

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

Naples, Florida  
January 16, 2024

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 4 p.m. in **REGULAR SESSION** in Administrative Building F, 3<sup>rd</sup> Floor, Collier County Government Center, Naples, Florida, with the following members present:

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

ALSO PRESENT: Marcy Perry, Director, Domestic Animal Services  
Cindy Delgado, Administrative Assistant, DAS  
Dan Rodriguez, Deputy County Manager  
Tanya Williams, County Public Services Department Head  
County Commissioner Burt Saunders  
Jamie French, Department Head, GMD  
Amy Patterson, County Manager  
Tim Crotts, Manager, Contractor Licensing

*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 p.m.

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

A quorum of seven was established.

**III. Pledge of Allegiance**

*[The Pledge of Allegiance was recited.]*

**Chairman Rich** noted that Commissioner Burt Saunders in the audience and asked him to speak.

**Commissioner Saunders told the DAS:**

- He appreciates the opportunity to be here.
- He knows very little about animal control, but hears about a lot of issues from many sources, so he knows there's a lot of conflict.
- His goal is to listen to some of the dialogue today but he has to leave at about 4:30. He apologized.
- His goal is to make an offer to the public and the board. If there's anything he can do to assist at the County Commission level, now is a good time to start bringing those issues up.
- We're going to be getting into budgets in the next month or so, and there may be some budget issues.
- He has no difficulty working with the county attorney if we need to make changes to ordinances.
- He wanted to make a commitment to this board that he'll assist in any way that the board determines that's in their best interests moving forward.
- He'd also like to hear from the public about their views on what needs to be done to make sure that we have a very effective animal control operation.

**Chairman Rich** thanked him.

**Vice Chair McLean** asked if he could explain the public comments process to the people who came in late.

**Chairman Rich explained:**

- There's a sign-in sheet, but he's not sure they need to sign up (names can be added later for the record).
- At the end of the meeting, the public has an opportunity to speak. They're given three minutes, unless someone, or two or three, cedes their three minutes to another speaker.
- We ask that speakers please leave the podium afterward.
- Typically, the board does not engage in a question-and-answer discussion. Speakers make statements, we listen and take them under advisement.
- In the past, we've had some discussions and it got out of hand.
- The board has the ability to ask questions for clarification.

**I. Approval of the Agenda**

*Vice Chair McLean made a motion to approve the agenda. Secretary Law seconded it. The motion passed unanimously, 7-0.*

**II. Approval of the Minutes**

**Chairman Rich** said a minutes-taker who normally doesn't cover this board took the September minutes and they were indecipherable, so they were redone.

**A. July 16, 2023**

*Dr. March made a motion to approve the July 16, 2023, meeting minutes. Ms. Hyland seconded it. The motion passed unanimously, 7-0.*

**B. September 19, 2023, Workshop**

*Ms. Hyland made a motion to approve the September 19, 2023, workshop minutes. Dr. March seconded it. The motion passed unanimously, 7-0.*

**III. Opening Statement by the Chairman**

*Chairman Rich told those in attendance:*

- The public and two board members asked him to explain the board's responsibilities.
- We make recommendations to the Board of County Commissioners about programs, services, classes and special events to assist Domestic Animal Services.
- We make recommendations to the Board of County Commissioners regarding construction and facility improvements to Domestic Animal Services.
- We are the direct liaison between DAS and the Board of County Commissioners to help facilitate DAS's ability to provide the best possible services to the animals and people in our community.
- As board members, we have been tasked with and given the opportunity to influence positive change through our individual or group efforts.
- By working with the DAS director, the department head, the county manager or commissioners, we will only be successful if we work together and focus on the areas where we feel we can make a difference.
- We don't have to and shouldn't always agree on everything, but it is important to remember why we are here and that we share the same goal of protecting our animal community.

**IV. Leadership Report [Marcy Perry, DAS Director]**

*Ms. Perry reported on the progress made during 2023:*

- We welcomed nearly 5,500 animals and closed out the year with a 94% live release rate, highlighting our unwavering commitment to positive outcomes for animals.
- HSN accepted 341 animals; followed by Broward County Humane Society with 248 animals; and Brandywine in Pennsylvania, with 191 cats.
- To continue this momentum, we invited Humane Society Naples and the University of Florida to Domestic Animal Services to help bolster our efforts and find areas where we could improve.
- HSN has provided and continues to provide invaluable support with transfers, medical cases and spay-neuter services.
- UF's insightful recommendations, from streamlining foster-to-adopt processes to optimizing cleaning protocols, are already driving positive changes.
- We're in the process of implementing many of the recommendations to assist

with lowering the shelter population and improving the quality of care the animals receive.

- Last year, we operated at maximum capacity and, at times, over capacity.
- With some of the recent recommendations and removing barriers to our current processes, we currently have 222 animals, a decrease of about 200.
- We welcomed veterinarian Dr. Alba Sosa to our team about six months ago. She's been instrumental in providing dedicated medical care and treatment plans.
- We recently interviewed a high-volume spay-neuter veterinarian, extended a job offer and are eagerly awaiting her response.
- She'd like to extend a heartfelt thank you to Dr. March for his unwavering support and care. His practice has helped medically care for and spay-neuter hundreds of DAS animals. This is his last meeting, so she wanted to thank him for his support and assistance. We have spoken days, weekends, nights, and he's always been available to assist. Thank you, Dr. March.

*[The board and audience applauded.]*

## **I. Unfinished Business**

**Chairman Rich** explained that Unfinished Business is business that's not completed that we want to review.

### **A. Resources to help educate the public**

**Chairman Rich told the DASAB:**

- Our last meeting was a workshop to discuss resources to help educate the public and contribute ideas. He asked everyone to send their ideas to Cindy, but only three board members sent Cindy suggestions even after a second request, which has delayed collating those ideas into a public brochure or brochures.
- To give everyone an opportunity to send recommendations, he printed everyone's suggestions for the board to review. If you have more thoughts, please send them to Cindy as soon as possible. If not, he will assume you're satisfied with what we have and will ask the county to begin work on a brochure.
- This will take additional time because it requires research and approval from staff, organizations, veterinarians, radio stations, food banks and others for approval to use them as resources.
- This would be a great project for a board member if they'd like to assist. He's sure Cindy would appreciate it. He appreciates all the work board members did. We have some great ideas, some of which may have been incorporated into some that already were sent in. Maybe that's why others didn't send in ideas.
- There's nothing to discuss unless there's something to add. Then we'll figure out how to administer this.

*[The chairman passed out the list of ideas that were received.]*

### **B. Code Enforcement Update**

**Chairman Rich told the DASAB:**

- There's a movement toward the county Code Enforcement Division assuming some responsibilities now handled by DAS and its Animal Control Officers.
- He initially viewed that with skepticism, so he scheduled separate meetings with Ms. Perry, the county manager (Amy Patterson) and, most recently, with the head of growth management (Jamie French), and the director of code management (Tom Iandimarino). After those meetings, he has a greater understanding of the potential benefits to DAS and the public.

- Code Enforcement/Growth Management is still assessing the ramifications of any policy change and has requested that this board table any discussions until their direction is clearer.
- Once they have a full plan, a representative will come to the DASAB to make a full presentation.
- He will honor that request. There's nothing to discuss now, other than he was assured they realize they only have one opportunity to get this right.
- It's something that hasn't been done nationwide, only in a couple of places, and they're looking for a partnership between DAS and Code Enforcement to work together and improve things.

**Ms. Williams** said this is still a research/investigative phase and we have one opportunity to get this right, so we did not feel comfortable bringing even a semblance of a plan to the board, but when we do, you can poke holes in it.

**Mr. French told the DASAB:**

- He was the director of the Department of Public Services for a short time and had oversight over DAS.
- We were tasked by the Board of County Commissioners and County Manager's Office to explore efficiency ideas involving collaboration or lack of collaboration. We've got assets in the field who represent the county and that can improve teamwork and best educate and protect not just residents but domestic animals and property without intruding on property rights.
- We were asked to look at some redundancies and areas of improvement.
- All DAS cases are processed through the special magistrate, an employee of the Board of County Commissioners. Special magistrates act in accordance with Florida statute and act like a judge in a *quasi-judicial* setting.
- The Sheriff's Office has appeared before the special magistrate, as well as DAS's Code Enforcement cases, which are complicated and require action against a property.
- We started to observe and measure the cases. Over the past three months, with interpretation and cooperation under Marcy and Tanya's leadership, we've had a 100% conviction rate on every DAS case presented to the OSM, which is probably the first time in his 20 years here.
- We're trying to find areas where we could go into a property, possibly due to a kennel, dog fights, breeding, and other unlawful activities. DAS may typically go in to remove an animal to protect it and the sheriff's office may be involved.
- Often what happens is that Code Enforcement was never alerted and there could be illegal structures that required permitting, site development plans, etc., and it becomes an issue we're not aware of.
- Then within a year, we're back to the same property with the same issue, perhaps under the same owner, or a relative or an affiliate.
- This collaborative approach opened our eyes to how to approach this.
- We've had more team effort in the field with DAS investigators. Even our relationship with the Sheriff's Office has improved.
- Most recently, the county hired a 32-year veteran of the National Park Service who was the chief park ranger for the Everglades National Park in the Dry Tortugas and reported to the superintendent of parks under the Department of Interior, a federal law enforcement agency that's like the U.S. Marshal's Office.
- That experience isn't just preventing people from giving picnic baskets to bears. They're federally trained wildlife officers who sometimes provide local policing for

communities.

- (Code Enforcement Director) Tom Iandimarino, who has lived in Collier County for about 20 years, already had a long-term relationship with the Sheriff's Office. He was a member of our Conservation Congress Board, was on the CCLAAC (Conservation Collier Land Acquisition Advisory Committee) for many years and is very tied to the community.
- He's merged his transition from retired law enforcement with an investigation background and community engagement, including finding poachers, human smugglers and drug smugglers.
- He's joined by one of his managers, Tim Crotts, a former police chief who had DAS responsibilities in New England, where he served as both chief executive officer and police chief for multiple municipalities within his communities.
- Combined with that federal approach, local and DAS knowledge under a policing authority, we've been able to team up, look at this and find synergies.
- He's known the chairman a long time and understands we want to get it right the first time. If it's not right for the community, we're not going to make the recommendation about that transition.
- We've still got work to do but we're happy to be a partner in the community and are looking forward to future success and educational opportunities.

***During a discussion between Ms. Hyland and Mr. French, the following points were made:***

- Some Code Enforcement officers are former DAS employees, so they have that knowledge.
- The county recognizes licensing, training and equipment are needed.
- The county would have a full transition and training plan.
- If costs outweigh the benefit, we believe we'd have to ask the BCC for eight to 15 more Code Enforcement officers.
- We don't have a unit of measurement to utilize, but the AUIR (Annual Update Inventory Report) has one for the Sheriff's Office that's based on population and how many deputies are needed.
- Collier has 26 code enforcement officers for a population that grows to over 400,000 residents during season. We only have a handful of Animal Control Officers, so we recognize we need to be a force multiplier to one another and training will be involved.
- It's too early in the process to answer how Code Enforcement would handle a case of severe neglect, but DAS is centrally located and Growth Management/Code Enforcement exists in about five locations, with neighborhood government offices in Heritage Bay, East Naples, North Naples, Golden Gate and Immokalee.
- Code Enforcement has its own districts and we followed their model, which has been well received by community agencies, including the Sheriff's Office.
- There's no better partner than the Sheriff's Office. Often, when we go in, we may have a way to handle cases through a Code Enforcement action if there are not just animal issues, but human smuggling or drugs, so we'd team up.
- Contractor Licensing already has partnered with the Sheriff's Office and under Tim Crott's guidance and we're often out in the middle of the night. There were more than a dozen felony arrests involving illegal contractors who took advantage of residents and property owners.
- This will give us a full array of offerings to the community and we'd be utilizing maximum efficiencies and multiple opportunities for education because we're out there all the time.
- Code Enforcement officers have the ability to get warrants to go on properties and



would take those cases to a judge.

**Chairman Rich** thanked him for updating the board.

**Mr. French** thanked him, saying he's proud of Jim and being able to work together with DAS and the board.

## **IX. Old Business**

### **A. Clarification of Sunshine Laws**

*Chairman Rich reported that:*

- It's necessary to provide a Sunshine Law Clarification because we've had issues.
- The primary objective of the Sunshine Law is it pertains to any governmental proceedings, such as the DASAB.
- Florida's Government in the Sunshine Law provides a right of access to governmental proceedings at both the state and local levels.
- It applies to any gathering of two or more members of the same board to discuss a matter that will foreseeably come before that board for action.
- What prompted today's review is an October 2023 incident at Stillwater Cove Apartments in Naples, where the apartment manager was trapping kittens and adult cats and disposing of them by hiring a trapper or dumping them in other locations.
- He (the chairman) was on the phone for four days working with DAS, the county attorney, assistant county attorney, Naples Police and the Sheriff's Office animal cruelty division and they explored legal options against the manager.
- He also responded to 37 emails and phone calls from cat rescue groups and the public, which was aware of the situation.
- Because some of the emails were directed at all of us, he made a conscious effort to reply only to the person who wrote the email, but must have mistakenly hit the "reply all" tab on one response. He received a notification that one of DASAB's board members contacted the county attorney to report that a senior member had violated the Sunshine Law.
- He immediately contacted the county attorney and was informed that this was not a violation because he was not responding to the public on a subject scheduled to come before the DASAB for action.
- He's disappointed that a board member would try to undermine another member's efforts when we should all be addressing animal issues in the county.
- He spoke to Assistant County Attorney Sally Ashkar last week for approval of his interpretation of the law. She suggested that anyone who would like a complete review of the Sunshine Law could view it online.
- She also recommended that if another incident that's doubtful regarding the law occurs again, the concerned party should contact the County Attorney's Office for Sunshine Law clarification before insinuating that someone has broken the law.
- He can pass out her name and phone number but believes that if a board member has a problem again, there's no reason why we can't approach each other if someone screwed up, rather than going to the County Attorney's Office.

## **XI. New Business**

### **A. Proposed ordinance additions**

*Chairman Rich reported that:*

- He put together a list of ordinance additions that were board recommendations. He'd normally propose a workshop to review and refine our thoughts to present to commissioners, but with the pending changes involving Code Enforcement, these items may no longer be in our purview, or we may have to work with Code Enforcement to get them passed and enforced.

- He recommends holding off to see what happens with Code Enforcement over the next few weeks or months before spending time on something that may be out of our control.
- *[He passed out the list of ordinance additions.]*
- He asked Sheriff's Cpl. Rego to provide the board and public with a Sheriff's Office update.
- Relocating stray animals. This must go through our attorneys, commissioners or Code Enforcement. It shall be unlawful for any person to track and or remove any stray dog or cat, whether domestic or feral, from any given property and relocate it to another location. This shall be considered abandonment under the law.
- Reporting stray animals to Domestic Animal Services. Stray animals shall be reported by the finder to DAS within 24 hours of being found to provide owners with an opportunity to reclaim their animal during the stray-holding period. A finder may adopt the found animal if unclaimed by the owner at the expiration of the stray-holding period with a completed and approved adoption application through animal services.
- Concealment of animals. It shall be unlawful for any person to confine, hide, or conceal any animal to which the person does not have legal title, or any animal that has been involved in a bite, scratch or rabies-exposure incident for which formal investigation is pending, unless that person shall have reported possession of such animal to Animal Control within 24 hours after acquiring possession of the animal, or within 24 hours after making reasonable attempts to locate it. Acquiring possession of the animal or within 24 hours after making reasonable attempts to locate its owner by someone who knowingly conceals a pet that isn't theirs and fails to report it as found is subject to the same laws as any theft.
- Create an animal abuse registry listing those convicted of abuse. The registry would work like a sex-offender registry. Once convicted of a crime, anyone (a shelter, pet store or person) would be able to look up individuals on the list. This is another way to identify those convicted of abusing animals and ensures they don't have the ability to adopt and abuse another animal.
- The list should be shared across county lines to prevent someone from adopting an animal from a neighboring county.
- Lee County Commissioners approved that ordinance at a public hearing.
- He has a copy of the Lee County list for board members, but we should wait to see the direction the county is taking with Code Enforcement before we discuss it.
- If any board member has something to add, please send it to him or Cindy.
- We can always add to this. We'll probably be involved, whether it's directly with DAS or Code Enforcement. We can establish a good relationship with them and be an important part of putting this together.

**Ms. Antonia** asked if he could repeat the addition to the ordinance about strays and asked if it had anything to do with trap-neuter-and-return, TNR.

**Chairman Rich** said no, it came about due to the apartment complex where they were taking animals and dumping them elsewhere. That should be considered abandonment. You shouldn't take an animal and dump it wherever you want.

**Ms. Hyland** asked whether abandonment wasn't already in the ordinance.

**Chairman Rich** said it involves if you see an animal in your yard – domestic or feral – and pick it up and remove it because you don't want it there. They also shouldn't be removing community cats. It's a rough draft and it needs clarification. He asked Sheriff's Cpl. Rego, who is working on this, to speak to the board about it.



***During a discussion between Ms. Hyland and Cpl. Rego, the following points were made:***

- Many animals are running around on the streets now.
- Collier County is reviewing the Lee County ordinance that just went into effect. County commissioners, attorneys, county leadership and Sheriff's Office are working together to draft something that probably will mirror Lee County's registry and database.
- Once it's established, there will be a database and the Sheriff's Office will determine how to enforce it.
- DAS, Code Enforcement and the Sheriff's Office would look at the database.
- People can pick up animals on the streets, adopt them or buy one at a pet store, so they will determine how to enforce offenders' abilities to have an animal.
- This hasn't been finalized.
- Secretary Law noted that the Lee County ordinance ensures the convicted abuser no longer has the ability to adopt another animal, so DAS, Humane Society Naples, rescue groups and others would check that before allowing an adoption.
- Secretary Law noted it would be hard to control.

***Ms. Williams told Ms. Hyland and the DASAB:***

- The ordinance passed by Lee County was brought to our attention by Commissioner Saunders. She started engaging the Sheriff's Office to ensure we could answer your questions.
- What would this look like for Collier County? She's not sure the current ordinance draft language fully explores that and ordinances typically leave some wiggle room so we'd have to flesh out procedures and protocols.
- We're taking notes about your questions and that will be part of our discussion with the Sheriff's Office and Code Enforcement to ensure we enforce the new piece of the ordinance.
- We're still in the planning stages, so we don't have solid answers.

***During a discussion between Ms. Hyland and Ms. Williams, the following points were made:***

- Lee County approved the registry right before the holidays, so enforcing it will be something Collier will look at.
- If there's a registry and it's not followed up on or enforced, there's no point to it.
- Ms. Williams agreed.

**B. Election of officers**

**Chairman Rich** said we elect a chair, vice chair and secretary annually. It's up to the board whether it's a re-election or a new candidate. A nomination is needed. Before there's a second on a motion, he wants to be fair to everyone to ensure that another interested candidate can be nominated. [He listed the current officers.]

***Secretary Law nominated Jim Rich as chairman. Second by Cpl. Rego. The motion passed 6-0; Ms. Antonia abstained. [No reason was provided.]***

***Secretary Law nominated Meredith McLean as vice chair. Second by Dr. March. The motion passed 6-0; Ms. Antonia abstained.***

***Cpl. Rego nominated Sue Law as secretary. Second by Chairman Rich. The motion passed 6-0; Ms. Antonia abstained.***

**XI. Public Comments**

***DAS Volunteer Al Schantzen told the DASAB:***

- Kudos to staff because he heard the population in isolation decreased to the point where there are empty kennels.
- It's 222 now and he was there a few weeks ago and it was 170, just for dogs.
- Most seem to be returns to owners, which shows they're working diligently on that.
- The county has a nuisance ordinance, which is mostly for residential problems. Police record violations and the county attorney can take the property by going before a magistrate.
- This could be beneficial in cases of animal abuse, kennels, illegal breeding, etc.
- He thinks it's important that he and other members of the public get to weigh in on the possible transition to Code Enforcement so they hear public input.
- We find a lot of problems go away when we communicate. We need better communication between DAS and us volunteers on the big issues, including where animals are being sent to and staff hiring. It's not good getting information through the grapevine.
- You could send volunteers a memo with updates.

***Tom Kepp, of SNIP Collier, told the DASAB:***

- He hasn't been to a DASAB meeting for a long time because what he heard tonight is not what's going on in the field.
- You have stated before this group many times that enforcement is not in your purview. He has brought documents, including a county accounting that calls enforcement a program and you have refused to bring any of that to commissioners.
- In one meeting, when he asked how many times the chairman has been in front of the commission, he finally said none and he still hasn't.
- In the ordinance that developed the DASAB, and he was among those tasked to write the ordinance, it said enforcement but you completely dropped your responsibility for doing that and convinced everybody but two board members that it's not their job.
- What's the definition of an abuse case? It's happening all over, not just Immokalee.
- He has photos of a dog on a chain with a hole in the dirt. He called Greg Herschel from the sheriff's cruelty division because he's the only one who ever talks to me.
- He (Kepp) often doesn't want DAS involvement because if they take the dog off the chain, it's going to disappear. They went and cited him for complete failure for shelter, dirt in water, no food, a piece of bread, chained up, a hole full of water, etc.
- DAS was called, but he didn't know that. They told the owner to take the dog off the chain, according to Greg, who said the dog ran out into the street and was killed. Not taking the dog is neglect. The owner didn't get charged with neglect. It's Marcy's determination that we don't have one.
- It's been brought up in front of this board. When he asks how many neglect charges were filed this year, everybody stares at him. You don't have a neglect charge. It's cruelty.
- He asked Greg how many cruelty convictions we had last year. He said none.
- The dog he took from Naples Manor that was chained in a room had a chain going into his neck. They determined it had been like that for months. No skin, parasites, infected eyes. They dropped the cruelty charge about three weeks ago and he doesn't understand why. The dog is now in his home and is safe.
- He has a lot more information if anybody wants to talk about it.

***Ewa (Eva) Front told the DASAB:***

- She thanked board members for their service.
- She and her family moved here from out-of-state a couple of years ago. She and her family go for walks and see heartbreaking things that bother her.
- She was among those who reached out to Chairman Rich about the apartment complex. She was told it's private property and DAS doesn't have jurisdiction, which surprised her. It's like saying if I abuse my animal on my property, it's allowed. That doesn't make sense.
- Under the county ordinance, there are supposed to be 12 DAS meetings, not four meetings yearly. We have so many animal issues here and she's surprised 80% of the meetings were canceled.
- She understands the board can't answer the public's questions at a meeting.

**Chairman Rich** told her the board doesn't have to respond. We were meeting every month and didn't have a lot to talk about because many things were resolved. That doesn't mean we can't meet during alternate months or monthly if there's something going on. Once we get more involved with Code Enforcement, he expects we will be meeting more often, but it hasn't been necessary. The board voted on this.

***Ms. Hyland told the DASAB:***

- He's not speaking for all of us.
- When she first got on the board, she was able to get it back to monthly meetings.
- Then other board members thought there wasn't enough to talk about, which she did not agree with because she wants monthly meetings.
- They changed it to every three months/quarterly, which she doesn't agree with.
- There are many issues that need to be taken care of and discussed.
- Meetings we used to have in the DASAB meeting room were not rushed. We could sit as long as we wanted, just like BCC meetings. There's no time schedule.
- Issues need to be discussed. She received text messages and photos today about dogs running loose that were almost hit by a car. You could hear cars beeping.

***A discussion ensued between Chairman Rich and Ms. Hyland and the following points were made:***

- The answer can be discussed after the meeting.
- Ms. Hyland believes we need monthly meetings because there are issues nobody wants to talk about.
- We switched to quarterly meetings because the same issues came up repeatedly.
- Ms. Hyland said it's because nothing changed, nothing is solid.
- There's a big community with stray dogs running everywhere, getting killed, chained, run over and sick. Why don't board members acknowledge it or want to fix it?
- Everybody sits here, rolls their eyes and doesn't want to hear it. This is a problem, but nobody wants to talk about it.
- Chairman Rich asked why she felt the board has the ability to fix it.
- Ms. Hyland said that's why we're here. We're not here to sit for an hour and listen to feel-good stuff. She's here to fix problems.
- Chairman Rich said they're now working with Code Enforcement and commissioners to fix problems.
- Ms. Hyland said she wasn't involved and we need to take care of this. Nobody is working as a team and talking about issues. Do you see the Facebook posts? What are we going to do about that? Why isn't there more enforcement to take care of it?
- Chairman Rich said that's why they plan to work with Code Enforcement. We don't

need to talk about this now.

- Ms. Hyland said it has nothing to do with Code Enforcement. She asked when they could talk about this. If we can't talk about this at a meeting and we're supposed to be talking about it as a group, then when do we talk about it?
- Chairman Rich said they can hold a workshop to discuss it, but this isn't the format to do it now.
- Ms. Hyland said we can have a workshop and nothing gets done. At the last workshop, we came up with a list of things to educate the public on. How is the public going to be educated?
- Chairman Rich asked if she'd submitted her ideas. [She didn't respond.]
- We can talk about this after the meeting. People can stick around if they want, but this isn't part of this meeting.
- Ms. Hyland said it is part of the meeting because her concern is a community concern, so please continue (she said to Front).

**Ms. Front** said the ordinance that created this board about 20 years ago says the board should meet monthly.

**Chairman Rich** it's up to the board.

**Ms. Front** said there must be a reason, and she doesn't understand why eight out of 12 meetings were canceled. That may be your judgement, but this isn't what the community wants, so she wishes they'd listen.

**Mr. French told Ms. Front and the DASAB:**

- He was just given the address for that property. He was unaware of the location. It's helpful.
- We follow Florida Statute, Chapter 162, Identify a Complainant. If it's a life-safety issue, call it in and we'll look at it, but we were unaware.
- Nothing is coming to the Code Enforcement office.
- He's not an expert about the DAS ordinance, but it says there are 12 scheduled meetings per year. Whether you hold them is the purview of this board.
- If you give us an address, we can send an officer to look at the problem.

**Ms. Hyland** said it would be great if we had monthly meetings.

**Chairman Rich** said the new board meets in April.

**Ms. Antonia** said if they need a motion to meet once a month, she can make it.

**Chairman Rich** said she can make that motion when the new board meets in April.

**Ms. Hyland** asked which board members believed they should be meeting monthly.

**Ms. Antonia** said she did.

**Dr. March responded:**

- It should be alternate months because all he ever heard was the same thing over and over again and nothing happened.
- At the end of a meeting, we have a few minutes to listen to public comment. This doesn't seem like the forum to discuss ideas to fix things.
- If we had opportunities to sit down as a group, potentially we'd be able to come up with some ideas.
- You're dealing with the government and things go slowly. We've heard this over and over again. It takes forever for things to happen so to talk about the same thing every month and hear the same problems. He understands we want to fix things, but he

doesn't feel like he's accomplishing anything here.

- He's a vet and works with Marcy, so he doesn't have as much of a stake as others on the front lines.
- He takes care of sick animals for Marcy, has done his part and done a lot.
- Once a month isn't necessary, but every couple of months would be good.

***Ms. Front told Dr. March and the DASAB:***

- It's sad that you think you're not changing anything here because she spoke to commissioners and they seemed able and willing to help.
- Maybe if you get together and write a petition, they'd be willing to work with us all. You need to have a dialogue with them.
- That's why this board was created, so please help the public and animals.
- She thanked Ms. Perry for the veterinarian update, but since her family moved here three years ago, it's always been the same thing. You're working to hire one.
- She understands the county situation is dire, so she suggests working with a headhunter or an immigration lawyer. She sent information on how to do that.

**Chairman Rich** said DAS is trying everything to hire a veterinarian. We had someone here from another country a few years ago and it took him three years. He couldn't start practicing right away. They have to go through the boards and pass exams, which can take two or three years.

**Ms. Front** said she spoke with an immigration officer and has worked with many people. She's from another country and went through the process. Some countries have similar licensing as the United States so it doesn't take two to three years. It could take up to a year to get a vet from certain countries. She understands paperwork can take months, but some countries have the same licensing requirements.

**Chairman Rich** said they can look into that. But Collier County is very expensive to live in and he's not sure about the salary DAS is offering. Most veterinarians in this area are looking for other vets.

**Dr. March** said the county is offering a better salary than most vets.

**Chairman Rich** said then maybe there's hope. We also can investigate (hiring from another country.)

**Ms. Front** noted that it's been almost two years. Insanity is doing the same thing and expecting different results. Maybe it's time to look at other hiring options.

***A discussion ensued between Dr. March and Ms. Front and the following points were made:***

- This is a shelter with beds and medicine is needed.
- A very small percentage of veterinary school grads are considering becoming a shelter veterinarian.
- It's a difficult environment so it's good DAS made an offer to a candidate.
- It's good to look at other hiring options.
- This issue has been posted on Facebook and has become a public forum.

**XII. Advisory Board Member Comments**

**Ms. Hyland** said communication between board members is lacking due to what we're able to hear as board members, and getting updated. She didn't know what was going on with Code Enforcement or Humane Society Naples and was hearing it through the grapevine, not knowing the truth. She'd like an update once in a while to keep everyone in the loop.



**Chairman Rich** said the only reason he knew what Code Enforcement is trying to do is because he had the same concerns she had. He asked Mr. French for a meeting and met two weeks ago to discuss his list of 50 concerns. Mr. French agreed they were good concerns and said they'd been discussing how various changes would work and what would be affected. They want it to work. Due to the Sunshine Act, he couldn't tell board members about the meeting without going through Cindy and she'd be giving the board bits and pieces. Our biggest problem is we can't communicate.

**Ms. Hyland** said she hates to be rushed. This meeting is the only time we can talk, unless we communicate through Marcy. She's not against the Code Enforcement partnership, but wanted clarification about the advantages and what DAS could do versus what Code Enforcement could do to assist. Maybe they'll be able to assist more.

**Chairman Rich** said if Code Enforcement can do more than our Animal Control Officers have been able to do because of their position, he's all for it because he wants enforcement.

**Ms. Hyland** said then why don't we start working on it?

*A discussion ensued between Chairman Rich and Ms. Antonia and the following points were made:*

- The DASAB should invite Code Enforcement to speak with the DASAB and have a discussion.
- Chairman Rich said they're still working on the plan and don't have all the answers yet.
- Maybe with DASAB's input, it would help the plan. If we're working with Code Enforcement, the entire board should be involved.
- Chairman Rich said DAS is working with Code Enforcement and he feels he's part of DAS and we're part of that. He represented DAS. It's premature. They don't want seven people there while working on a plan.
- The board worked together with DAS for months when working on the plan for TNR (trap, neuter and release) and again while creating the standards of care

*Mr. French defined his role for the board:*

- He's assigned by the county manager, who works for the Board of County Commissioners.
- He's responsible for resiliency, floodplain management, land-use determinations for zoning, code enforcement, vertical construction, stormwater review, transportation, Code Enforcement and oversight of each GMD department and division for the county.
- We've been doing this a long time. GMD is almost 400 people, 300 plus full-time and contract employees.
- Collier is considered a state-model community.
- He's been looking at this for more than eight months. We have to follow state statutes and direction by the county manager and Board of County Commissioners.
- GMD probably has more community events than any other department, except parks.
- Code Enforcement is constantly trying to engage the community. Our goal is to change behavior through a monetary penalty. If he hasn't hit you in the wallet hard enough to where you could potentially lose your home or property, then he hasn't done his job.
- To change behavior, we take a lawful, educational approach with the Sheriff's Office.
- We work diligently, lawfully and with full communication, but do not make decisions unless the Board of County Commissioners gives us a directive.
- GMD supports more advisory committees than any other county group, so we hear you. He grew up here, when dogs were running on the streets, and understands.



- He's a certified floodplain manager and believes what gets measured gets done. He can't measure something he doesn't know.
- Although he spent only about 6½ months as the department head over the Public Services Division, most of his time was spent identifying problems for the Parks & Recreation and Domestic Animal Services.
- He's an animal advocate so we need time to get this right. There's no sense in taking a case in front of a judge if it will be thrown out.
- In the past three months, we've had a 100% conviction rate, the first time he can remember. It's a small victory. We will change behavior, but it will take time.
- We recognize that if a life is in jeopardy, we need to do it the right way.
- You're welcome to come to the Growth Management Department to speak to him. He's usually there until 8:30 p.m.
- When he started, Collier was the worst in the state and probably the country. Now, communities are chasing us because of the culture we created – our relationship with the community. That's what he wants to do with DAS.
- We handpick all leadership staff members. He grew up here, his parents live in the Golden Gate Estates home he grew up in, so he's committed.
- Dogs were running around the Estates ever since he was a kid. It breaks his heart to see one hit by a car, so if you see something, say something. We will send someone out. We work seven days a week, usually until 10-11 p.m.
- You have our commitment. We're measuring this, have been looking at this for more than eight months and will continue.
- We work behind the scenes. There's a benefit to anonymity that allows us to do our jobs.
- The county manager and Tim Crofts are here to answer your questions.
- 252-2400 is our main number. Everything is public, online on our CityView portal, so if there's a case, the public can view the case and photos.
- Nothing can be changed. Only two keyholders outside of IT staff can change a report. We're very public. That's what the public deserves.

***Mr. Kepp told staff and the DASAB:***

- Code Enforcement case fines accrue monthly and end up as a lien on a property.
- When he didn't want to turn over a case because charges are often dropped, he was told the violator would be given a citation and ordered to take the animal to a vet.
- When he asked what happened if that didn't occur, he was told the violator would get another citation. If they don't do it then, they'd have to go before a magistrate and would get fined.
- He asked what happens if they don't show up to go before the magistrate and was told "we'd lien them."
- Do you think people even care about citations? If someone is fined \$100, how many actually pay that? That's his measure of compliance.
- Can he call you about cases? He had a bad one last week and wishes the county had been sent out.

***Mr. French told Mr. Kepp and the DASAB:***

- The county places a lien against a property. If a person has no property, we file a lien against a person through an agency.
- If a lien isn't paid or the infraction isn't addressed, fines will accrue until it gets to the point of a lien and the county files a lien against the property.
- If the property has a homestead exemption, the county can't foreclose on the property. However, the BCC has taken a very aggressive approach. For the first time in more

than 20 years since he's been here, the board plans to go after \$24 million in liens owed to county taxpayers.

- We're now foreclosing on properties that don't have a homestead exemption. If they have a homestead exemption, it puts a cloud on the title, so they must settle up (to sell). Negotiating a settlement for that can be up to 10% of the property's value and property values are high.
- A property in Goodland has more than \$300,000 in liens against it and is continuing to accrue fines. It will benefit the property owner, who now knows what's going on with her grandson, so it will get cleaned up and they'll negotiate a payoff. Ten percent is \$60,000-\$80,000, a lot less than \$300,000, but the intention is to change behavior.
- If it's a life-safety issue, including an animal, we can schedule an emergency hearing with a special magistrate.
- The special magistrate will make a determination. They're the only ones who can make a determination on a finding of fact. It has to go through a *quasi-judicial* process.
- Once there's a finding of fact, an order is issued within 24 to 48 hours, unless it's an emergency. The special magistrate may then give us direction from the bench. We operate within the confines of the law, Chapter 162 of the Florida Statute, unless the infraction poses an imminent threat to life or safety.
- We often have to call the BCC. A commissioner will file a complaint because residents often don't want to be identified due to fear of retaliation. They also can ask their community association to file a complaint. That's part of the statute.
- Then we must validate the complainant.
- If there are dogs running around, or someone has them and it's tied to a property maintenance issue, we can open a Code Enforcement case. He has to be careful because there's something called latching. He can't go there and open a case on one issue and then find 12 others there. He's there only for that complaint and he looks for that complaint.
- If you have loose dogs or illegal kennels, he can't write someone up for broken down cars or people camping there, but we find a way to educate the resident/property owner so they can help us.
- That's what we did with the homeless camp problem. We partnered with the Sheriff's Office. Sometimes there are children or animals involved. We've had high success rates.
- We started looking at foreclosing on properties at the BCC's direction. The county doesn't take ownership. They're auctioned off on the courthouse steps. There are many investors looking to buy those, just like properties where people didn't pay their taxes. That's going to change the behavior and we're seeing that a lot.
- A local attorney made a living out of buying 60-70 of those homes in foreclosure due to liens or Code Enforcement issues, which could be due to dogs, cats, animals, horses or property maintenance. He'd come to the BCC, which would waive the fines and he'd put \$100,000 into the home and walk away after making \$200,000-\$300,000.
- Commissioner Kowal told him: "Your days of discounts are over." This board has taken a very hard stance on holding people accountable for the maintenance of their properties, as well as their responsibilities.
- There's nothing more deflating than having a code investigator, investigator or director get up here with a solid case only to have it dismissed and we can't hit someone hard enough with a fine large enough to change their behavior. Some community members don't care about their neighbors.

**Chairman Rich** thanked him for the information.

**Vice Chair McLean** noted that the agenda says 2023, so they need to vote to change that.

**Vice Chair McLean made a motion to change the date of the agenda to January 16, 2024. Second by Dr. March. The motion passed unanimously, 7-0.**

**Vice Chair McLean** asked Ms. Perry if she could see the UF report.  
**Ms. Perry** said she can mail it to the board.

**Ms. McLean** asked to discuss the transfer numbers, which are great. It's a great way to move animals out of the shelter and get them into a placement. Her concern is that we're sending to them Humane Society of Broward. The board needs to define who can be transfer partners because the Humane Society of Broward County's success rate and live-release rate is about 66%. There's potentially some agreement about animals being sent back if they're at risk of being euthanized, but we need to set standards on who we're transferring animals to.

**Ms. Perry** said we have an application and an agreement with the Humane Society of Broward that says if we transfer an animal and they think it's a euthanasia candidate, they must first contact us and we will pick up the animal or review the reasons why they think the animal is a euthanasia candidate. All our animals are going there for a live-release. If DAS disagrees, DAS gets the animal back.

**Vice Chair McLean** noted that if their live-release rate is 66%, that probably means the that county is struggling, so we probably shouldn't be contributing to bringing more animals there. That's something we can discuss.

**Chairman Rich** asked if they were picky about what animals they were taking in. Are we discussing that before releasing animals to Broward?

**Ms. Perry** said, absolutely. They're picking the animals based on our conversations, emails and availability to place them.

**Vice Chair McLean** said maybe we can discuss that standard. A no-kill shelter would be ideal. Those percentages are set by national standard. That's what she'd recommend.

**Ms. McLean told the DASAB:**

- When the DASAB voted to go to four meetings a year, she did not agree with it. Her recommendation was a meeting every other month and we could hold workshops on alternate months. That gives us more of an ability to discuss things in a less casual environment.
- We should discuss that at the next board meeting in April.
- We heard feedback tonight and the audience agrees they're not feeling we're making change and we should be. Dr. March also feels that way.
- Sometimes that requires us to look at fresh faces on the board. Dr. March's term is ending and he's leaving the board. His chair must go to a vet, so if anyone is interested, please encourage someone to join the board.
- She asked the chair not to take it personally, but he's been here for a very long time. Change sometimes comes with change and who's in charge, so maybe board members want to consider holding different board positions.

*[The audience thanked her.]*

**Ms. Antonia** asked Ms. Perry about an email that said DAS returned 470 community cats since 2023. Could she have a list of the areas they came from, such as East Naples, Immokalee, etc.?

**Ms. Perry** said people bring DAS outdoor cats that they feed and we spay and neuter them. We don't have a list, but our records are in our Chameleon program. All outcomes are there, including the exact address they were released to.

**Action Item: Ms. Perry agreed to provide data on the areas the community cats were being released to.**

**Dr. March** thanked the board for letting him serve again. He doesn't feel he did much other than being the veterinary community's voice. He tried his best to get DAS help, not just from Harborside Animal Clinic, but by trying to reach out to the veterinary community. We didn't get a lot of participation, but there was some. Thank you to Jim for all the work he did and the rest of the board. You're all high achievers in helping animals. He hopes the board continues to do well. He agrees that having a change on the board through new board members is something to think about.

***A discussion ensued between Ms. Hyland and the chairman and the following points were made:***

- Can the board discuss not having specific occupations required for board members?
- If a vet doesn't want to be on the board, maybe a member of the public who is really motivated and wants to get things done could serve.
- Those changes must be approved by the Board of County Commissioners. That was done for Michele Antonia. That position was reserved for an animal business owner or representative and there wasn't anyone, so she expressed interest.
- We have been approached by a veterinarian who is very interested in Dr. March's board seat. It's nice to have a vet because they can answer questions we're not capable of addressing.
- If we leave all positions open, we'd get a different board.
- That opens up a can of worms for the Humane Society Naples because one seat is designated for HSN. We need a cross-section of board members and education.
- How do we pursue changing the rules with commissioners? Meredith could just reapply. We could get a spay/neuter representative.
- Chairman Rich said it's good to have someone from the Sheriff's Office, a dog and cat rescue and the Humane Society because they're a partner in what we do. It's great to have a veterinarian because they can speak medically. He believes the board is set up properly, but it's up to the BCC. Removing seat specifications would eliminate qualifications.
- Ms. Hyland said qualifications aren't her top vote. She's more interested in how active and how passionate they are about making a change. You can have a qualified board member who sits here and doesn't say a word during the meeting.

**Ms. Perry** said the board seats are set by ordinance.

***Ms. Williams told the DASAB:***

- The makeup of all Collier County advisory boards is by ordinance and is established by the Board of County Commissioners.
- It's standard for to have a variety of representation based on the focus of that advisory board, so representation across all spectrums of animal care is standard.
- If you look at other county advisory boards, there are very specific makeups.
- The only way to change that is for this board to recommend to the Board of County Commissioners that they want to change the ordinance. That would go against every other makeup of every other Collier County advisory board.

**Chairman Rich** noted that there's always a risk of collusion. People who feel very strongly would encourage those people to be on the board to push their agenda. By having this makeup, we have a cross-section of education and talents. We'd lose that diversity if we did what you're suggesting.

**Ms. Hyland** said she doesn't have a specific agenda, but just wanted like-minded people who want to help animals, people who want to do something instead of being a useless board.

**Chairman Rich** noted that a lot goes on behind the scenes that people don't see. Sue says very little here but works hard every day rescuing dogs and trying to reunite them with owners. Everyone here does a lot but they just aren't as vocal as he is or you are.

***Cpl. Rego asked the DASAB and public:***

- What do you need from us? What can the advisory board do to help you?
- We can sit up here for an hour or two, but she needs to know firsthand when she walks through the shelter and sees what the volunteers are seeing and seeing what the staff's needs are.
- There's a lot that goes into it. Sitting here for two hours isn't where it all comes from.
- Workshops are great, but we each need to get out there and do our part, finding out what DAS needs from us.
- She's constantly in contact with DAS, walking through and talking to volunteers. DAS can't run without its amazing volunteers.
- The total number of animals now is 222, a decrease. A few weeks ago, there were 170 dogs. That's incredible.
- Sitting here for two hours doesn't show us everything that goes on, such as what Kelly, Sue or each of us does here.
- It's hard to comment if we don't have answers, so it's not due to lack of caring. She doesn't want to speak up if it's not accurate. Questions are great.

**Secretary Law** said she deals with it every day. Marcy gets calls from her on Saturdays, Sundays, Christmas, New Year's Day/Eve, before her rehearsals, every day. If she (Law) can't get something done, such as a dog getting picked up, she keeps calling or walks into DAS to find someone who will help. It's hard to address it all on the advisory board every three months or every month. She and Jim are both behind the scenes working.

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

- More communication is needed.
- We'd all like to have more free time.
- All we can do is report that dogs are loose and ask officers to pick them up.
- They need to levy big fines until it stops.
- What happens when an officer goes out and an animal doesn't get help? Fines mean nothing if they don't pay.
- We need to levy liens. It doesn't mean much to people who don't own property. Many don't pay.
- If an animal is chained and being neglected, a fine doesn't do much because the owner is given 15 days to fix the problem. That's a problem. It's neglect.
- The board needs to fix these things so there are fewer animals at the shelter.
- It's always going to be a revolving door. You can't adopt your way out of this if the problem continues outside the shelter. We need control the problem.
- It's obviously not working because we get 15-20 pictures within 30 minutes showing

- animals running free.
- What we need is a shelter three times this size and additional parking.
- More money needs to be spent on education and training for officers. We need more officers so they can be in specific areas to handle where problems are severe.
- So many animals were abandoned last year, unlike any other year. That's against the ordinance.
- Some people are holding dogs for ransom. Secretary Law has gotten involved and the Sheriff's Office had to pick them up.
- We could brainstorm this.
- We can't do much as a board until we see what happens with the Code Enforcement plan.
- DAS has a group of officers like it's never had before, but there are only eight to go from Chokoloskee to Clewiston.
- The problems are countywide.

**Cpl. Rego** asked if they wanted to discuss it at a workshop.

**Ms. Hyland** noted that it could take six or seven months to hear what's going on with Code Enforcement.

**Chairman Rich** said we can schedule a workshop and provide our ideas to Code Enforcement.

**XIII. Adjourn**

**Next Workshop: 4 p.m. Feb. 20, 2024**

**Next Meeting: 4 p.m. April 1, 2024**


**Administrative Building F, 3rd Floor**

**Collier County Government Center**

*Ms. Hyland made a motion to adjourn. Secretary Law seconded it. The motion to adjourn passed unanimously, 7-0.*

**There being no further business for the good of the County, the meeting was concluded at 5:47 p.m.**

**Collier County Domestic Animal Services**




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**James Rich, Chairman**

These minutes were approved by the Committee/Chairman on 04-00,  
(check one) as presented  , or as amended \_\_\_\_\_.

*CHA*  
*04-01-24*