

FAIRBANKS NORTH STAR BOROUGH ANIMAL CONTROL COMMISSION MEETING
AT THE FAIRBANKS ANIMAL SHELTER
2408 DAVIS ROAD, FAIRBANKS, ALASKA

AGENDA

6:00 P.M.
October 22, 2018

A. ROLL CALL

B. MESSAGES

1. Citizen's Comments – limited to three (3) minutes
 - a. Items other than those appearing on the agenda
2. Disclosure & Statement of Conflict of Interest

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Approval of consent agenda passes all routine items indicated by asterisk (*) on agenda. Consent agenda items are not considered separately unless any Commission member or citizen so requests. In the event of such request, the item is returned to the general agenda.

D. MINUTES

1. Approval of minutes from August 20, 2018.

E. REPORTS

1. Shelter Report
2. Sled Dog Housing Committee Report

F. UNFINISHED BUSINESS

G. NEW BUSINESS

1. ACC resolution 2018-01
2. September appeal hearing and canceled October 1 meeting
3. ACC clerk/expectations
4. Accessory building
5. ACC future directions

H. SCHEDULE NEXT MEETING/ EXCUSE FUTURE ABSENCES

I. COMMISSIONER'S COMMENTS

J. ADJOURNMENT

FAIRBANKS NORTH STAR BOROUGH ANIMAL CONTROL COMMISSION

MINUTES

August 20, 2018

A regular meeting of the Fairbanks North Star Borough Animal Control Commission was held at the Borough Animal Control Facility, 2408 Davis Road. The meeting was called to order at 6:00 p.m. by Scott Chesney, Chair.

A. ROLL CALL

MEMBERS PRESENT: Scott Chesney, Ronnie Rosenberg, Gail Gardner, Lindsey Heaney, Mary Ann Fortune, Jamie Marschner, Alex Thornton, Link Olsen

MEMBERS ABSENT: none

OTHERS PRESENT: Ariel Cunningham

B. MESSAGES

Citizen's Comments – None

Disclosure & Statement of Conflict of Interest – None

C. APPROVAL OF AGENDA AND CONSENT AGENDA

Motion to approve the agenda made by Mary Ann Fortune and seconded by Gail Gardner. Carried without objection.

D. MINUTES

Minutes from August 20, 2018. Motion to approve the minutes made by Jamie Marschner and seconded by Gail Gardner. Carried without objection.

E. REPORTS

1. Shelter Report presented by Ariel Cunningham – Ariel Cunningham reported on outreach events in August, staffing changes and staff training. Jamie Marschner asked the age of senior dogs and cats.
2. Sled Dog Housing Committee Report presented by Mary Ann Fortune – Mary Ann Fortune is waiting for quotes from vendors. The commissioners discussed considering the factors ventilation, drains, ability to clean and plumbing.

F. UNFINISHED BUSINESS

1. Statement of support for placing bond measure on October ballot – Ronnie Rosenberg recommended being aware of becoming a political

action committee. She stated voter turnout will be key. Individuals may write letters to the editor.

G. NEW BUSINESS

1. None

H. EXCUSE FUTURE ABSENCES

October 1, 2018 at 6:00 p.m.

I. COMMISSIONER'S COMMENTS/COMMUNICATIONS

Chairperson's Comments – None

Commissioner's Comments:

1. Ronnie Rosenberg gave the Shelter Fund Report
 - a. Hari Om Indian Cuisine August 24 10% of sales to Shelter Fund
 - b. Garage Sale September 8 at GBC, Inc. 9-4pm
 - c. International Rabbit Day
2. Alex Thornton discussed euthanizing for space at the shelter and wanting to run a public relations campaign to encourage people to bring animals to the shelter.

J. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:55 p.m.

1 **FAIRBANKS NORTH STAR BOROUGH**
2 **ANIMAL CONTROL COMMISSION**
3 **RESOLUTION NO. 2018-01**

4
5 A RESOLUTION TO PROMULGATE RULES PROVIDING FOR TELEPHONIC
6 TESTIMONY AND TESTIMONY BY AFFIDAVIT
7 IN QUASI-JUDICIAL ANIMAL CONTROL COMMISSION HEARINGS

8
9 WHEREAS, the Fairbanks North Star Borough's (FNSB) Assembly
10 passed Ordinance No. 2015-74 amending FNSB code applicable to the boards and
11 commissions holding quasi-judicial hearings which would include the Animal Control
12 Commission;

13
14 WHEREAS, the changes require the Animal Control Commission to
15 promulgate rules allowing for various forms of participation in quasi-judicial hearings;

16
17 NOW, THEREFORE, BE IT RESOLVED that the Animal Control
18 Commission adopts the following rules:

19
20 RULE 1. INTERESTED PERSONS DETERMINATION. A person with a
21 significant property interest not adequately represented by existing parties may
22 seek an interested person determination at the hearing for a quasi-judicial matter
23 before the Animal Control Commission. A person may apply for an interested
24 person determination in advance of the hearing. A pre-hearing application for an
25 interested person determination shall be on a form prescribed by the Animal
26 Control Commission and received by the Clerk of the Animal Control
27 Commission at the Division of Animal Control at the Division of Animal Control
28 before the close of business (5 p.m.) no less than 5 working days before the

 AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
 Text to be *added* is underlined
 Text to be *deleted* is [BRACKETED AND CAPITALIZED]

29 scheduled quasi-judicial hearing at which the applicant wishes to testify. The
30 applicant must provide an affidavit establishing that the applicant:

- 31 1. Possesses a specific property interest;
- 32 2. Which may be significantly affected by the proposed action; and
- 33 3. Which may be affected in a way different than that of the general public.

34 The Chair of the Animal Control Commission or the Chair's designee shall make
35 the interested person determination with reasonable promptness and the Clerk of
36 the Animal Control Commission at the Division of Animal Control shall notify the
37 applicant of the decision with reasonable promptness thereafter.

38
39 RULE 2. TELEPHONIC TESTIMONY. A party, witness, or interested person
40 wishing to testify telephonically at a quasi-judicial matter may apply for telephonic
41 testimony on a form prescribed by the Animal Control Commission and by
42 demonstrating good cause for the request. The request must be received by the
43 Clerk of the Animal Control Commission at the Division of Animal Control before
44 the close of business (5 p.m.) no less than 5 working days before the scheduled
45 quasi-judicial hearing at which the applicant wishes to testify. Upon receipt of an
46 application for telephonic testimony the Clerk of the Animal Control Commission
47 shall promptly notify the Animal Control Commission and opposing parties. The
48 Chair of the Animal Control Commission or the Chair's designee may deny the
49 request for telephonic testimony upon finding that the applicant failed to
50 demonstrate good cause for the request or upon finding that substantial prejudice
51 to another party will result from the telephonic participation. Opposing parties
52 may assert that an applicant's telephonic participation will result in substantial
53 prejudice by submitting their argument to the Clerk of the Animal Control
54 Commission before the close of business no later than 3 working days before the
55 scheduled hearing. The Chair or the Chair's designee shall grant or reject the
56 application and the Clerk of the Animal Control Commission shall notify the

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be *added* is underlined

Text to be *deleted* is [BRACKETED AND CAPITALIZED]

57 applicant and opponents of the decision no less than 2 working days before the
58 scheduled quasi-judicial hearing. If the telephonic testimony is allowed, the
59 applicant is responsible for making proper arrangements to accomplish the
60 telephonic testimony and for payment of associated telephone charges. An
61 applicant's telephonic testimony must be offered from a landline telephone.

62
63 RULE 3. TESTIMONY BY AFFIDAVIT. A party wishing to testify by affidavit
64 at a quasi-judicial matter may apply for testimony by affidavit on a form
65 prescribed by the Animal Control Commission. The applicant must submit the
66 affidavit containing the proposed testimony with the application form to the Clerk
67 of the Animal Control Commission at the Division of Animal Control before the
68 close of business (5 p.m.) no less than 5 working days before the scheduled
69 quasi-judicial hearing at which the applicant wishes to testify. Upon receipt of an
70 application for testimony by affidavit the Clerk of the Animal Control Commission
71 shall promptly notify and distribute the affidavit to the Animal Control Commission
72 and opposing parties. Opposing parties may invoke the right to cross-
73 examination by submitting to the Clerk of the Animal Control Commission
74 questions relevant to the affidavit before the close of business no less than 3
75 working days before the scheduled quasi-judicial hearing. If after reviewing an
76 opposing party's submission the Chair of the Animal Control Commission or the
77 Chair's designee determines that cross-examination is reasonably necessary to
78 explore matters which contradict, modify, or explain the testimony contained in
79 the applicant's affidavit then the Chair or the Chair's designee may reject the
80 application for testimony by affidavit. The Chair or the Chair's designee shall
81 grant or reject the application and the Clerk of the Animal Control Commission
82 shall notify the applicant and the opposing parties of the decision no less than 2
83 working days before the scheduled quasi-judicial hearing.

84
AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT

Text to be added is underlined

Text to be deleted is [BRACKETED AND CAPITALIZED]

85 Rule 4. CONCURRENT APPLICATIONS. A party wishing to testify either
86 telephonically or by affidavit may submit concurrent applications. Each
87 application must comply with the respective requirements and procedures
88 outlined in Animal Control Commission Rules 2 and 3. The party shall notify the
89 Clerk of the Animal Control Commission at the Division of Animal Control
90 whether the party prefers to testify by affidavit or telephonically. If the party fails
91 to specify a preference and the Chair of the Animal Control Commission grants
92 both applications then the Commission will provide for telephonic testimony only
93 and the requirements stated in Animal Control Commission Rule 2 shall apply.

94
95 RULE 5. HOLIDAYS. With respect to rules 46 through 49, any deadline that
96 falls on a Borough-observed holiday will thereby be due the following business
97 day. If a deadline falls on a holiday and the foregoing rule is not practicable
98 under the particular circumstances, the Chair or the Chair's designee may modify
99 the deadline in writing issued reasonably in advance of the deadline.

100
101
102 THIS __ DAY OF _____, 2018.

103
104
105
106 _____
107 Scott Chesney, Chair
108 FNSB Animal Control Commission

AMENDMENTS ARE SHOWN IN LEGISLATIVE FORMAT
Text to be added is underlined
Text to be deleted is [BRACKETED AND CAPITALIZED]