

## Key Points-Washtenaw County—HSHV Relationship

### 1. Washtenaw County's Legal Duty

- Dog Law of 1919 (MCLA 287.261 et seq)
- County Treasurer oversees the licensing of individual dogs and kennels
- County Sheriff has the duty to kill unlicensed dogs (This provision has been softened over the years so that an unlicensed dog that does not pose an immediate threat must first be kept for a period of time by the County before it may be destroyed. This means that the County must maintain or contract with another entity to maintain a facility to hold stray/unlicensed dogs for a period of time)
- No mandate in the Dog Law indicating how long a county must hold a stray or unlicensed dog before it may be euthanized
- County is not responsible for stray cats, raccoons or any other species of animal
- Under Dangerous Animals Act (MCLA 287.321 et seq) a dangerous animal may be ordered by a court to be placed in a facility, including a humane society building, pending the outcome of the legal proceeding involving that animal. The owner, however, not the County or Humane Society is financially responsible for the boarding of the animal during this period.

### 2. Construction of New HSHV Facility

- BOC gave approval to bond for new 29,165 sq. ft HSHV facility which is located on approximately 8 acres next to its old facility
- Cost of new facility was \$7.5 million dollars
- County gave HSHV \$1 million dollars outright to put into the HSHV construction fund. HSHV is not obligated to repay these funds to the County
- County also agreed to use its more favorable bonding rate for the remaining \$6.5 million dollars needed to build the HSHV facility
- By using the County and its lower bond rating, HSHV saves \$682,000 over the seven-year repayment of the bond
- Bond repayment scheduled is began on January 1, 2008 and extends through January 1, 2015
- To use County bonding, the County must have an ownership interest in the project. As such, the legal documents on the HSHV facility are set up as follows:
  - a. HSHV has a long-term lease on the underlying land with the University of Michigan which owns the land
  - b. HSHV subleases the land to the County for the seven-year period the County bonds are outstanding
  - c. County owns the facility for the seven years that the bonds are outstanding
  - d. County leases back the facility to HSHV to actually run the facility during the seven year bond repayment period
  - e. The County and HSHV also executed an Operating Agreement which gave HSHV the power to design and manage the construction of the new facility
  - f. Once the bonds are fully paid at the end of the seven year period, the County's lease on the underlying property will expire and the County will deed its

interest in the facility to the HSHV and will have no further legal interest in the building or the underlying property

3. County funding of HSHV

- County has contractually paid for HSHV to fulfill the County’s duties under the Dog Law for many years; the current contract for these services extends through the end of 2011
- Funding has ranged from \$159,000 to \$500,000\_(see schedule below)
- In the fall of 2007, the County discussed funding the HSHV pursuant to a 10-year contract beginning in 2008 with the HSHV receiving \$300,000 in 2008, \$400,000 in 2009 and \$500,000 per year for the remainder of the contract with a 3% cost of living increase per year.
- The BOC never approved the 10-year contract; rather, the County continued to execute 2-year contracts with the HSHV; the current contract expires at the end of 2011
- HSHV never objected when the proposed 10-year deal did not materialize in 2008; rather, it agreed to the proposed 2-year deal.

Humane Society Huron Valley										
Operations Payments										
2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
\$159,000.00	\$155,397.00	\$155,397.00	\$169,525.00	\$169,645.00	\$214,119.00	\$300,000.00	\$300,000.00	\$400,000.00	\$500,000.00	\$500,000.00

H: general/hshvpoints