**Present:**

**Kord Scott Selectman**

**Maureen Bell Selectwoman**

**Claudia Voight Select Board Clerk**

**Robert Glatz Complainant**

**Jackie Deedman Defendant**

**Bonnie Chase Property Owner/Dog Owner**

6:30 call to order by Kord

**Initial notifications:**

Following the Rules & Regulations, attached, set forth for conducting a Complaint Hearing which is mandated by State Law (20 VSA3546) Kord read/notified the Complainant; Dog Owner and Attendees the following:

* Reading of the Complaint from email received from Complainant/– copy attached
* This is quasi-judicial meeting, Frank/Selectboard Chair cannot attend Hearing
  + This means that Kord and Maureen as to act as judges
  + This is a legal hearing
  + Maureen distributed copy of Rules to all
  + Attorney from VLTC has advised to stay according to rules
  + Kord read purpose from rules also section 9 which is highlighted on copy attached
  + Maureen stated that neither of us take this matter lightly
  + That this Meeting will be conducted in an orderly manner
  + That all statements must be directed to the Chair
  + Correction from complainant – moved in July 2015
  + Request disclosure of any conflicts of interest and/or *ex parte* communications
    - Kord read description of ex parte communication to both parties
      * *Complainant responded he sent emails to Frank and then hit replay on email chain on any responses*

**Oath:**

* Complainant was given the Oath by Kord
* Accept written information from the complainant presented to the Selectboard. Done

**Complainant Testimony:**

* Complainant presented copies of medical records stemming from dog attack on July 12, 2017 – medical bills included the treatment for a dog bite, a tetanus shot and follow up visits.
* Kord asked if he wants to submit any additional – he does not really have more other than what he has submitted. He doesn’t want to see anyone get hurt but he is concerned for his safety since July and he does not feel his safety has been a priority – since the 3rd bite a few weeks ago, he has been anxious, close to lashing out at work from the anxiety – Bonnie can testify to this – this is uncharacteristic of him – this has had an impact on his work and he has not felt comfortable going outside since the 2nd attack. The Complainant stated that he is very concerned that the next attack could possible end his life. If another attack happens he is going to report it.
* Kord to Bonnie – you are the property owner? Bonnie response – yes and witness of 2nd attack.

**Domestic dog owner presents oral testimony/response:**

* + He is a rescue dog – dog rescued her at same time – he is protective of her and children,– she has only been there three months and has not had any neighbors until Bonnie moved into the house this past summer– this is the only aggression the dog has had – feels the dog is just protecting the children
  + Laundry room door connects to main level of house – as far as dog knew someone was entering house
  + 2nd time she was not home – dog slipped past Bonnie
  + In process of working with doctor to register him as emotional support dog, has had dog in public places and no incidents
  + Dog is very loyal of family – this is new behavior to dog – dog has come a long way since he was rescued – he is her best friend –
  + Dog was going to be put asleep –he is a wonderful dog – she feels it has to do with new surroundings and someone entering home as threat
  + She took out liability insurance on dog for $100,000 if the case anything happens in future on/off property
  + It states in vicious dog statement – dog running at large – he was not running at large and has never bit any other individual
  + Kord has checked with Town Attorney, the common area is considered off premises
  + They have the run in the back – spoke to Bonnie as it is close to laundry room – perhaps finding other location – two doors to run he cannot escape – he is hooked inside on run – this is done as precaution
  + She is doing everything she can to make complainant comfortable and be able to keep the dog
  + She understands Complainant’s anxiety and it has affected her also – she has not been able to function – she has considered rehoming him but she doesn’t want to
  + He is crate trained – when she is gone he is loose in house
  + Maureen– he is loose so if people come into the house he can get out? Dog Owner responded that she will put into the crate if she is made aware that someone will be in the house.
* Kord – what if Complainant comes into the house? Dog Owner replied that he does not have access to the house. The Complainant replied that on 3 separate occasions the door was open and he heard dog rushing – he ran to shut door, he stated that he has pictures of the door being left open, even today, which is the concern. Bonnie mentioned that when she is not there the dog has been outside off his lead and in addition to this her fiancé enters the house at random times. The Dog Owner disputed this.
* Maureen asked when was he rescued? The Owner responded he was rescued in March 2017.
* Kord asked the Owner what can you say to Rob to eliminate his anxiety – Owner stated that she is not ignoring his issue/anxiety and she understands – she is doing everything in her power to ensure his safety – if that involves crating and moving the run she will do it – she is open to suggestions – she has spoken to her doctor and employer – he can come to work with her in the future –
* Kord asked Bonnie if she had a question – Bonnie replied she did – she has had anxiety since this has happened – what makes this hard so she did legal research – once a dog has bitten and land owner is aware and if she does not remove the dog she becomes liable – she was not aware of an insurance company approving insurance knowing it’s an aggressive – she is requesting that the dog be removed. The Owner replied that this is not a vicious dog and that she has plans on moving out within a few months.
* Kord to Complainant – are you comfortable going by the window when people are there? Complainant replied that the window helps a bit with the anxiety but not fully – he has tried to make arrangements back in July but did so as favor to bonnie due to difficult position she has been put in
* Kord asked Owner if an order is issued stating that the Dog needs to be crated every time she is gone would she do it and she replied that she would. Then Kord asked the Complainant if that sounds like a solution to him and he stated yes however this needs to be with the understanding that this is for a defined amount of time – he needs to know there is an end date when she will be moving out.

**Motion to Adjourn**

* + Kord motion to adjourn at 7:20 – this is final public hearing on case at the moment – Kord votes to go into deliberate session