



CITY OF
FREMONT
NEBRASKA

ANIMAL CONTROL CITIZEN ADVISORY BOARD MEETING MINUTES
September 16, 2020 - 6:00 PM
City Council Chambers 400 East Military, Fremont NE

MEETING CALLED TO ORDER. The meeting of the Animal Control Citizen Advisory Board was called to order and it was stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL. Roll call showed members Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart present. Absent was Eaton.

- A. Approve August 12, 2020 minutes. Moved by Kracl seconded by Shanahan with correction to #4 showing that Amanda Comstock was not present and did not speak. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.
- B. Roll Call
- C. Request to ask chief of police to clarify the procedures and understandings they have with DCHS on the handling of abused/neglected dogs and animal's at large tickets/reports and response. No action was taken.
- D. Request for items
 1. Exhibit B federal immigration verification system-where is a copy of the certificate? Moved by Kempenar seconded by Homan for the Chairperson to submit request to receive e-verify certificate. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.
 2. Number 16 code provisions
 3. Item B make such records and accounts available for audit purposes to the financial director or any other authorized city representative at any time. Action on these two items were combined. Moved by Kempenar seconded by Platt to request whether the City has conducted an audit of the Dodge County Humane Society. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.
 4. Copy of policies and standard operating procedures in accordance with city and state ordinances and contracts that are binding with DCHS
 5. Does DCHS have a vet tech on staff

6. DCHS compliance with city code and state law as part of the “required” terms and conditions of the animal control contract.
7. Records of spay/ neuters done for the last 2 years
8. Last 2 years of micro chipping records. Action on these five items were combined. Moved by Homan seconded by Kempenar for the Chairperson to submit request to receive information on items #1 and 4-8. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.

E. Subcommittees

1. Complaints/concerns and emails
 - A. No subcommittee report filed by agenda time
 - B. Requested placed on agenda for emails between Martha Niday, Jamie Parsons, Austin Zimmerman and Tamar Reed. Item was removed from agenda.
 - C. Email and adoption contract concerning Bessie the dog. Moved by Kempenar seconded by Homan to request that the City Council Request information regarding Bessie the dog and her records. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.
2. Contract review committee
 - A. Report submitted of contract findings from our two meetings. Motion by Shanahan seconded by Pence to report no violation of Section 1a of the contract. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried. Motion by Shanahan seconded by Pence to report no violation of Section 1a of the contract. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.
 - B. Motion by Kracl seconded by Stewart to report no violation of Section 1b of the contract. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.
 - C. Motion by Kracl seconded by Pence to report no violation of Section 1c of the contract. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, and Stewart. Nay: Homan. Motion carried.
 - D. Motion by Kracl seconded by Kempenar to report violation of Section 1d of the contract. Voting Yea: Kempenar, Pence, Kracl, Shanahan, and Stewart. Nay: Platt and Homan. Motion carried.
 - E. Motion by Kracl seconded by Pence to accept the recommendations for Section 1e of the contract. Voting Yea: Platt, Pence, Kracl, Shanahan, and Stewart. Nay: Kempenar & Homan. Motion carried.
 - F. Motion by Kracl seconded by Stewart to accept the recommendations for Section 1f of the contract. Voting Yea: Kempenar, Pence, Kracl, Shanahan, and Stewart. Motion carried. Nays: Homan & Platt. Motion carried.
 - G. Motion by Kracl seconded by Pence to report no violation of Section 1g of the contract. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, and Stewart. Nay: Homan. Motion carried.

- H. Motion by Kracl seconded by Shanahan to accept the recommendation for Section 2a of the contract. Voting Yea: Kempenar, Pence, Kracl, Shanahan, and Stewart. Nay: Homan & Platt. Motion carried.
- I. Motion by Kracl seconded by Pence to report no violation of Section 2b of the contract. Voting Yea: Kempenar, Pence, Kracl, Shanahan, and Stewart. Nay: Homan and Platt. Motion carried.
- J. Motion by Homan seconded by Kempenar to accept the recommendation for Section 2c and add opossum email issue to recommendation of the contract. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan, and Stewart. Motion carried.
- K. Motion by Kracl seconded by Platt to accept the recommendation for Section 2d of the contract. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, and Stewart. Nay: Homan. Motion carried.
- L. Motion by Kracl seconded by Pence to accept the recommendation for Section 2e of the contract and the Chairman will request additional information on how DCHS responded to the flood of 2019, and how they plan to respond in the future. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan and Stewart. Motion carried.
- M. Motion by Kracl seconded by Pence to accept the recommendation for Section 2f and recommend that the City review each of the line items. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, and Stewart. Nay: Homan. Motion carried.

F. A motion to dissolve DCHS advisory committee and turn report over to the council of our findings. Motion by Kracl seconded by Pence to accept dissolving and end the Animal Control Citizen Advisory Board Committee. Voting Yea: Shanahan, Pence, Stewart, Kracl. Nays: Homan, Platt, Kempenar. Motion carried.

ADJOURNMENT. Motion made by Shanahan, seconded by Platt to adjourn ; time 7:33. Voting Yea: Platt, Kempenar, Pence, Kracl, Shanahan, Homan and Stewart. Motion carried.

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA
REGULAR ANIMAL CONTROL CITIZEN ADVISORY BOARD FOR SEPTEMBER 16, 2020.

Chairperson

Secretary

To: Fremont City Council
 From: Dodge County Humane Society (DCHS) Animal Control Citizens Advisory Board
 Subject: Possible contract violations

The DCHS Animal Control Citizens Advisory Board voted 4 to 3 to dissolve the Board and submit its findings to the City Council.

Section in the contract-1-Dutites of the City

<p>a), To cooperate with DCHS and to furnish the services of the City Police Department, whenever, in the sole determination of the City, it shall be necessary to aid in the enforcement and administration of the City ordinances under the Fremont Municipal Code.</p>	<p>Group does not see any violations</p>	<p>No further follow up needed</p>	<p>DCHS Advisory Board voted 7 to 0 to recommend approval on 9/16/2020 No violation</p>
<p>b), To assist DCHS with animal license requirements and compliance.</p>	<p>Group does not see any violations</p>	<p>No further follow up needed</p>	<p>DCHS Advisory Board voted 7 to 0 to recommend approval on 9/16/2020 No violation</p>
<p>c), To pay DCHS the compensation set forth in paragraph 4 hereof.</p>	<p>Group does not see any violations</p>	<p>No further follow up needed</p>	<p>DCHS Advisory Board voted 6 to 1 to recommend approval on 9/16/2020 No violation</p>
<p>d), To review and monitor all the activities and functions of the DCHS relating to this</p>	<p>We believe this is in violation.</p>	<p>Items for further review and of potential concern. 1. Tickets of animals at large- are they being done? Chief</p>	<p>DCHS Advisory Board voted 5 to 2 to recommend approval on</p>

Contract		<p>of Police reported only one.</p> <ol style="list-style-type: none"> 2. Accountability of budget submission/review 3. Ensure Addendum A of the contract is being followed 4. Ensure animals-at-large are reported to police department and city oversight of roles and responsibilities 	9/16/2020 Violation
e), To prescribe accounting systems for records and accounts.	Unclear what has been subscribed, but more specific format is needed	We recommend the city implement a reporting system and accountability be assigned to a staff and reports required (annually, quarterly or monthly) to avoid future concern.	DCHS Advisory Board voted 5 to 2 to recommend approval on 9/16/2020 No violation
f), To require progress reports, including an annual Contract Completion Report, of the activities and functions of the DCHS.	Unclear if ever been asked for or submitted	The need to be clear on expectations and what requirements, frequency and who will be reviewing them and reporting back is recommended	DCHS Advisory Board voted 5 to 2 to recommend approval on 9/16/2020 No violation
g), To be responsible for and issue press releases regarding any interruption in Services.	Group current does not see any violations	No further follow up needed	DCHS Advisory Board voted 6 to 1 to recommend approval on 9/16/2020 No violation

Section in the contract-2-Duties of DCHS

<p>a), To furnish a monthly report of its activities to the Chief of Police of the City of Fremont. This report will include "Tracking" stats in regards to the number of animals entering and exiting the facility, euthanasia's and reason for the action including "intakes and dispositions" as well as micro chipping records.</p>	<p>Group strongly encourages a new monthly report. The current report is hand written numbers and the monthly report never matched the computer printout. This would avoid some confusion and allow for more accuracy and accountability from DCHS to provide to the city per the contract</p> <p>We believe this is in violation</p>	<p>A new monthly report is recommended to include:</p> <ol style="list-style-type: none"> 1. Number in shelter beginning of the month 2. Number of animals adopted 3. Number of animals found at large and were police notified 4. Number of animals returned home and tickets given 5. Number of animals seen by licensed veterinarian 6. Number of animals put down 7. Number of animals sent to rescue, community partners or foster homes 8. Number in shelter at the end of the month 9. Any concerns the city should be aware of and noted 10. Report signed off by DCHS Board Chair, approved at the board meeting and sent to the City. 	<p>DCHS Advisory Board vote 5 to 2 to recommend a violation of the contract on 9/16/2020 Violation</p>
<p>b), To issue licenses required and to enforce and carry out all licensing</p>	<p>Group current does not see any violations</p>	<p>No further follow up needed</p>	<p>DCHS Advisory Board voted 5 to 2 to recommend no violation of the</p>

<p>requirements relating to animals under the Fremont Municipal Code.</p>			<p>contract on 9/16/2020 No violation</p>
<p>c), To act as pound master and to carry out the duties provided under the Fremont Municipal Code, or as hereafter amended, and, within its authority, to enforce all laws, City ordinances, and rules and regulations of the City of Fremont and the State of Nebraska, relating to the control of animals, both domestic and wild, except animals considered vermin such as rats or mice, within the city limits and to utilize the assistance of the Fremont Police Department in the enforcement of the above laws.</p>	<p>We believe there are some concerns in this area that should be reviewed by legal counsel. Many complaints. This is in violation.</p>	<p>Legal counsel would advise</p>	<p>DCHS advisory Board voted 7 to 0 to recommend violation of the contract on 7/0 on 9/16/2020 Violation</p>
<p>d), To furnish the services of a shelter, shelter director, and staff to enforce and administer the provisions of the Fremont Municipal Code and Chapter 28, Article 10 of the Statutes of Nebraska.</p>	<p>We believe this is in violation</p>	<p>We also recommend the City use legal counsel to provide assistance and reference letter from Chief of Police asking to go on calls with DCHS.</p>	<p>DCHS Advisory Board voted 7 to 0 to recommend a violation of the contract on 9/16/2020 Violation</p>
<p>e), To be the lead agency for animal control services in disaster situations.</p>	<p>Group would like to ask for clarification of the role they played during the flood.</p>	<p>No further follow up needed</p>	<p>DCHS Advisory Board voted 7 to 0 to recommend that this line item to be placed on the request for</p>

			additional information from DCHS on 9/16/2020
f), To furnish the services as identified on Exhibit "A" hereto and incorporated herein by reference (the "Services").	We believe this is in violation	At this time, we recommend the City compare this line item with exhibit A. We believe violations exhibit A is not being followed.	DCHS Advisory Board voted 6 to 1 to recommend violation of the contract on 9/16/2020 Violation

Exhibit A-

8-We feel DCHS needs to follow this request and the City should hold them accountable. We believe Exhibit A is not being followed and is in violation.

Knowing you are in a contract and contracts cannot just be stopped, the subcommittee has made some recommendations.

We recommend the City Council to ask DCHS to do the following to improve performance;

1. DCHS retain a consultant to review the operations and leadership at DCHS. Evaluate strengths, gaps and develop a plan to meet the concerns of the community. This consultant could assist them in staff leadership duties and board roles and responsibilities. This consultant should also address the org chart, a plan to address concerns and complaints; as well as possibly additional training needed for staff on conflict resolution.
2. DCHS to create a communication committee from Board members and community representatives.
3. City and DCHS should review and make addendums to the current contract to enhance services for animals as numbers seem to decline and lack of support as well as community concerns. The community trust and system appear to be broken.
4. DCHS and City improve social media that will enhance adoption and dogs at large to be found by owners

- **This report sent to the subcommittee on 9/8/2020**
- **Changes to be made by 9/11/202 for submission and approval for the 9/16/2020 meeting**
- **Included with items at September 16, 2020 meeting**
- **DCHS Advisory Board vote on 9/16 as a board per line item on 9/16/2020**
- **DCHS Advisory Board was approved in April 2020 with the following members: Danielle Platt, Tricia Homan, Quinn Eaton, Julie Kempenar, Roxie Kracl, Becky Pence, Janet Stewart and Shawn Shanahan. The Advisory Board met on the**

following dates: May 20, 2020, July 16, 2020, July 29, 2020, August 20, 2020 and September 16, 2020

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