

Brandon Select Board Vicious Dog/Wolf-Hybrid Hearing
April 22, 2024

NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

Board Members in Attendance: Doug Bailey, Heather Nelson, Tim Guiles, Brian Coolidge, Ralph Ethier

Others In Attendance: Seth Hopkins, Bill Moore, Scott Scribner, Barbara Scribner, George Fjeld, Carol Fjeld, Brent Buehler, Steve Bisette, Billy Bullock, Patricia Welch, Sandy Mayo, Jack Schneider, Cecil Reniche-Smith, Judy Bunde, Kevin Thornton, Ethan Nelson, Karen Farwell, Jonathan Langevin, Alan Bloodworth, Debra Jennings, Jan Coolidge, Vicki Disorda, Susan Benedict, Jennifer Wedge, Jerry Tanner, Joanne Casey, Samantha

Others by Zoom: Bruce Jensen, Tom Kilpeck, Neil Silins

Others by Zoom:

1. Open Hearing

Doug Bailey, Board Chair, opened the public hearing at 6:30PM.

Doug Bailey read the warning/notice of hearing:

Notice is hereby given that the Town of Brandon Selectboard will hold a Public Hearing pursuant to 20.VSA.3546 on Monday, April 22, 2024, at 6:30PM to consider and act upon a complaint of a vicious dog in the Park Village neighborhood. Public comment will be taken.

2. Public Comment

Doug Bailey read the complaint received and remind all present that this hearing is mandated by State law 20 V.S.A.3546 and will be conducted in an orderly manner and that all statements must be directed to the Chair.

Mr. Bailey requested the complainant and all others providing evidence thereafter to take the following oath: I hereby solemnly swear (or affirm) that the evidence I give in the cause under consideration shall be the whole truth and nothing but the truth.

Mr. Bailey opened the hearing by having Tim Kingston, Animal Control Officer, provide comments. Mr. Kingston reported he received a call on April 2nd from the Brandon Police Department in the nature of a dog attack in Park Village. Cash, owned by Jerry Tanner and Jennifer Wedge got loose and ran on to 149 Mulcahy Drive and attacked a dog owned by Joanne Casey. Cash is a large American bulldog and is unregistered and had unknown vaccinations. The dog was separated from the other dog and Ms. Casey's dog sustained serious injuries that required surgery and Ms. Casey was also knocked down during the fight. Mr. Kingston was not a witness to the fight. He spoke with Jerry Tanner, and he admits the dog was leashed but got away from a family member when the attack happened. It was a serious attack and could have been prevented and people have to be cautious of aggressive breeds.

Joanne Casey, owner of the dog that was attacked, stated she lives at 149 Mulcahy Drive and owns a Border Collie that is a small breed, who is spade and vaccinated. Ms. Casey noted she is on social security disability and was knocked over and her dog was leashed and on her property. Millie is very friendly and is her emotional support animal. Ms. Casey provided letters for the Select Board to substantiate this. The dog that attacked her was being walked by a teenage girl and the dog pulled her down and knocked Ms. Casey down. The dog bit the inside of her dog's mouth and the next day she found that the attacking dog also had bitten her neck. The attack lasted 15 minutes and people came to her aid and were unable to get the dog off her dog. The child ran to get Jerry Tanner, the attack dog's owner. Ms. Casey stated there are 18 units in their building and it is reasonable to believe that many people heard the commotion and had statements from four different tenants on the incident.

The attack was on April 2nd and it was noted that children are often the ones that are taking the dog out. Ms. Casey stated the Brandon Police Department knows the owner well. She noted that she is afraid to go to her house but will have to return. Her dog is on high alert, as well as she is. The bills for the dog are \$1600.00 and reiterated she is on social security disability. Ms. Casey stated she is a responsible pet owner and she wants to be sure that Millie will not turn into a reactive dog and is now afraid of other dogs. She noted it took Mr. Tanner a long time to get the dog off Millie. Ms. Casey played an audio of the incident to the Board and stated this incident has changed her life and her dog's life. Ms. Casey is concerned about what will happen next time, when it is a person or a child. She noted two of the parents of children have provided statements and provided copies to the Select Board.

Samantha advised she lives next to Ms. Casey and she is an animal lover and owns a pitbull. She is also the mother of two children and her 9-year-old took the video and she does not think this is funny, a game and is disgusting. She is concerned about how this animal was raised as it is not the breed of the dog. She stated that responsible pet owners take precautions to assure that no one gets hurt. Mr. Bailey encouraged order in the hearing and noted the Board is trying to gather evidence to work with. She stated this dog is dangerous and is not muzzled. She asked what kind of conversation there would be when it attacks her child and she hoped that something is done.

Brian Bach, a friend of Ms. Casey's stated he was not there to witness the attack and his observation and opinion is from seeing the video. He noted that Vermont has a One-Bite Law and some animals get a second chance but this is not one bite and was 12 to 15 bites and the dog tore the flesh of the Border Collie. There were injuries all over the dog's back and it was a mauling. He does not understand the One-Bite Law and it would appear this is a vicious dog and there is a lot of evidence and he believes that a dog like this would snap again and given another opportunity would attack or kill another dog. He is also concerned with the children that live there. Summit Management indicated they are starting eviction proceedings but this could take several months. Ms. Casey is not of financial means to pick up and move somewhere else. Mr. Bach asked the Select Board to consider the ramifications of leaving this dog in the area and requested them to end this threat now in a manner that they see fit. He noted Ms. Casey suffers from clinical depression and is a good friend and moved to Vermont for a better life, but this is not a better life. If Cash gets a second chance, it will be devastating. He also loves animals and it is not the breed's fault but is asking the Board to do the right thing and consider the effects of leaving the dog there.

Jennifer Wedge stated people abused their dog and he had difficulty walking from where they hit him. She stated Cash is not an aggressive dog and she has a worker that walks into her home and he has never attacked her. She has a 12-year-old that was walking the dog when it happened. Ms. Wedge stated the comment regarding eviction is a lie. Jerry Tanner stated he has offered to pay the vet bill, but the other dog's owner has not responded to them.

Doug Bailey asked Tim Kingston if the dog had been impounded. Mr. Kingston reported the dog was quarantined for 10 days at home as the vaccination status was not known and if there were any infections from the attack it would have shown up in 10 days. The dog could go outside but not associate with other animals or people. Mr. Kingston would like to hear from the owner how this happened and what has been done to remedy the event.

Jerry Tanner stated he received a phone call from the girl that had taken the dog outside and he went outside to get the dog off the other dog. He stated it was not long from the time he received the call. Mr. Tanner advised that no other children have taken the dog out since. Mr. Tanner stated he told Ms. Casey that he would pay the vet bill.

Doug Bailey questioned if Tim Kingston had any recommendations. Mr. Kingston stated he does not have any at this point and will leave it up to the Board's discretion. Mr. Bailey advised the Select Board will deliberate later this evening during executive session and there will be written decisions sent to the parties involved. He understands these are emotional times and the Board will do its best to render a decision.

3. Close Hearing

The hearing closed at 7:04PM.

Respectfully submitted,

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Charlene Bryant
Recording Secretary