

**BAINBRIDGE ISLAND METROPOLITAN PARK & RECREATION DISTRICT
PUBLIC HEARING: DOGS IN PARKS - JULY 17, 2012
STRAWBERRY HILL MINI-GYM**

CALL TO ORDER A quorum being present, the meeting was called to order at 7:00 pm by Chair DeWitt.

BOARD MEMBERS PRESENT: Ken DeWitt, Jay Kinney, Kirk Robinson. Absent: Lee Cross, Tom Swolgaard.

INTRODUCTION: Chair DeWitt said this is an opportunity to hear from the public on dog related issues in parks and that no decisions will be made this evening. He outlined the Board's timeline for addressing these issues, and presented the evening's format which permitted Board questions after comments were made. He noted that the prior public hearing on May 24, 2012 addressed proposed off leash dog areas at Battle Point and that further discussion of dog sites at this park has been tabled. For this evening's discussion, he informed the audience of several island parks/properties that are City owned and not under Park District jurisdiction. These include Waterfront Park, Strawberry Packing Plant, Pritchard Park, and the Vincent Road site that's been suggested for a possible dog park.

PUBLIC COMMENTS:

Dick Barbieri, island resident, spoke in favor of designating hours in parks for off leash dogs, and encouraged the Board to check into the City of Charleston in South Carolina as an example of how this can be done successfully. He said fenced areas in parks are a poor use of funds since they are underutilized, too small, and unhealthy; he urged the Board to set this aside as a viable option.

Kelly Quinn, island resident, spoke in favor of off leash hours in parks and supports certification of dogs. She walks her dogs off leash, gives the right of way to people coming, and emphasized the importance of the dog owner's etiquette. She said there are many responsible dog owners that walk these trails every day and that for every bad report there are ten good reports.

Becca Hanson, island resident who has served on Park District dog committees, is struck by the community's compassion for these issues and its ability to recognize there are two sides. People want to be part of a comprehensive solution that enables everyone to be better dog guardians, neighbors and stewards of the island's common natural and civic spaces. There is need to change the behavioral norm that defines how dogs can be in our lives while keeping community obligations intact and recognizing people have rights to use the same public spaces. Dog owners want to be a part of these discussions and not relegated to the fringes. She urged the Board to get directly involved and to continue with the educational component before landing on definitive conclusions.

Commissioner Kinney said the District has received a number of complaints and asked for specifics that would address people's concerns about off leash dogs in parks. Becca Hanson said people are the solution. They have the responsibility to become better dog guardians. Possible ways to do this include: coming to understand their dogs better, use of common courtesy, training, learning how to use words and actions, peer pressure, shared use, fenced areas, use of colored ribbons on leashes to indicate a dog is fearful and should not be approached. A wide range of community engagement will lead to a number of solutions; there is not just one.

Bill Glasser, island resident, spoke in favor of having off leash hours in all parks and educating people so they will know when to utilize the parks. This is an economic solution since there would then be no need for small fenced areas.

In response to Board questions, Bill Glasser said all parks including ballfields should have designated hours for off leash dogs, and believed people will accept measures to enforce the hours. He made an exception for parks with conservation easements saying legal constraints must be respected. He stressed the need for personal accountability by dog owners saying there should be no problem if dogs are well behaved and under voice control. Commissioner Robinson asked how many there thought they have a well behaved dog that responds to voice control; the majority

raised their hands. Commissioner Robinson said the problem is not in this room; it is with the small percentage of people who are not willing to follow the rules.

Bruce Barcott, island resident and Youth Hockey representative, said they have run into some of these less conscientious dog owners, with kids in the program getting nipped by dogs that are off leash. The question is how to reach less conscientious dog owners. He suggested clarification on what is expected of them as well as enforcement. He said designated dog areas might help clarify where off leash dogs can be taken.

Robyn Teske, island resident, favors establishing hours for certain parks and believes this to be most economic. She is concerned with off leash dogs on trails chasing wildlife, and agrees with fines although does not think there will be total compliance. She would like to see a stewardship group of dog owners, who could work together as a team to pick up dog excrement in parks since many dog owners do not pick up after their dogs.

Craig Hanson, island resident, said the biggest concern has been the process and that a task force is needed to report directly to the Board, so that a complex issue can come to some resolution.

Linda Sohlberg, island resident who has trained dogs for over 40 years, said she normally keeps her dogs on leash. She likes taking them off leash in the Grand Forest, but selects a time when few people are there. She favors limited hours for specific parks, and supports separation of use for different activities such as dogs, horses, bikes, and runners. She said training and certification are fine, but expensive, and some people just won't do it.

A board member asked if she'd like an off leash area in a forested area. She said yes. She doesn't go to Gazzam Lake because it is more environmentally sensitive. She doesn't see sport fields as an option because dogs make messes that aren't always picked up. Battle Point Park is no longer appropriate as it once was when it had lots of cover and was rarely used. The Grand Forest is her preference for an off leash area.

Mike Pratt, island resident, spoke in support of a fenced dog area provided it is large enough and well designed. He walks with his leashed dogs in all parks, and often runs into off leash dogs. Most are well behaved, but there have been incidents. Dogs under voice control can "lose their hearing" when they see a squirrel. He works in a wildlife hospital and has seen what dogs can do. He does not want off leash hours designated for every park, but is open to off leash hours in specified parks. This would allow wildlife to adjust and prevent conflicts with dogs.

Michael Diehl, island resident, has a therapy dog that needs to be mellow and dog parks are helpful in accomplishing this. He had another dog that was attacked and had its face ripped open by off leash dogs while obeying the law walking his dog on leash. He is sympathetic to both sides. The issue is how to have a system that has some teeth. With designated hours, the issue is accountability and enforcement. One option is to pay the City a fee to link a dog's Bainbridge license to tags visible on the owner and dog when the dog is off leash. Numbers on the tags would allow a dog's behavior to be connected back to the dog owner. He also said Eagledale's dog park is useless ten months out of the year, elderly people who don't drive could benefit from a small dog park in Winslow, a separate fenced area in a fenced dog park for dogs that are misbehaving would be helpful.

Anne Marie Sargent, island resident and new dog owner, spoke in support of off leash hours in some parks and sees this as a solution that would address the concerns of others in the community. She would not however want dog owners to get all the bad hours. She knows she is in violation of the law when she walks her dog off leash and thinks it would be of benefit to change the ordinance.

When asked by Commissioner Kinney what hours people would like designated for off leash, she mentioned two to three hours in the evening. Commissioner Robinson asked if she'd be able to keep her dog on the trail. She said her dog's job as a retriever is to retrieve, and to confine her dog to a trail would hinder her ability to be a responsible dog owner.

Claire Hicks, island resident, spoke in favor of designated hours for off leash but didn't feel it was fair for off leash dogs to get all the best hours considering there are others who work and have limited times to use the parks. She suggested alternating days with different times for off leash use such as M/W/F from 7-9 am and T/Th from 4-7pm.

Dale Spoor, island resident for 40 years, said people don't want to encounter off leash dogs because they are unpredictable. He said a dog owner might think their dog is well behaved, but a person encountering the off leash dog doesn't know what the dog will do. There are people who don't use the parks because of this, people with small children, elderly people, and dog owners. A dog owner told him he has to carry pepper spray to protect his leashed dog from off leash dogs. He questioned people who say they are responsible dog owners but don't obey the leash rule. He urged the board to develop another dog park, educate and explain the rationale for the leash rule, and use enforcement. Any new rules stipulating off leash hours will be meaningless when so many don't obey the current rule.

Holly White, island resident, has watched as traditional values and freedoms are eroded by government and hopes the Park District will not take this "big brother" course. She questioned using taxpayer dollars to pay for dog patrols to issue fines for simply having dogs off leash regardless of a dog's behavior. She walks her dog off leash and has always observed the City's law, which she understands accepts verbal control as an alternative form of leash. She supports allowing dogs to be off leash if certified as a good citizen, views designated hours as problematic, and thinks there are too many people at Battle Point Park to have dogs off leash. She supports education, developing a large site for dogs, and thinks multiple use in parks is most democratic and economically feasible.

For clarification, Commissioner Robinson said the Park District does not license dogs, the City does. The Park District is a different jurisdiction from the City and has had a requirement that dogs be on leash in parks since 1972. Someone asked what the agreement is with the Humane Society for enforcement. Chair DeWitt said there is no agreement right now, but as the Humane Society's Executive Director Eric Stevens said, the Park District did invite the Humane Society to provide education and enforcement functions for the District. As an island resident, he is aware this issue can be polarizing and thinks the best solution is one that will create a win/win situation through partnership with the Park District, Humane Society and island citizens.

Paul Vibrans, island resident since 1957, suggested designating hours in specific parks in such a manner that there would be dawn to dusk availability for dogs to be off leash in parks, such as Grand Forest for early morning, Fort Ward for mid-day, and Battle Point Park for evenings. He also suggested Fort Ward as a place for a designated off leash dog area since it is one of the biggest parks.

Mary-Lou Vibrans, island resident who has trained and showed dogs, suggested a dog owner's task force serve as part of the education process, since she questioned whether it makes sense for non-dog owners to tell dog owners what to do. She walks her dogs off leash, has them sit when someone comes, and then puts them on a leash. She was once fined for having her dog off leash, and feels this is unfair since her dog was not misbehaving. She felt a dog owner's committee could help alleviate the dissension in the community.

Scott Lowry, island resident, said a quarter of the island households have a dog, and with one small dog park, this group is under-served. People have two requirements for walking their dogs, trails and open fields. He favors designated hours, not just the bad hours, and said people don't want to drive across the island to walk their dogs. He doesn't think education is the problem. People know the rules, but feel so under-served they feel they must make up their own rules. He asked to know what parks have deed restrictions that would prohibit off leash dogs. He asked if the use of designated hours is a liability question for the Park District. Executive Director Lande said it is, and the District is waiting to hear back from the insurance company regarding this.

Karen Ross, island resident, said she was told by staff as a member on a prior Park District dog committee that the Board would not consider any of the options being discussed this evening. If this is so, why are we here tonight?

Commissioner Kinney said he was not on the board then and assured her no one on the Board is wasting her time. She said she takes her rescue dog off leash to places like Pritchard Park where she won't run into anyone, because while her dog has never hurt anyone, she is unpredictable and she doesn't want to scare anyone. She'd like to have some off leash hours on trails where she could take her dog legally. She said an off leash dog meeting a dog on a leash is a recipe for disaster because that is against the dog rules that only the dog world understands.

Catherine Purves, spoke in favor of designated hours in at least three locations so people don't have to drive as far and always have something accessible to them. She supports certification and identification tags confirming that a class was taken. She supports education, and pointed to its effectiveness saying since learning about conservation easements from these meetings, she no longer takes her dog to Gazzam Lake.

Janice Shaw, island resident, said she has walked her dogs off leash on the island for 30 years, and prefers the Grand Forest and Pritchard Park. She is not a fan of dog parks because the energy is so intense and the dogs so hyper, she gets nervous. She supports shared use and is fine with restricting this to the appropriate parks.

Mel Queener, island resident who is almost 90 years old, loves walking her dog and said she is guilty of letting him run loose sometimes at Pritchard Park.

Sandra Dombro, island resident, said more than once she has been jumped on, menaced, and bitten by well behaved dogs under voice control. She is not afraid of dogs and is a dog owner, but said dogs are unpredictable and that it's not possible to anticipate how they will behave in every situation. She is not opposed to shared use, but said everyone's needs must be considered, and if there is no enforcement it won't be effective. As a dog owner, she wants to know when she can take her leashed dog into a park and know she will not have to encounter an off leash dog.

Commissioner Kinney said there have been several incidents this year in parks with off leash dogs. In Manzanita Park, an off leash dog bit a horse twice; the rider was thrown, the horse panicked and was seriously injured on a stick when it ran into the woods. The dog's owners came down the trail and said their dog had always been well behaved and had never done anything like this before. Because of incidents like this, the Park District has to do something.

Wayne Daley, island resident, said his primary concern is the health of the water quality in some park locations. He said many people are not responsible dog owners and do not clean up after their dogs. When it rains, the bacteria and organisms in the dog excrement get into the water which has an impact on the fish, the health of the island and Puget Sound. He said if dogs are going to be allowed in these parks, there has to be some means of enforcing clean-up to ensure water quality is not affected. For extremely sensitive areas, it may need to be assessed whether dogs should be allowed there at all.

When asked for specific parks, he said Pritchard Park, Fay Bainbridge, and Fort Ward because they are beach areas and The Grand Forest because the creek there has an impact on the water quality and salmon of Fletcher Bay.

Renee Reed, island resident, said she's been chased, scratched, jumped on, all by off leash dogs that are under voice control. She's been advised to buy pepper spray which she doesn't want to use. Instead she doesn't take her children to many parks. A dog coming at her without a lead disrupts the peace she goes to the park to experience.

When asked what parks she feels excluded from, she said Gazzam, The Grand Forest, Fort Ward, Forest to Sky Trail. When asked how she feels about designated times, she said she will follow the rules, but as with any rule there must be accountability and enforcement. She loves dogs but doesn't want to be hurt or her kids to be hurt. She will sue the dog owner and Park District if something happens, not to be mean but because this is her recourse under the law.

Cheryl Tetlow, island resident, said she bought her property near Battle Point Park because she loves to walk her dog there and does not want to put him in the car to take him somewhere else. She said no one is there in the early

morning when she walks, and she always has her hand on his collar when she passes someone. The only time she's been attacked was by a dog on a leash. She is willing to help pick up after other dogs to make dog owners look good. Jane Hobden, island resident, said she lived in Salt Lake City and there were the same problems there. They resolved them by designating times for leashed and off leash dogs through the use of odd and even days. This is simpler than specific hours.

Mary Lou Teske, island resident, has a water dog so goes often to Pritchard Park. She doesn't think people are law breakers. She thinks the law perhaps needs to be looked at and changed. She favors shared hours, would like them at Fay Bainbridge Park, and is less inclined to have fenced areas. She suggested forming a task force to assess all these ideas and come up with recommendations for the board, and do fundraising for things like signage and bags.

Patty Fielding, island resident, likes shared hours and thinks a task force is necessary so it's a community solution. People who both own and don't own dogs should be on it, since the first priority in the community should be safety. Reading from a letter her husband wrote, she said dogs are members of the family who need age appropriate exercise and play, dogs must be people friendly and under voice control. They like a designation for skittish or aggressive dogs, support certification programs, and believe people who don't clean up after their dogs should be fined.

Scott Daniels, island resident, said the majority of people have well behaved dogs and while he'd like to support off leash areas, there are some issues. A few weeks ago he was pinned up against a tree by a few off leash dogs on the Forest to Sky Trail. Even though a small percentage creates the problem, the problem is real, and requires a bureaucratic solution to get it resolved. He mentioned a seventy acre park in Santa Barbara as an exceptional example of what a dog park can be: Arroyo Burro County Park.

A question asked was what the island's leash law is regarding the allowance of voice control. Chair DeWitt said voice control is referred to in one of two conflicting City ordinances.

Dennis Goans, island resident for 30 years, walks his dog on and off leash and thinks 7:00-8:30 am is a good time for designated hours. He mentioned cookies as a good way to keep dogs under voice control. As an alternative to issuing fines for enforcement of rules, he suggested requiring a dog that misbehaves to take a class, and prohibiting use of parks for a period of time after an incident.

Judith Bell, dog trainer on the island for 25 years, has seen the good and the bad. She works with responsible dog owners in her classes, and has also seen the result of off leash dogs that are supposed to be responsible. She believes dogs can be trained to voice control, but said a dog's behavior is context dependent. It requires lots of training and commitment from the owner to get the dog to be able to handle every situation. She is committed to the freedom of dogs on the island but understands the concerns of those who are afraid of dogs. She sees great potential in people working together to become more educated, such as making people aware of how to deal with a dog that is frightening to them, and helping dog owners better understand the concerns of people who are afraid of them.

Cindy Jones, island resident, thinks ballfields provide a great opportunity for open space since they are not used year round, and mentioned Sands Ballfield as her preference.

Joseph Vincent, island resident, said in every city's he's lived, the law has been if a dog is not on private property, it must be on a leash. He is surprised at the casual manner in which so many this evening have said they are breaking the law, and questions whether they would comply with other regulations for off leash dogs such as designated hours in parks. He said the leash law is for the protection of dogs as well as people. He emphasized the need for a dog park soon, and said while all these ideas are good, at some point things need to be organized.

Jim Chapel, island resident, said he likes the idea of a task force and designated hours. He said dogs need to have an opportunity to run. He said this has been a great meeting and urged the board to come to some conclusions.

Chair DeWitt said everyone who signed in has spoken, and opened the floor to general discussion and comments. Joseph Vincent, spoke again, saying his face was bitten by a Rottweiler as a child and he was terrified of dogs for a long time. He said for a child who is frightened of dogs, an owner's belief that their dog is well behaved and under voice control, will do nothing for that scared child's state of mind. He noted that the leash law is for more than curtailing attacks, and objected to dog owners who think their dogs should be leashed only if they have done something bad. When specific parks are designated for off leash, people who are afraid of dogs can stay away from them and avoid having to encounter an off leash dog.

Dennis Goans, spoke again, saying he favors the use of ballfields early in the morning since no one is using them at that time; he is willing with others to pick up any pile he sees. When he walks his dog, he carries a leash and puts his dog on it when he encounters anyone; this protects his dog and whoever is coming. Dog owners can be more responsible and facilities can be shared without having to spend money on fencing and separate parks. Most people won't use a dog park if they have to drive to get to it. Community groups could adopt local parks to clean up waste.

Claire Hicks, spoke again, saying she understands the Park District's rule, but since the City's rules require dogs to be on leash but also permit voice control, can dogs be off leash at City-owned Pritchard Park if they are under voice control? Chair DeWitt said City park rules apply to Pritchard Park. She said she understands the need for rules, but if there is no place to go, it forces people to have to sneak around. It looks like she's been sneaking around at Pritchard Park when it's not even against the rules.

Linda Sohlberg, spoke again, saying ultimately dogs are unpredictable. She's seen dogs bite people and the person then blamed for the bite because they weren't a dog person. She said there is no excuse for this. She doesn't want her dog in a fenced off leash area, because it is messy and there are dogs there that will attack each other. Whether dog owners, hikers, bikers, runners, whatever interest someone has, it is a privilege not a right, and everyone needs to help to maintain the island's friendly atmosphere. Education alone will not work. People with a dog fear cannot be re-educated and it's not their obligation to overcome their fear. Dog owners need to be more cognitive of the limitations and their expectations, and realize dogs can't just run free. Separation of use seems most realistic.

Scott Daniels, spoke again, saying that while the Santa Barbara park has an amount of acreage that isn't available to the District, one reason it works is because of the partnership between the County and the dog owners/citizens. He encouraged people to be open to implementing a variety of options.

Scott Lowry, spoke again, saying people need to understand how under-served this portion of the population is and that under-service leads to desperation. This part of the community needs attention.

Wayne Daley, spoke again, suggesting there are a number of large parcels on the island with conservation easements that could be explored for off leash use.


Chair DeWitt said the Board will consider the many comments offered tonight and outlined the following next steps: 1) July 19: Board meeting: discussion of public hearing; 2) Aug. 2: Staff presentation and public hearing on other possible dog sites; 3) Aug. 16: Board meeting: decision on whether to move forward with sites presented on 8/2/12; 4) Sept-Dec: begin education component, and as schedule permits consider other off leash areas and enforcement. He said many of ideas expressed tonight such as designated hours fall under the discussion of enforcement. If there is a rule, there must be an ability to enforce it, and the Park District has limited enforcement capacity. Any change to this would require a City ordinance, which will involve a lengthy process.

Neal White, island resident, spoke in favor of a rotational system in parks that would allow everyone's needs to be met, walkers, runners, bikers, dog owners of all types of dogs, etc. He is opposed to officers in the wood writing citations, and noted there would be more compliance if there were more options.

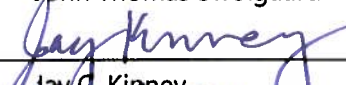
Becca Hanson, spoke again, saying it's marvelous to have so much discussed that has never been talked about before. She said one thing people should know is that they can be dropped by their homeowners insurance with one dog bite. No one really understands how liable they are if they have a badly behaved dog or even a good dog that inadvertently nips. She noted the importance of this evening's conversation.


MEETING ADJOURNED at 9:35 pm.

Elizabeth R. Shepherd
Terry M. Lande
BAINBRIDGE ISLAND METROPOLITAN
PARK & RECREATION DISTRICT

BY: 
Kenneth R. DeWitt

BY: _____
John Thomas Swolgaard

BY: 
Jay C. Kinney

BY: 
Kirk B. Robinson

ATTEST: _____
Lee Cross