemized list of costs; floor plan was not included in application; they are not planning to heat facility as required; requested funds for purchase of equipment; employee attended euthanasia training, but did not receive certification. Have budget of \$80,000/yr. More information needed; they need to improve cat facilities; improve outside runs; submit more complete application, including building plan and breakdown of budget costs. Will Mt. Washington and Hillview pick up their own animals? If funded, note in grant document -- facility will be inspected.
AC219 Clark County \$49,405	Funded last time - requesting additional funds for building repairs -- renovation of quarantine area, addition of kennels. They have overcrowding issues. Health department closed facility, but county has regrouped. Want to construct new building. Low priority.
AC220 Christian County \$297,840.57	Funded in last round. Low priority.
AC221 City of Fulton \$150,000	City does not own property; has a lease for 99 years. No funding for future operating costs. Private group. Low priority.

AC222 Pendleton County \$23,982	Property leased by humane society, sub-leased by county. Did not respond to request for additional information. Low priority.
AC223 Muhlenberg County \$184,000	Propose to operate regional facility - Ohio and McLean Counties -- Ohio has submitted application for grant funds. Confusion concerning deed -- county owns property; humane society owns building; information missing. Could current facility be improved. Need more information. Low priority.
AC224 Anderson County \$35,000	Application incomplete; did not respond to request for additional information. Low priority.
AC225 Meade County \$10,000	All requested information provided; funds sought for renovation; some concern regarding width of pens; need cat room; over 1000 dog license sold in 2000.
AC226 Martin County \$120,000	Funded in first round (\$50,000); has \$49,000 in-kind contribution (land); low priority.

Board has requested letters be sent to counties for additional information, allowing them 14 days in which to respond.

The next Board meeting will be held Thursday, September 27 at 10 a.m., Room 188, Capitol Annex.

Meeting adjourned.

ANIMAL CONTROL ADVISORY BOARD MEETING



September 27, 2001  
 Room 188, Capitol Annex  
 Frankfort, Kentucky  
 10:00 a.m. (EDT)

**Members Present:**

Becky J. Reiter, Margie Patton, Judy Cooke, Anne Willson, Wayne Caudill, Judge Dave Hourigan, Dr. Carolyn Congleton, Dr. Linda Grimes, Elba Ray Neat, Aline Summe, and Rick Smith.

**Others Present:**

Harvey Mitchell, Mark Farrow, and Ann Stewart, Department of Agriculture; Biff Baker, Legislative Research Commission.

Ms. Reiter called the meeting to order. She then asked that all in attendance introduce themselves. Present at the meeting were three new board members, Elba Ray Neat, Aline Summe, and Rick Smith. Mr. Farrow welcomed the new members on behalf of Commissioner Smith.

Ms. Reiter asked for approval of minutes from the August 24, 2001, meeting. Ms. Patton moved to approve the minutes, Ms. Cooke seconded the motion, motion passed.

A brief discussion of the budget followed. Mr. Farrow advised that Representative Stumbo would attempt to get \$2 million during the upcoming session. The board's funding request will be an item in the department's budget request, with a portion of the funds going to construction/renovation and training. Ms. Reiter asked the board members to give some consideration to percentages that might be used for construction/renovation, training, equipment, etc.

The board then discussed the applications being considered for funding and made the following awards:

AC204	Ohio County	\$24,068
AC205	Grant County	67,600
AC206	Hardin County	20,000
AC 207	Boyd County	50,000
AC208	Estill County	8,888
AC210	Floyd County	48,000
AC211	Allen County	75,000
AC212	Butler County	86,444
AC213	Rockcastle County	62,000
AC216	Harlan County	48,000
AC225	Meade County	10,000

Motion was made and seconded, by Judge Hourigan and Dr. Grimes, to fund the counties as listed. Motion passed. In the event the grant requirements are unacceptable to a fiscal court and they choose to return funds, (1) Clark County and (2) Warren County were chosen to be next in line for funding.

There was a discussion of proposed changes to KRS Chapter 258. Mr. Farrow requested that the board members review the draft of KRS 258 and submit written suggestions before the next meeting.

Harvey Mitchell gave an update of the dead animal disposal program. He discussed issues such as what the Department is presently doing to address the problem (providing funding to counties for disposal programs); what counties can do to receive additional assistance with their local programs [apply for funding from Ag Development Board (tobacco funds)]; creation of task force to study different methods of disposal; EPA issues; and possible legislative remedies.

The next board meeting will be held Friday, October 26 at 10 a.m., Room 188, Capitol Annex.

Meeting adjourned.

## ANIMAL CONTROL ADVISORY BOARD MEETING

September 27, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

### Members Present:

Becky J. Reiter, Margie Patton, Judy Cooke, Anne Willson, Wayne Caudill, Judge Dave Hourigan, Dr. Carolyn Congleton, Dr. Linda Grimes, Elba Ray Neat, Aline Summe, and Rick Smith.

### Others Present:

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The next board meeting will be held Friday, October 26 at 10 a.m., Room 188, Capitol Annex.

Meeting adjourned.

## ANIMAL CONTROL ADVISORY BOARD MEETING

September 27, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

### Members Present:

Beckey J. Reiter, Margie Patton, Judy Cooke, Anne Willson, Wayne Caudill, Judge Dave Hourigan, Dr. Carolyn Congleton, Dr. Linda Grimes, Elba Ray Neat, Aline Summe, and Rick Smith.

### Others Present:

Harvey Mitchell, Mark Farrow, and Ann Stewart, Department of Agriculture; Biff Baker, Legislative Research Commission.

Ms. Reiter called the meeting to order. She then asked that all in attendance introduce themselves. Present at the meeting were three new board members, Elba Ray Neat, Aline Summe, and Rick Smith. Mr. Farrow welcomed the new members on behalf of Commissioner Smith.

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The next board meeting will be held Friday, October 26 at 10 a.m., Room 188, Capitol Annex.

Meeting adjourned.

## ANIMAL CONTROL ADVISORY BOARD MEETING

October 26, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

### Members Present:

Becky J. Reiter, Margie Patton, Judy Cooke, Anne Willson, Wayne Caudill, Dr. Linda Grimes, Elba Ray Neat, Aline Summe, Mary Beth Hendricks, and Rick Smith.

### Others Present:

Mark Farrow and Ann Stewart, Department of Agriculture; Biff Baker, Legislative Research Commission.

Ms. Reiter called the meeting to order and asked for approval of minutes from the September 27, 2001, meeting. Ms. Willson moved to approve the minutes, Ms. Patton seconded the motion, motion passed.

Mr. Farrow reported on the current balance of the Animal Care and Control Fund -- as of October 26, the balance of the fund is \$14,606.94 -- \$6,606.94 is readily available for the Board's use. The additional \$8,000 would require a budget allotment before funds could be used.

The Board discussed the budget and their request for \$4.8 million for the next biennium. Mr. Farrow reported that he attended a meeting of the General Government Budget Review Subcommittee and that there were some talk of combining the animal shelter program and the animal disposal program. Even though the programs might be combined, funds would not be. Mr. Farrow feels that the Board will receive at least \$1 million for the next biennium, with a possibility of receiving \$2 million, depending upon budget constraints for the next biennium. He will be meeting with Eddie Duvall, the Department budget director, to discuss the Board's budget request. A proposed allotment of funds to be requested by the Board is: \$100,000 - training; \$50,000 - Board expenses; \$1.2 million - renovation of shelters; \$3 million for construction of shelters; and \$150,000 for equipment.

Ms. Reiter stated that she has had several requests for euthanasia training. Dr. Grimes reported that she is looking at scheduling another training session for February or March. She is hopeful that KVMA will pay all expenses. She also stated that she is working with the vet tech programs from Murray and Morehead to have representatives attend and work the programs -- and also the KVMA Foundation to possibly sponsor training programs twice yearly.

NACA Level I training has also been requested. Ms. Reiter would like to begin the process to schedule training programs for next year. Ms. Patton moved that Ms. Reiter contact NACA to check on times available for training. Ms. Summe seconded; motion passed.

Training for new animal control officers and animal behavior training was also discussed. A motion to spend up to \$4,000 for additional training in the spring of 2002 was made by Ms. Summe, seconded by Ms. Patton; motion passed.

Ms. Reiter asked for volunteers to serve on a sub-committee to look at establishing animal shelter standards. Ms. Summe, Ms. Cooke, Ms. Willson, Dr. Grimes, Ms. Patton, Mr. Caudill, and Mr. Neat agreed to serve on the committee. The committee will meet November 7, 4 p.m., Room 188, Capitol Annex, Frankfort, Kentucky.

Regarding a revision of KRS Chapter 258, the Board discussed the following items:

Livestock Fund: Motion was made by Ms. Willson to propose elimination of the state livestock fund. Ms. Cooke seconded the motion. Motion passed. The question was raised as to where the funds would go after



elimination of the program -- would it stay in department funds or go to the general fund. Following discussion by the Board, the motion was made by Ms. Willson to propose elimination of the statewide livestock fund and that any monies, which the counties are currently sending to the Department from the sale of licenses for the livestock stock, shall be retained in the counties where the licenses are sold. And that those funds, at the county's option, be used to create a county livestock fund and/or for any other animal control purposes within that county. The county would be required to use the livestock fund pay scale currently used by the Department in paying claims. Motion was seconded by Mr. Neat. Motion passed.

Dog license: The Board then discussed the state dog license program; license fees, and allocation of fees. It was agreed by the Board to table this discussion until the next meeting when Mr. Farrow will report on administration costs of the dog law program. Mr. Caudill moved to keep the state dog license program and increase the fees for dog license to \$5 and kennel license to \$25. Ms. Reiter seconded the motion. Motion passed. He believes that this proposal would have the support of the Association of Counties. Mr. Smith will contact KACO to discuss the issue. (A proposed allocation of funds to state and county is 50 cents to the Department, \$4.50 to the county.)

The Board then discussed additional changes to KRS 258. A draft will be prepared by Mr. Baker and the Board members will have the opportunity to review for additional changes or comments.

The next board meeting will be held Friday, November 30 at 10 a.m., Room 188, Capitol Annex.

Meeting adjourned.

## ANIMAL CONTROL ADVISORY BOARD MEETING

November 30, 2001  
Room 188, Capitol Annex  
Frankfort, Kentucky  
10:00 a.m. (EDT)

### Members Present:

Beckey J. Reiter, Margie Patton, Judy Cooke, Anne Willson, Wayne Caudill, Dr. Linda Grimes, Elba Ray Neat, Mary Beth Hendricks, Judge David Hourigan, Dr. Carolyn Congleton, and Rick Smith.

### Others Present:

Mark Farrow and Ann Stewart, Department of Agriculture; Biff Baker, Legislative Research Commission.

Ms. Reiter called the meeting to order and asked for approval of minutes of the October 26, 2001, meeting. Judge Hourigan moved to approve the minutes, Ms. Patton seconded the motion, motion passed.

Ms. Reiter reported on a November 20 meeting with Commissioner Smith and representatives of the Animal Disposal Task Force which she and Mr. Smith attended. The Task Force was interested in partnering with the ACAB to resolve issues important to both boards. The Task Force was interested in securing funding (\$800,000) for incinerators (possibly regional incinerators). While the ACAB has had requests for incinerators, she advised the Task Force that the ACAB could not commit 40 percent of their budget to purchase incinerators or other animal disposal programs. She also advised the Task Force that if they secured their requested funding (\$800,000) and wanted the ACAB to oversee the funds, the ACAB would be happy to do that. The Task Force is presently receiving \$200,000 and awarding \$5,000 to qualifying counties for animal disposal programs. Mr. Farrow advised that the Task Force was requesting \$800,000 for the next biennium. Mr. Farrow gave a breakdown of the ACAB budget request -- \$4.3 million designated as grant funds -- renovation/construction, training, equipment, etc., the remaining \$.5 million will be used for administrative costs.

**Training:** Dr. Grimes reported that dates for euthanasia training have not been set yet. Hopefully, a session can be scheduled for March, April, or May. Ms. Patton suggested that a session be scheduled for the fall and cancelled if funds are not available at that time. Ms. Reiter reported that she had spoken with Michael Gillingham, NACA, regarding Level II training. NACA is booking training sessions a year in advance, but Ms. Reiter advised that the Board could not commit until funds were available. Ms. Reiter is hopeful that in-house training programs can be implemented at some future date.

**Shelter Standards:** Authority to promulgate regulations regarding animal shelter standards should be a part of proposed legislation, if the Department doesn't already have authority. The subcommittee decided to delay writing regulations until more research can be done. They also wanted to see the outcome of proposed legislation. Ms. Reiter will contact subcommittee members regarding a meeting date.

**KRS 258:** Mr. Baker has been working on the changes and has a rough draft. The changes have been discussed with one of the bill sponsors and he was in favor of changes being proposed. The document still needs changes. Farm Bureau had no problem with abolishing the livestock fund, but requested that language be included that funds from the sale of dog licenses be used for animal control activities or for animal disposal activities. Ms. Hendricks asked if anyone had talked with the Kentucky Cattlemen's Association. She volunteered to speak with the director and explain the changes to KRS 258 concerning the livestock fund. Mr. Baker had a question regarding "qualified persons." He asked whether the Board felt that qualified persons are allowed (or should be allowed) to vaccinate dogs belonging to other people. It was the feeling of the Board members that qualified persons should be permitted to vaccinate their dogs only. Copies of the proposed legislation will be sent to Board members. Mr. Farrow requested that written comments be returned to him as soon as possible after receiving and reviewing the bill draft.

There was a discussion of a recent incident in Webster County involving the ACO. It was suggested that a letter be sent to the county judge offering assistance -- additional training for the ACO, videos, manuals, etc. Ms. Reiter will send the letter to the judge. Ms. Reiter also reported to the Board that she had received calls regarding county adoption policies. Ms. Reiter advised that adoption issues should be dealt with in the individual counties.

Judge Hourigan moved for adjournment; Ms. Cooke seconded the motion. Meeting adjourned.