

From: Michelle M. Walker [mailto:michelle.merck.walker@gmail.com]

Sent: Wednesday, December 17, 2014 8:27 AM

To: Earl McKee; Bernadette Pelissier

Cc: Bob Marotto; Warren Porter

Subject: Fwd: ASAB

Chair Mckee and Vice-Chair Pelissier,

I wanted to send the following email exchange to you for your information and to let you know that you and/or other Commissioners may be hearing from Ms. Fitt regarding the proposed Unified Animal Control Ordinance. Please let me know if I can provide you with any additional information about this issue.

Thank you,

Michelle Walker

Chair, Animal Services Advisory Board

----- Forwarded message -----

From: Michelle M. Walker <michelle.merck.walker@gmail.com>

Date: Wed, Dec 17, 2014 at 8:16 AM

Subject: Re: ASAB

To: Virginia Fitt <virginiafitt@gmail.com>

Cc: Warren Porter <woz300z@yahoo.com>, Bob Marotto <bmarotto@orangecountync.gov>

Virginia,

The minutes of the August meeting of the Animal Services Advisory Board (ASAB) accurately reflect that I informed all of the members present at the meeting about your request to address the nuisance provision as part of the unified animal control ordinance and the reasons I and the other officers considered in concluding that it would be best dealt with separately. That discussion and the consensus reached by the ASAB were noted in the minutes of the meeting, which are attached to this email as approved by the ASAB at its September meeting. Regarding some of the other statements in your email, I believe your view of the ASAB's effectiveness may be influenced by the brevity of your exposure to and participation in the Board's efforts.

You were appointed to the ASAB in May of 2014, and in July requested that the definition of nuisance be added to the agenda for the ASAB's next meeting, which would be held in August. After consideration and discussion among Vice-Chair Warren Porter, former Chair Susan Elmore, Director Bob Marotto, and myself, we decided not to include a review of the the nuisance provision of the proposed unified ordinance as a separate agenda item (apart from an update on the progress of the ordinance) for various reasons.

Those reasons included logistical considerations, including the fact that the County's attorneys were still in the process of making revisions and that the August agenda was already full with a mid-year statistics update and review of the report of the Free Roaming Cat Task Force, which had been in development for nearly 8 months. More substantively, we felt that the process of unifying the County's various animal ordinances to provide for much needed operational consistency was not the most appropriate avenue for addressing your concern regarding the nuisance definition, especially at a late stage in the process. As I mentioned to you and to the rest of the ASAB, the nuisance provision could be addressed separately so that due consideration could be given both to the unification process and the broader policy concerns raised by your request.

I also followed up with an email indicating that I anticipated that at its August meeting, the ASAB would provide input regarding the preferable way to proceed with updating the proposed ordinance and presenting it to the Board of County Commissioners.

You did not attend the ASAB's August meeting on August 20 and did not offer a reason for your absence, either before or after the meeting. As I indicated I would, I informed the ASAB of your request to review the nuisance provision of the unified ordinance and of my response that your request implicated broad policy concerns that would be better addressed standing alone rather than as part of the unification process, especially given the late stage of that process and the critical need for operational clarity as

soon as possible. After a discussion of these concerns, the other members of the ASAB unanimously agreed to address any policy issues other than those previously identified by the Board of County Commissioners separately rather than as part of the unification process in order to allow the proposed unified ordinance to proceed toward adoption and implementation as directly as possible.

Soon after the August 20 meeting, Thom Freeman brought to Bob Marotto's attention that your initial appointment to the Animal Services Advisory Board was effective through June 30, 2014 and inquired about reappointment. When Bob wrote to you to confirm your interest in being reappointed, you declined reappointment.

If you have concerns that you feel were not adequately addressed by the Animal Services Advisory Board, you can certainly address them with your elected representatives on the Board of County Commissioners.

Best,

Michelle

On Mon, Nov 17, 2014 at 11:10 PM, Virginia Fitt <virginiafitt@gmail.com> wrote:

Michelle,

I happened to see the August ASAB Meeting Minutes on the internet. I don't believe that the discussion as captured in the minutes accurately captured my repeated requests, and I continue to have concerns that you twice denied the agenda item without discussion with the rest of the board. As I communicated, I think the animal ordinance as drafted is seriously deficient both from a legal drafting and policy perspective, and it is very concerning that the Animal Services Advisory Board specifically chose not to be further involved in its drafting after those issues were raised to its attention and refused to even entertain a discussion of those issues when requested to do so by a board member.

I hope that the Animal Services Board will address policy issues in the future, but unfortunately participation on the Animal Services Advisory Board did not appear to be an effective means for me to participate in the policy process. Unfortunately, the majority of the meetings appeared to be non-substantive updates, with no action or discussion from ASAB required. It's unfortunate that the board has time to consider and draft resolutions supporting non-profits led by immediate family of board

members but cannot find the time on its agenda to discuss policy issues of concern to the residents of Orange County as well as the lack of due process that impacts Orange County residents with no voice on the committee on a daily basis. I do plan to speak to my County Commissioners and also to speak at a meeting opposing the draft ordinance if it appears in its current form.

Virginia

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Michelle M. Walker

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