

Calais Selectboard Meeting Minutes
Special Meeting
Monday, October 31, 2016
7 p.m. Town Office

Approved 11-14-16

Present: Selectboard Members Denise Wheeler, John Brabant, Rose Pelchuck, Scott Bassage.

Others Present: Constable Wilson Hughes, Steve Sirch, Gregory Robinson, Derrick Dupont.

Denise Wheeler called the meeting to order at 7:03 p.m

● **Administrative work and changes or additions to the agenda:** Denise Wheeler requested the addition of an item to the agenda - to appoint Ernie Parrish to Design Advisory Board (DAB) (to fill vacant position expiring 2019) and Karen Lane (to fill unexpired position of Jackie Weyraugh expiry 2018). A motion was made by Scott Bassage; motion seconded by Rose Pelchuck. The board will ratify this at the next regular Selectboard meeting.

● **Dupont Vicious Dog Hearing:** Denise Wheeler read aloud the notice that was given to Mr. Dupont that precipitated tonight's hearing. She explained the Board will take evidence and decide on what action to take regarding the complaint. She read aloud the complaint about the dog incident. The Health Officer had filed a written report as required any time an animal-related incident results in a person going to the emergency room.

Denise invited those involved in the incident to share testimony or evidence and asked those present to pledge an oath for sworn testimony. Steve Sirch explained the incident as described in the complaint; his dog was bitten by a dog on Long Meadow Hill Road owned by Derrick Dupont who is living at the home of Gregory Robinson. Scott Bassage asked whether the dog, Dixie, was unprovoked as she seemed to be since Steve Sirch and his wife were riding by on bicycles. Wilson Hughes asked Steve to describe the impact on the victim, his wife. Steve explained that she was uncomfortable. She did not miss work, but was in pain from the dog bites, and she still has a trauma response to other dogs when she sees them out in the community or in the homes where she works. He said his biggest fear was what might have happened if he had his preschool aged grandchild riding bikes with them.

Denise asked Steve how long it took Derrick Dupont to respond to the incident. He guessed two to four minutes. Scott asked where the bike was in relationship to the house and the dogs when the incident happened. Steve explained they were riding toward the house on the right side of the road, perpendicular to the home. Steve's wife kicked the dog off her and the dog came back around to him.

Derrick explained that Dixie is normally out on a lead and that when she walks on a leash with him, she is happy to meet people. He believes there is something about bicycles that provokes her. There are no children in the house; Derrick's children live with their mother. He stated that Dixie is four years old and they have had her since she was a puppy; she has always been gentle with his kids; she sleeps with them. Rose Pelchuck asked whether Dixie has had any dog training classes or whether he has taken any kind of dog training classes. Derrick has not, but he is willing to do so.

Scott asked Derrick whether he agreed that Dixie was not provoked when this happened. He stated that he did not think she was provoked, that there is something about her seeing the bicycles that might provoke her. Greg Robinson explained that Derrick and another tenant are currently living with him. He was right with his dogs by the garden when this happened. He stated that Dixie has never had any issues at the house; she will bark when someone comes in but she is not aggressive to people, whether she knows them or not.

Wilson Hughes stated that Dixie comes to greet him with a toy; she is a young dog; she wants to play. Greg stated that he thinks Dixie is young and has some new found freedom in her new living situation. Also, here is a kind of “pack mentality” in the house with his two dogs and Dixie.

Denise asked Derrick whether he would be willing to get training for Dixie. He stated he would. Dixie is spayed. Greg’s two male dogs are not neutered. Some discussion followed around options for fencing.

Wilson Hughes explained he had given a copy of the Calais dog ordinance to Derrick and Greg. He explained to Derrick that another incident of Dixie biting someone would likely result in her having to be euthanized. Denise stated she would like to look into getting Dixie evaluated, to see if there is a way to train her around her issues with bicycles. Derrick has two children who are ages three and five, but they don’t live with him currently. John Brabant suggested the kids might inadvertently open the front door to let the dogs out. Derrick said he can keep Dixie crated or in the basement to avoid that happening.

Denise suggested the possibility of Merritt Kennedy doing an evaluation and Derrick following up with training for Dixie.

Steve Sirch asked about the medical bill: \$500 from the hospital plus ambulance bill. They have a deductible, so this will be out of pocket. Some discussion followed. Rose stated it is not the responsibility of the town to solve this civil matter. John suggested that Derrick pay for the medical bills of his own volition, and he will be required to follow up with training if that is the Board’s decision. John noted that were another incident to happen the record would show that Derrick followed through on his responsibilities and restoration if he were to follow through as suggested. John asked Derrick whether he would consider rehoming Dixie if it meant a more suitable life for her. Derrick said he is not willing to part with her; she is all he has right now. Greg stated his intention to support Derrick in his effort to train Dixie.

Denise stated she will send a written determination from the Selectboard to Derrick and to Steve. Derrick does not have access to the internet or a phone at his current living situation. Greg shared his cell phone number with the Board. However, he does not get steady cell service at his home.

Greg stated he does not have homeowner’s insurance. Scott said a possible outcome might be to attain liability coverage for the dog. Wilson Hughes stated that no insurance company will cover a pit bull breed. Some discussion followed about the ability of Mr. Dupont to pay Mr. Sirch’s medical bills and to pay for dog training classes.

Steve asked what had happened with a previous incident with Dixie. The previous incident resulted in an injury and a report to the health officer, but not to a formal complaint to the Selectboard.

The Board would like to expedite an evaluation with Merritt Kennedy so that she can make a recommendation to the Board. Scott suggested that the Board be prepared to pay her hourly rate. Denise contact Merrick Kennedy to ask about an evaluation: How soon, where, at what cost? The Board will then consider her expert opinion to determine the next steps. The Board spoke about the possibility of, for example, Random Rescue taking the dog or the dog might be euthanized.

Executive Session: At 8:05 the board by consensus went into Executive Session in accordance with 1 V.S.A. subsection 313 (a) (3) for the purpose of discussion personnel issues.

The board resumed its regular session at 9:25 p.m. with nothing to report publicly.

Adjourn/continue meeting: Rose made a motion to adjourn at 9:25. The motion was seconded, voted and carried 4-0.

Respectfully submitted,
Lisa Stoudt, Selectboard Recording Secretary

<http://calaisvermont.gov/>