

2021 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 – “AMHB Members”). In mid-2021, a Maryland State Court of Appeals ruling greatly reduced the types of appeals heard by the AMHB, thereby reducing the number of cases heard and meetings required. A more full-some discussion follows under Responsibilities/Hold Hearings.

**Responsibilities**

Submit Annual Report

Per Section 17.320(b)(1), the Animal Matters Hearing Board hereby submits its annual report for the calendar year 2021.

Note that the recommendation put forward in the AMHB 2020 Annual Report - that the Howard County Animal Control (“HCAC”) Administrator provide monthly reports and one 12-month report from Chameleon (the HCAC Facility’s database) to enable the AMHB to produce its annual report – was rendered moot by the Court of Appeals ruling described below.

Hold Hearings

In mid-2021, the State Court of Appeals clarified the State law requirement that civil citations with associated fines may not be appealed to a citizens’ appeals board such as the AMHB, but must be adjudicated in the District Court of Maryland. As a result, the AMHB is not authorized to hear appeals of civil citations carrying fines, the vast majority of cases previously heard by the Board. The AMHB now hears only appeals of decisions/actions taken by the HCAC Administrator such as the declaration of dangerous and potentially dangerous animals, impoundments, denial of adoption, denial of licensure of private animal shelter or conditions imposed thereon.

Prior to the State Court of Appeals ruling, the Board had met six (6) times in 2021 via WebEx deciding on 25 cases. Hearings were suspended for a number of months while issues surrounding the ruling were clarified. The AMHB held one additional meeting during 2021 to hear two cases. That hearing was held in-person.

New county legislation (CB1-2021, effective 6/6/21 ) added a responsibility to the AMHB’s plate – that of hearing appeals related to private animal shelter licensure. The Board heard no related cases during 2021.

In compliance with State requirements, the Chairperson and Vice Chairperson completed on-line training on the Maryland Open Meetings Act offered by the Office of the Attorney General and the University of Maryland's Institute for Governmental Service and Research.

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

Following the Court of Appeals ruling, the AMHB ruled on the appeals of one declaration of a potentially dangerous dog and one declaration of a dangerous dog (Section 17.303), upholding the HCAC Administrator's actions in both cases.

Citizens have the right to appeal AMHB decisions. During 2021, the AMHB monitored the progress of an appeals case begun in 2019.

- On April 27, 2021, the Circuit Court affirmed the June 2020 Board of Appeals ruling affirming the 2019 AMHB affirmation of the HCAC Administrator's permanent impoundment of 59 live animals and 42 deceased animals belonging to the Appellants Elizabeth Lindenau and Brady Decker.
- The Appellants appealed the Circuit Court's decision. No 2022 court date has been set as of the date of this report.

Issue Written Decisions and Orders

Decisions of the Board were issued by written Decision and Order within the prescribed time frame.

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)). The AMHB did not make any recommendations during 2021, though it would like to again commend the HCAC Administrator and the staff of the Howard County Animal Control and Adoption Facility (HCAC Facility or "county shelter") for maintaining high standards of operation and maintenance during 2021. It should be noted that the county shelter continues to house and care for 59 impounded animals (See Review and Affirm, Reverse, or Modify Actions and Decisions of the Animal Control Administrator) in addition to the usual flow of animals.

The HCAC Facility returned to pre-pandemic operation levels in September 2021 when County buildings were opened to the public.

In order for AMHB members to more fully understand the operation and status of the HCAC Facility, the Chairperson recommended the members of the Board take a guided tour of the shelter. Members agreed with the suggestion although its implementation has been deferred until it is entirely safe to do so within COVID protocols.

HCAC Volunteer Support

For the first several months of 2021, HCAC's volunteers operated under strict guidelines set in place during the height of the COVID pandemic:

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- 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)

In July 2021, restrictions were adjusted to comport with the COVID status at the time, allowing more than two (2) volunteers working at a time in the dog kennel or in the cat room. The requirement to wear a face mask remained in effect.

In September 2021, the full scope of the volunteer program was reinstated requiring volunteers to complete 4 hours of service each calendar month. By the end of 2021, the HCAC volunteer program had fully re-opened to allow for volunteer application and processing. The HCAC Administrator's goal for the volunteer program in 2022 is to be staffed at such a level that the shelter can re-open for adoption purposes on Saturdays. The AMHB whole-heartedly supports this goal which will allow even more opportunity and convenience to citizens and more chances for adoptable animals to find homes.

#### HCAC Staffing Needs

The AMHB, in discussion with the HCAC Administrator, has identified two staffing needs at the HCAC shelter and urges favorable consideration of them.

- Volunteer Coordinator – would not only maintain a frequently changing volunteer schedule, but would greatly increase the shelter's public outreach, improve the education and training of volunteers, enhance enrichment activities offered to animals in the shelter, and allow for better acknowledgment of volunteer contributions to the shelter.
- Animal Behaviorist – would greatly improve the HCAC staff ability to temperament-test incoming animals, diagnose behavioral problems, recommend actions/programs to modify unwanted behaviors, rehabilitate damaged animals, and ultimately increase the chance of adoption for animals, thereby saving lives.

#### Advise the chief of police, the county executive, and the county council on animal control regulations and legislation

During 2021, the AMHB actively supported the consideration and passage of CB1-2021, an act "requiring a license for private animal shelters; ...providing for inspections;...providing the conditions under which the license can be suspended or revoked; providing for appeals and license renewals;...providing standards of care;...adding to the duties of the Animal Matters Hearing Board;...and generally relating to private animal shelters in Howard County".

CB1-2021 was approved on April 6, 2021 and went into effect on June 6, 2021. The HCAC Administrator advises that three private shelters applied for and received licenses to operate since the law went into effect.

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CB1-2021 went into effect on June 6, 2021, adding one more responsibility to the Animal Matters Hearing Board's charter. As of December 2021, the AMHB had heard no cases related to the new law.

**Summary**

During 2021, the Animal Matters Hearing Board performed its amended duties in accordance with Section 17.320 of the Howard County Code.

  
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Paula M. Schultz, Chairperson, AMHB

  
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Date

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APPENDIX – AMHB Members

Paula Schultz, Chairperson

LaRee Siddiqui, Vice Chairperson

Flavia Delmastro, DVM

Fran LoPresti (appointed May 2021 to replace Dorothy Ruck whose term had expired)

Connie Molter

Nicolas Orechwa

Elaine Ritchey

Deborah Baracco

Executive Secretary to the AMHB / Howard County Animal Control Administrator

Debra Edelmann

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

Barry Sanders

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