

Public Comments Received for the July 11, 2022 Regular Session Meeting
(The Deadline for Comments was Sunday, July 10 at 2pm)

Comment 1: Deputy Dakota Taylor-Beck (Item 22-0394)

First, I wish to apologize for not being able to be there in person but staffing constraints at the Sheriff's Office has made it difficult for those in our unit especially to be available outside of our work hours. That, however, does not translate to a lesser passion for ensuring that the TNVR ordinance that will be passed is written in the best possible manner for the cats and the citizens.

The biggest point I wish to make is that without the requirement of a colony caretaker this ordinance is not effective to care for cats. We need to have someone we can hold accountable for vetting, feeding, watering, and monitoring the colonies. Simply trapping cats and releasing them back where they were found with no one but "the community" at large to watch over them is violating NCGS for abandonment and for animal cruelty. My biggest plea is that if you pass this ordinance, you require a dedicated caretaker for each colony so we can work collaboratively to make sure all cats in Durham are afforded the appropriate care they deserve.

I firmly believe that there needs to be collaboration with the Sheriff's Office to write an ordinance that is reasonable, effective, and fair, and that was not done in this instance.

Comment 2: Deputy Elmer Gauldin (Item 22-0394)

As an Animal Services Deputy for the County of Durham I would like to weigh in on the TNVR issue. Bypassing this you will be releasing these cats back into the wild, maybe not to breed, but to wreak havoc on native wildlife such as birds, rabbits and chipmunks. Not only that, but the cats are being released back into colonies where they will receive no medical care other than the initial rabies vaccination and diseases such as feline leukemia will run rampant. These cats will be forced to live 2 to 3 years with these diseases until they die slowly. Even simple viruses such as an upper respiratory infection, which we think of as easy to fix, will be fatal for these cats.

In addition to the health and welfare of the animals these colonies can and will continue to destroy citizen's property. With the way the ordinance is written these citizens will have no recourse because the cats will be trapped and released back where they were caught. There is nowhere to safely release these cats without them creating a nuisance to the citizens. Having participated in a TNVR program there is no way that all the cats in a colony will be caught, and the ones not caught will continue to breed. Without removing the colonies this will just slow down the birth rate for a short time until the ones that are not able to be caught have litters of kittens.

Comment 3: Deputy Kenneth R. Baker (Item 22-0394)

I wish to apologize for not being able to be there in-person but I am assigned to work shift for Animal Services on the night of your scheduled meeting. However, my absence does not translate to a lesser passion for ensuring that the TNVR ordinance that will be passed is written in the best possible manner for the cats and the citizens.

The biggest point I wish to make is that the release of these animals back into areas where individuals do not want them is a true liability to the welfare of the animals and the community. I have experienced in my time with the Sheriff's Office the passion that people have in regard to

animals both for and against. If we continue to offer trapping services and then inform the public that we are going to be releasing the animals back onto their property, I fear that individuals will either then harm the animals after they are released or not even call for trapping and harm the animals in the first place. Also I fear the confrontations that will follow for us as representatives of animal services or whomever is charged with releasing the animals when they have to bring the cats back to these area. I firmly believe that there needs to be collaboration with the Sheriff's Office to write an ordinance that is reasonable, effective, and fair, and that was not done in this instance.

Comment 4: Deputy Zachary Ziman (Item 22-0394)

Thank you for taking the time to read my comments reference the TNVR ordinance. While I wish I could be there in person, my work schedule and personal schedule would not allow. My TNVR comments are reference the rabies virus and microchipping.

Reference the rabies virus, to my knowledge, the trapped cats would only be given a one-year rabies vaccine. A 3-year rabies vaccine is available, and this would be a better choice. However, who would keep up with these cats to make sure that they are continually rabies vaccinated? A community representative would need to be selected to make sure that the cats are continually vaccinated. Without this, rabies could run rampant through the community cats, and then to other wildlife.

In addition to the rabies vaccinations, I don't recall seeing anything in the proposed ordinance reference microchipping the cats. How would Animal Services Deputies, or an appointed representative, keep track of which cats were caught without a microchip? There are hundreds of cats that look similar, or even identical, and we would not be able to easily tell them apart. Microchipping would be necessary to maintain which cats were trapped.

Comment 5: Charles Miller, DVM (Item 22-0394)

My address is Triangle Veterinary Hospital 3301 Old Chapel Hill Rd. Durham 27707 I am sending this e-mail as a resident of Durham County to let the Board of Commission know that I applaud and support Durham Animal Services and the APS of Durham in their tireless efforts to keep the resident's and animals safe and healthy. I strongly encourage the Board to vote YES on the animal ordinance 22-0291 to allow our county to use TNVR t humanely manage community cats.

Comment 6: Chad Schoen, City of Durham (Item 22-0394)

I write concerning a proposal to trap-neuter-and release feral cats in Durham County. While the idea is well meaning, the effect of such a program would be disasterous for small native animals (birds, lizards, small snakes). The problem is that this would legitimize feral cat colonies and thus lead to an increase of predation on native species.

Cats are instinctively killers and the toll they take on birds is enormous, in the BILLIONS. I have seen a neighbors cat rob and ruin a cardinals nest in my yard. The same cat went by my front window not long ago with a small rabbit in its mouth. It turned out that it had not killed the rabbit but was playing with it. My cat owning neighbors who let their cats outside seem to be completely unaware of the fact that they spend much of this time hunting and that they are often successful.

The only way to deal with our enormous overpopulation of cats is euthanasia. Every cat left free in the wild will kill large numbers of birds. Many of the birds in our Durham city neighborhoods nest on the ground. I observed a few years ago Carolina wrens tending to their nest under the ground cover (periwinkle) in front of my living room window. Quite a few species nest ONLY on the ground and are thus especially vulnerable to cats. We have lost many species of birds in the city of Durham since I moved here. What happened to the Whip-poor-wills? the screech owls? the nighthawks? Scientists have shown that we are losing our birds at an enormous rate. Please do not out of ignorance accelerate this process!!!

A better solution would be to partner with the New Hope Audubon Society to educate the citizens of Durham to the effects of feral cats on our native species.

Comment 7: Deputy Ashley Coward

I would like to apologize for not being able to be there in person. We are currently having staffing issues and with the amount of animal calls we receive it makes it tough for us to break away. I would like to point out a couple of issues that can arise from the TNVR ordinance. Not only will someone need to be in charge of taking care of these colonies, monitoring them and making sure the cats stay healthy.

Also, when the cats aren't healthy, needing medical attention, rabies exposure, etc., where and who will house them? The Animal Shelter is already struggling with the cat intakes that we bring it as it is. The citizens often come to us for traps because they do not want feral cats on their property. The cats bring more damage to them than benefits. In this instance trapping almost becomes a service that we cannot give to the public anymore due to them being trapped and released back in that area.

If the ordinance is passed, I just ask that we are all able to work together (sheriff's office included) ensure that the cats will be taken care of completely and that the public understands that we may not be able to just make the cats disappear if they are to be trapped and released back. I also want to be able to give citizens answers to their animal problems as best as we can and serve the community.

Comment Received After the 2pm Deadline:

Comment 1: Deputy Melinda Hester (Item 22-0394)

I am appealing to you as a 24-year employee of Durham County Government. 14 of those years were served as a Supervisor of Durham County Animal Control prior to the Sheriff's Office taking over the duties of Animal Control and I am now still serving Durham County as a Deputy Sheriff working in the Animal Services Division. I am aware of the controversy surrounding the request to adopt changes to the Ordinance to permit for a program that will permit TNVR of feral cats and the re-labeling of these cats as "Community Cats."

From my experience serving the County, the issues surrounding citizen requests to have cats trapped (by Animal Control/Durham Sheriff's Office) does not stem from the number of cats in Durham County, but the nuisance of the cats to residents (such as tearing up foliage, using yards as litterboxes, walking on automobiles, etc.) on their property. Sometimes it is only 1 or 2 cats and sometimes it is up to 30+ cats. However, the purpose of trapping as a function provided by the County has NEVER been to trap them strictly for the purpose of euthanizing them, nor to simply to attempt to control the population. If trapped cats are unclaimed and deemed unadoptable,

the decision to euthanize is made by the Animal Protection Society, not the County Organization responsible for Animal Control enforcement/activities. Of course, currently the challenge would be finding someone willing to be responsible for an essentially feral (wild) cat) that was trapped for being a nuisance. A majority of our trap request stem from citizens simply not wanting the cats on their property for various reasons. While there are many who may allow cats on their property knowing they cannot reproduce into uncontrollable numbers, there are just as many who simply do not want cats on their property at all.

From a humane standpoint, I understand arguments on both sides of the fence on this issue. There are some who feel the cats have a right to live freely. There are some who feel the cats are a threat to the environment. And there are plausible arguments on both sides of the fence. From an Animal Control/Services perspective working in Durham from 24 years, my concern is that in the current reading of the proposed changes to the ordinance makes cats that are trapped, sterilized and released “Community Cats” that will therefore be exempt from the nuisance provisions of the ordinance. This means there will be no one to be held responsible for the activities of these cats. The ordinance changes as currently proposed not only exempt them from being considered a nuisance, but it also requires that if a “Community Cat” is trapped by an Animal Control/Services officer it must also be released where it was trapped. What measures will citizens take if they are told that the animals that they have requested for us to trap due to their nuisance behaviors on their property, will be released back to or near their property to continue their nuisance activity because they are deemed “Community” cats? There are certainly some considerations to be made on the locations of releasing of these cats that apparently have not been visited while proposing these changes to the ordinance. There needs to be a provision that addresses citizen input on the location of release of community cats. Additionally, there are many considerations (including funding and staffing) if making any part of a trap and release program the responsibility of the Sheriff’s Office, which is already struggling with staff shortages.

While I appreciate the efforts of those who have worked on proposing a change to allow for a “trap and release” program, I believe that there needs to be more time and consideration to address concerns from all sides of this argument prior to it being voted through as it is currently written. I believe this process should continue a bit further allowing for consultation and ideas from key people (such as Animal Services Officers and Animal Protection Society employees who deal with both sides of the issue) who can contribute to this process. Some key input has been left out of this process as evident in the wording of the proposed changes that should be considered before adopting an ordinance that outlines the implementation of a trap and release program. Once those effected have been given ample time to weigh in, I believe there could be a more agreeable acceptance of a change to the ordinance.

Comment 2: Josh King (Citizen Comment)

My name is Josh king, I live in Durham County, and I keep seeing the county go to crap. Building every were we don't have enough water or EMS or schools or hospital's to keep building all these homes people can go somewhere else, I have lived here all my life, and hate to see what you are doing to Durham’s rural areas, the water in the rivers around here look like chocolate milk not good, people who have wells are worried, it's just time to stop building and fix some of the problems first. Think of the people who have lived here all our lives. Just time to stop all this crazy building stop padding pockets. Thank you, a concerned citizen

Comment 3: Irena Caf - 122 Loblolly Drive, Durham, NC 27712 (Item 22-0394)

I will not be able to attend the public hearing tomorrow due to a work-related travel. I tried to hand over petition in favor of the Animal Ordinance 22-0291 on Friday, but no-one was in the offices. My husband will bring the hard copies of the signed petition to the meeting tomorrow night. His name is James Herbert Smith. I have collected 123 signatures in favor. Since I will not be able to attend, I would also like to petition the Board to approve the ordinance and would like you to forward this e-mail to the commissioners.

My reasons to support the new Animal Welfare are:

1. I am in favor in to reduce of number of un-owned (= "community") cats in Durham County. Current practice of trapping and euthanizing has clearly failed in achieving this objective. Other cities and counties that have approved TNVR (Trap-neuter-vaccinate-return) have had a much greater success achieving this goal (NC: Asheville, Burlington; San Francisco and many others). The new ordinance will allow for both to be used: current practice of euthanasia and will also allow for TNVR to take place.
2. Cost to the tax payers are significantly lower than the current practice. According to NC Department of Agriculture website, cost of 72-hour hold at APC of Durham per animal exceeds \$230 per animal. Added to that are the cost of trapping with Animal Control and euthanasia as well. New ordinance will allow residents of Durham County to trap, and to neuter & vaccinate the community cats at numerous non-profit organizations that perform low cost spaying/neutering and vaccinations (such as Operation Catnip, SNAP, Safe Haven for Cats, Independent Animal Rescue). Cost of procedure there is \$55 - \$65 per cat.
3. Volunteers and staff at APS of Durham and Animal Control officers are exposed to unnecessary stress and pressure because they must euthanize healthy animals for the sole reason that there is no owner. Once the shelter will no longer have to euthanize an un-owned animal if there is a place where this animal can be safely returned to, APC will be able to retain employees and gain more volunteers.
4. 3.9% of confirmed cases of rabies in North Carolina were found in cats. If community cats are allowed to be vaccinated, they will not contact rabies and will effectively present a barrier to the spread of the disease.

Thank you. I hope the board will consider these arguments and vote in favor of the new ordinance.



July 8, 2022

Durham County Commission
commissioners@dconc.gov

RE: Support for 22-0291

Dear Commissioners,

The Humane Society of the United States (HSUS), the nation's largest animal protection organization, understands that managing community cats is a complex issue that concerns many local leaders and agencies mandated to serve and protect the public. Cat management should be designed to protect public safety, protect cats, and provide animal control agencies with effective, proactive, humane tools to manage cat populations. We support and promote strategic, non-lethal management of community cats who already exist outdoors through sterilization and vaccination efforts, such as trap-neuter-return (TNR) and strongly encourage the passage of 22-0291.

We support the efforts of local stakeholders to implement TNR and other proven strategies for addressing free-roaming cats for the benefit of all residents of Durham County. Our publication, [Managing Community Cats: A Guide for Municipal Leaders](#), outlines the efficacy and benefits of non-lethal management for unowned community cats.

Community cat programs are now the standard for animal shelters across the country, combining community-based trap-neuter return with shelter policies allowing healthy stray cats to be sterilized and vaccinated then returned to their outdoor home and efforts to rehome young kittens. Many agencies partner with other organizations in the community to ensure services to community cats and the people who care for them, with more than half directly participating in sterilizing and returning cats. It's estimated that almost one third of shelters have staff positions dedicated to community cat programs.

After a century of removing cats from the outdoors without having an impact on their numbers, shelter professionals have found trap-neuter-return based programs are far more effective in both saving lives within the shelter and decreasing the overall population of free-roaming cats in our communities. A number of studies have been published to support this:

- A community cat program at the University of Central Florida in the 1990s reduced cat population by 85% over the course of 10 years.
- A population of over 300 cats in Newburyport, MA was eliminated through a concerted TNR effort paired with rehoming of adoptable kittens.



- A 67% decrease in cat population was found in a Chicago neighborhood targeted for TNR, over the course of 8 years.
- A study of TNR in rural North Carolina compared the impact of TNR with control groups. There was a 36% mean decrease where TNR was employed (range 30-89%) versus a 47% mean *increase* of control groups – where the actual increases across the three sites were 31%, 127%, 283%.

Sadly, kittens born to the cats currently living outdoors, if not sterilized, will continue to fill the shelter at taxpayer expense or they will perish – only 25% of kittens born outdoors survive past 6 months of age. These deaths are preventable with TNR.

A study of data from before and after community cat programs were implemented six shelters across the country found a 40% decline in kitten intake with a 32% decline in overall cat intake and a corresponding 87% decline in kittens euthanized and a 83% decline in overall feline euthanasia.

TNR is less expensive than trapping and impounding cats, caring for them during their stray hold, and providing an outcome – be that adoption, transfer, or euthanasia. Fewer cats needing government assistance means a decrease in municipal costs. Moreover, agencies employing community cat programs have documented decreases in complaints about cats – some by 90%. Sterilized cats are less likely to roam or fight over territory, don't engage in noisy mating rituals, and obviously don't reproduce – all common sources of nuisance complaints about cats.

The National Animal Care and Control Association, a professional organization for animal control and humane law enforcement officers, also favors TNR over trap and remove. In a statement on [Animal Control Intake of Free-Roaming Cats](#), it states: It is the position of NACA that indiscriminate pick up or admission of healthy, free-roaming cats, regardless of temperament, for any purpose other than TNR/SNR, **fails to serve commonly held goals of community animal management and protection programs and, as such, is a misuse of time and public funds and should be avoided.**

A trap-and-remove management scheme is simply ineffective and expensive. Consider a scenario where an officer traps and removes a portion of the cats, possibly satisfying the initial complaints. The remaining cats will reproduce, and the population will return to the level it was prior to the officer's trapping. The officer will again respond to complaints by removing those cats who are easily trapped, while the remaining cats produce new kittens. The cycle continues and the problem is never solved. The costs associated with various community cat management strategies implemented over the course of ten years was analyzed in a peer-reviewed paper published last year. A summary of the finding is outlined in [Guidance to Better Manage Free-Roaming Cat Populations](#).

Working alongside humane organizations and compassionate citizens to sterilize and stabilize the community's cat population can achieve the shared goal of fewer unowned cats outdoors. Fewer



**THE HUMANE SOCIETY
OF THE UNITED STATES**

outdoor cats means fewer community complaints and a reduced risk of predation on wildlife. Moreover, allowing residents to openly manage cat colonies promotes the adoption of sanitary feeding practices, identification and intervention of new cats to the colony – who may be lost or abandoned – so that they may be reunited or rehomed, and collaboration with authorities when a problem arises. By clearing pathways for cats to be sterilized, an overall reduction in the community’s outdoor cat population can be realized more quickly. We recommend Durham adopt an ordinance that allows for TNR-based programs for managing outdoor cat populations and reducing both the number of free-roaming cats in the community as well as stemming the number of these cats that need to be handled by the shelter.

We respectfully ask for passage of ordinance 22-0291. Thank you for considering our comments to make your community a healthier and safer place for people, cats, and wildlife.

Sincerely,

Danielle Bays
Senior Analyst, Cat Protection and Policy
dbays@humanesociety.org
202-839-2022

Durham County Board of Commissioners
200 East Main Street | 2nd Floor, Old Courthouse
Durham, NC 27701
commissioners@dcconc.gov

July 8, 2022

Dear Chair Howerton, Vice Chair Jacobs, Commissioner Allam, Commissioner Burns, and Commissioner Carter:

We are reaching out to you on behalf of the North Carolina Animal Federation (NCAF) to express our support for 22-0291, a proposed amendment to Durham County's Animal Control Ordinance that would allow for the establishment of humane community cat management programs in Durham County.

Durham County's Animal Control Ordinance, as it currently stands, allows for no effective method of managing community cats in Durham and instead only supports a practice of trapping and killing healthy, free-roaming cats. This outdated and inhumane practice is ineffective at controlling community cat populations and sits in sharp contrast to Durham's generally forward-thinking and evidence-backed policies.

Decades of experience in animal sheltering have taught us that the trap-and-euthanize model of managing community cats is not only inhumane—both to the cats who are killed and to the animal sheltering professionals who must euthanize hundreds of healthy cats annually—but also ineffective at reducing community cat populations. Removing cats from a location creates a vacuum where the cats have been removed but the resources that were supporting the cats remain. More cats quickly fill this vacuum, restoring the cat population and starting the cycle over again after having wasted time, resources, and taxpayer dollars.

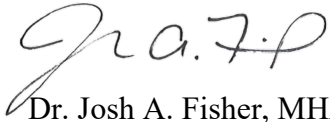
The only effective method of managing community cat populations is through trap-neuter-vaccinate-return (TNVR) programs. TNVR programs benefit the community in multiple ways, including by reducing community cat populations and the number of kittens born outdoors; improving the health of community cats through vaccination and decreasing the risk of rabies spread; and reducing nuisance behaviors associated with unaltered cats looking for mates. TNVR is considered a best practice in animal sheltering and is supported by numerous North Carolina shelters as well as by national organizations such as the National Animal Care and Control Association and the American Bar Association.

The proposed changes to Durham County's Animal Control Ordinance would remove the language that prohibits TNVR in Durham County and would allow those professionals who are experts in the sheltering field to look at best practices in the industry to develop a community cat management plan that works for Durham County. For these reasons, NCAF strongly supports the proposed changes.

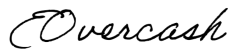
NCAF is an association of professionals from public agencies and non-profit organizations throughout the state of North Carolina. Currently, we have more than 150 members, including 50 organizational members. Additional information about NCAF, including the training we offer for professional development, may be found on our website (<https://ncanimalfederation.org/>).

Thank you for your attention to this important issue affecting animals and people in our community. We are available to speak with you further and address any questions that may arise in your discussions of these proposed changes. You can reach us directly at the contacts below.

Sincerely,



Dr. Josh A. Fisher, MHA, CAWA | Board Chair
North Carolina Animal Federation
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Elizabeth Overcash | Board Member
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