

Questions and Answers
July 30, 2014 Animal Care and Control Oversight Commission meeting

Q1. What is the relationship between Ricky Lewis and A Buddy for Life, Inc.?

A1. Mr. Lewis is a member of the Animal Care and Control Oversight Commission (the "ACCOC"); Mr. Lewis was nominated for appointment by Councilwoman Diana Broomell, and his appointment was confirmed by the County Council (the "Council"). The ACCOC is an independent advisory commission authorized pursuant to Section 142 of the Cecil County Code (the "Code"). Mr. Lewis has no financial or other interest in A Buddy for Life, Inc. ("AB4L"); his relationship with AB4L is derived from his duties as an ACCOC member under Section 142 of the Code.

Q2. Why was Shawn Soldon inspection delayed?

A2. Ms. Soldon's inspection was not "delayed." Ms. Soldon was required, pursuant to Section 142 of the Code, to apply for a commercial kennel license. Ms. Soldon timely filed the application as required under Section 142 of the Code and, as part of the application process, AB4L scheduled an inspection of Ms. Soldon's facility. Ms. Soldon repeatedly refused to follow through with the scheduled inspections and, as a result, her application for commercial kennel licensure was denied. Upon denial, Ms. Soldon was notified that, in accordance with Section 142 of the Code, she must place all of her animals with qualified licensees within 14 days. Ms. Soldon timely appealed the denial of her license to the ACCOC, which was her right by law. During the appeal process, Ms. Soldon entered into a Business Closure Agreement with the County, whereby she was required to immediately close her commercial kennel, and to divest herself of all dogs by June 30, 2014 (with the exception of four that she could retain as personal pets, provided that she supplied the County with a veterinarian's certificate demonstrating that each such dog was spayed or neutered). The Business Closure Agreement further provided that Ms. Soldon would permit a pre-closure inspection on or before June 9, 2014, and a post closure inspection on or before July 3, 2014. Ms. Soldon failed and refused to allow the pre-closure inspection as required by the Business Closure Agreement, and as a result, the County and AB4L filed suit to enforce the Business Closure Agreement and obtained a temporary restraining order commanding Ms. Soldon to comply with the Business Closure Agreement, including but not limited to permitting an immediate inspection of her facility. Prior to a hearing on the County's and AB4L's action for preliminary injunction, Ms. Soldon, the County and AB4L put an agreement on the record in open court binding Ms. Soldon to the relief requested by the County and AB4L and, further, providing that Ms. Soldon would retain only one dog, provided that she demonstrated with a veterinarian's certificate that such dog was spayed or neutered. Ms. Soldon, the County and AB4L are in the process of finalizing a written agreement based on the agreement entered in open court that will result in a final order and closure of the court action. In the meantime, Ms. Soldon has closed her kennel in Cecil County. and is not operating a commercial kennel at this time.

Q3. Why is Lynn Yelton still an ACCOC member subsequent to resolution of ethics charges filed against her?

A3. Generally, the County does not editorialize on matters before the Cecil County Ethics Commission. The Consent Order in Ms. Yelton's matter is, however, a public document, and based upon the Ethics Commission's Order, the County considered the sanctions acceptable and the matter closed.

Q4. Is there a breakdown between complaints logged by AB4L and incidents?

A4. Complaints and Incidents are reported as Incident Reports or Cases. There are two categories of Incident Reports or Cases:

1. Dispatched calls – animal issue related calls received from the public or a call from a government agency; and,

2. Patrol checks – When time permits in an Animal Control Officer’s schedule, areas are patrolled to show an Animal Control presence which reinforces that the county has animal control, to make the officers more accessible to the public, as well as to patrol problem areas to deter animal related crime. Patrol checks are standard practice for effective law enforcement and prevention. To clarify this, going forward we will report these dispositions as Community Resource Awareness, as well as law offender deterrence.

Incident Reports are submitted by AB4L in an Excel format so the ACCOC can sort them as they need to, as well as Dispatched Calls and Patrol Checks are reported separately on the AB4L-CCACCA Billing Rates reports.

Q5. Has there been a financial audit of AB4L?

A5. Yes, in accordance with Section 142 of the Code, AB4L timely submitted an audit to the County.

Q6. Is there an update on Dr. Carletti regarding AB4L’s and/or the County’s response to sanctions imposed by the Maryland Board of Veterinarian Examiners in June, 2014? When will such sanctions be addressed by AB4L and/or the County?

A6. Dr. Carletti does not have a contractual or vendor relationship with the County, and provides veterinary services as a sub-contractor to AB4L in AB4L’s rescue operation, which has no contractual relationship with the County and, to a much lesser extent, animals that have been impounded or abandoned pursuant to the County’s animal control contract with AB4L. The County takes sanctions such as those imposed by the State Board of Veterinary Examiners seriously, and has performed its own investigation into the matter. The County does not believe that the sanctions are due to intentional misfeasance by Dr. Carletti, does not implicate the County’s contractual agreement with AB4L, and will as such, will continue monitoring but shall take no further action on the matter.

Q7. Who is responsible for dealing with the sanctions and consent order entered against Dr. Carletti by the Maryland State Board of Veterinary Examiners?

A7. Dr. Carletti is a sub-contractor of AB4L, and is duly licensed as a veterinarian by the Maryland State Board of Veterinary Examiners. AB4L is an independent contractor of the County, and is responsible for determining with whom it conducts business. The County monitors such relationships, and will consider the nature of such relationships as a factor in review of vendor contract performance and, eventually, the receipt of bids if, as or when the current contract expires or is terminated.

Q8. Why were Dr. Carletti’s sanctions not on the ACCOC agenda for July 30, 2014?

A8. Please see A7 and A8 (above). Additionally, at the time of the July 30, 2014 ACCOC meeting, the County was in the process of fact finding related to the consent order involving Dr. Carletti, and so was not in a position to make public comment.

Q9. Who inspects ABFL animals on 2nd floor?

A9. Dr. John Farhy, a retired veterinarian from Pennsylvania, performs quarterly inspections of the AB4L facility, including but not limited to, the second floor. In addition, the quarterly inspection team often includes representatives of Cecil County's Department of Permits and Inspections, Department of Emergency Management Services, and Health Department.

Q10. How can ABFL charge IRS mileage reimbursement?

A10. AB4L does not charge IRS mileage reimbursement; the IRS mileage rate is used as a way of calculating gas costs for the ACCA vehicles in the AB4L-CCACCA Billing Rates reports.

Q11. How many animals have been seen by other veterinarians in Rainbow Kennel?

A11. The County has no contractual relationship with Rainbow Kennel, and is therefore without knowledge or information that would enable it to sufficiently formulate an answer to this question.

Q12. Who paid Crystal Litteral fine?

A12. AB4L paid Ms. Litteral's fine from the rescue side of its operations.

Q13. Did Shawn Soldon's dog die because of application of ice by ABFL?

A13. There is no evidence that care for the referenced dog was provided negligently by either AB4L or Dr. Carletti.

Q14. Why are Rainbow Kennel and ABFL not licensed?

A14. Rainbow Kennel is in the process of obtaining its licensure as a boarding kennel, as required under Section 142 of the Code. The County has requested that AB4L obtain licensure as a rescue kennel pursuant to Section 142-27 of the Cecil County Code.

Q15. Has anything been done about feral cat colony survey?

A15. Feral cats are not regulated by the County Code. Questions in this respect can be directed to the Cecil County Health Department.

Q16. Are ABFL and Animal Control one in the same?

A16. AB4L provides animal control services as the County's Animal Care and Control Authority (the "ACCA"), in accordance with a vendor contract with the County. AB4L also operates an animal rescue facility, which is independent of animal control services provided to the County; the County has no relationship with AB4L's animal rescue operations.

Q17. Why was Britnay not euthanized?

A17. If Britnay were a "dangerous dog" as defined by the Cecil County Code and State of Maryland, there is no requirement, based on Britnay's purported action, that the dog be euthanized.

The care and fostering of Britnay were part of AB4L's rescue/shelter efforts, not part of the contract between Cecil County and AB4L for animal control. Therefore, this issue is not under the purview of the ACCA.