

**Minutes of Special Meeting
Franklin County Humane Society Board
November 11, 2019**

Board Members present: Fred Deaton, Billie Dollins, Leslie Driskell, Matt Freire, Leo Haggerty, John Hibbard, Sam Marcus, Jaime Rice, Ray Smith, Rodney Williams

Board Members absent: Keeuna King

Officers present: Cheryl Broyles, Diana Taylor

Staff present: Kerry Lowary, Terri Sorrell

Volunteers and Guests present: Lori Macintire, Ceci Mitchell, Mike Nolan, Sharon Parrish, Barbara Rhoads, Richard Rosen, Nancy Wilson, Kevin Welch

The meeting convened at 5:35 p.m.

President Sam Marcus provided an update on developments regarding the new shelter for the information of those who had not been in previous meetings where the developments were discussed. He noted that the Humane Society was asked by city and county government representatives to consider locating the new shelter in the building now housing the State Journal newspaper offices instead of building a new shelter at the Carpenter Farm site that was under consideration.

An initial review found the State Journal building to be viable; FCHS asked the city and county to pay for a feasibility study, which they agreed to do. (A copy of the feasibility study is attached as part of the record.) The consultants FCHS has been using throughout the project conducted the study and also revisited costs associated with the original Glenn's Creek Road and Carpenter Farm sites and updated those estimates.

The study concluded that the estimated State Journal building costs would total \$5,038,267; the updated estimate of the Glenn's Creek Road site would total \$5,542,503, and the updated estimate of the Carpenter Farm site would be \$5,218,973.

President Marcus pointed out that the State Journal building would also have to be purchased and is listed for sale at \$1.5 million, meaning the building would not be a viable option for the new shelter.

He said the special meeting was called to determine what the board wanted to communicate to city and county government representatives during a meeting of a working group that was scheduled for the following day, November 12, 2019. He proposed that the board support locating the shelter at the Carpenter Farm site and increase its request for local government support due to the increase in the cost estimate that resulted from the passage of several months since the initial proposal was made. With the \$5.2 million Carpenter Farm cost estimate, the Humane Society would provide \$2.6 million with a request that the city and county provide the additional \$2.6 million. (The initial request called for \$2.5 million from FCHS and \$2.45 million from the local governments.)

A subsequent discussion involving board members and meeting attendees included the following points:

- An audience member questioned whether the old shoe factory at the end of Myrtle Avenue had been considered for the new shelter. It was not.

- Questions were raised about the cost estimates included in the feasibility study for the State Journal building and the actual value that FCHS would realize by using the Carpenter Farm site vs. the State Journal building. Interest was expressed in asking the consultants those and other questions directly.
- President Marcus said the size of the State Journal building contributed to the excessive cost; it includes more space the FCHS would need for the shelter, but the entire building would need work if it were to be used.
- The view was expressed that a new facility would be preferable and the State Journal building would require a lot of maintenance.
- It is important that all necessary funds are raised or committed to before ground is broken for the shelter.
- Although there is a suggestion that the funding request be 50% FCHS and approximately 25% each from city and county government, there has been no commitment to date from the local governments. However, in recent meetings of the working group it was suggested that local government would purchase the State Journal building and property and deed it to the Humane Society with no other additional project funding other than some possible in-kind services. The possibility of adding to the service contract to cover 'higher maintenance costs' in the FSJ building was also discussed.

A motion was made by Fred Deaton and seconded by Ray Smith to request a long-term lease arrangement with the City of Frankfort for a mutually agreed upon site at the Carpenter Farm for a new animal shelter, that the City of Frankfort and Franklin County commit to funding \$2.6 million of the estimated \$5.2 million project contingent upon FCHS raising a minimum of the remaining, estimated \$2.6 million in costs.

Discussion on the motion included the following comments:

- A prediction was made that the city and county will reject the request.
- FCHS has done everything the local governments have asked it to do regarding the shelter planning; they have not challenged any part of the plan or proposals to save money. The delay is costing money.
- The board needs to determine how to get local government officials to say definitively what they will do.
- If the local governments limit their commitment to less than the requested amount, FCHS has to decide how to proceed.
- Consideration of FCHS' options if local government refuses its support is the next step.
- It is important to realize the demands for resources that are being made on the local governments from a variety of sources.
- If FCHS waits for local governments to define all community needs, there will never be action on support for the new shelter.
- Providing and operating a shelter is the government's responsibility under the law. The board's decision should be what it thinks is best to do. FCHS is a nonprofit willing to put up \$2.6 million when it has no obligation to do so.
- If the board doesn't send local governments a request, they will take no action.
- Local government and the Humane Society may have differing views of animal control and animal care that affect their consideration of funding.

The motion carried 6-3 by a show of hands.

President Marcus then noted that the board needed to talk about what to do if the local governments reject the request.

The ensuing discussion included the following comments:

- The board should know what the local governments decide before making a decision on next steps.

- The possibility of developing a “private” shelter, without a partnership with local governments, was raised. That could mean two shelters – one for care of animals that the Humane Society operates and one for control that the local governments operate.
- The capacity of a private shelter would be less than that currently available, and a private shelter would focus on accepting animals that people would be certain to adopt, meaning some animals would not be accepted.
- The Humane Society would be able to control its costs in a private shelter, which it is unable to do while under contract with local government to accept all animals for ACOs and Frankfort and Franklin County residents.
- Loss of local government support would be less than the reduction in expenses associated with the corresponding reduction in animal intake.
- There were several comments about how much care could be provided, with strongly expressed opinions about the need to take care of all animals; whether this would be possible with a smaller shelter; whether the Humane Society could reduce the project to less than \$5.2 million for a new shelter; the obligation of local governments; the board's fiduciary responsibility to operate in the best, most responsible way possible.
- Local government needs to consider its own costs of constructing and operating a separate facility. The opinion was expressed that the costs of operation would be far more than current funding and opinion was mixed as to whether a government shelter (or shelters) could be provided for less than the requested funding by the FCHS.
- A suggestion was made that a smaller but adequate private shelter could be built for a smaller amount of money, but opinions differed about whether it could serve all animals.
- It was pointed out that most other Kentucky humane societies operate independently of government support and provide care for animals but have no role in animal control.
- There was a request for a motion to determine whether a majority of the board believes a private shelter should be built if there is no government support, but none was made.

President Marcus proposed the board approve a resolution setting a deadline for local government action and stating that the board would explore alternative options if the governments fail to act affirmatively.

The ensuing discussion included the following points:

- Local governments will continue to delay taking action if they are not made aware of what is at risk by doing so.
- Local officials are acting in good faith, but it is likely one local government has more ability to provide support than the other one.
- Although it is unlikely local governments will provide the full amount requested, they will approve significantly less if they are made aware that a smaller shelter is possible.
- A report on the November 12, 2019, meeting of the working group will be made to the board for discussion at its regularly scheduled November 25 meeting, when next steps also will be considered.

On a motion by Fred Deaton, seconded by Billie Dollins, the following resolution was approved without dissent:

“Be it resolved by the Franklin County Humane Society Board of Directors that the request to the City of Frankfort and Franklin County for \$2.6 million in support for the construction of a new animal shelter is valid under January 31, 2020, after which time, failing agreement, the FCHS will pursue alternative options.”

The meeting adjourned at 7:30 p.m.