

2020 ANNUAL REPORT of the  
HOWARD COUNTY  
ANIMAL MATTERS HEARING BOARD

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**Introduction**

The Howard County Animal Matters Hearing Board (AMHB or “the Board”) is a quasi-judicial board comprising seven (7) members, all of whom are residents of Howard County. (See Appendix A – “Animal Matters Hearing Board Members”). Tasked to meet monthly, the AMHB met only twice during calendar year 2020 for multiple reasons. Severe weather, the COVID pandemic, and technology challenges caused the cancellation of nine meetings, with another meeting cancelled because no citizens attended.

In total, the AMHB heard and ruled on 11 cases covering 20 separate violations ranging from nuisance complaints to more serious charges of endangering a person or domesticated animal. No 2020 AMHB rulings were appealed to the Howard County Board of Appeals.

**Responsibilities**

(See Appendix B – “Animal Matters Hearing Board Responsibilities”)

Submit Annual Report

Per Section 17.320(b)(1), the Animal Matters Hearing Board hereby submits its annual report for the calendar year 2020. In order to more efficiently produce subsequent annual reports, the AMHB requests that the Howard County Animal Control (HCAC) Administrator provide monthly and one annual report from Chameleon (HCAC software) to provide data required by the board. The Board will work with the HCAC Administrator to identify the data to be included in the Chameleon reports.

- Recommendation: The Animal Matters Hearing Board recommends the HCAC Administrator provide monthly and one 12-month (Jan -Dec) reports from Chameleon with data required by the board to produce its annual report.

Hold Hearings

As suggested above, one of the main responsibilities of the AMHB is to hold hearings on citizen appeals of HCAC citations and/or declarations. During 2020, the Board’s ability to meet was greatly impacted by the COVID pandemic, significantly reducing the number of cases before the Board in comparison with a “normal” year. Specifically, the Board met in-person only once – in February 2020. January’s meeting was cancelled because of severe weather. From March to October 2020, no Board meetings were held because of restrictions imposed by the COVID State of Emergency. By the time of the November 2020 meeting, the HCAC Administrator’s requirement for teleconference-capable computer/camera equipment was fulfilled and the Board convened via WebEx, although no citizens attended / logged on to the meeting. As a result, no cases were heard until December’s meeting which was held via WebEx.

Review and Affirm, Reverse, or Modify Actions and Decisions of the Animal Control Administrator

During its two meetings in 2020, per Section 17.320(b)(7), the Board ruled on 11 cases covering 20 individual violations of Howard County Code Section 17. Subtitle 3: Animals. The violations

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ranged from simple nuisance violations to more serious charges of endangering a person or domesticated animal. Of those, the most frequently-appealed violation during 2020 was a nuisance violation - allowing animals to run at large off the owner's property - closely followed by not vaccinating animals against rabies and failing to provide licenses. The Board heard only three cases involving more serious charges of interfering with an officer, approaching in an attitude of attack, and endangering a person or domesticated animal. (See Appendix C – AMHB Caseload-2020 and Appendix D – Violation Tracking-2020.)

The Board affirmed 95% (19 of 20) of HCAC citations, reversing only one (1). The AMHB upheld all but one (1) of the fines levied, reducing it by 50%. All decisions of the Board were issued by Decision and Order within the prescribed time frame. (See Appendix E - AMHB Decisions-2020.)

Citizens have the right to appeal AMHB rulings. When a citizen does appeal an AMHB decision to the Howard County Board of Appeals, the AMHB monitors the progress of that appeal. During 2020, there were two (2) such appeals.

- On June 23, 2020, the Howard County Board of Appeals heard the appeal of Elizabeth Lindenau and Brady Decker contesting the AMHB affirmation of the HCAC Administrator's permanent impoundment of 59 live animals and 42 deceased animals belonging to the Appellants.
- The Board of Appeals affirmed the AMHB ruling on Oct 5, 2020.
  - That ruling was then appealed to the Howard County Circuit Court which did not hear that appeal in 2020. (On April 27, 2021, the Circuit Court did affirm the Board of Appeals ruling.)
- The Board of Appeals heard the appeal of Alan Frisk on August 6, 2020 and issued its written decision on November 9, 2020 affirming the Animal Matters Hearing Board decision that affirmed the HCAC Administrator's Declaration of April 24, 2019 identifying two dogs as "Potentially Dangerous".

Recommend standards for the operation and maintenance of county animal control facilities

HCAC Operation during Pandemic

The AMHB is also tasked with recommending standards for the operation and maintenance of county animal control facilities (Section 17.320(b)(3)). While the AMHB did not make any new recommendations during 2020, it would like to commend the HCAC Administrator and the staff of the Howard County Animal Control and Adoption Facility (HCAC Facility or "county shelter") for their dedication to maintaining high standards of operation and maintenance during 2020. Already under stress housing 59 impounded animals when COVID hit, and while the remainder of the Howard County Government closed to the public from March 15 through December, 31, 2020, the HCAC Facility was never completely closed to the public, remaining open for animal intake and redemptions. Within 1 ½ weeks of the County declaration of a State of Emergency, the county shelter began on-line adoptions, opening to the public on a by-appointment-only

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basis. The HCAC Facility operated in such fashion since throughout the remaining months of 2020.

**HCAC Volunteer Support**

In a related matter, the HCAC's volunteer program – critical to the operation of the county shelter was halted for three (3) months (April through June) in 2020. Due in large part to pleas from volunteers, the program was re-instated allowing volunteers to return to the county shelter in July 2020 under strict guidelines:

- No more than two (2) volunteers working at a time in the dog kennel (sometimes houses turtles, large rabbits) or in the cat room (which also houses small domestic animals such as rabbits, gerbils, hamsters, etc.)
- Volunteer's temperature must be taken before being allowed to work
- Volunteers must wear face masks and wash hands frequently (hand sanitizer also provided by HCAC)

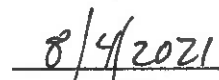
Usually maintained at 90 individuals, virtually half of the individuals in the HCAC volunteer program returned to the shelter over the course of the remaining months of 2020 to provide assistance to the HCAC staff and to shower attention on the animals housed at the facility.

In addition, two (2) "new" volunteers were added to the program during 2020. (These individuals had previously been a part of the shelter volunteer program and the processing of their applications for reinstatement had begun prior to the COVID State of Emergency.)

**Summary**

During 2020, the Animal Matters Hearing Board performed its duties in accordance with Section 17.320 of the Howard County Code within the constraints imposed by the COVID pandemic.

  
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Paula M. Schultz, Chairperson, AMHB

  
\_\_\_\_\_  
Date

APPENDIX A -- Animal Matters Hearing Board Members - 2020

Connie Molter, Chairperson  
Paula Schultz, Vice Chairperson  
Flavia Delmastro, DVM  
Nicolas Orechwa  
Elaine Ritchey  
Dorothy Ruck  
LaRee Siddiqui

Deborah Baracco  
Executive Secretary to the AMHB / Howard County Animal Control Administrator

Debra Edelman  
Administrative Assistant to the AMHB / Howard County Animal Control Staff Member

Barry Sanders  
Legal Advisor to the AMHB / Office of the Howard County Solicitor

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APPENDIX B - ANIMAL MATTERS HEARING BOARD RESPONSIBILITIES - 2020

Section 17.320. Animal Matters Hearing Board

(a) .....

(b) Duties and Responsibilities. The Board shall:

- (1) Submit an annual report concerning its responsibilities, including recommendations pertaining to legislation, regulations, and fiscal planning
- (2) Recommend standards for the operation and maintenance of county animal control facilities;
- (3) Recommend standards and procedures for the control, collection, custody, and disposal of animals
- (4) Review the annual budget for the operation of the animal control facility and make recommendations to the chief of police
- (5) Advise the chief of police, the county executive, and the county council on animal control regulations and legislation;
- (6) Hold hearings under this subtitle
- (7) Review and affirm, reverse, or modify actions and decisions of the animal control administrator pursuant to this subtitle;
- (8) Issue written decisions and orders
- (10) Carry out any other duties mandated by law.

Cases	Jan	Dec	Total
Scheduled	7	7	14
Postponed	3	0	3
Upheld / Dismissed for Failure To Appear	0	0	0
Appeal Withdrawn	0	1	1
Heard	4	6	10
Total Violations	7	13	20

Citation Type	County Code Section	Category	Feb	Dec	Total
Failure To Provide Rabies Vaccination	17.301 (a) 1	Rabies Vaccination	1	3	4
Failure To Have License	17.301 (b) 1	License	1	4	5
At Large	17.302 (a) 1	Nuisance	2	5	7
Prevention of Enforcement	17.304 (a) 1	Threat to Public Safety	1		1
Molests or otherwise interferes with the freedom of movement of a person at any place	17.304 (a) 4	Threat to Public Safety	1		1
Approaches people or other animals in apparent attitude of attack	17.304 (a) 5	Threat to Public Safety	1		1
Prevention of Enforcement	17.315 (a)	Enforcement		1	1
					20



