

**Minutes of Meeting
Vicious Dog Hearing
July 25, 2023
1:30 p.m.**

The Kootenai County Board of Commissioners: Chair Leslie Duncan, Commissioner Bruce Mattare and Commissioner Bill Brooks met to discuss the following agenda items. Also present were KCSO Animal Control Officers Sandra Osburn and Ricky Melrose, Civil Deputy Prosecuting Attorney Darrin Murphey, BOCC Communications Coordinator Jonathan Gillham and Deputy Clerk Tina Ginorio. Also present was Kootenai County Resident Paul Perez.

- A. Call to Order:** Chair Leslie Duncan called the meeting to order at 1:38 p.m.
- B. Changes to the Agenda (Action):** There were no changes to the agenda.
- C. Business:**

Hearing for Impounded Dog (Marbles) Set for Destruction, Case Numbers 23-23900, 23-C23320, 23-11472, 22-25015, 23-29133. Paul Perez, Animal Owner. (Action)

Deputy Clerk Tina Ginorio swore in the participants in the quasi-judicial hearing.

Civil Deputy Prosecuting Attorney Darrin Murphey urged that the discussion be kept on topic.

Kootenai County Resident Paul Perez stated that he objected to the term “dangerous” being applied to his dog, Marbles. He described the circumstances under which another dog had been killed at a dog park and chickens killed on or near his property. He stated that a person with whom he was no longer in a relationship had let the dog out of the gate on some occasions, which led to some of the incidents. He stated that he was in the process of building a kennel, which was almost completed and he had been keeping the dog in a muzzle.

KCSO Animal Control Officer Sandra Osburn provided details of the complaints filed against the dog, which also included killing a deer. She noted that two incidents had not resulted in the issue of a citation, but the others had. She stated that the dog had been declared dangerous by the City of Coeur d’Alene and had now been so declared by the County. She reported that there had been a citation issued June 9, 2023 and Mr. Perez had been given 28 days to comply with the requirements, but there was another call for service related to the dog running loose in the neighborhood on July 9, 2023. She said that another chicken had been killed that day.

Mr. Perez provided information on the actions he had taken. In response to a question from Commissioner Bruce Mattare, he stated that the dog had never shown aggression toward any human and particularly not toward any children.

Chair Duncan asked whether Officer Osburn felt that the animal might be rehomed instead of destroyed. Officer Osburn said she felt this was a case in which this was a good option.

Commissioner Mattare moved that the Board end public testimony and enter into deliberations. Commissioner Bill Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

Commissioner Brooks remarked that, in cases like this, he always preferred to preserve the animal's life, if possible, and either educate the owner or consider rehoming. He stressed that public safety needed to be a primary consideration.

It was generally agreed, between the Commissioners and the Animal Control Officers, that it was reasonable to have the dog assessed by trainers to determine whether adoption or euthanasia was the proper choice. Mr. Murphey provided some clarifying information on Legal aspects of the process.

Commissioner Mattare moved that the Board continue the hearing, awaiting the analysis of the dog from the Sheriff's Office by three trainers. Commissioner Brooks seconded the motion. There being no further discussion, Deputy Clerk Ginorio called the roll:

Commissioner Brooks: Aye

Commissioner Mattare: Aye

Chair Duncan: Aye

The motion carried.

In response to questions from Chair Duncan, Mr. Perez voiced understanding of the process moving forward.

D. Public Comment: This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing. There were no public comments.

E. Adjournment (Action): Chair Duncan adjourned the meeting at 2:04 p.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk