

**Minutes of Meeting
Vicious Dog Hearing
August 8, 2023
2:30 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 Officer Sandra Osburn, Civil Deputy Prosecuting Attorney Darrin Murphey, BOCC Executive Assistant Sara Masters, 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 2:30 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)

KCSO Animal Control Officer Sandra Osburn reported that Marbles had been evaluated by three different trainers, as previously directed by the Board: Camp K-9, Faithful K-9 and Method K-9. She said that all the trainers had offered similar conclusions, that Marbles had an extremely strong prey drive but showed no aggression towards people. She stated that the owner, Paul Perez, had built a very good kennel in his yard, in addition to having fence around the yard itself and had put up warning signs. She suggested that the Board consider returning Marbles to Mr. Perez, provided that he commits to following all the rules required.

Mr. Perez voiced his understanding of the requirements and his willingness to abide by them.

Chair Duncan asked if he had been able to get liability insurance to cover any expenses, should Marbles kill another animal.

Mr. Perez said he had not been able to secure insurance.

Commissioner Bruce Mattare indicated concern regarding any future damages that might have to be paid, should another incident occur.

Officer Osburn pointed out that the Board had the authority to waive the insurance requirement.

Commissioner Bill Brooks asked if Mr. Perez could look into getting a bond, rather than insurance. Officer Osburn indicated she would help look into whatever alternatives might be available.

Commissioner Mattare moved that the Board end testimony and enter into deliberations. 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.

It was generally agreed that spot inspections would be performed by Animal Control Officers, with zero tolerance for any lapses. It was also agreed that alternatives to Homeowner's Insurance would be investigated, with assistance from Officer Osburn.

Chair Duncan moved that the Board return Marbles to the pet owner with the following requirements of being muzzled when outside the boundaries of the kennel or the home, that the signage would remain, that the pet owner work with the Sheriff's Department to get some sort of financial responsibility in the amount of about \$10,000, that, should the dog be impounded again or caught without the muzzle, it would be set for destruction with no additional due process, and that any fees or fines incurred must be paid within a two week period. 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.

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 2:52 p.m.

Respectfully submitted,

JENNIFER LOCKE, CLERK

BOCC SIGNATURE

BY: _____
Tina Ginorio, Deputy Clerk