2015-5

LEE COUNTY
NORTH CAROLINA
Committed Today for a Better Tomorrow

RESOLUTION AUTHORIZING THE RETIREMENT OF K-9 DOG "OSKAR"

WHEREAS, Oskar, a Belgian Malinois K-9 dog formerly used for drug detection by the Lee County Sheriff's Office, and his handler, Ken Gilstrap, Lee County Sheriff's Deputy, have been a great benefit to Lee County for six years; and,

WHEREAS, Oskar's certification has expired and, due to a stomach condition and other health concerns, he is no longer physically able to perform as a law enforcement K-9 for the Lee County Sheriff's Office; and,

WHEREAS, Oskar was specifically trained in certain law enforcement procedures which may cause him to behave unpredictably and perhaps in an aggressive manner as a result of such training and presents a risk to the general public health and safety if presented for sale to or adoption by the general public; and,

WHEREAS, such risk is not present when Oskar is transferred to the care and keeping of his handler, Deputy Ken Gilstrap, who was also trained in handling and caring for a specially trained law enforcement K-9; and,

WHEREAS, the Board of Commissioners finds that Oskar should be retired and ownership transferred to his handler, Deputy Ken Gilstrap, who has undergone the additional training and responsibility which is required for law enforcement K-9s and their handlers; and,

WHEREAS, NCGS §160A-266(d) permits the Board of Commissioners to authorize the transfer of ownership of Oskar to Deputy Ken Gilstrap upon Deputy Ken Gilstrap accepting custody of the dog and assuming all liability and responsibility for the care of the animal for the remainder of its life.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners authorizes the transfer of ownership of K-9 dog Oskar to Deputy Ken Gilstrap effective as of February 6 2015

Adopted this 2nd of February, 2015.

Amy M Dalrymple

Amy M. Dalrymple, Chair
Lee County Board of Commissioners

ATTEST

Gaynell M. Lee

Gaynell M Lee Clerk to the Board

ASSUMPTION OF LIABILITY AND RELEASE

Oskar, a drug detection K-9 dog, is no longer able to perform law enforcement duties and has been retired from active service with the Lee County Sheriff's Office. Ownership and possession of Oskar was transferred to Deputy Ken Gilstrap, Oskar's handler, through a Resolution adopted by the Lee County Board of Commissioners on February 2, 2015. Pursuant to the Resolution, Deputy Ken Gilstrap agrees to the following:

1. Deputy Ken Gilstrap assumes full responsibility for Oskar's welfare, including but not limited to providing adequate shelter, food, water, grooming and veterinary care.

2. Deputy Ken Gilstrap is aware of the general background, training and utilization of Oskar by the Lee County Sheriff's Office and, being so informed, is fully cognizant of any and all risks associated with assuming ownership and possession of Oskar. Deputy Ken Gilstrap does hereby release and forever discharge Lee County, its elected officials, employees, agents and representatives from any and all claims, demands, damages, causes of action, liabilities and judgments arising from or related in any way to the ownership, possession, use, condition, actions, activities, transfer or sale of Oskar. Deputy Ken Gilstrap further agrees to defend, indemnify, hold and save harmless Lee County, its elected officials, employees, agents and representatives from any and all claims, demands, damages, causes of action, liabilities and judgments arising from or related in any way to the ownership, possession, use condition, actions, activities, transfer or sale of Oskar.

3. Lee County, with this transfer, relinquishes all rights of ownership and responsibility of K-9 dog Oskar.

2-6-15

Ken Gilstrap Date

State of North Carolina
County of Lee

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document: Adoption of Lee County Sheriffs Office K-9

Sworn to and subscribed before me this 6th day of February, 2015.

Valerie S. Kelly, Notary Public

(Official Seal)

VALERIE S. KELLY NOTARY PUBLIC LEE CO. NORTH CAROLINA

My Commission expires 05-09-17, 20_____.