

# MEETING MINUTES

**MEETING PURPOSE:** Animal Control Board Meeting

**MEETING DATE** May 26, 2015  
**AND LOCATION:** Zimmerman Center, 1801 Virginia Lane

**ATTENDEES:** Animal Control Board Members:  
Delmer Schmidt, Robert Pumphrey  
Charles Bushey, Jeannette Vieg, Cara Chamberlain

Animal Control Staff:  
Tom Stinchfield, Animal Control Supervisor

Special Guests:  
Tina Volek, City Administrator  
Rich St. John, Chief of Police  
Mike Cromwell, City Council Member

**RECORDED BY:** Denise Hice

## **I. MEETING CALLED TO ORDER**

Chairperson Del Schmidt called the meeting to order at 2:03 pm.

### **A: APPROVAL OF THE MINUTES**

Robert Pumphrey made a motion to approve the April 29, 2015 minutes. Cara Chamberlain seconded. On a voice vote, all were in favor.

### **B: ELECTION OF OFFICERS**

Robert Pumphrey was nominated as the new Chairperson of the Animal Control Board. Jeannette Vieg was nominated as the new Vice Chairperson. On a voice vote, all were in favor for both nominations. Newly elected Chairperson Robert Pumphrey took over the meeting.

## **II. OLD BUSINESS**

### **A: DOGS ALLOWED WITHIN CITY PARKS ON A LEASH**

Tom Stinchfield, Animal Control Supervisor, reported that he met with the joint committee from the Animal Control and Park Boards regarding this issue.

Jeannette Vieg presented a proposal to the Board that the joint committee had drafted and said that she would email it to the Board after the meeting.

However, several questions still need to be answered; such as: What is the definition of a park? Should there be a length required or restriction on the type of leash used? Once these questions are defined and added to the draft, then the Draft Proposal will be presented to the full Parks Board. A final proposal will then be readied for presentation to the City Council.

**B: HONEY BEES ALLOWED WITHIN THE CITY LIMITS**

Lonnie Larson, President of the Yellowstone Valley Beekeepers Association presented a Bees Fact Sheet to the Board. He commented that after the last Animal Control Board Meeting several members of the community attended the Beekeepers Association meeting at the Library, which meets the second Tuesday of every month at 7:00 p.m. Mr. Larson said that the main concern expressed was over allergy issues. He reiterated that honey bees are generally not aggressive unless they are within 10 feet of the hive and are provoked.

Jeannette Vieg said that she had contacted Riverstone Health regarding bee stings, but they had no data to offer.

A draft ordinance will need to be presented to the City Attorney for review before it can be presented to the City Council. The Board expressed that they would like to see how other localities have drafted their ordinances. They would also like for the ordinance to include a description of swarming and how it will be addressed if it occurs.

Tina Volek commented that the earliest an ordinance could be final would be August. It must be presented as a first reading with a public hearing and then have a second reading, with the council voting on it both times. It goes into effect 30 days after being approved after the second reading.

Mr. Larson commented that most hives are started in the early spring; therefore the timeline for getting an ordinance approved is of no consequence.

**C: PUBLIC COMMENT**

There was public comment regarding the concern of swarming bees. The citizen making the comment was concerned about space requirements for neighbors having hives.

The Board addressed the comment by indicating that the ordinance would include set back requirements of 15 feet from boundary lines. A six foot fence would also be required.

**III: NEW BUSINESS**

**A: POTBELLIED PIGS IN THE CITY LIMITS**

Jeannette Vieg commented that this issue had been brought up in 2008 and passed out the information from 2008. She commented that pigs are swine and zoning would have to be changed in order for swine to be allowed in the City. She indicated that the Zoning would have priority over the Animal Control Board.

Tom Stinchfield commented that Missoula, Helena, and Great Falls currently have ordinances that have declared potbellied pigs as domestic animals.

**B: PUBLIC COMMENT**

**1) POTBELLIED PIGS**

A citizen commented that she is the owner of a potbellied pig. She indicated that due to allergies there should be alternatives to having cats or dogs. Her pig, Pork Chop, is currently 45 pounds and is a micro-pig. She also pointed out that potbellied pigs are not disease ridden and in her case, the pig offers emotion support and should be declared a service animal.

Tina Volek interjected that there are state requirements as to the definition of a service animal. She also indicated that there are zoning definitions of pets versus livestock and currently pigs are considered livestock.

Tom Stinchfield the Helena City Attorney in their ordinance considers potbellied pigs as domestic. Helena has had no issues. Mr. Stinchfield did point out, though, that from an Animal Control perspective several issues need to be address:

- Shelter Space: if a pig is found running at large, where would it be kept at the shelter.
- Unclaimed Pigs: if a pig is not claimed by the owner, then what would the outcome for the pig be.

Delmer Schmidt commented that if the Board allows potbellied pigs in the City, then where does it stop? Will others want exceptions for other types of livestock?

The Board decided unanimously to table the issue and hold a special meeting in June to exclusively discuss the issue of potbellied pigs.

## 2) **NUISANCE DOGS**

A citizen would like for the Board to revisit the barking dog issue. It is currently a Municipal Infraction and the citizen believes a fine should be in place that has more “teeth” to it. It is an issue that can cause great problems between neighbors if not dealt with. He believes that if dog owners aren’t going to do anything but put their dogs in the yard and not pay any attention to them, then they should not be allowed to have dogs.

Tom Stinchfield says that currently Animal Control sends a letter to the dog owner indicating that a complaint has been filed. Animal Control requires the complainant to document the issue on a log. If the barking can be proven to be a nuisance then a citation is issued. He agrees that barking dogs are an issue in the City.

The Board would like to have barking dogs added to the next regular meeting agenda and discuss:

- Requiring training for owners.
- Beef up the fines.

## IV: **ADJOURNMENT**

2:57 pm