



City Council Special Meeting Agenda

Date: 10/25/16 (TUESDAY)

Time: 4:15 p.m.

Location: City Hall Council Chambers

- Mayor Nancy Tia Brown
 - Donny Anderson
 - Karen Ballinger
 - Jerry Fritz
 - Landon Greer
 - Steve Miller
 - Stan Wolz
 - City Administrator, Barry Cook
 - Administrative Services Officer, Cindy Baker
 - City Attorney, Scott Kolpitcke
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- 4:15 – 4:25 - Discuss Banking Services
 - Staff Reference: Leslie Brumage, Finance Officer
 - 4:25-4:35 – Discuss Land Purchase Agreement YRA – City of Cody - Mowatt
 - Staff Reference: Scott Kolpitcke, City Attorney
 - 4:35-5:30 - Discuss Chapter 56 Permit – Urban Deer Reduction Proposal
 - Staff Reference: Chuck Baker, Chief of Police
 - Meeting Reminders:
 - Tuesday, November 1, 2016** - Regular Council Meeting 7:00 p.m. Council Chambers
 - Thursday, November 10, 2016** – Council Work Session 4:15 p.m. Council Chambers
 - Tuesday, November 15, 2016** – Regular Council Meeting 7:00 p.m. Council Chambers

Time Adjourned: _____

2016/17 Proposed Urban Deer Reduction Plan

Cody Police Department

PURPOSE:

The City Of Cody has established an Urban Deer Task Force to consider ways to handle the deer population in the City of Cody.

As of September 17, 2016, Cody City Council, while considering the approval of a lethal reduction program to address the local urban deer population, has instructed the Cody Police Department to draft a preliminary operational plan, first year budget and to pursue the Chapter 56 permit from the Wyoming Game and Fish Department.

GOALS:

Urban deer reduction goals are identified as follows:

- 1) Maintain public safety while conducting deer reduction operations.
- 2) Reduce the urban deer population if determined appropriate by City Council, under the regulation of the Wyoming Game and Fish Department.
- 3) Utilize effective, humane methods of lethal reduction.
- 4) Provide interested citizens with venison from harvested deer so they are not wasted.

PROCEDURES:

Legal Authority

The Wyoming Game and Fish Department manages wildlife in Wyoming. The Wyoming Game and Fish Department may issue Title 56 permits. The permit, if granted, would specify the number of deer to be taken in a given timeframe and list additional conditions and direction imposed by Wyoming Game and Fish Department.

Police Function

The Cody Police Department would be utilized for the systematic lethal culling of urban deer (see method section for details).

Selected members of the Cody Police Department participating in the deer reduction program will be trained in the administrative procedures required and in firearms proficiency with the selected firearm and equipment.

Method

The Cody Police Department will utilize police officers trained in the administrative and operational procedures unique to this program, to shoot deer using weapons and at locations detailed below.

The basic process would involve using bait to lure deer into areas where they could be safely shot. The biological samples for Chronic Wasting Disease testing would be collected, and the deer will be donated to interested citizens for processing and consumption pending the outcome of CWD testing.

Training

Participating officers will complete training specific to this program. Topics will include administrative reporting requirements under the Chapter 56 Permit and as determined by the Cody Police Department, biological sampling for CWD testing, distribution of harvested deer to interested citizens, and firearms competency with the selected equipment.

Manpower

The Cody Police Department will utilize two officers at a time to harvest deer. The primary officer will operate the firearm, while the second will act as a safety officer. The role of the safety officer will be to maintain watch of the surrounding area and background as the first officer readies for the shot.

The Cody Police Department will utilize the Code Enforcement Officer (CEO) to assist with baiting operations, scouting/monitoring deer activity, and with establishing access to privately owned land as needed.

Site Selection

Keeping the goal of public safety in mind, the locations selected to harvest deer are of primary importance. The following are some considerations:

- Permission; sites will either be city owned land or on private land with the owner's permission (NOTE: deer will not be harvested on public roadways, or from any land that is not owned by the city of Cody without the permission of the landowner or their authorized agent).
- Background; sites will provide a clear/safe background to allow the use of firearms.
- Each site that is selected for the operation will have a day-time safety evaluation conducted by Police Department personnel. Operation plans will be developed for each selected location.
- Effectiveness; efforts will be made to identify and use sites in problem areas.

Equipment

The department will primarily utilize an AR 15 style rifle that is commonly issued as a patrol rifle. The department will use .223 caliber soft point ammunition, which has been found effective for this purpose.

The rifle will be suppressed to minimize the sound of gunshot(s) in city limits and to ensure discrete operations.

A low magnification optic will be utilized to aid with accurate shot placement.

If operations occur after dark, night vision or thermal imagers will be used by the safety officer to ensure there is a clear background and field of fire.

Public Safety

The Cody Police Department will not discount public safety in the name of reducing the urban deer population.

There is inherent risk in discharging firearms within city limits. Public safety will not be compromised. With proper site selection, day-time safety evaluations, the oversight of a safety officer, and ultimately the decision of the primary officer to discharge the firearm, public safety will be maintained.

Ethics

Taking the life of an animal is a serious matter. Every effort should be made to take only well placed, effective shots, so as to quickly and humanely dispatch the deer.

In the event that a deer is wounded, every effort will be made to follow up and recover the deer in a safe and humane manner.

Transportation

Officers will operate a vehicle marked with City of Cody emblems, or will operate the Cody Police Department's Code Enforcement truck. Harvested deer will be covered and out of the view of the public during transport.

Distribution of deer

Local citizens who are interested in taking possession of whole, non-field dressed harvested deer, and who agree to accept responsibility for processing, will be able to submit their name and contact information to the City Of Cody. Once a deer is harvested, interested citizens will be contacted to take possession of the deer.

Citizens will be required to complete and comply with an affidavit of informed consent regarding CWD testing, which requires they do not consume, or allow others to consume, venison from harvested deer until test results are available.

Chronic Wasting Disease (CWD) Testing

Once a deer is killed, Chronic Wasting Disease (CWD) testing will occur by collecting a biological sample from the deer, and submitting the sample to the Wyoming Game and Fish Department for testing. Results are typically available within 3 days. The Cody Police Department will notify the participating recipient of the results. The deer will be disposed of if it tests positive for CWD, in compliance with the Informed Consent agreement.

Professional Processing

The Zero Box, a local processor, charges \$150.00 for processing field dressed, unskinned deer. The Zero Box commonly takes deer from private parties that pay for processing, but that want only to donate the venison. The processed venison (usually ground into burger) is distributed to those who are referred from the Cody Cupboard.

This should be a contingency option if no citizens are able to respond to take possession of harvested deer. This would require that Cody Police Officer(s) complete the field dressing of unclaimed deer, and coordinate storage of the deer until it could be transported to the Zero Box.

Disposal

If CWD test is positive, the deer and venison will be disposed of in accordance with the Informed Consent agreement.

A dumpster designated for the disposal of the entrails and non-consumable parts of the deer will be provided for the use of participating citizens, so as to limit the chance of improper disposal on nearby public lands or in local residential dumpsters.

Administrative Reporting

Each deer harvested will be tagged and documented in accordance with the Wyoming Game and Fish Department's Chapter 56 permit system.

Each harvested deer will be documented with a Cody Police Department form designed to record the details of each harvest.

A final, end of season report will be completed in compliance with the Chapter 56 Permit.

Overtime reports will be completed to document and track wages associated with the program.

Program Review, On-going Evaluation and Future Considerations

Review and monitoring of the program will be ongoing. Items of future consideration include;

- Cost per deer taken evaluation.
- Citizen Satisfaction survey.
- Partnering with faith based and non-profit organizations to process and donate harvested deer to those in need.
- Update Cody Web site and Cody PD Face Book with program detail and information.

2016/17 Proposed Urban Deer Reduction Plan

First Year Startup Budget

CODY POLICE DEPARTMENT

Sharpshooter Option

Equipment/Supplies

Gemtec Halo GM Suppressor	\$750.00
Optic (Leupold VX-R Patrol)	\$550.00
Mount (Leupold Mark II IMS)	\$85.00
Ammunition (160 rounds to zero, train, cull. Ave \$25.00/box of 20 rounds)	\$200.00
Bait	\$150.00

Overtime

Based on \$30/hr base payx1.5=\$45/hr per officer. Estimate 2 officers (1 safety, 1 shooter) 6 hours per evening to dispatch and disperse deer to interested citizens. Estimate 8 evenings (depends on management goals/Chapter 56 permit).

\$45.00 x 2 officers = \$90.00/hr x 6 hrs per evening= \$540.00/evening

\$540.00x8 evenings=**\$4,320.00**

Sharpshooter Total= \$6,055.00

Processing Contingency

Zero Box charges \$150 per deer to do basic processing (ground venison) of field dressed, unskinned deer. This should be given consideration in the event that interested citizens cannot respond to claim culled deer. The unclaimed deer could be processed and distributed via Cody Cupboard referrals to those in need.

Estimate a 10 deer contingency x \$150 = **\$1500.00**

*****Equipment purchases are predicable amounts. Overtime is based on speculation as to how much time each outing takes, and how many total outings will be required. Overtime to continue program will be included in future PD budget process.**



Wyoming Game and Fish Department
Chapter 56 Permit
PERMIT GOVERNING LETHAL TAKING OF WILDLIFE

Permit ID: 227

Previously Permitted: No

Others Authorized by This Permit:

Others under the direction of the permittee

Chuck Baker
Cody Police Department
1402 River View Drive
Cody, WY 82414

REGION: Cody,
VALID: 10/5/2016 - 12/31/2016
METHOD: Firearm
NUMBER: 50 antlerless deer

SPECIES INCLUDED: Deer spp.

PURPOSE:

To take deer in order to relieve/prevent destruction to private property and protect human health/safety.

CONDITIONS:

Conditions shall be as per "Attachment 1 - 2016 Chapter 56-227".

Extreme caution should be exercised with using firearms in the vicinity of people, equipment, facilities, or buildings. Every effort should be made to take wildlife in a humane manner. Any wildlife taken shall be promptly destroyed by burial or incineration, unless permission is granted to deposit wildlife with a permitted and qualified educational or scientific institution; deer may be donated as stated in "Attachment 1 - 2016 Chapter 56-22". In the event that any nontarget wildlife is taken, the Regional Wildlife Supervisor shall be contacted as soon as reasonably possible.

Unless otherwise indicated above, this permit does not include those species of wildlife defined as protected by W.S. 23-1-101 or those species of wildlife listed as threatened or endangered by federal regulation.

The permittee is, and all persons conducting activities under the permittee are, to carry this permit at all times while taking or possessing wildlife authorized under this permit and agrees to the inspection of wildlife, collection, gear, and materials by any of the authorized enforcement personnel of the Wyoming Game and Fish Department or the US Fish and Wildlife Service. Permittee shall obtain the permission of the owner of private property or the person in charge of the property before entering upon or conducting any activities within the private property; this includes crossing private property to access public lands when no public road access is available. Permittee shall obtain the permission of the owner of private property or the person in charge of the property before entering upon or conducting any activities within the private property; this includes crossing private property to access public lands when no public road access is available.

An annual report summarizing permit activities/collections made shall be submitted electronically to the Permitting Officer in Cheyenne no later than January 31 of the following year for which this permit is valid (send report(s) to wgf.permitting@wyo.gov).

The completed donation coupon stub portion of all coupons used to donate meat, along with any unused coupons, shall be remitted to Supervisor Osterland by January 15, 2017.


Brian Nesvik
Chief Game Warden

10/6/2016

Copies: Travis Crane, Grant Gerharter
Alan Osterland
WGFD File

WYOMING GAME AND FISH DEPARTMENT

Chapter 56 Permit - Attachment I

Permit Governing Lethal Taking of Wildlife

NAME: Chuck Baker, Cody Chief of Police
ADDRESS:

Cody Police Department
1402 River View Drive
Cody, WY 82414

ADDITIONAL CONDITIONS AND DIRECTIONS:

- The permit will be issued for 50 antlerless deer total. This number includes mule deer and white-tailed deer.
- This permit shall only be valid as long as the City of Cody (City) has a feeding of deer prohibition in place.
- Upon approval of the permit, deer may be harvested until the permit expires on December 31, 2016.
- The Cody Chief of Police, Chuck Baker, shall be the person to whom the permit will be issued. In addition, law enforcement officers approved by the City and designated by Chief Baker shall be allowed to conduct lethal take. The names of these individuals must be submitted to Cody Wildlife Supervisor Alan Osterland prior to any take.
- The permit shall be valid for all lands within the incorporated limits of the City. The City shall acquire permission from private landowners to harvest deer off City owned property. The City may bait deer into safe shooting zones.
- All harvested deer shall be "tagged" with a Wyoming Game and Fish Department provided donation coupon to facilitate tracking and provide legal possession of donated deer. Donation coupons shall be provided by the Department, and the completed stub portion of all donation coupons used to donate meat, along with any unused coupons, shall be remitted to Supervisor Osterland by January 15, 2017.
- A final report of deer harvested under the permit will be due to the Department by January 31, 2017 (send report(s) to wgf.permitting@wyo.gov).
- That report shall include the date, species, sex, age, CWD positive and donation coupon number for every deer harvested, along with documentation of any deer shot, but not retrieved or donated.
- To facilitate safe shooting in residential areas, deer may be taken with any caliber rifle or shotgun, with no ammunition restrictions. Use of other methods of take shall not be allowed.

- To promote safe shooting and adequate take, and to minimize potential conflicts with citizens, deer may be taken outside legal shooting hours, with the aid of artificial light or night vision equipment and from motor vehicles.
- The City is responsible for making an immediate and concerted effort to follow up and humanely take any deer crippled under the authority of this permit.
- The City, or their designated agent, is responsible for field dressing and/or processing of all harvested deer and for proper disposal of carcasses and offal. The City may require recipients of the harvested deer to process the animal or provide processing for the recipient prior to donation.
- Meat from all deer taken by the City shall be donated by the City to private individuals for human consumption only. If a question arises as to fitness for human consumption of deer harvested by the City, the City shall contact the Cody Regional Office for permission to dispose of the carcass.
- All deer taken shall be tested by the Department for the presence of CWD and test negative before the meat from any deer may be donated. The City will be responsible for sampling deer and submitting the samples to the Department lab. The Department will provide all materials for sampling, sampling training, and testing of samples at no cost. The Department will require the City to require any person receiving donated meat to sign an affidavit of informed consent. Wyoming Game and Fish Department can provide the affidavit but the City will have to use their letterhead.
- Because the City is in an area where CWD has been found, the City shall provide the direction to all recipients of donated, whole deer carcasses to dispose of any unused portions in an approved landfill to ensure statutory requirements for disposal of deer carcasses from CWD areas are met.