



**MCHENRY COUNTY BOARD OF HEALTH
PLANNING, REGULATION, ORDINANCE & PUBLIC RELATION COMMITTEE
100 N. VIRGINIA ST.
COMMUNITY ROOM
FEBRUARY 24, 2020
MEETING MINUTES**

PRESENT: Mary McCann, Joseph Clarke, Cindy Gaffney
STAFF PRESENT: Melissa Adamson, Maryellen Howell, Darleen Volant

Meeting called to order by Ms. McCann at 5:34 pm

PUBLIC COMMENT

None

MINUTES APPROVAL

A motion to approve the minutes of the Personnel Committee meeting of October 21, 2019 was made by Ms. Gaffney, second by Mr. Clarke. Motion was approved with a voice vote.

REVIEW OF PUBLIC HEALTH ORDINANCE – ARTICLE VI, ANIMAL CONTROL

Ms. Howell distributed handouts of new language added to Article VI for items that were concerning to the County Board. One concern was the Potentially Dangerous Dog Determination. To deem a dog potentially dangerous, a dangerous dog investigation is done following specific parameters. The concern by the Board was that Animal Control would just deem the dog as dangerous. Ms. Howell also noted the removal of the spayed or neutered order. It may be an option if there are problems in the future. There is also the possibility of removing the potentially dangerous dog designation after 24 months.

Ms. Howell said the States Attorney's Office recommended adding language to allow the Administrator the right to determine where a dog will remain during the investigation and court proceedings to determine if a dog is vicious.

Under Barking Dogs in the Public Nuisance section, Ms. Howell said she removed the euthanasia language and part of the Notice to Appear (NTA). This doesn't mean we can't process an NTA for the public, it was removed so we don't always have to do one.

Another concern for the County Board was the Tethering section. Ms. Howell included a reference to The Humane Care for Animals Act because Animal Control is required to enforce it. The removal of the language noting the hours a dog cannot be tethered was removed.

Ms. Howell stated it was a recommendation by a County Board member, but Ms. Howell told board members it can added by the Board's request.

Ms. Howell explained that in some situations it's preferable to give an ordinance violation to achieve compliance. If the situation is a criminal act, it falls under the Humane Care for Animals Act. The only way the Administrator can impound an animal is if it's in dire straits, otherwise the Sheriff's office has to bring charges to seize the animals.

Ms. McCann suggested training with municipalities and other counties. Ms. Howell stated it would be advantageous if the Sheriff's Department and the State's Attorney's Office were to attend training for the criminal portion.

Ms. Howell also informed committee members of the States Attorney's Office recommendation for posting security during an appeal process, which was added to the article.

A suggestion was made that once the Article has been approved, a committee should review all the language in the entire article. Ms. Howell stated that if that were to be done, additional people would need to be added to the group since this would be a large undertaking. Ms. McCann said the group should include municipal employees, board members and law enforcement. Ms. Howell also noted that McHenry County Animal Control's ordinances are very similar to other counties. All Animal Controls follow the Animal Control Act.

After a discussion between the three committee members in attendance, it was determined there would not be three affirmative votes to pass a recommendation.

A motion was made by Mr. Clarke, second by Ms. Gaffney to move all changes to Article VI-Animal Control to the Board of Health without Committee action. Motion was approved unanimously with a voice vote.

ADJOURNMENT

Motion to adjourn meeting at 6:26 pm was made by Mr. Clarke, second by Ms. Gaffney. Motion was passed by a voice vote.