

CITY OF PORT ORANGE
DANGEROUS DOG BOARD
COUNCIL CHAMBERS
1000 CITY CENTER CIRCLE – CITY HALL
FEBRUARY 21, 2018

THE DANGEROUS DOG PANEL of the City of Port Orange was called to order by Matthew Jones, Deputy City Attorney/Police Legal Advisor at 2:01 p.m.

Roll Call Present:

Jim Dougal
Dr. Maggie Carlson
Shawn Geopfert

Also Present

Matthew Jones, Deputy City Attorney/
Police Legal Advisor
Michelle Cusella, Sr. Administrative
Assistant

2. Election of Chairperson

Motion was made by Member Dougal to nominate Shawn Geopfert for Chairman, Seconded by Member Carlson. Member Geopfert accepted the nomination. Motion carried unanimously by voice vote.

3. Approval of Minutes- January 16, 2018

Motion to approve the Minutes from January 16, 2018 was made by Member Carlson, and Seconded by Chairman Geopfert. Motion carried unanimously by voice vote.

4. Delegation to approve meeting minutes

Motion to delegate the approval of the meeting minutes to the Chairman was made by Member Dougal, and Seconded by Member Carlson. Motion carried unanimously by voice vote.

B. BOARD ATTORNEY - Overview of Board Hearing Process

1. Resolution No. 04-18
2. Code of Ordinances Sections 10-3 and 10-9
3. Florida Statute Chapter 767

Attorney Jones provided a brief overview of the process to be used for the hearing. Cross examination can be done by the dog owner after the case is presented by the Animal Control Officer. The dog owner can then present their case.

OATHS

Christopher Filbert, Animal Control Officer, Dawn Benton, Dog Owner, Dotty Benton, Dog Owner's Mother, Connie Romanenko, victim, were sworn in by Michelle Cusella, City Clerk's office.

C. PUBLIC HEARING

1. Dawn Michelle Benton
37 Timber Trail
Port Orange, FL 32127

Christopher Filbert, Animal Control Officer, presented an overview of the case against Dawn Michelle Benton that determined the dog as dangerous. Mr. Filbert submitted the witness statement as well as the Incident Report into evidence and was accepted by Chairman Geopfert with no objections. Mr. Filbert recommended the dog be deemed dangerous as well as euthanized.

Dawn Benton, dog owner, stated she would have quarantined Cooper but two local places wanted a definite answer if after quarantine, the dog would be picked up or euthanized as well as a hefty fee.

Mr. Filbert called the victim, Connie Romanenko to the stand and asked her to give her testimony as what to happened.

Connie Romanenko, victim, provided her testimony as to what happened the day of the incident.

Ms. Benton submitted a boarding facility and Veterinary Clinic letter into evidence and was accepted by Chairman Geopfert with no objections.

Ms. Benton provided her testimony as to what happened the day of the incident.

Dotty Benton, Dog owner's mother, stated she has two small dogs and has never had any issues with Cooper. She has taken in Cooper and he has never been aggressive.

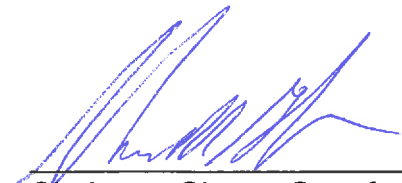
Deliberation was held by the panel members with legal guidance from Mr. Jones.

Motion to uphold the Animal Control Officer's determination based on 1.a from the Florida Statute Chapter 767 of Cooper being a dangerous dog was made by Member Dougal, and Seconded by Member Carlson. Motion carried unanimously by voice vote.

Motion to revoke the Animal Control Officer's recommendation to euthanize based on the unlikelihood of a reoccurrence was made by Member

*Dougal, and Seconded by Member Carlson. Motion
carried unanimously by voice vote.*

D. ADJOURNMENT- 3:01 p.m.



Chairman Shawn Geopfert