

City of Columbus City  
Council Meeting Addition  
Packet

RE:Muddy Paws Conditional Use  
Permit Application

**To:** City of Columbus City Council

**RE:** Response to Council Member Hegland Application Material Review

Muddy Paws has been operating for nearly 10 years and we appreciate the opportunity to present our side on animal safety, health and wellness at our facility. When referencing the provisions of State Statute 347 that include the licensure for kennels, it is important to note that boarding facilities and dog daycares are specifically excluded as determined by the Minnesota Board of Animal Health. We believe that this difference exists because animals in our care each have an owner who is making a decision based on the animals best interest. Whereas, dogs maintained for breeding purposes or surrendered may not have an owner looking out for their best interest. Therefore, the state deems it necessary to represent these dogs via statute. If Muddy Paws doesn't meet the standards that our dog owners expect, they can simply choose not to use our facility. If we don't have customers, we won't exist. Furthermore, we believe that any failure on our part to meet existing, applicable, ordinance or statute gives the city rights to find and/or revoke our CUP. We are in this business because of our desire to care for animals, promote their wellbeing, and provide a safe environment while owners are away. It is a principle that has allowed us to grow over the last decade and one that will continue to guide us, with your help.

CUP Findings:

- a) Agree
- b) We may need up to 9 months in order to complete this.
- c) Agree
- d) Maintain current levels
- e) Agree
- f) Review in meeting
  - i) Some crates are large and customers don't have adequate vehicle space for self-transportation to business
  - ii) No evidence in 9 years of animal agitation from crate use
  - iii) Applicant does not agree to use of crates in a kennel
  - iv) Only agree to use a crate if it is customer choice
  - v) Having crates available for use at Muddy Paws is a great convenience to owners. Many owners do not have a vehicle that is able to transport a crate. Furthermore, I have found from personal experience that many crates brought in by owners have never been cleaned or sanitized. This brings up concerns as far as owners bringing bacteria, etc. into our facility. There are also sometimes issues with the safety of crates brought from home if they are broken or not secure. By using our own crates we are able to ensure they are safe and sanitary. This being a liability factor should not be a concern for the city but rather that of Muddy Paws. And I can attest that I have much greater confidence in our crates vs. those of owners.

As for the concerns of the dogs having visual contact with other dogs . . . this is simply not an issue for the dogs who stay in crates because they have been pre-screened to insure they are comfortable. As stated during the site visit, if there is a dog who cannot board in one of our kennels and also does not do well

in a wire crate we do not accept them for boarding (which did bring one owner to build their own crate that their dog cannot escape which we did happily accept). Many other boarding facilities, including the one run by the Animal Control Officer, have chain link fences which allows dogs to be in full sight of each other at all times . . . even more hours that would be at Muddy Paws as his facility, like many others, do not offer daycare. If the reason for not allowing crates is due to the dogs seeing each other then why are so many boarding facilities able to operate with chain link kennels?

- g) Do not agree to have one kennel open. If the area becomes contaminated, we remove the dog(s) from the area while we clean and allow time to dry. Prior to boarding, all dogs go through a temp test and only the customer makes the choice to put family dogs together. In the past 9 years, we have never experienced an issue in boarding family dogs together. If a dog gets sick during the day, the owner is notified and the dog will be kept in a clean kennel.
  - i) Absolute max on capacity for boarding dogs is 58 if needed based on prior documents provided to the city.
  - ii) As you stated, you were a Vet Tech and did not work in a Dog Daycare and Boarding Facility. And as you said this is “your past experience”. Many things have changed quite a bit in the dog industry in recent years. With our current clientele, and looking back over the last 20 borders that have multiple dogs, only 2 families requested that their dogs board separately. That means that 90% of owners with multiple dogs request that they board together. The majority of the dogs who use Muddy Paws are family pets who live closely with each other and their families. They are used to being together at all times . . . many of them sleep together on their owner’s bed or at least on the floor next to them. For this reason it is more comforting for these dogs to board together in a kennel rather than separately. Over the last 9 years I can only remember having to separate one pair of dogs who were asked to be boarded together . . . 2 9 month old lab puppies, Timber and Willow, who wouldn’t stop trying to wrestle even when it was bedtime. They are now 8 years old and board just fine together. I feel that keeping the “Maximum Overnight Occupancy” to 58 is reasonable if you also take into consideration the other conditions of only being allowed to board dogs from the same family, at owners request, and also taking into consideration the aforementioned individual kennel capacities. The likelihood of all kennels being fully occupied by the maximum number of dogs allowed is unlikely but then why did you require that we define the kennel capacities?
- h) Agree; Mark talks about how confinement spaces should be substantially impervious. Confinement spaces are the kennels or crates, whereas any other space is a supervised space. The whole facility is not a confinement space, but rather the kennels and crates themselves. That being said, in keeping our facility in good repair we will fix any damage done to our wall surfaces once we own the property.

#### CUP Recommendations (Conditions)

- a) Agree

- i) Agree to vaccinations, already a process in place
- b) Any dog that comes through our door for any service is required to be up to date on shots.
- c) Noted
- d) Rabies, Distemper and Bordetella. We currently require at least 48 hours before attending daycare after receiving their vaccines but also request that they ask their vet for their recommendation as well. Our process for vaccines is to have customers either email us, text us, upload files into account, bring in a physical copy, or have their vet send us over vaccine information. We do not allow customers to verbally tell us vaccine expiration dates or allow them to enter this information themselves. Our computer system sends automatic emails to clients whose vaccines are expiring in a month so that they are aware that they need to have these updated before coming in. I have found over the years that many vaccines have different recommendations regarding immunity so I leave that to the veterinarian. As for puppies, we currently require a Bordetella vaccine and 2 of the 3 Distemper vaccines. Rabies vaccine must be given once the puppy is old enough (generally 16 weeks).
- e) Maximum boarding capacity is 31 unless customer requests their dogs be boarded together at which point our maximum capacity could grow to 58.
- f) Agree
- g) Agree
- h) Agree
- i) Agree
- j) Agree with the first statement. We have no issue having a standard for temperature control in our facility. The underlying licensing statute referenced excludes boarding facilities and dog daycares according to the Minnesota Board of Animal Health.
- k) Agree
- l) Agree
- m) Agree
- n) Agree
- o) Muddy Paws has an active emergency evacuation plan that includes monthly fire drills which have been successful in releasing 36 dogs in under 3 minutes. There is not a one by one evacuation plan. There is no padlock on the outdoor run area that would prevent us from escaping in case of emergency. We agree to work with the fire marshall/fire chief and walk through our existing plan. Please reference our emergency plan with a map that will be posted throughout the facility as of July 28th, 2021 to ensure all staff have adequate knowledge of these scenarios. We are seeking further clarification from the council person on this question as this facility stores no hazardous materials. We only use household cleaning solutions which are stored away from the animals.
- p) Agree
- q) Agree
- r) Agree
- s) Agree
- t) Agree

Additional Conditions:

- a) In case of a medical emergency, we always default to pets preferred veterinarian and work with the owner to decide what is best for the dog and given scenario. In the event of an emergency, in which veterinarian cannot be reached immediately, Muddy Paws defaults to our emergency veterinarian, Dr. Johnson at Blue Sky Animal Hospital in Wyoming, MN. Blue Sky has been deemed to be the best option geographically and they have 24 hour service if needed. In instances of choking or other medical emergencies, staff will be trained in CPR upon purchase of business. Jess, CPR certified trainer, will assist in getting all staff certified in case of emergencies.
- b) We can adopt applicable measures outlined in the Infection Control Example provided.
- c) Agree to annual inspections only (10 years, no issues)
- d) Most other kennels, including Stone Mountain, offer kenneling for puppies younger than 6 months. This is good for socialization, enrichment, and training at this age. We would be put at a huge disadvantage against our competitors if we were to change the youngest age to 6 months for acceptance. Puppies are on a different plan when at Muddy Paws including more breaks, slower introductions, and enforced water breaks.
  - i) You have misunderstood the reason for this Ordinance. What this is stating is that the definition of a kennel is anyone who owns/breeds/boards/grooms or sells dogs and has 4 or more dogs over 6 months of age. This does not mean that this same person, or in the case business, cannot board/own/groom/sell etc. dogs under 6 months old. This is meant to allow an owner to have a dog who has a litter of puppies and, as long as those puppies are sold/rehomed before they are 6 months old, this owner does not have to apply for a kennel license. We have MANY puppies under 6 months of age in daycare!! This is an essential time for a puppy to learn proper socialization skills with other dogs. Not allowing puppies under 6 months old would be a huge detriment to their well being.

**To:** Columbus City Council Members  
**From:** Council Member Sue Wagamon  
**CC:** Elizabeth Mursko, City Administrator  
Ben Gutknecht, Associate Planner  
  
**Date:** 7/24/2021  
Revised: 7/27/2021  
**Re:** Muddy Paws CUP Application Material, Staff Report, and Council Member Memo Review

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I've updated this memo upon review of the applicants (Ms. Lefto's) response (dated 07.26.2021) to Council Member Hegland's memo (dated 07.23.2021). The applicant indicates agreement with various suggestions made by Council Member Hegland that this memo initially indicated a differing opinion of. However, due to the applicant signaling agreement to Council Member Hegland's suggestions, this memo has been updated to reflect my comments for the record while taking into consideration the applicants recent response.

Before reading through my comments, I need to question #1 under the Associate Planner's recommendations, which I should have questioned before, regarding compliance with recommendations and comments by the City Animal control officer. I think that would be acceptable if it is only referencing the memo dated 7/22/21 and not the comments on the memo dated 7/13/21. The reason I say that is the memo dated 7/22/21 is reasonable and points to the city and state codes, which are more general in nature and should be easier to comply to than the other memo. At this late stage I don't think it's fair to the applicant to make additional requirements.

I have read through the comments from Council Member Hegland and have made comments based on what I believe is how the applicant will comply to city code and state statutes. At this point in the process, I believe it's our duty to stick to what is in the code and do not add any "New" suggested changes if we can't back it up with the code.

### **CUP Findings of Fact**

- a) Page 3, #14. I believe the applicant has said they are still working on if, how and where they might offer boarding services to cats. I think there is agreement that the future cat boarding would be in its own separate area but not as reflected on the 5. 28.21 floor plan. 1 of 30λ Page 2 Therefore, can we amend this finding to state "The applicant stated that any

future proposed cat boarding would be housed in an area of the facility physically separated, and not in visual contact with dogs”.

**This is a new request** and is not backed up by any code I can find and disagree with this change. The only information I can find on the subject is in Appendix D, Subpart 6; C, which our language supports.

“C. For animals housed in the same primary confinement area:  
(1) dogs or cats must be maintained in a compatible group;”

If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- b) Page 3, #20. I understand the applicant has secured a contractor to hook up to public utilities so can we change the finding to read “The applicant has requested to continue to use the private well exclusively for the geothermal system and had originally requested 36 months to hook up to public sewer and water but subsequently withdrew that request.”

**This is a new request** and although they mentioned it during the meeting, I don’t know that it is valid unless it’s in writing. If it is in writing and they are good with it, it shouldn’t be an issue. If it’s not in writing and they now see a new list of requirements they may change their mind. I would leave it as is.

- c) Page 4, #23. Please add, based on conversation with the applicant during the site visit, “The applicant agrees that there is adequate space to expand parking should the business grow beyond its current projected staffing and service levels, and is willing to do so should additional parking space be required”.

I think the language as stated in the Associate Planner’s findings of fact is sufficient. I believe this addition goes without saying. The requirements are there, the business owner is responsible for changes, we shouldn’t have to state the obvious. However, if the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- d) Page 4, #33. Question to applicant. The findings state an average of 5 grooming appointments/day. Do you expect to grow the grooming business or maintain it the current level?

This question does not pertain to anything in the code. There is no point to this question and should not be the business of the city how many appointments they have per day. This should be disregarded.

- e) Page 4, #34. This finding states “The applicants are still working on a floor plan that is conducive to the boarding of cats.” My understanding from conversation at the site visit, is that “consideration of cat boarding has been deferred and will be addressed in the future via an amendment to the CUP should the applicant decide they would like to expand business to include this service.” Does the applicant agree to this restatement of the finding?

The issue being raised here is addressed in #13 of the recommendations and I don't suggest making her change.  
“13. An updated floor plan indicating the location and number of cat kennels will be required for administrative review prior to cats being boarded on premises.”  
If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- f) Page 4, #35. I suggest striking “Additionally, they have 5 folding crates for those dogs that find crates more comfortable.” based on the comments made by the Animal Control Officer at the site visit and in his July 21st and July 13th memo. I understand and agree that some clients may prefer their dogs be kept in a crate because that is what they are used to sleeping in or kenneling in at home. It may aid in minimizing separation anxiety to keep the dog in a crate that is familiar to them and that they perceive as a safe haven. The solution to the concerns raised by the Animal Control Officer is to require the owner to bring their own dog's crate, so that the size and scents are familiar to the dog and the crate be placed within the kennel run so that visual contact with other dogs is eliminated. Using the owner's crate would reduce the potential liability factor should a dog injure itself in the wire crate because it would be the crate provided by the owner. It would greatly ease the infection control issue because the crate would be the dog's own crate' and placing it inside a kennel run would limit potential agitation or excitement from visually seeing other dogs in adjacent crates.

This one baffles me. Striking what she is requesting doesn't have any impact on what she says the purpose for animal control comments which were to require the owner to bring their own crate in. She didn't suggest any language to that effect, and I don't think there should be. I think #35 should stay as is to reduce the number of changes we are presenting to the applicant.

- g) Page 4, #36. This number still seems far too high to me. The 45-dog number assumes that the majority of families boarding multiple dogs request they be boarded together. From my past experience, this is the exception and not the rule. I know that many multi-dog families do NOT want their dogs to be together, especially if there is opportunity for them to play together while outside of the kennel. The reason for this is that dogs put in a new



environment with other dogs sometime exhibit protective or aggressive tendencies 2 of 30λ Page 3 because of the stress of the new environment and exposure to other non-family dog scents/sounds. I also believe you need to keep a minimum of one kennel unoccupied so that you have a clean kennel to move a dog to, should there be a problem with housing dogs together and you need to separate them, or even just to have a safe place to put them while cleaning their runs should they have diarrhea/large amount of urine and/or vomiting. I would ask the applicant to determine from past boarding records, the maximum percentage of boarders that board multiple dogs AND require they be kenneled together. Use this figure and the intention to keep one kennel free and base the maximum number of boarders on this number.

**This is a new request** and is not supported by the city code. The city code says, “no more than 60 dogs shall be allowed for overnight boarding or temporary daytime care.” Their plan says 45, which meets the code. Although I understand council member Hegland has a lot of knowledge of animal interactions and temperaments, #36 should not be changed in my opinion.

- h) Page 4, #47. Please add reference to the July 21st memo from Animal Control Officer further clarifying his concerns and recommendations.

If it was not a requirement for licensing or permit to have Animal Control perform, evaluate, and provide recommendations then it should not be referenced in the permit. I realize we asked for the recommendations and are listening to their suggestions, but if it is not a requirement then it should not be included.

If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

### **CUP Recommendations (Conditions)**

- a) Page 6 #7. The applicant does not intend to extend boarding services to cats at this time and the vaccination requirements for cats is different than dogs, so I would strike “cats” from this condition. Further, I would recommend this condition be amended to read: “All dogs allowed in day care or overnight boarding must be currently vaccinated and immunized against the following diseases:”.

i. Rabies: This fatal viral illness is not only transmissible to other dogs but also to humans and is a required vaccination under Columbus ordinance 7A-809 D.1.b

ii. Distemper, Hepatitis, Parainfluenza and Parvovirus (DHPP). Considered an essential vaccine, this is commonly called the “distemper shot,” and protects against the four highly contagious diseases in its full name. (<https://www.americanhumane.org/fact-sheet/vaccinating-your-pet/>)

iii. Bordetella (commonly called “kennel cough”). The Bordetella virus causes an extremely contagious upper respiratory infection. Veterinarians recommend this vaccine before your dog goes to a dog park, groomer, boarding kennel, doggie daycare, or dog show. (<https://www.americanhumane.org/fact-sheet/vaccinatingyour-pet/>).

I agree with eliminating “cats” if that is consistent throughout the permit. However, the **vaccination language is new** and the current language matches what is in the state code, so I suggest not making any additional changes.

**“SECTION 4-612. VACCINATION REQUIRED.** Every dog or canine over six (6) months of age shall be vaccinated against rabies by a qualified licensed veterinarian. Every Owner is required to retain proof of vaccination for each dog or canine.”

- b) It would be even better if grooming was included, but I leave that up to the applicant. The exposure isn’t as great as it is when dogs are running around together. The required vaccines I recommended are well documented as the essential core vaccinations that every dog, except the very rare case that reacts to vaccines, should have:

Nice to know, but they only need to meet the code.

- c) Most references for boarding facilities recommend that the dog be fully vaccinated (meaning they have received all the vaccine/boosters required to achieve full immunity) 10-14 days prior to their boarding, grooming or day care appt. to give the vaccine time to reach its full effectiveness to protect against illness. The CDC has a different recommendation for rabies. “An animal is considered currently vaccinated and 3 of 30λ Page 4 immunized if the initial vaccination was administered at least 28 days previously [to boarding date] or booster vaccinations have been administered in accordance with veterinarian recommendations. Because a rapid anamnestic response is expected, an animal is considered currently vaccinated immediately after a booster vaccination.” ([https://www.cdc.gov/rabies/specific\\_groups/veterinarians/vaccination.html](https://www.cdc.gov/rabies/specific_groups/veterinarians/vaccination.html)).

Nice to know, but they only need to meet the code.

- d) **Question to the applicant:** What will your policy be regarding the required interval of vaccination prior to boarding?

This is a new request and not necessary because the permit states that they need to meet the code. I don’t believe we need to know how they will do it, just that they will do it.

e) Page 6 #8. Condition 8 states: “A maximum of sixty (60) total cats and dogs are allowed on premises for boarding, daycare, and grooming.” Please strike “cats” since they will be reviewed in a CUP revision if applicant decides to extend services to felines. The total number of dogs on the premise needs to be determined based on the maximum for each service offered because there are different criteria used to determine maximums for the three services. I recommend substituting the current language with the following:

i. The maximum number of dogs allowed on the premise for boarding will be calculated based on the number of kennels, the typical percentage of clients who request their dogs be boarded together, and the staffing plan to assure a 1:12 staff ratio when the boarded dogs are let out for play and exercise. Based on finding #36 and the stated 1:12 staff to dog ratio, the maximum number of boarders is:\_\_\_\_\_ (applicant fills in number based on what they came up with in finding number 36 edit above).

ii. The maximum number of dogs allowed on the premise for day care is predicated on the maximum number of staff available to supervise the dogs. There must be 1 staff member for every 12 dogs in the inside dog day care area and one staff member for every 12 dogs in the outside dog day care. Since the boarded dogs are comingled with the day care dogs, the applicant must include the maximum number of boarded animals in the day care area when calculating the maximum number of dogs allowed based on staff to dog ratio of 1:12. Applicant should fill in the maximum number of dogs based on their staffing plan.

iii. The maximum number of dogs allowed on the premise for grooming is (fill in number applicant supplies to finding of fact # 33. iv. Therefore, the total number of dogs allowed on the premise is the sum of the three maximums above.

**This is a new request** and is not supported by the city code. The city code says, “no more than 60 dogs shall be allowed for overnight boarding or temporary daytime care.” Their plan says 45, which meets the code. #8 should not be changed in my opinion, except for removing cats.

f) Page 6 #11. Condition 11 states: “The keeping of more than one dog or cat in an individual kennel is permitted for pets from the same owner, when requested by the pets’ owner.” Please amend to read: “The keeping of more than one dog in an individual kennel is permitted for pets from the same owner, when requested by the pets’ owner and is contingent on meeting the size requirements of the individual kennel (see diagram with kennel dimensions and maximum number of dogs allowed based on dimensions). 4 of 30λ  
Page 5

My suggestion is the have it read: "The keeping of more than one dog in an individual kennel is permitted for pets from the same owner, when requested by the pets' owner and meets State Code Subpart 6A."

- g) Page 6 #13. Since cats are not immediately planned for boarding or grooming and their boarding requirements are vastly different from dogs and there is not a designated area of the facility that is sufficiently isolated and configured for cat boarding, I recommend that an amendment to the CUP fully addressing how boarding services will be extended to felines be required and approved prior to cats being boarded on the premises.

**This is a new request**, and I don't see anything in any codes or statues that is different for a cat than for a dog. Therefore, the applicant is already complying to all other requirements if they are complying for dogs. I believe a revised floor plan is sufficient and the language should not change.

If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- h) Page 6 #15 Please edit to read "The facility shall be structurally sound, maintained in good repair, and designed to protect the dogs from injury, transmission of communicable diseases and prohibit the entrance of other animals."

**This is a new request** and not sure why we need to spell out communicable diseases. They are covered under their Safety and Wellness Plan. It's probably not a big deal but trying to reduce the number of changes at this point in the process. However, if the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- i) Page 6 # 16 Please edit to read "Each dog shall be provided with adequate floor space to allow such animal to turn about freely, easily stand without touching the sides or top of the kennel, and to sit and lie in a comfortable and normal position."

Removing the word "cat" is okay.

- j) Page 6 #17 Please edit to read "Facility shall be sufficiently heated or cooled when necessary and be compliant with maintaining recommended ambient temperature standards outlined in State Statute 1721.0520 of not less than 50 degrees Fahrenheit or no greater than 85 degrees Fahrenheit at floor level. In addition to meeting the state statute for temperature, the facility should maintain a comfortable humidity level in both the heated and cooled seasons (note: relative humidity should range from 30% to 70% (AVMA

2008a). All housing facilities must be adequately ventilated. Drafts, odors, and moisture condensation must be minimized.

**This is a new request** and is not in any code or in the Animal Control recommendations. That may be a recommendation from somewhere, but at this point not fair to request that.

- k) Page 6 #18 Please edit to read “Animals may be provided temporary access to outdoor runs and exercise areas when appropriate for the species, breed, and weather conditions. Outdoor facilities shall be constructed to provide sufficient space to provide proper exercise and movement of each dog contained and enclosed by walls or fences sufficient to securely keep dogs within and prevent entrance of other animals. Animals will be moved and secured inside if severe weather is forecasted, if the outdoor temperature or heat index is warmer than 85 degrees F or if the outdoor temperature or wind chill is less than 45 degrees F (<https://www.petmd.com/dog/care/how-cold-too-cold-dog>) or if it is raining, sleeting, lightning, hailing or snowing.

**This is a new request** and the state statute Subpart 5B says the following. I don’t believe we should request more comprehensive requirements.

“B. All animals must be housed in an indoor facility maintained at a temperature of not less than 50 degrees Fahrenheit. Animals may be provided temporary access to outdoor”

- l) Page 7 #19 Please edit to read “The dogs shall have access to clean water all times and if the food is not provided by the owner, be fed AAFCO (Association of American Feed Control Officials) approved food on at least a once-a-day basis. Further, food and water shall be stored in sanitary conditions and containers sufficient to prevent pests or vermin infestation. All other food provided by pet owner shall be stored as required to maintain sanitary/safe condition and shelf life. 5 of 30λ Page 6

**This is new request** and should not be changed. The way it reads now covers the city under the state statute:

“Subp. 7. **Feeding of dogs and cats.**

A. Dogs and cats must be fed at least once a day with clean, wholesome food sufficient to meet the normal daily nutritive requirements for the dog's or cat's age, size, and condition. Feed standards must be those recommended by the National Research Council.”

If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- m) Page 7 #20 Please edit to read “Dogs shall be kept in safe clean conditions and treated a manner promoting the pets’ health, comfort, and wellness consistent with the Animal Control Official approved additional submittals included as attachment to this CUP, entitled Animal Wellness Plan

I’m okay with this one.

- n) Page 7 #21 Please edit to read “Kennel and facility cleaning shall be conducted as outlined in Minnesota rules 1721.0520 subpart 5G “The premises, housing facilities, exercise areas, and confinement areas must be cleaned and disinfected as often as necessary to maintain a clean and sanitary condition. Animal confinement areas must be cleaned at least once daily. Measures must be taken to protect animals from being splattered with water or feces and from exposure to harmful chemicals during cleaning. Bedding, if used, must be kept clean and dry. Outdoor runs and exercise areas must be kept clean and soiled base material must be replaced as necessary.” Specific cleaning and disinfecting protocols for the facility and exercise areas must be approved annually by the Animal Control Officer.”

I’m okay with this one.

- o) The submitted Fire Emergency Plan is not adequate; it is unrealistic to think dogs can be evacuated one by one in a fire, and the exit gate that is referenced is blocked by silt fence material wrapped around the fence and the gate is padlocked. This plan should also include plans for other emergencies such as weather emergencies, gas leak or explosion, chemical spill, etc., There are resources available online from organizations such as the ASPCA or the Humane Society Disaster Preparedness Tips for Shelters and Rescue Groups | HumanePro by The Humane Society of the United States to guide development of this plan. I have also included an example plan from Wagging Tails Pet Resort to illustrate another acceptable plan. Therefore, on Page 7 #22 Please edit to read “Fire and emergency preparedness plan shall be developed and drilled as outlined in additional material submitted by applicant and approved by Fire Marshall/Fire Chief and Animal Control Officer on XXXXX.” Columbus ordinance 7a-809 D.2.d requires a written description of measures proposed for animal safety during emergencies that occur when the facility is unattended. Please provide such a description in your fire/emergency preparedness plan. Condition should include annual review and approval of Animal Control Officer.

I’m okay with this one.

- p) Page 7 #23 Please edit to read “Dog excrement, urine or other bodily fluids shall be removed from kennels at least once daily and from indoors and outdoors exercise areas immediately upon elimination, the area disinfected and the waste disposed of in a manner consistent with approved solid waste disposal regulations as outlined in the Waste Management Plan received from applicant and approved by the Animal Control Officer on XXX

**This is new** and not cited in any code I could find and should not be changed.

If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- q) Page 7 #24 Please edit to read “Conduct of the business shall be consistent with the application and additional materials received and deemed complete by the City on 6 of 30λ Page 7 May 7, 2021, May 28, 2021, June 20, 2021, July 14, 2021, and July XX, 2021” to reflect additional material requested via this memo.

I’m okay with this one.

- r) Page 7 #26 Please edit to read “The dog daycare and boarding facility cannot serve as an impound shelter or rescue facility or house rescued or stray animals, dogs, or cats.

This is new and I don’t believe it is stated in code anywhere, but it doesn’t sound like it would be a deal breaker. If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- s) Page 7 #30 Please edit to read “All site lighting shall be downcast and shrouded and comply with Columbus Ordinance xxx for outdoor lighting standards”.

I think our existing language is sufficient. They know they have to meet our city standards. Does it need to be restated?

If the Applicant and Council Members are in agreement with the suggestion made by Council Member Hegland, then I am not opposed.

- t) Page 7 #31 Please edit to read “There are to be no chemicals, gasses, hazardous wastes, fumes, or odors including that of composting organic material, on the Property as a result of this business, except for fire extinguishers or other materials required in the Fire/Emergency Preparedness Plan.

I’m okay with this.

## **Additional Conditions**

- a) There needs to be a medical emergency plan that describes what should be done in the case of a medical emergency that needs to be attended to immediately, e.g., choking, stopped breathing, heavy bleeding, etc. As part of this you can include your plan to transport the dog to an affiliated veterinary offices/hospital and emergency veterinary clinics. Condition should include annual review and approval of Animal Control Officer.
- b) There needs to be an infection control plan (see example from Seattle/King County for idea of what this may look like). Condition should include annual review and approval of Animal Control Officer.
- c) I recommend twice yearly inspections by the Animal Control Officer for the first two years of operation and if those inspections are without citation, it can move to annual inspections.
- d) Columbus Ordinance 4-611 E defines Kennel as “KENNEL” - Any premises where four (4) or more dogs or canines over six (6) months of age are kept boarded, bred, and/or offered for sale, or professionally boarded, groomed, and/or professionally trained. Therefore, puppies less than 6 months of age may not be boarded, groomed, or enrolled in day care

**To all these comments, I believe they have good intentions but are not required in city code or state statutes and should not be added at this time.**



Hello Muddy Paws Clients!

We could really use your help. As I am trying to take over Muddy Paws, I have been fighting a pretty tough battle with the City of Columbus. If I do not get their approval to continue operations here, there will unfortunately no longer be a Muddy Paws here in Columbus :( We have our next meeting with the City of Columbus on **Wednesday, July 28th** and could really use your support. This could be done through an email or letter to the city or better yet, physical presence at the meeting where you would have a chance to voice your opinion.

Thank you so much as I truly love this place and all of the dogs that come through our doors!!

Olivia Lefto

Ph: 651-209-6820

15120 West Freeway Drive

Columbus, MN 55025

[muddypawsdoggydaycare.com](http://muddypawsdoggydaycare.com)



Hours:

Sun-Tue: 7am-9am, 5pm-7pm

W-F: 6am-7pm

Sat: 7am-6pm

**RECEIVED**

JUL 27 2021

**City of Columbus**

07.25.21

City of Columbus  
16319 Kettle River Blvd  
Columbus, MN 55025

To Whom It May Concern,

We are writing to you today as concerned citizens. We recently learned of the possibility that the license for Muddy Paws Doggy Daycare in Columbus, MN may not be renewed, therefore, resulting in a closure of our doggy daycare center.

We are asking you to please consider the following:

It is because of this business that our dogs have had a safe and controlled environment to play in every day. Socialization and exercise are essential to a dog's well-being. Without it, you run the risk of depression, obesity and the potential for aggressive behavior.

We have been clients of Muddy Paws Doggy Daycare since it opened in June of 2012. During our initial tour, we found the facility to be clean and meticulously cared for. The play areas, indoor and out, are well fenced so there is no possibility of a dog leaving the premises and becoming injured. Upon initial visit, dogs are carefully screened and introduced slowly to the pack. Owners can view the daily adventures and shenanigans on the Muddy Paws Facebook page. Knowing this, we felt safe leaving our pet in this type of environment.

As pet owners who work full-time away from home, we feel this business is a necessity, particularly if the pet has medical needs. Muddy Paws hires quality staff ensuring that pets are in good hands even in the event of an emergency.

In 2014, our dog Koko was diagnosed with glaucoma. We were told by her vet at the U of M that we would have to administer a series of refrigerated drops in her left eye several times a day, on a very regimented schedule. Regardless of doing so, we knew she would eventually go blind, (which would require surgery and medication as well) but the drops would help to slow the process if we followed this regimen to the letter and would reduce her pain.

Working full time away from home, it was stressful to think how we were going to accomplish this task as we worked too far away to go home every day to administer the drops. The staff at Muddy Paws never hesitated to step up to help.

Every day while we were at work, we depended on them to administer the refrigerated drops at the designated times. They went above and beyond, giving us a detailed report card at the end of each day so we knew what was given and when. They never missed!

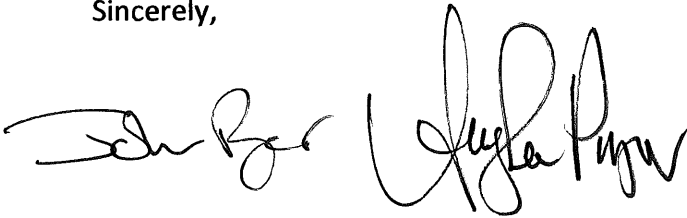
Despite our best efforts, Koko eventually lost her left eye and a few months later, her right eye followed. Even though she was completely blind, she still loved going to Muddy Paws every single day. It allowed her to transition into being a blind dog without fear or aggressive behavior. We think Muddy Paws and all her friends helped keep her fire alive.

She did eventually pass and Muddy Paws was there for that event as well. They held our hand to the very end. We are so grateful to have people like this serving in our community.

We now have a new little girl who excitedly jumps into the truck when it's time to play. If she could "speak" she would tell you how much fun she has every time she bolts through the front door, tail wagging uncontrollably.

We "beg" you hear our plea to give Ms. Olivia Lefto her license to continue this business. Like former owner Jess Evers, she and the staff at Muddy Paws are what it means to provide quality service in a respectable community. We can't think of anyone we would trust more to take care of our pets. Thank you for your consideration.

Sincerely,

Handwritten signatures of John Pryor and Amy Pryor. The signature on the left is 'John Pryor' and the signature on the right is 'Amy Pryor'. Both are written in a cursive, flowing style.

John and Amy Pryor

**Public Comment Received Prior to the July 28, 2021, City of Columbus  
Council Meeting:  
RE: Muddy Paws Conditional Use Permit Application**

Subject: Muddy Paws

Type your question, comment, or suggestion: Hi,

I just heard that you guys are fighting on keeping Muddy Paws Doggie daycare open. I have been taking my dogs there since they opened and have never ever had an issue with them. My dogs are well taken care of, love it there and get to interact with over dogs. I don't want them to close as I don't want to take my dogs elsewhere for when we are out of town or if I decide to drop my dog off for a day of daycare. Please please keep it open! There are a lot of people who I know that also take their dogs there and only have good things to say about them as well. Whatever the issue it, I hope it can be resolved and they can stay open. Do it for the dogs(and their owners) and for the wonderful staff at Muddy Paws! Thanks!

Name (if needed): Ashley Hawthorne

Would you like a response via e-mail? (Y/N): yes

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Subject: Muddy Paws

Type your question, comment, or suggestion: Hi there! I understand that Muddy Paws is going through a transition into a permanent business in Columbus. I bring my dog Everest there who is a year and a half energetic rescue pup! He loves playing at Muddy Paws and has gone many times in his short life! I love knowing he will be busy and tired out when the day is done. I appreciate having a safe, clean and comfortable place for him to go when I am working or traveling. I feel strongly that it is a great business to have in this community! I hope it can stick around! Everest does too! Thanks! Sincerely, Amanda Burns

Name (if needed): Amanda Burns

Would you like a response via e-mail? (Y/N): N

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Subject: Muddy Paws

Type your question, comment, or suggestion: Hello to the City of Columbus, I was informed Muddy Paws may need to close their doors. Although I do not know the circumstances, I do wish that this would NOT happen! Please help this establishment keep their door open to the public to serve our local pets!

Thank you!

Sincerely, Janice and Jerry Tener

Name (if needed): Janice Tener

Would you like a response via e-mail? (Y/N): Y

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Subject: Muddy paws doggy day care

Type your question, comment, or suggestion: Hello! I am unable to attend the city hall meeting on Wednesday, but would like to express my opinion on Muddy Paws. My puppy has gone there a few times now. The staff are wonderful and so kind to the dogs and the owners. My puppy comes home tired out and happy from her day of love and fun. It is our go to when we are in a pinch and need to be away for long hours or days. It is also in such a convenient location which makes it even better. We think it is a great place to have in the community. Thank you!

Name (if needed): Evan

Would you like a response via e-mail? (Y/N): N

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Subject: Muddy Paws

Type your question, comment, or suggestion: I hope that you will continue to allow Muddy Paws to operate in your city. It is a very valuable service to the community. We use it frequently.

Name (if needed): Bob Nelson

Would you like a response via e-mail? (Y/N): y

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**Subject: Muddy Paws**

Dear City of Columbus Council Members,

It has been brought to my attention that the future of Muddy Paws may be in question. As a customer of this facility for over a year, I've been extremely happy with their service and have no qualms about my dog going there on a regular basis. We utilize their services so that we can leave for our places of employment and know that our dog is well cared for.

Additionally many families have received new dogs during the Covid timeframe. These kennels suffered during the pandemic, as most people worked from home. Now many are forced to work in-person again, causing a strong need for these types of facilities. I personally know many people who use Muddy Paws, and I encourage you to allow them to remain open. There is not a comparable facility in the area for families to use.

For the person who believes it's not sanitary enough - the observations took place during a visit to look at the layout and hear about plans. They did not take place during an official inspection, or in an official capacity, which makes the report seem to have a "gotcha" nature to it. Although this may not have been the intent, it doesn't appear to have been done with integrity.

Please do the right thing and allow Muddy Paws to remain open. Thank you.

John Vette

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Columbus City Council members:

I am writing to express support for the small business Muddy Paws, located in Columbus. We have enjoyed bringing our Lab there for doggie daycare after deciding to add a pup to our brood when the pandemic had us house-bound a bit more than usual.

As life has picked up and we've become busier again, we've been able to ensure our pup is well cared for on long days by relying on MP (the code we need to use in our house because Whitney the Chocolate Lab gets incredibly excited when she hears us say "Muddy Paws"). We have boarded our pup at Muddy Paws a couple of times as well, once for a long weekend and another time for an entire week. Whether it has been for daycare or for boarding, we have been happy customers - and our pup has been ecstatic every day she has spent playing with her friends at Muddy Paws.

We are not alone. I know many other families in our neighborhood and our kids' activity circles who also rely on Muddy Paws for both daycare and boarding.

I ask that the City and the Council earnestly, and in good faith, work with the Muddy Paws business owner to keep this needed service available to the community.

Thank you,  
Marisa Vette

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**Subject: Muddy Paws business on agenda for Council meeting**

Thank you for taking the time to read this letter.

It came to my attention that there is a possibility that the city will not be allowing the business of Muddy Paws to continue in Columbus.

I am not aware of the issues, but I would like to voice my concern for this business being able to continue its valuable service to the community. They managed to survive through the pandemic when other businesses were not so fortunate.

Unfortunately, as I work until 8pm in the cities on Wednesday, I will not be able to join the meeting, so I wanted the chance to lend my support to this business.

My husband and I have lived here for 30 years, and I work at a hospital doing 12 hour shifts. Before Muddy Paws came, options were limited when I needed to board our dogs . Their work

friendly hours have made it possible to know that I can go to work, to care for our veterans, knowing my dog is being taken care of.

We have used them often and have not had any issues. It would definitely be a hardship for us if they were not an option for boarding our dogs.

As a community, we have a good variety of tax paying businesses to support our way of life. I would like to know that myself and the other residents of this City, can count on this business to be able to continue it's operations, so we can continue enjoying this City we call home.

Thank you for considering my input to this matter.

Jennifer Hill

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Dear Mrs.Wagamon,

Today I was notified through email that Muddy Paws could lose being able to offer their services to dog owners. After hearing about that I wanted to reach out to you all asking that you allow them to continue to offer doggy daycare and boarding. My dog has been going to there for a few years now. I know that when I take her there she is well taken care of. I have a GSP and she has lots of energy. When she goes to Muddy Paws she gets to play all day with dogs and the workers. I can't imagine her going anywhere else. Please allow them to keep taking care of the dogs.

Sincerely,

Jackie Roskens

Customer of Muddy Paws since '18

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Subject: Muddy Paws request for zoning ordinance amendment Type your question, comment, or suggestion: Ashley Hallberg

City of Columbus  
16319 Kettle River Blvd.  
Columbus, MN 55025

Dear Mayor Jesse Preiner & City Council Members:

I am writing in regards to the request for a zoning ordinance amendment that allows Muddy Paws (15120 W. Freeway Dr.) to continue to serve our community.

I've been a loyal customer of Muddy Paws for years, and could not imagine leaving the care of my animals in the hands of anyone else. Joseph and Olivia Lefto are looking to continue to serve this wonderful community, and for all the right reasons. The need for animal boarding and care will never perish and it would be truly saddening to see residents taking their business elsewhere to require such services. I would love to see the benefit of a successful business, employment opportunities, and community fulfillment remain here in Columbus. This is an incredible local family, looking to strengthen and serve a community of people wishing for the same.

I will continue to support Muddy Paws, as they commit to a level of care and consideration that is rare to find. I do not live in Columbus but I choose to go out of my way because of the great experiences I've had here. I enjoy supporting local businesses and families when I can, as I assume we all do. I appreciate the opportunity to use my voice, and hope you will take this into consideration before Wednesday's meeting.

Thank you for your representation, time and consideration.

Ashley Hallberg

Name (if needed): Ashley Hallberg

Would you like a response via e-mail? (Y/N): Yd

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Subject: Muddy Paws Doggy Daycare

Type your question, comment, or suggestion: I want to tell you about Muddy Paws. I have had two of my dogs enrolled there and they are great with them. One dog was a rescued Service Dog that I was asked to take because I was doing rescue in Stacy. This dog was so distraught over losing his human that he was destructive. No amount of my love would give him peace. It wasn't until I took to Muddy Paws that he was able to settle down and I could go home from Fairview Lakes where I was an RN and not find destruction. The other dog was just a pup and he needed the socialization which he got from the staff at Muddy Paws. I think they have an excellent facility and I am so grateful to have them. Please renew their credentials to serve us.

Diana Lynn

Name (if needed): Diana Lynn

Would you like a response via e-mail? (Y/N): Y

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Dear sir's & madam's,

Recently I have learned that the new owner of Muddy Paws doggy daycare has been running into issues getting the proper approval to continue her new business. I would like to voice my opinions about this. Olivia Lefto has been working at Muddy Paws for 7 years. I know this because my wife & myself have been taking our 2 dogs to this business for 8 years. Never once have we seen or heard of any issues that would make us think twice about bringing our loved four legged friends there. I know Olivia has recently become the owner of this establishment, but this in no way should affect allowing the business to stay open. I know she has a deep love for the dogs she has cared for over the years. As a pet owner, you realize such a deep love means you don't allow bad situations to happen. If they do happen, that love makes you correct the situation immediately. No dog is perfect, when they do act up the owners and workers of Muddy Paws have always had the where for all to immediate correct the situation. I have seen money go into the building for repairs and updates which shows me they have



knowledge and ability to keep their clients & customers first in their minds. I see no reason why this council cannot either grant the permission to continue this valuable service or work with Olivia on any issues they determine needing attention. I will be attending the meeting via phone to give Olivia, Muddy Paws & all it's workers all the support I can. I would hope this email reaches the council members and is read as support.

Thank you for taking the time to read my above message. I hope the city council members can see the true value Olivia and Muddy Paws provide to this community.

Sincerely,

Richard Tazell |

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Subject: MUDDY PAWS

Type your question, comment, or suggestion: Good morning,

I have been made aware of the city's concerns of the operational process/procedures of Muddy Paws. I have been a loyal client of Muddy Paws since March 2015. There is a good reason for that....I trust them! They treat my dogs with love and kindness. They treat me with respect. My Rocky and Rose have always come home happy, healthy and eager to go back. They always have the dogs' concerns and well being in mind. They never missed a beat. Muddy Paws have always made me feel confident that my dogs are treated just as I would. They take the time get to know each and every dog and that's what makes them so different from other kennels/daycares I've used in the past. They go the extra mile.

Questioning their process, techniques, their philosophy and business practices is necessary and I truly appreciate that you are ensuring the safety of all businesses in the community. I am writing to you to give my 100% support to Muddy Paws. I trust in their values and their decisions when it comes to my dogs and I couldn't imagine having to leave them with anyone else. When I drop them off to go on vacation...it is one less worry and I know they are safe. The staff spends a lot of time with our fur babies...they get to know their personalities and have always provided them with a safe environment. As a happy client of Muddy Paws, please let them continue to provide us the service we value and have experienced for years...with the dogs individuality and needs in mind. They know what they're doing and they care!

Regards,

Brigitte Short

Name (if needed): Brigitte Short

Would you like a response via e-mail? (Y/N): y

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Subject: Muddy Paws

Type your question, comment, or suggestion: I strongly support Muddy Paws remaining in the community. With no local dog parks, they have been a huge blessing for me and dog. I take my dog there regularly to play and socialize and have often utilized their boarding services when we go on vacation.

Thank you,

Elizabeth Logan

Name (if needed): Elizabeth Logan

Would you like a response via e-mail? (Y/N): Y

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Subject: Muddy Paws

Type your question, comment, or suggestion: Any decision to not allow Muddy Paws to continue operations will affect many people who depend on Muddy Paws to care for pets while at work. This is the only place I have found that opens it's doors at 6am, allowing those of us who work in the cities to drop off pets.

Name (if needed): Barb Jensen

Would you like a response via e-mail? (Y/N): Y

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**City Response:**

Thank you very much for contacting the City of Columbus, we appreciate hearing from current clients of Muddy Paws and you taking the time to reach out. Your comment and others will be included as an Agenda item being prepared for the July 28<sup>th</sup>, 2021, meeting, should you be unavailable to attend.

Additionally, please allow me an opportunity to provide some background to the application process and address any comments and concerns regarding the review of this application –

- At the moment the applicants (Mr. and Ms. Lefto) have been moving through the City's review process for their Conditional Use Permit (CUP) and Zoning Ordinance Amendment applications to continue running the Doggy Daycare/Boarding (Muddy Paws) in the current Zoning District.
- To provide you with some background, I've outlined a summary below going over the application process, specifically referencing the Muddy Paws application as well:
  - As part of an application review process, the application is reviewed by professional staff who draft a staff report and make recommendations (not decisions) to the Planning Commission and City Council.
  - The Planning Commission (the fact finding and recommending body) holds a Public Hearing to allow public input and reviews the application and staff reports. They then make their recommendation to the City Council. The City Council (the deciding body and policy makers) reviews the applications, Planning Commission reports, and staff reports. At this time, they may also ask further questions should they need additional information for them to make their decision.
- To provide you with an update and encouraging news as to where we are today with the Muddy Paws application, the Applicants have already gone through the Planning Commission on June 2, 2021. The Planning Commission recommended approval for both the Conditional Use Permit and the Zoning Ordinance Text amendment to allow the business to continue where it is currently located to the City Council.
- The City Council has reviewed the Planning Commission's recommendation for both the Conditional Use Permit and Zoning Ordinance Text Amendment applications.
- The Council has actually *approved* the Text Amendment to allow the use of a Doggy Daycare and Boarding facility in its current location (Zoning District).
- However, a majority of the Council noted that further information is required to ensure that all aspects of the permit and license for a Doggy Daycare and Boarding facility were reviewed appropriately, specifically for health and safety of the boarded pets, and all considerations were

made that addressed the Council's questions and concerns. Which is their purview as the Policy Makers.

- The Council has gone on record and indicated they appreciate Muddy Paws and would not want to see them leave the current location as they provide a necessary and beneficial service to the area.

In summary, the City Council has indicated support for the application, they've conveyed this support in action by approving the Text Amendment to allow the Use where it is currently located and verbally, by having gone on record stating as much. To the best of my knowledge no one (staff members and committee members) have made any indication of wanting to "shut down" the current business and have gone on record stating they believe it to be a great amenity to Columbus.

Currently, the application is still under review by the City Council, who have been working with the applicants and staff to address the remaining additional questions to ensure animal safety and wellness is appropriately addressed as part of the permit.

Again, we thank you again for your feedback and your comment will be a part of the official record for the July 28<sup>th</sup>, 2021, City Council Meeting.

To Whom It May Concern,

I would like to express my support for the continuation of Muddy Paws in their current location in Columbus, with their current policies and rules that are already existing in place.

We recently discovered Muddy Paws this Spring and have been bringing our 8 month old dog there since she was 5 months. We have been beyond grateful for the ease at which we are able to send our dog to daycare or board our dog if we go on a family vacation. Muddy Paws has thought of everything and is accessible to ALL dog owners. All while, having the proper precautions in place so that you feel safe as a dog owner. We appreciate that dog owners have to have all vaccinations and there is a temperament test required, before they will watch your dog. We appreciate that Muddy Paws has a wonderful and smooth CRM system - giving each family and dog a profile, so everything can be done electronically and all notes and details are documented. We appreciate that they have everything you could possibly need there, on location. So you do not have to lug around a kennel, a bed, extra toy items, food, etc. You can bring these items if you choose, but they are never needed. We appreciate that the staff has been professional, helpful, always willing to talk and answer questions, open, transparent, and loving to these animals that we all love dearly.

We appreciate Muddy Paws open play concept so dogs can socialize and be together. Most dog owners do not want to stick their dog in a kennel all day, they prefer for them to have fun and enjoy, Muddy Paw provides that environment.

We called around to other boarding places and no one had all of these aspects in one organization. That is why Muddy Paws has so many people and dogs that love going there. We drive 25 minutes out of our way to bring our dog there - and we have 3 young kids and own a business. We do it because Muddy Paws is that good at what they do and they make it easy for the dog owner. So, both dog and owner are happy. Please allow Muddy Paws to continue to run and operate as they are now. If you institute rules that force them to change their policies, that will influence dog owners to NOT choose Muddy Paws. They have perfected how to care for dogs and what makes it easy for dog owners to let their dogs be cared for when needed.

Thank you,

Alisha Soule  
Scandia, MN