MEETING NOTICE

The Animal Matters Hearing Board (AMHB) held its monthly meeting on Wednesday, March 9, 2022, at 6:30 p.m. using a Zoom virtual platform.

Members: Charles A. Bucy Present Megan A. Noyes, Chair Absent
Laurel A. Matthews Present Thomas S. Phelps, Vice-Chair Present
Karen D. Maxey Present Helen A. Prince Present
Jacqueline Wisnauskas Absent

Clerk: Francie Rose, Executive Administrative Aide, Public Safety

Staff: Jacqueline Vaughan, Public Safety Director
Crystal Dowd, Deputy Director of Animal Services, Public Safety
Pamela Lucas, Associate County Attorney, County Attorney’s Office
Danielle Dickerson, Volunteer and Rescue Coordinator/Moderator, Public Safety

OPEN MINUTES

General Business & Administrative Matters
1. Meeting was called to order at 6:35 p.m.
2. Quorum was determined.
3. A motion was made by Karen D. Maxey, seconded by Helen A. Prince, to approve the minutes from the open meeting on December 8, 2021. The minutes were approved unanimously by all in attendance.
4. A motion was made by Charles A. Bucy, seconded by Karen D. Maxey, to approve the open agenda. The open agenda was approved unanimously by all in attendance.

Hearings:
1. Case No. 21-43934 – Mann/Stanier – Due to challenges with connectivity by the Appellants, this hearing was heard second on the agenda. Curtis and Susan Mann appealed their dogs, Hannah and Fancy, being placed on the Dangerous Animal List as a result of an incident that occurred on August 6, 2021.
   - Present were Mr. and Mrs. Mann, and Samantha Kline, Esquire and John Erly, Esquire, counsel for Mr. and Mrs. Mann. The complainant was not present. All parties present were sworn in by the Associate County Attorney prior to providing testimony.
   - Exhibits 1 – 13 were previously submitted to the Animal Matters Hearing Board for admission to the record. A motion was made by Laurel M. Matthews, seconded by Karen D. Maxey, to accept the exhibits into the record. The exhibits were approved for acceptance unanimously by all in attendance. Exhibit #11 was a request for dismissal. A motion was made by Karen D. Maxey, seconded by Charles A. Bucy, to deny the motion to dismiss the appeal case. The motion carried unanimously by all in attendance.
   - Crystal Dowd submitted the case file for the record and read the account of what occurred on August 6, 2021. Some Board members had questions of Ms. Dowd, and answers were provided. Counsel relayed Mr. and Mrs. Mann’s version of events through questioning. Some Board members had
questions of Mr. and Mrs. Mann and counsel, which were asked and answered. A motion was made, seconded, and passed unanimously by all in attendance, to enter into Executive Session to deliberate pursuant to the General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Board returned to open session and rendered its decision that the evidence presented, and testimony given does not support Animal Control’s finding that Hannah and Fancy are Dangerous Animals, and that Hannah and Fancy should be removed from the Dangerous Animal List.

2. Case No. 21-64716 – McDermott/Wilkerson – Mr. Dermot McDermott appealed his dog, Tatianna, being placed on the Dangerous Animal List as a result of an incident that occurred on November 16, 2021.
   - Present were Bite Investigations Officer Kaitlin Sewell, Mr. Dermot McDermott, Appellant, and Ms. Angela Wilkerson, owner of the victim dog. All parties present were sworn in by the Associate County Attorney prior to providing testimony.
   - Exhibits 1 – 6 were previously submitted to the Animal Matters Hearing Board for admission to the record. A motion was made by Laurel M. Matthews, seconded by Karen D. Maxey, to accept the exhibits into the record. The exhibits were approved for acceptance unanimously by all in attendance.
   - ACO Sewell submitted the case file for the record and read the account of what occurred on November 16, 2021. A Board member had a question of ACO Sewell, which was asked and answered. Mr. Dermott McDermott then gave his account of what occurred. Some Board members had questions of Mr. McDermott, and answers were provided. Ms. Angela Wilkerson gave her account of what occurred. Some Board members had questions of Ms. Wilkerson, and answers were provided. A motion was made, seconded, and passed unanimously by all in attendance, to enter into Executive Session to deliberate pursuant to the General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Board returned to open session and rendered its decision that the evidence presented, and testimony given does not support Animal Control’s finding that Tatianna is a Dangerous Animal, but is instead a Potentially Dangerous Animal, and that Tatianna should be removed from the Dangerous Animal List and placed on the Potentially Dangerous Animal List.

   - Present were Bite Investigations Officer Kaitlin Sewell, Ms. Rita Wood, Appellant, and Ms. Pamela Cousins, owner of the victim dog. All parties present were sworn in by the Associate County Attorney prior to providing testimony.
   - Exhibits 1 – 6 were previously submitted to the Animal Matters Hearing Board for admission to the record. A motion was made by Laurel M. Matthews, seconded by Charles A. Bucy, to accept the exhibits into the record. The exhibits were approved for acceptance unanimously by all in attendance.
   - ACO Sewell submitted the case file for the record and read the account of what occurred on January 5, 2022. A Board member had a question for ACO Sewell, which was answered. Ms. Wood gave her account of what occurred. Some Board members had questions of Ms. Wood, and answers were provided. Ms. Cousins then gave her account of what occurred. Some Board members had questions of Ms. Cousins, and answers were provided. A motion was made, seconded, and passed unanimously by all in attendance, to enter into Executive Session to deliberate pursuant to the General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Board returned to open session and rendered its decision that the evidence presented, and testimony given does not support Animal Control’s finding that Bella is a Dangerous Animal, but is instead a Potentially Dangerous Animal, and that Bella should be removed from the Dangerous Animal List and placed on the Potentially Dangerous Animal List.

4. Case No. 22-03753 – Parrott/Prowinski – Ms. Jiraphat Parrott and Mr. Glenn Parrott appealed their dog, Arnold, being placed on the Dangerous Animal List as a result of an incident that occurred on January 24, 2022. Helen A. Prince recused herself from this case.
Present were Ms. Jiraphat Parrott and Mr. Glenn Parrott, Appellants, and Mr. Jason Prowinski and Jaden Prowinski, owners of the victim cat. All parties present were sworn in by the Associate County Attorney prior to providing testimony.

Crystal Dowd submitted the case file for the record and read the account of what occurred on January 24, 2022. Mr. Parrott gave his account of what occurred. Some Board members had questions of Mr. Parrott, and answers were provided. Jaden Prowinski then gave her account of what occurred. Finally, Mr. Prowinski gave his account of what occurred. A motion was made, seconded, and passed unanimously by all in attendance, to enter into Executive Session to deliberate pursuant to the General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Board returned to open session and rendered its decision that the evidence presented, and testimony given supports Animal Control’s finding that Arnold is a Dangerous Animal and that Arnold should remain on the Dangerous Animal List.

Old Business

Ongoing Review of Proposed Revisions to Animal Ordinance – Laurel M. Matthews mad a motion to have a special meeting before the next meeting but rescinded the motion. Laurel M. Matthews made a motion to postpone the completion of the ordinance to the next regular meeting. The motion was seconded by Karen D. Maxey. The motion carried unanimously by all members present without further discussion. The most recent version of the ordinance will be sent to the AMHB for review.

New Business

Ordinance Exception – Discussion – Karen D. Maxey provided some statistical information from the Calvert County Health Department regarding dog bites. Karen D. Maxey made a motion to postpone discussion of the ordinance exception matter to the next regular meeting. The motion was seconded by Karen D. Maxey. The motion carried unanimously by all members present without further discussion.

Ongoing Business/Other Items for discussion
None

PSA Announcements
None

Announcements

- The AMHB will hold regular monthly meetings on the second Wednesday of each month; this regular schedule has also been duly advertised. Information and agendas for all meetings forward may be found on the AMHB webpage: http://www.co.cal.md.us/index.aspx?nid=2154.

Recess, subject to Motion of Privilege for Closed Meeting:

- Motion made by Charles A. Bucy at 7:00 p.m., seconded by Helen A. Prince, all board members present in favor, none opposed, to enter closed session to discuss an investigative proceeding pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The first closed session was adjourned at 7:12 p.m. and the AMHB returned to open session.

- Motion made by Helen A. Prince at 8:03 p.m., seconded by Charles A. Bucy, all board members present in favor, none opposed, to enter closed session to discuss an investigative proceeding pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The first closed session was adjourned at 8:12 p.m. and the AMHB returned to open session.

- Motion made by Charles A. Bucy at 8:48 p.m., seconded by Helen A. Prince, all board members present in favor, none opposed, to enter closed session to discuss an investigative proceeding pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The first closed session was adjourned at 9:03 p.m. and the AMHB returned to open session.
• Motion made by Laurel M. Matthews at 9:25 p.m., seconded by Charles A. Bucy, all board members present in favor, none opposed, to enter closed session to discuss an investigative proceeding pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The first closed session was adjourned at 9:27 p.m. and the AMHB returned to open session.

Adjournment

At 9:44 p.m., a motion was made by Laurel M. Matthews, seconded by Thomas S. Phelps, to adjourn the regular meeting. The motion carried unanimously by all in attendance.

The next regular meeting is scheduled for Wednesday, April 13, 2022, at 6:30 p.m.

Adopted on the ______ day of ______ 2022 – minutes transcribed by Francie Rose.

Signed ___________________________ Date ____________

Maryland Relay for Impaired Hearing or Speech: 1-800-735-2258
At 7:00 p.m., Wednesday, March 9, 2022, five (5) Animal Matters Hearing Board (AMHB) members present voted to enter Executive Session to discuss an investigative proceeding on actual or possible criminal conduct pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Executive Session was held via a secured Zoom virtual platform.

Those persons attending the closed session included five (5) of the AMHB members present, the Public Safety Director, the Associate County Attorney, and the Clerk to the AMHB.

Upon consideration of the evidence and testimony taken at the Dangerous Animal Designation Appeals Hearing, said appeal filed by Dermot McDermott, a motion was made by Charles A. Bucy, seconded by Helen A. Prince, to remove the dog from the Dangerous Animal List and place it on the Potentially Dangerous Animal List. The motion passed by a vote of four in favor and one against by the AMHB members present, without further discussion, to grant Mr. McDermott’s appeal before recessing at 7:12 p.m. to return to open session.
ANIMAL MATTERS HEARING BOARD

Written Statement for Closing a Meeting under the Open Meetings Act

Date: 03/09/2022  Time: 7:00pm  Location: Virtual

Motion to close meeting by: Charlie Bucy  Seconded by: Helen Prince

Vote to Close Session:

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<th>AYE</th>
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<td>Charles Bucy</td>
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STATUTORY AUTHORITY TO CLOSE SESSION

☐ (1) Personnel matters: to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals;

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FOR EACH CITATION CHECK ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED

§3-305(b) (12) to conduct or discuss an investigative proceeding on actual or possible criminal conduct. (This violation is a misdemeanor.)

☐ §3-305(b) ( )

Additional persons attending closed session:

Thomas S. Phelps, Vice-chair, Presiding Officer

Print Name and Title

This statement is made by Thomas S. Phelps, Vice-chair, Presiding Officer

Signature

*********************** FOR USE IN MINUTES OF NEXT REGULAR OPEN MEETING ***********************

Time Closed Session Adjourned 7:12pm
TO: File
FROM: Frances E. Rose, Clerk to Animal Matters Hearing Board
DATE: March 9, 2022
SUBJECT: March 9, 2022

At 8:03 p.m., Wednesday, March 9, 2022, five (5) Animal Matters Hearing Board (AMHB) members present voted to enter Executive Session to discuss an investigative proceeding on actual or possible criminal conduct pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Executive Session was held via a secured Zoom virtual platform.

Those persons attending the closed session included five (5) of the AMHB members present, the Public Safety Director, the Associate County Attorney, and the Clerk to the AMHB.

Upon consideration of the evidence and testimony taken at the Dangerous Animal Designation Appeals Hearing, said appeal filed by Curtis and Susan Mann, a motion was made by Laurel M. Matthews, seconded by Helen A. Prince, to remove the dog from the Potentially Dangerous Animal List. The motion passed by a vote of four in favor and one against by the AMHB members present, without further discussion, to grant Mr. and Mrs. Mann’s appeal before recessing at 8:12 p.m. to return to open session.
ANIMAL MATTERS HEARING BOARD

Written Statement for Closing a Meeting under the Open Meetings Act

Date: 03-09-2022  Time:  8:03pm   Location: Virtual

Motion to close meeting by: Helen Prince  Seconded by: Charlie Bucy

Vote to Close Session:  AYE  NAY  ABSTAIN  ABSENT  ATTENDING

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FOR EACH CITATION CHECK ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED

§3-305(b) (12) to conduct or discuss an investigative proceeding on actual or possible criminal conduct. (This violation is a misdemeanor.)

§3-305(b)  ( )

Jackie Vaughan, Public Safety Director
Pam Lucas, Associate County Attorney
Francis Rose, Clerk

Additional persons attending closed session:

This statement is made by Thomas S. Phelps, President

Print Name and Title

FOR USE IN MINUTES OF NEXT REGULAR OPEN MEETING

Time Closed Session Adjourned 8:12 pm
At 8:48 p.m., Wednesday, March 9, 2022, four (4) Animal Matters Hearing Board (AMHB) members present voted to enter Executive Session to discuss an investigative proceeding on actual or possible criminal conduct pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Executive Session was held via a secured Zoom virtual platform.

Those persons attending the closed session included four (4) of the AMHB members present, the Public Safety Director, the Associate County Attorney, and the Clerk to the AMHB.

Upon consideration of the evidence and testimony taken at the Dangerous Animal Designation Appeals Hearing, said appeal filed by Rita Wood, a motion was made by Charles A. Bucy, seconded by Helen A. Prince, to remove the dog from the Dangerous Animal List and place it on the Potentially Dangerous Animal List. The motion passed by a unanimous vote by the AMHB members present, without further discussion, to grant Ms. Wood’s appeal before recessing at 9:03 p.m. to return to open session.
ANIMAL MATTERS HEARING BOARD

Written Statement for Closing a Meeting under the Open Meetings Act

Date: 03-04-2022 Time: 8:48 pm Location: Virtual

Motion to close meeting by: Charlie Bucy Seconded By: Helen Prince

Vote to Close Session:

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FOR EACH CITATION CHECK ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED

§3-305(b) (12) to conduct or discuss an investigative proceeding on actual or possible criminal conduct. (This violation is a misdemeanor.)

Jackie Vaughan Public Safety Director

Pam Lucas, Ass't County Attorney, Francie Rose, Clerk

This statement is made by Thomas S. Phelps, Vice Chair, Presiding Officer

Print Name and Title Signature

*********************** FOR USE IN MINUTES OF NEXT REGULAR OPEN MEETING **********************

Time Closed Session Adjourned 9:03 pm

Closed Session Meeting Form April 26, 2017
TO: File  
FROM: Frances E. Rose, Clerk to Animal Matters Hearing Board  
DATE: March 9, 2022  
SUBJECT: March 9, 2022

At 9:25 p.m., Wednesday, March 9, 2022, four (4) Animal Matters Hearing Board (AMHB) members present voted to enter Executive Session to discuss an investigative proceeding on actual or possible criminal conduct pursuant to General Provisions Article, §3-305(b)(12) of the Annotated Code of Maryland. The Executive Session was held via a secured Zoom virtual platform.

Those persons attending the closed session included four (4) of the AMHB members present, the Public Safety Director, the Associate County Attorney, and the Clerk to the AMHB.

Upon consideration of the evidence and testimony taken at the Dangerous Animal Designation Appeals Hearing, said appeal filed by Glenn and Jiraphat Parrott, a motion was made by Charles A. Bucy, seconded by Karen D. Maxey, to leave the dog on the Dangerous Animal List. The motion passed by a unanimous vote of the AMHB members present, without further discussion, to deny Mr. and Mrs. Parrott’s appeal before recessing at 9:27 p.m. to return to open session.
ANIMAL MATTERS HEARING BOARD

Written Statement for Closing a Meeting under the Open Meetings Act

Date: 03-09-2022 Time: 9:25pm Location: Virtual

Motion to close meeting by: Laurel Seconded By: Charlie

Vote to Close Session: AYE NAY ABSTAIN ABSENT ATTENDING
Charles Bucy 
Laurel Matthews 
Karen Maxey 
Dr. Megan Noyes 
Thomas Phelps 
Helen Prince 
Jacque Wisnauskas

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§3-305(b) ( )

Jackie Vaughan, Public Safety Director,
Rainier Assoc. County Attorney, Francis Rose, Clerk

Additional persons attending closed session:

This statement is made by Thomas Phelps, Vice-Chair, Presiding Officer

Print Name and Title

Signature

*********************** FOR USE IN MINUTES OF NEXT REGULAR OPEN MEETING **********************

Time Closed Session Adjourned 9:07 pm

Closed Session Meeting Form April 26, 2017