

**THE STATE OF TEXAS  
COUNTIES OF POTTER AND RANDALL  
CITY OF AMARILLO**

On this day of February 17, 2014, the Animal Control Board of the City of Amarillo, Texas, held a regular scheduled public meeting at City Hall, Commissioner’s Chambers, at 11:00 a.m., with the following members in attendance:

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VOTING MEMBERS	PRESENT TODAY	NO.MEETINGS HELD 2014	NO.MEETINGS ATTENDED
Ms. Sunny H. Campbell	Yes	1	1
Mrs. Brooke Reeves	Yes	1	1
Ms. Andrea Slater Gulley	Yes	1	1
Dr. C. P. Paullus	No	1	0
Dr. Jim Cook, DVM	No	1	0

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NON VOTING MEMBERS	PRESENT TODAY	NO.MEETINGS HELD 2014	NO.MEETINGS ATTENDED
Mike McGee, Director Animal Control	Yes	1	1
Shannon Barlow, Assistant Director Animal Control	No	1	0
Vicki Covey, Deputy City Manager	No	1	1
Deree Duke, Director Environmental Health	Yes	1	1

**STAFF MEMBERS PRESENT:**  
Rose Lomeli, Recording Secretary

Also, in attendance were the following:  
Jena McFall, Executive Director, Amarillo Panhandle Humane Society,  
Marcus Norris City Attorney  
Brian McWilliams, Assistant City Attorney

Sunny Hodge Campbell called the meeting to order at 11:05 a.m., and established the quorum.

**ITEM 1: Approval of Minutes,**

Sunny Hodge Campbell called for a motion for approval of the minutes held on October 1, 2013. Motion made by Andrea Slater Gulley, seconded by Brooke Reeves.

**ITEM 2: Texas Open Meeting Act Training,**

Marcus Norris introduced Brian McWilliams as Assistant City Attorney. Mr. Norris explained in detail the handout, 6 Key Concepts of the Texas Open Meetings Law. He advised the board of the requirements and consequences of compliances with the Texas Open Meetings Law which is incorporated into the Chapter 2-6-10 of the City Municipal Code. Mr. Norris asked for questions from the Board.

**ITEM 3: Election of Chairperson and Vice Chairperson,**

Andrea Slater Gulley moved Sunny Hodge Campbell be elected as Chairperson, Brooke Reeves seconded the motion. Sunny Hodge Campbell moved Andrea Slater Gulley be elected Vice Chairperson, Brooke Reeves seconded the motion. Both motions passed unanimously.

**ITEM 4: Consider the Amarillo Control Board Meeting Schedule for 2014,**

The dates and times for Animal Control Board meetings were discussed. Andrea Slater Gulley moved the meeting schedule remain the same which is third Monday of every other month starting in April 2014. If there is a holiday that day, then the board meeting will be held the second Monday of that month. Brooke Reeves seconded the motion which passed unanimously.

**ITEM 5: Presentation and Discussion from the Amarillo Panhandle Humane Society,**

Jena McFall presented her adoption numbers and how the Amarillo Panhandle Humane Society will utilize their funds in future years. She discussed a new funding program from an anonymous agency that will help fund a 30 day boarding facility for abused women and their pets. Amarillo Panhandle Humane Society future plans will include half price adoption days, and accepting donated items, such as dog houses, to be given to families that need the donated items. Jena advised she is a certified cruelty investigator in 26 counties within the Texas-Panhandle region. Jena advised that the Amarillo Panhandle Humane Society has limited fostering programs and doesn't hold outside adoption events, but works closely with other rescue agencies that do.

**ITEM 6: Presentation and Consideration of Texas Penal Code Sec. 42.09 (Cruelty to Animals), Municipal Ordinance 8-2-1 (Definitions), and Municipal Ordinance Sec. 8-2-6 (Inhumane Treatment of Animals),**

Director Mike McGee reviewed the municipal ordinances and the state laws related to cruelty to non livestock animals. Municipal ordinance 8-2-1 gives the Animal Control Department the authority to take action for those violating the ordinance or state law as it pertains to cruelty to animals. A municipal ordinance was adopted that begins with a warning citation and education to the owner about the welfare of their animals, and the need for the appropriate food, water and shelter. A second offence can be a Class C misdemeanor. On a third offense, the case can be presented to the County showing the person knowingly and with intent failed to provide for the welfare of their animal(s). Dog fighting issues are Class A misdemeanors.

Several concerns were discussed by Mike McGee. He advised when a warning citation is issued; the citizen are given a 72 hour warning to respond to the warning citation, and then Animal Control Officers follow up to verify the problem has been corrected. Mike went over the definition of shelter by the state as being anything that will provide the animal the ability to get out of the elements of the weather; per se a dog house with 4 walls and a roof. Marcus Norris advised that he and Mike McGee will look over the verbiage of city ordinances for Animal Control to reflect a balance, not duplication, between the state statutes and city ordinances. Marcus Norris advised the last ordinance amendments attempted this balance in 2002, but were a means to closely parallel to the state law to allow our officers to write warnings under city ordinance to help establish knowledge by the person that would be required for prosecution under state law. A person cannot state they don't know because we now have proof with three pieces of evidence.

Discussing Section 8-2-6, Mike McGee advised that for the animals that climb over 6 foot fences, the animal must therefore be confined to the owner's property by rope, leash, or chain long enough for that size of dog to be able to get to their food, water, shelter and exercise. Animal Control Officers will not issue a citation or a warning if a person's means of confinement are tying their dog up outside between 10pm-6am. A citation will be issued if the chain is too short or does not allow a dog to get to food/water/shelter. Officers will educate the owner on how to make it right. Mike advised collar definition includes nylon, leather or similar materials, and that a collar is not defined by a chain or wire, therefore making a chain unlawful.

**Public comments:** Shea White provided a handout starting with the House Bill 1411 with specific definitions of collars and tethering information. She advocated for bigger punishment fines, such as jail time, for repeat animal cruelty offenders. She requests the community get together and donate kennels to people who need them for confinement for an animal.

Marcus Norris explained that House Bill 1411 is a state law, and that there is no reason to duplicate it, but rather see if there is a state nuisance or lesser offense for the ordinance without involving class C misdemeanors. Mike McGee advised our patrol is set up from 7am to midnight and anything after midnight falls under Amarillo Police Department unless it is an emergency animal situation.

Shea White stated how a double layer of PVC pipe on top of a metal fence works to keep dogs in until you meet the dog smart enough to not roll back into the yard when jumping on the PVC, and that effective training helps to confine your dog inside your house. Mike McGee does not recommend the break-away collar because they don't always break away. Instead the recommendation is to use a harness for dogs that like to jump fences while being chained up.

Mike McGee advised in regards to our policy on guardianship, if you render food, water, shelter for 24 hours then you are now the owner of that dog. He stated many people say the dogs are strays in order to stay out of trouble. Mike McGee advised when we impound dogs and they go to the shelter for reclaim

there are fees, citations, warnings, and spay/neuter programs at the shelter which ultimately solves our problems of this happening again.

Ms. Campbell requested drafts of different definitions and wording for expanding our ordinances for each of these topics, including tethering. Mr. Norris advised they will look at suggestions and bring back recommendations to address each of the topics. .

**Public Comments:** Nancy Bellups commented that training and education to the public are great things, but the problem is that people see animals as property. She is an advocate for enforcing more severe punishments, or people will continue to see animals as property and do whatever they want. Mike McGee commented that under State law animals are property, and encourages education for responsible pet ownership.

**ITEM 7: Presentation and Consideration of Responsibilities of the Animal Control Department:**

Mike McGee discussed Animal Control's responsibility to enforce state and local laws that pertain to animals as a way to protect the public from the hazards of being attacked, mauled, mutilated, or from property damage; to protect public health by enforcing vaccination laws, confinement laws that reduce or eliminate the risk of diseases; to make our parks and streets free from roaming animals; to reduce the risk of domesticated animals roaming with wild animals.

The second concern is welfare of the animal, educating people of their responsibilities and requirements for owning an animal, and getting lost animals back to their owners. We promote micro-chipping, rabies tag and pet ownership tag(s) to get pets back to their owners.

Animal Control keeps statistical data on file, including euthanasia records. Animal Control works with other agencies through adoptions and fostering to reduce euthanasia numbers and bite case numbers. ILeads is the software program used by the police and there are some struggles in pulling data from that system to give to the public. Mike McGee advised we are working on a way to get the information the public wants. It might require a different module to ILeads or new software. Andrea Slater Gulley said information on decreasing the euthanasia rate is very important for agencies to get grants and their concern is that the data is last years.

Sunny Hodge Campbell recommends for continuing discussion and documentation as to cats and dogs euthanasia rates, and in which ever means they can provide it at this time. Andrea Slater Gulley made the motion and Brooke Reeves seconded the motion, and the motion carried.

**ITEM 8: Public Forum,**

Shea White continued the discussion of Section 32.492 about cruel manner that prevent unjustified or unwarranted pain or suffering to animals. She believes ear cropping or tail docking should be a felony, and asked to have this reviewed on the next meeting. She requested a discussion of Section 8-2-5-6, the selling of animals without a transient business license and out of trucks at the flea market. She recommended spay and neuter policies through education and other options. She requested the Humane Society and Animal Control operate a couple of hours on the weekends to bring adoption rates up and euthanasia rates down.

Marcus Norris responded the City will look at state law, city ordinances, and statistical keeping systems at the department. Sunny Hodge Campbell stated she would also like to continue item six and seven from the current agenda.

With no further business for the Board's consideration, the meeting is adjourned at 12:50pm.

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Sunny Hodge Campbell, Chairperson  
Animal Control Board

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Deanna Lamkin, Administrative Assistant V  
Animal Control Department