

MINUTES OF THE MEETING OF COLLIER COUNTY DOMESTIC  
ANIMAL SERVICES ADVISORY BOARD

Naples, Florida, January 17, 2023

LET IT BE REMEMBERED that the Collier County Domestic Animal Services Advisory Board, in and for the County of Collier, having conducted business herein, met on this date at 6 p.m. in REGULAR SESSION in the Collier County Commission Meeting Room, Collier County Government Complex, 3299 Tamiami Trail E., Naples, Florida, with the following members present:

CHAIRMAN:	Jim Rich
VICE CHAIRMAN:	Kelly Hyland
SECRETARY:	Sue Law
	Meredith McLean
	Cpl. Sherry Rego
	Michele Antonia
	Dr. Robert March (excused)

ALSO PRESENT: Marcy Perry, Director, Domestic Animal Services  
Cindy Delgado, Administrative Assistant, DAS  
Tanya Williams, County Public Services Department Head

*Any persons in need of the verbatim record of the meeting may request a copy of the audio recording from Domestic Animal Services.*

**I. Call to Order**

**Chairman Rich** called the meeting to order at 4:03 p.m.

**II. Roll Call – Establish a Quorum**

A quorum of six members was established.

**Chairman Rich** said Dr. March is not available due to a last-minute emergency. He apologized and informed Marcy. He emailed her his request and vote for whatever we're voting on, so Marcy will read his votes when those occur.

**III. Approval of Agenda (Changes or Additions)**

*Chairman Rich made a motion to approve the agenda. The motion was carried unanimously, 7-0; Dr. March's written vote was added.*

**IV. Approval of Minutes – September 20, 2022**

**Secretary Law** said the minutes say she was not able to make the October meeting, but she never said that.

**Chairman Rich** said on page 5, the last paragraph, second sentence, it says: "He's been told that because of constitutional and secretary laws." It should say "state laws." He also wants something clarified to make it clearer what Cpl. Rego said on page 12 about DAS and Mr. Kepp.

**Cpl. Rego** said it should say DAS could not operate without the employees and volunteers who help.

*A motion was made to accept the September 20, 2022, minutes. The motion was seconded. It passed unanimously, 7-0; Dr. March's written vote was added.*

**V. Leadership Report – DAS Director Marcy Perry**

*Ms. Perry told the DASAB:*

**Staffing update**

- Over the last few months, staffing levels have improved immensely. As of today, we only have two vacant animal-care specialist positions and one vacant veterinarian position.
- Other positions are vacant because they're in the process of onboarding with our Human Resources Department before they start. Once they all start, we will only have three vacancies.
- There were two vet vacancies, but we've located a veterinarian who verbally accepted our offer. She's out-of-state and hasn't yet signed the onboarding paperwork. She's expected to fly here in March and do the onboarding paperwork. She should start in June or July.
- We're actively looking for a second veterinarian.

### **Field Services**

- She thanked employee Danielle Jersey, who has had a few challenges at the Special Magistrate hearings the past few months. We've had some very successful cases and some appeals. She's been very successful with the appeals. We recently had one for improper shelter and she was able to ensure the fine was upheld.
- In 2019, we started doing liens for unpaid violations. Toward the end of last year, we started getting some compliance from the liens, but they're not immediate. People must sell their houses or want to do something. We've had six in the past eight weeks who came in to pay their fines, which releases the lien.
- We declared two dogs "dangerous" in Collier County after two bites and successfully took those through the magistrate process.
- Our successful inmate program stopped when COVID hit and we're starting it again tomorrow. The Sheriff's Office is extremely receptive and supportive. A deputy did the final walkthrough today to ensure our facility is secure and ready for inmates to return at 7:15 a.m. tomorrow. We want to continue to expand that program.
- We've been creating rules and requirements. We have five new work rules we created since the last meeting. We have a first-approved adopter process that outlines what that looks like and how to get the animals out of the facility as quickly as possible. We have an escaped-animal rule because cats get out and are very difficult to catch, if not caught immediately. We put that into place. We have a microchip research work rule, a whole-report work rule, and a hobby commercial breeder standards-of-care work rule.
- The new work rules are all written out. We're in the process of implementing them and doing staff training to familiarize employees with the work rules and policies.

### **Operations**

- She asked DASAB to recognize the work that Operations Manager Kelly Carroll has done, including opening DAS on Sundays, which has been in the works for a long time. We've been open two Sundays, which resulted in three cat adoptions, three dog adoptions, and six dogs being reunited with their owners. That's very good, considering we wrote a press release to try to get that out to the public. None of the media outlets picked it up, so it was just on social media and our website.
- Update on dog kennel doors for Building 3. At the last meeting, there were several speakers who were concerned about the kennel doors, so the contractor returned and spent another week taking out all kennel doors, where the dogs were trying to eat through the chain link portion. He welded each individually to see if it would stand up against all the other prototypes he provided that we weren't satisfied with. That was five or six weeks ago and not one dog has broken a door.
- After we're satisfied with that result, we'll look at improving the latches, but the kennel door improvements are working.
- Project Purr is here now, spaying and neutering cats and this time, they're doing dogs. They've done 49 cats, every cat at our facility that was eligible for spay neuter, so they're moving on to dogs.
- In addition to Project Purr, we support TNR community cats and want to do as much as we can, but without a staff veterinarian, it's been difficult to have spay-neuter surgeries.

- She spoke with the owner of Camp Many Paws to say Project Purr was coming and we'd have openings. She did some trapping and showed up this morning with cats and traps.
- Project Purr plans on trying to come to DAS at least once monthly or every six weeks. If we can maintain our current population for spay/neuter and not get behind, we can open it up to other groups. We have a morning and evening drop off.
- We now have three new play yards redone and redesigned, thanks to a generous donation from Cindy and Ray from The Benny Fund, which funded the entire donation and process. They hired contractors and now we have an additional yard with additional fencing and astroturf. We have some decorative rocks that should arrive tomorrow and make it complete. We're planning on doing a ribbon cutting, but don't have a date. We'll get the dogs playing out there as soon as possible.
- Helping Hearts Program. Not every dog benefited from our heartworm program for heartworm-positive dogs in the past. Since the last meeting, every dog that has come into DAS that is heartworm positive has received treatment, whether adopted or not. It's an incredible feat for us. We've coordinated with various relief vets and private practice vets and 17 dogs went through the program, which wouldn't have been possible the way it was previously set up.
- Our two longest staying animals found homes after all our marketing efforts. Knox, a bully dog, spent 413 days here and found his home. Our longest staying cat, Reba, a cute little black cat, found her home after 266 days. We now have other longer-staying pets we're going to be marketing to find them loving adopted homes.

**Chairman Rich** asked if anyone had questions.

**Vice Chair Hyland** asked if they could get copies of the new work rules so they know what they are.

**Ms. Perry** said she could send them out after the meeting tomorrow.

***A discussion ensued and the following points were made:***

- There are five new work rules in the implementation stages. They're written out and DAS is training staff, answering questions and working through kinks.
- The rules are: the first-approved adopter process; escaped animal; microchip research work rule; whole-report work rule; and the hobby commercial breeder standards of care work rule.
- There will be more work rules. We plan on having additional work rules for the entire operation before the next meeting.
- Work rules are standard operating procedures and are in addition to the ordinance.
- We're working on upgrading our phones, which have issues. We're first on the list for the county Facilities Division to get a new phone system. Some facilities already have them, but for the ones that don't, we're first on that list. The new phone system will help us understand what's happening with the phones, how many calls we're missing, when we're missing them and where the majority are coming in from. Is it our dispatch area, lost and found, adoptions?
- We're looking to go through our temporary agency to hire employees to answer the phones.
- If there's no opportunity to leave a message, that will save a lot of grief. That's another workload just checking messages.

- When you call doctor's offices now, many will send a secure text message if they can't answer the phone. Texting seems faster for making appointments.
- People who call DAS are looking for information and advice and an employee could answer those questions. You'd need a full-time text person to answer by text.

*[Chairman Rich passed out information on the definition of a curtilage.]*

***Chairman Rich told the DASAB:***

- Curtilage has been a hot topic that has confused him until recently.
- Our current ordinance says, "The director shall have the authority to enter upon any public or private property, except the building designated for, and actually used for, residential purposes, and other buildings within the curtilage or other principal residential building for the purposes of enforcing an ordinance."
- That sounds like someone cannot go into a home, but it's not the property, it's the home. We've all been questioning this, so he called his attorney in Chicago and he pointed to Webster's Dictionary, which says, "Curtilage is a piece of ground, such as a yard or courtyard, within the fence surrounding a house." Recent examples on the web say it refers to land attached to a house, like a yard or garden.
- "The Supreme Court has long recognized that privacy interests are heightened within the home with precedents that limit police intrusions, not only into structures, but also the immediate surrounding property known as a curtilage." So the language we have in our ordinance is correct.
- My attorney also said to look at U.S. law, which says curtilage includes the area immediately surrounding a dwelling and counts as part of a home for any legal purposes, including searches.
- Under self-defense laws, courts consider four factors when considering whether something is in a dwelling's curtilage: proximity to the dwelling; whether it's in an enclosure surrounding a home; what it's used for; what steps, if any, the residents took to protect the thing from observation, access or people passing by. These factors were determined by the Supreme Court in *United States versus Dunn* during a criminal procedure.
- Courts generally call any parts of a property surrounding a dwelling that is not part of the curtilage an open field. The open-field privilege differentiation is important because while a warrant is required to search the curtilage, officers are allowed to make a warrantless search of an open field.
- He hopes that puts to rest our questions about not being able to go in someone's yard.

***A discussion ensued and the following points were made:***

- If there's no fence, it's considered privilege.
- If it's outside of a property perimeter and is in someone else's yard, that's someone else's curtilage.
- Whether or not there's a fence, there is a property line.
- The only way an Animal Control Officer can go inside is if they see an animal hanging by its neck, something so obvious and egregious it allows them to enter. If it's questionable or if there's a rumor, they cannot legally go on that property.
- A police officer/deputy could not go on the property without a warrant.

- Our ordinance says, “The director shall have the authority to enter upon any public or private property,” but they cannot.

*[The audience began talking and was asked to quiet down.]*

- You need to continue reading. It says they have the authority to “enter upon any public or private property, except a building designated for, and actually used for, residential purposes for other buildings within the curtilage of the principal residential building,” so this should be changed to eliminate the confusion. Non-residential purposes would include a garage or barn.
- You can go outside the curtilage. It’s a different curtilage than what they’re talking about. Anything that is in their property that’s designated their yard, their boundary, is their curtilage, and you cannot go on it without a warrant.
- It should say in layman’s terms that you are not allowed on their private property.
- The way it’s written is it says you can go on their property, but not in any building on their property. But it’s clear what the Supreme Court says.
- When we redo the ordinance, this needs to be clearer.

**Vice Chair Hyland** asked if they could make a motion to recommend bringing this before commissioners to get approval to change it, so we don’t have a problem with this later. It’s open to interpretation.

**Chairman Rich** said the statement is correct, but what’s probably incorrect is saying that the director can go on the property. He asked Cpl. Rego if she agreed.

**Cpl. Rego** agreed.

**Chairman Rich** said that’s what needs to be changed.

*A discussion ensued and the following points were made:*

- We were considering adding that a designated officer could go on the property, but we can’t do that.
- The language needs to be changed.
- We cannot go on their property, walk up to it and around it, unless we have a warrant.
- You can’t even do a wellness check if there’s a report about a dog screaming in a cage in the backyard.
- Cpl. Rego noted that if the CCSO receives a call and has a legal, lawful reason to be there, they can still tell us to get off their property. In most cases, if there’s a locked fence, we’ll light our lights and turn on our sirens to get their attention to come out, but if they don’t, we can’t enter their property.
- If there’s an animal in duress, we could go to a neighbor’s house or try and make contact in other ways. We’re not going to leave a dog screaming or in duress. We just have to figure out a lawful way to do it.
- We could ask a neighbor for permission to go on their property to view it.
- An ACO would probably want to call law enforcement first.
- If an ACO meets with resistance, they would call law enforcement for backup and support.
- DAS has a good relationship and communicates with the Sheriff’s Office.
- If a deputy saw something really bad, but a property owner asked the deputy to leave, the deputy would have to get a warrant to return, but it depends on the circumstances.

- If there was a dog-fighting ring, a deputy would stay there, but would have to wait for a warrant to do anything. It has to be legal and lawful.
- If a dog was hanging, bleeding or being tortured, a deputy would assist the animal and wouldn't let it die.
- Even if there's no warrant, a deputy can call a supervisor to explain the situation. Every case is different and officers must follow state law.
- DAS would work with the Sheriff's Office, its detectives or animal-cruelty officers.
- DAS has conducted several cases with the CCSO that resulted in confiscations. Some resulted in warrants, while others involved property owners who allowed us to lawfully go on the property. Ms. Perry didn't have those statistics available today.
- Deputies follow the DAS ordinance and state law, depending on the situation.

## **VI. New Business**

### **A. Expanded Position Request – Marcy Perry**

#### ***Ms. Perry detailed a PowerPoint presentation and told the DASAB:***

- We're requesting three additional Animal Control Officer positions.
- One would be assigned to breeder activities, one to the Golden Gate Estates area, and another to the Immokalee area. They would work in those two areas.
- Our current field-enforcement team is made up of one field operations manager; two Animal Control Officer IIs (supervisors); one dispatcher; and eight ACOs who provide 24/7 coverage.
- Coverage with our current staffing is two officers from 7 a.m. to 6 p.m., two officers from 10 a.m. to 9 p.m., and one on-call officer from 9 p.m. to 7 a.m. daily.
- Our total county stray animal intake is listed in blue on the chart and includes all Collier County animals from 2018 to 2022.
- The red area represents Golden Gate Estates and the Immokalee area.
- The chart shows that half the population of stray animals are consistently coming from Golden Gate Estates and the Immokalee area. That's very telling.
- They're coming from those areas for a variety of reasons and different ways. One is unpermitted breeders in Collier County. We currently have 67 permitted breeders who are mostly classified as hobby breeders. All breeders are required to undergo quarterly inspections, which totals 268 inspections yearly.
- The inspections currently are being completed by ACOs in between responding to calls for assistance, so we don't have a devoted officer who takes care of those inspections or someone who investigates breeding. The breeder inspections officer we're looking for would be solely responsible for investigating breeders. They'd get those complaints from ACOs, the public, and social media, such as people advertising puppies for sale. That officer would be responsible for doing that, in addition to quarterly inspections.
- The other two officer requests – one for Golden Gate Estates and the other for the Immokalee area – would respond to calls for assistance from the public, proactively patrol for animals running at large, and other violations, educate the community on responsible pet ownership, and participate in local microchip clinics. We want to see if we can reunite animals with their owners. The best and easiest way is through microchips, which enable us to easily identify the owner

and address additional violations because we'll determine who the owner is when an animal is running at large or violating our ordinance in other ways.

- The results of the three expanded officer requests would result in a reduction in unpermitted breeders; fewer animals running at large; increased compliance rates, such as tethering, rabies vaccinations, breeder compliance, county licenses, and several other violations that we'd be able to proactively locate and address. We'd also have more animals reunited with owners, so their stay at DAS would decrease.
- She asked for a recommendation of support for the three positions.

**Chairman Rich** asked if anyone wanted to discuss this.

**Secretary Law** said she's really happy DAS would have an officer for the Golden Gate Estates and Immokalee areas, so she supports it.

**Ms. Antonia** asked how many of the 67 breeders were hobby breeders versus commercial breeders.

**Ms. Perry** said we currently have one commercial breeder in Collier County, so 66 are hobby breeders. She noted that Dr. March emailed to say he's 100% in support of the expanded position request for more Animal Control Officers.

*A motion was made to recommend the approval of three additional Animal Control Officers, one to investigate breeder activities, one for Golden Gate Estates and one for the Immokalee area. The motion was seconded and passed unanimously, 7-0; Dr. March's vote was read into the record.*

**Vice Chair Hyland** said if there are 67 breeders, we're probably very behind on inspections. There's a lot of breeding going on that hasn't been regulated.

**Chairman Rich** said that will help with regular scheduled inspections.

## **B. TNR (Trap-Neuter-Return) – Michele Antonia**

**Ms. Antonia told the DASAB:**

- Someone is doing TNR in Immokalee, which she appreciates because we need all the help we can get.
- However, that person is not tipping/notching the animal's ears or microchipping them. She's not that concerned about the microchips but asked that someone call the group that's doing this to tell them they need to tip/notch the animal's ears.
- If she traps an animal and an animal has no notches, she'll assume it's not spayed or neutered and will take it to a vet. Then she loses a vet appointment to spay and neuter because it's already been done.
- There are testicles on a male, but sometimes it's not possible to see that if they're in a trap. With a female, you don't know unless you can flip her over and see if there's a space bar, if you can recognize a space bar or tattoo.
- When they return the cats, the group should ask if they want them back because it appears from the cats she traps, people don't want them. That's why they're calling her to pick them up.
- There are very poor areas where people don't have money to feed the cats and there are too many to begin with. They don't want the cats around.
- Some are living in a stack of beer cans 5 feet high, or in trash areas. People aren't going to feed them, so she gets called.



- She will give food, but that's expensive because food must be brought frequently, so she makes a concession for them. Please get the word out.

**Chairman Rich** asked if there any local events where it would be convenient for TNRing the cats.

**Ms. Antonia** said nobody will use the Immokalee vet because it's \$600-\$700 to spay a cat.

**Chairman Rich** asked if it would it be worth contacting some to get an appointment, such as Animalife (Veterinary Center), and others that are doing that to see if they're fixing any from that area.

**Ms. Antonia** said she can contact the vets but she assumes it's someone from Naples who's doing the TNR because no one is going to transport cats to Immokalee for release. She could check but doubts it's Immokalee vets.

**Chairman Rich** said it might be worth it to check. They might be familiar with where the cats are coming from and could tell them to notch the ears.

**Ms. Antonia** said she could check.

### C. Intake – Michele Antonia

**Ms. Antonia** asked Ms. Perry what the procedures are for intake now. How often do they change and why? She also has a few ideas.

*During a discussion with Ms. Perry, the following points were made:*

- Ms. Antonia is referring to the intake of strays and owner-surrendered pets.
- DAS doesn't turn away any stray animals. We're open seven days a week and anyone can contact us through our dispatch center and an officer would respond to pick up the animal if they wanted the animal taken to DAS.
- We're open from 10 am. to 6 p.m., so they could come in and we'd fill out the paperwork. That doesn't change. There's no reason to change that since we're open intake for surrendered animals.
- We're doing well-managed intake, so we're doing appointments. They can go into our database to schedule an appointment themselves and come in. We speak with them about diversions and other topics.
- She and Meredith McLean (Humane Society Naples) are planning to schedule a meeting to go over better diversion, keeping pets in homes, etc.
- The wait for an owner surrender is currently three weeks, but we evaluate them on a case-by-case basis. Some people can't wait three weeks. If they tell us that, it goes up to a manager level, we review it and often take those animals immediately.
- If someone doesn't have a computer or doesn't know how to fill out an online form, the [link](#) guides them through the process, whether it's us doing it ourselves where we log them in while they're on the phone or if they're standing in our lobby and we can help them pull it up on their cellphone. We've been able to walk them through that process on their cellphones.
- DAS doesn't experience people not being able to read or write in any language. Staff helps everyone and won't turn them away if they can't read or write.
- It costs \$25 to owner-surrender a dog or a cat.
- If a person doesn't have \$25, DAS works with them to determine their circumstances. DAS has the discretion to waive fees based on certain circumstances.

- Board members agreed three weeks for an owner surrender is a long time, particularly when people are being evicted, foreclosed on, or have to rehome an animal for another reason.
- During the three-week wait, DAS provides resources and tools to help rehome pets. They know their pet better than we do, so they're going to be able to find the best home for their pet before we can. They may have family members or friends and can network on social media.
- There are many ways to find pets homes, other than DAS. The Humane Society Naples also rehomes pets and offers managed intake, as do other shelters.
- The best practice is to help owners be responsible with pets. If they can't wait three weeks and they're in the lobby, we go over that and will accept them, but have to balance intake at the same levels as stray animals coming in.
- Can DAS consider doing little blurbs on social media monthly or every other month about what an owner can do with a pet if there's a foreclosure or eviction?
- DAS can use social media and NextDoor.
- There are a lot of complaints about barking dogs on NextDoor and people complain that they called DAS and nothing was done. DAS can educate people about what they can do in certain situations. Educational blurbs on social media, such as your Facebook page and website, may help people out.
- DAS is looking at that but wants to take it a step further. We're getting quotes from different advertising agencies for radio and TV promotions. We want to do several PSAs that address some of those concerns. We have one quote and are seeking two more, then we'll put together PSAs to address some topics Ms. Antonia mentioned.
- We're hiring a new marketing coordinator, who has accepted the position and is in the onboarding process. He has a wealth of knowledge and experience and once was the marketing coordinator for SeaWorld and CROW. We're looking forward to having a website and logo redesign and getting PSAs out, as well as increasing our social media outreach. His tentative start date is in February.
- Can a volunteer fill out the owner surrender form for owners to ensure all questions are answered? Often, half aren't answered.
- The intake person does a cursory review of the forms. Many people intentionally leave slots blank or miss one box.
- It's important to know if an animal gets along with older/younger kids or cats. Knowing those answers results in a better success rate for adoptions.
- Most volunteers are here to work with animals, not help with paperwork.
- The form is online and is provided to the owner if they come in. Employees could encourage them to take it home and fill it out completely.
- We can ask Grace, the coordinator, if volunteers would be amenable to helping with that, but most are here to socialize with the animals and the level of interest for paperwork is not there.

#### **D. Advisory Board Meeting Schedule – Jim Rich**

##### ***Chairman Rich told the DASAB:***

- Some board members have called Marcy to say they're upset because they think he's scheduling board meetings, but that's incorrect. He's a board member, like they are.
- He did suggest holding quarterly meetings, rather than monthly, or holding them every other month.

- We should vote on it to decide.
- Prior to a year ago, we met monthly. When Marcy took over, there was so much reorganization and changes that it prompted questions and discussion, so they decided to meet monthly. Kelly made that motion.
- After a few months, we realized there was very little to discuss, except Marcy's video update and it turned into a free-for-all from the same people. We weren't concentrating on issues that would help DAS, so a motion was made to alternate months between a meeting and a workshop. Kelly also made that motion. It was a great idea.
- This was effective for the two workshops we had but no one recommended more workshop subjects. Since then, we returned to the same controversy without many productive concepts.
- With past DAS directors, the DASAB didn't have a clue about what was going on at DAS until we had our meetings. It also took weeks to get an in-person appointment with the former director and we rarely got the courtesy of a timely return phone call. Because of those factors, we often had lengthy board meetings due to the lack of time to prepare a response to the information we were given that night.
- We still get agendas a few days ahead of meetings, which is typical, but there are no longer surprises because Marcy makes every attempt to communicate updates through media, phone calls, emails and personal meetings.
- It's come to his attention that some board members are becoming frustrated with the amount of time and lack of substance by holding monthly meetings, so he recommends that holding full board meetings quarterly, in January, April, July and October. The other months can remain available, if needed, for workshops and special emergency meetings.
- He asked for a show of hands to show the board's desire.

**Ms. Perry** said Dr. March wrote an e-mail to say he'd also like quarterly meetings because most of what we do can be achieved in that time frame. If there's a need to schedule another DASAB meeting outside of the quarterly timeframe, we should have the right to institute that.

*[Chairman Rich took a vote, which showed two board members wanted to meet monthly and four wanted to meet quarterly.]*

***A motion was made to meet quarterly and was seconded. The motion passed 4-3 to hold quarterly meetings; Dr. March's emailed vote was included.***

***A discussion ensued about the meetings and time:***

- We had more people when we held meetings at 6 p.m. People are working and have to take time off to come at 4 p.m.
- When we meet at 6 p.m., the county has to pay for extra security officers, an added expense.
- We have to consider room availability.
- We can consider other times.
- The DAS room we used has been made into a cat room and we can no longer hold meetings there.
- The number of attendees varies. This is the first 4 p.m. meeting, so we can consider this again later after seeing what attendance is moving forward.
- Ms. Antonia suggested asking the audience how they felt about 4 p.m.

*[The audience tells the DASAB. "Terrible, terrible, terrible, terrible, no, no, no, no."]*

**Chairman Rich** noted that they asked the audience. He left a 4½-hour long board meeting before this and had an hour left to rush here, so he's not thrilled with 4 p.m. We have to consider what the county says is available. If we have an opportunity for a later time, it certainly brings more people and comments. We want to engage as many people as we can.

**Ms. Antonia** asked Marcy if she could check how much extra it costs to pay security officers, or if it wouldn't be worth the added expense.

**Ms. Perry** said she'd look into it. We schedule in advance and know our next meeting date, so we have a lot of time to see if that's a possibility.

**Vice Chair Hyland** asked if the meeting could be held at the library, as they did during the pandemic.

**Ms. Perry** said it could, but this is the venue we have chosen for different reasons.

**Vice Chair Hyland** asked what the reasons were.

**Ms. Perry** said it was explained to the DASAB that some of our meetings at the DAS location were not as orderly as they should have been.

**Secretary Law** asked about the monthly reports they used to receive during monthly meetings, such as intake numbers, owner surrenders, adoptions and returns, and what those situations involved. Could they get those reports again at the quarterly meetings?

**Ms. Perry** said those are published on DAS's website and are updated, a running total.

#### **E. Elect chair, vice chair and secretary**

##### ***Chairman Rich told the DASAB:***

- Every year, the DASAB elects or re-elects officers. This is his 12<sup>th</sup> year.
- There's a protocol. Sometimes a person nominated isn't the right person and an alternate option wasn't suggested.
- It's important that anyone who is interested in any position have the ability to either vote for themselves, which they are allowed to do, or for someone else, without someone rushing through a nomination.
- All board members are elected for a three-year term. There are three officer positions, chair, vice chair and secretary.
- Each year, the board can nominate a new person or leave the seats as is.
- A nomination must be seconded and have a majority vote.
- Before a second is sought after the motion, he added that "the chairman will ask if there are any other nominations for that position. If there are, the chairman will ask for a show of hands as to which person is a preferred candidate for that position. The chairman will then proceed by requesting a second motion for that candidate."
- The secretary's duties aren't different from others. But if there was no chair or vice chair attending, we probably wouldn't have a quorum.

**Ms. Perry** said Dr. March emailed to vote on the election of the chair, vice chair and secretary. He voted to have Jim Rich continue as chair. For the vice chair, he asked to elect Meredith McLean. For secretary, he asked that Sue Law continue in that position.

**Chairman Rich** acknowledged the votes and asked if anyone else wanted to nominate themselves or someone else for chair.

**Ms. Antonia** nominated Kelly McLean for chair.

**Chairman Rich** said he'd tally votes for him and then for Ms. McLean.

**Ms. McLean** asked if you have to agree on wanting to be nominated.

**Chairman Rich** asked if she was interested in the nomination.

**Vice Chair Hyland** said she'd be interested in staying in her vice-chair position, but is OK if she doesn't get re-elected.

*A motion was made to re-elect Jim Rich as chairman. The motion was seconded and passed unanimously, 7-0; Dr. March's written vote was included.*

**Chairman Rich** noted that Dr. March nominated Meredith for vice chair.

**Secretary Law** seconded the motion.

**Chairman Rich** noted that they first have to ask if anyone else is interested in that position or if they want to nominate someone.

**Vice Chair Hyland** said she'd stay if she's voted in again.

**Ms. Antonia** noted that Kelly is vice chair right now.

*Dr. March, via email, made a motion to elect Meredith McLean as vice chair. Second by Secretary Law. The motion passed unanimously, 7-0.*

**Chairman Rich** asked if anyone wanted to nominate themselves as secretary or if they wanted to re-elect Sue Law.

*Dr. March, via email, made a motion to re-elect Sue Law as secretary. The motion was seconded. It passed unanimously, 7-0.*

## VII. Public Comments

**Chairman Rich** asked that all speakers state their name and affiliation, if they're with an organization, before speaking, so they have that on the record.

**Heidi**, a county resident, said her question was about the meeting time and why the meetings can't be held at DAS.

**Chairman Rich** said the meeting room they used was turned into a cat room, which has increased our adoptions and exposure to animals. We don't have another big room, so our options are to consider a library and other places that can accommodate large numbers of people at the most convenient time.

**Heidi** said she'd rather go to a library than (BCC chambers).

*Susie Meehas, a longtime Realtor, told the DASAB:*

- Sarah, at the Humane Society, calls her a lone wolf, which she doesn't like. She couldn't do what she does without Jan, Janice Rudolph, Phyllis or Michele.
- She does what needs to be done to help the animals and cats, in particular, no matter who asks for her help.
- She was forwarded today's agenda and minutes and has never seen 23 pages of minutes. That is absolutely commendable.
- She'd like to get on DAS's email list.

- Today, she heard a lot of wonderful information on new positions and is thrilled with ACOs for Golden Gate and Immokalee. This lone wolf still gets phone calls from those areas and it's unbelievable.
- She loved the meeting when the sheriff's new animal cruelty officer made a presentation. Please offer speakers that pertain to everything we do. That was one of the best seminars she's heard at any organization.
- She loves coming to DAS meetings, but hates 4 p.m. She feeds her dog at 2:30 p.m., which means ants and birds will eat it. Her pets won't be happy. 6 p.m. worked well.
- Everything Marcy said today was wonderful, with the exception of taking three weeks for an owner surrender. People will leave DAS, drive to the country and toss out the dog or cat, then she, Sue, Michele and Megan will get phone calls.
- Megan didn't come today because she's trapping in the Estates and also has to trap an injured cat in Park Shore.
- Is there such a thing as an open warrant, a blank form officers could have called in to say the address and ask to fill it in and use it?

**Chairman Rich** said he didn't believe there was one.

**Ms. Meehan also told the DASAB:**

- For its upcoming ribbon cutting ceremony, they can get better publicity by inviting public officials and celebrities.
- She's happy DAS is going to offer education and asked that the public be taught about responsible pet ownership.
- She enjoys public speaking and she'd be happy to volunteer to do that.
- In the 50 years she's been doing animal work, 80% of what we do is education.

**Chairman Rich** told her she doesn't have to wait for a meeting to offer her services. She can talk to Marcy any time because they have educational seminars and that could be worked into the schedule. Marcy makes those decisions, not the DASAB.

**Ms. Meehan** asked that when they publicize DAS issues, such as microchips, please include cats. The last blurb only mentioned dogs. She added to the post in capital letters, "BRING YOUR CATS, TOO." How does the public report on breeding? What if she wanted to report something she saw on social media?

**Chairman Rich** said to call DAS to report it and it would be turned over to an officer.

**Ms. Perry** said it wouldn't go directly to her because she doesn't enter all the activities or monitor day-to-day activities on that level. That would go through DAS dispatchers, who will enter the call and dispatch an officer to conduct an investigation.

**Ms. Meehan** said she sees information on social media and tags Kelly and Sue, but doesn't know what else to do about it. Somebody said, "I need a puppy," and 10 people said they had puppies. She wanted to ask why they had puppies. She thanked the DASAB for their help.

**Chuck Danielian**, a concerned citizen, asked if it's possible to move the meetings back to 6 p.m., and could a drone be used when officers are called out to homes to check situations when they can't go onto a property?

**Chairman Rich** said he believes that's an invasion of privacy.

**Cpl. Rego** said she's not a CCSO drone operator and didn't know if they'd send a drone out, but do that in certain situations. She can check that and try to answer that question.

**Mr. Danielian** said if it's legally possible, that would enable an officer to see what's going on in a backyard that would not otherwise be visible.

**Chairman Rich** called that a valid question and asked Cpl. Rego and DAS if they could look into it.

### VIII. Advisory Board Member Comments

**Ms. Hyland** said there are issues she'd like to discuss, but waiting three months is a long time. Can we figure out solutions before April? She sees issues on Facebook.

**Chairman Rich** asked her to submit those to Marcy right away to see if they require a meeting.

#### *Ms. Hyland said she'll submit them and told the DASAB:*

- She's heard a lot of discussion and chatter that gets back to her about her intentions on being a board member. She applied to be on the DASAB for two reasons, because she wants to be here and to help animals. She's not here on behalf of anybody else or speaking on anyone's behalf. She has her own opinions and is a leader, not a follower. She's volunteering to be on the board.
- She's been in the community and in the field volunteering for a long time and is no one's puppet.
- She doesn't agree with how some people handle things. A lot of it may come across as anger, but it's frustration. She's frustrated over the years working on things that were never finished.
- The only thing that happens is that animals don't get the care or help they need and that's the priority, so when things are repeated and constantly brought up, it's frustrating because things aren't done or finalized.
- For example, tonight nothing was brought up about the ordinance or the revisions and that's been ongoing before she was a board member, back to the Perkins situation.
- Now she found out that there won't be revisions to the ordinance because they're being labeled as enforceable by the County Attorney. She asked him herself months ago and was told they're not enforceable, but now, all of a sudden, they're enforceable? This is where the problem and frustration come in.
- Now they say the board isn't supposed to work on the ordinance, but it was part of the board's purview for a long time. If that can be resolved, then that can be fixed and ACOs can have proper training to do their jobs.
- If we don't have an ordinance with teeth, we're going to be in the same position we're in now. Having an enforceable ordinance means animals are going to get the care and protection they need.
- There are issues on social media that show a lack of enforcement. Her intention is to help work as a team to get those things finished and finalized.
- She conducts public records searches, such as a case from Tom or someone who brings something to her attention. Two people recently told her that puppies are being sold on the side of the road. It seems that as long as they have a permit from Code Enforcement and a license from DAS, they're allowed to do it. Is that what we want in our community, people driving by and seeing puppies sold from the back of a truck? Having a permit and license doesn't make it right.
- We should have something in our ordinance that prohibits that. If there's a video of a dog being killed on Facebook or being whipped, and someone says they reported it three times to DAS and nothing has been done, they're told they need

two signed affidavits from people in the neighborhood, notarized videos and photos. It shouldn't be that difficult for somebody to get help for an animal.

- There are cases like that we can work on during a workshop.
- There's a case she told Marcy about where puppies were left out in a kennel in a backyard. Somebody put them outside after giving them a bath and wanted them to dry in the sun. Three of the six puppies died. Another sentence said a sister put the puppies outside to clean and she provided water and forgot the puppies by accident and three died.
- After speaking with the aunt, the ACO determined that the puppy's death was accidental and not criminal. The dog's owner did the right thing in trying to obtain cremation services instead of disregarding the puppies.
- Another post mentioned an Italian greyhound breeder. She explained to him the rabies, license and breeder permit requirements. She obtained an e-mail address and emailed a breeder's packet and document brochure. She'll wait a week to verify if the breeder's permit was purchased, as well as the rabies vaccine and license. That's something that could be discussed in a workshop.
- She understands Marcy said there wasn't enough evidence to move forward, but when you have people admitting what happened and then they're irresponsible because they leave puppies outside to die and then they're offered a breeder's permit to continue breeding, how is that being responsible, to give a family a breeder's permit when they're not responsible? Who knows where those puppies went.

**Chairman Rich** said it sounds horrifying, but he wasn't there, so maybe it was an accident.

**Ms. Hyland responded:**

- She understands it was an accident, but they didn't have a rabies vaccine or a license.
- She doesn't agree with allowing them to get a breeder's permit to continue to do what they're doing without educating them.
- What about a citation for neglect of the puppy for not having a rabies shot or a license? That's clearly neglect.
- How do you forget that you have three puppies in the backyard in the sun when they're 5 weeks old and you're breeding them?
- Situations like this need to be looked at to see what can be done better.
- A breeder's permit shouldn't be the answer to this because now they're allowed to do this and they don't realize what they did wrong. There should be consequences.

**Chairman Rich** asked if she believed they would repeat after this devastating experience.

**Ms. Hyland** said she did. If you don't know that you have to take care of a 5-week-old puppy, then you don't have the right to breed dogs unless you go through some type of course or training. All that happened after that occurred is they were required to get a breeder's permit and they can go on their way. Where is there any type of consequence or enforcing our law? That's clearly neglect of all the puppies.

**A discussion ensued and the following points were made:**

- Chairman Rich said he wasn't defending owners but didn't believe they'd do that again after something terrible happened.



- Education should be required before allowing someone to get a breeder's permit.
- Chairman Rich asked Ms. Hyland to submit her concerns to Marcy. Maybe we can hold a workshop on it.
- We need to consider the wellbeing of puppies being sold on the side of the road.
- Ms. Hyland said she saw that, reported it to DAS and an ACO and deputy responded immediately.
- Ms. Perry said someone would need a permit from DAS and Code Enforcement, but selling puppies on the side of a road wouldn't be approved. It's spelled out in the ordinance, which says what a permit is needed for. If someone is found doing that, Code Enforcement would be called.
- A breeder's permit is for breeding. If you want to operate an animal-related business, you'd need a permit for that. If you want to put a tent up somewhere, Code Enforcement would permit that. If you're going to build a structure, there are different permits for different purposes.

***Vice Chair McLean told the DASAB:***

- We've discussed education and presence a lot during the meeting. She fully supports the Immokalee and Golden Gate ACOs, but within those areas, one additional ACO is probably not enough for the work that needs to be done. It needs additional planning.
- If we're considering another meeting space, it should be where we see the biggest issue occurring, so people can get involved and educated.
- Residents need a better understanding of how to better care for their pets. She sees people trying to do the right thing, but they need some education. They're not necessarily bad people.
- She prefers more frequent meetings because it allows the public to have access to DAS issues. If we get momentum on issues, quarterly meetings could delay that. She wanted to put that on the record, despite their vote.

**Ms. Antonia** agreed they could hold meetings in different places, such as Golden Gate City, Golden Gate Estates, Immokalee and Everglades City, which always gets left out. It's going to be a hike for everybody, but if we're going to be inclusive, that might be something we want to consider once a year. Is the PowerPoint you showed on the website.

**Ms. Perry** said it's part of the agenda packet.

**Ms. Antonia** asked if the new ACOs they're hiring will be the ones DAS is putting in Golden Gate and Immokalee. Will they be familiar with the community and then you can get new hires to take their place?

**Ms. Perry** said that hasn't been determined yet. The request today was to get the DASAB's support and then move forward with the request, present it to the BCC or make it a budget request for the next fiscal year. We'll take a look at it and we'll put the best officer in the best position. If we have a current officer we think would excel in that area or as a breeder officer, we will do that. Otherwise, we will hire from outside and train them.

**Ms. Antonia** asked when they wanted the new officers to start.

**Ms. Perry** said as soon as possible. We have to get that momentum and support and be able to get that budgetary item approved. This was the first step, to get the DASAB's approval. In addition to the ACOs, it comes with a request for other items. Those officers will need a radio, laptop, and uniforms. They need everything an officer is fitted for, so

that request is going out through our budgetary items, with a full analysis of what it would cost for an additional officer, along with all the supplies needed for that officer to perform.


**IX. Adjourn**

**Next meeting: 5 p.m. April 12, 2023**  
**BCC Chambers**  
**3299 Tamiami Trail E.,**  
**Naples, FL 34112**

**Chairman Rich** thanked everyone for attending and congratulated board members on their new or re-elected positions.

*There being no further business for the good of the County, the meeting was concluded by order of the chairman at 5:51 p.m.*

**Collier County**  
**Domestic Animal Services Advisory Board**



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**James Rich, Chairman**

These minutes were approved by the Committee/Chairman on 07-18-23,  
(check one) as presented , or as amended \_\_\_\_\_.