Select Board Members
_X__Liz Scharf, Chair
__X_Randy Drury, Vice Chair
_X_Vic Dwire
___Peter O. Hood
_X__ Zara Vincent

MIDDLESEX SELECT BOARD
SPECIAL MEETING: VICIOUS DOG HEARING
Tuesday, September 24, 2024
Middlesex Town Hall & via Zoom*
5 Church Street
Middlesex, Vermont 05602
(802) 223-5915

MINUTES

PRESENT: Select Board Chair Liz Scharf*, Vice Chair Randy Drury*, Select Board Members Vic Dwire and Zara Vincent. Health Officer Dr. Robert Penney*. Former Animal Control Officer Erika Holm, Current Animal Control Officer Christina Steinbrecher, Complainant Mark Chaplin. Jessica Chaplin. Dog owner Ron Hemingway. Select Board Assistant Sarah Merriman took the minutes. (*indicated attended by Zoom)

Call to Order

Liz called the meeting to order at 5:00 p.m. She reviewed the hearing's procedure and read the hearing notice. Liz asked the complainant if he had any questions about the process. He did not. She asked Board members to disclose a conflict of interest. Zara said she once confronted the dogs in question on French Road. The Board decided that was not a conflict of interest. Mark, Ron and Erika all swore to speak the truth.

Victim Testimony

Zara read into the record Mark's complaint which was submitted to the Town on September 23, 2024. In brief, he was walking down French Road around 11 AM on Sunday, September 22, 2024, and passing by 99 French Road when three dogs burst from the woods on the other side of the street, encircled and began to attack like a pack, lunging, growling and baring their teeth. One dog planted his teeth in Mark's calf, pulled him down so he was flat on his back in the ditch and proceeded to shake his leg back and forth. Another bit him on the back and jaw. The third bit his leg and hand. Mark tried to shoo them away with a stick to no avail. Eventually, owner Ron Hemingway came out and pulled them away. A passerby drove Mark to his home whereupon his wife drove him to the hospital where he spent the rest of the day receiving emergency medical treatment.

Liz showed photos taken in the hospital including where the dogs bit Mark on his back, on his finger, and close to his neck where a dog caught the side of his jaw next to his carotid artery. Another photo showed a chunk of flesh taken from Mark's arm, with bites on the torso and both arms. Erika noted that one slide showed how close the dog bite on the leg came to a femoral artery, which could have been life threatening.

"I honestly didn't know if I was going to survive this. I was terrified for my life....It was a like a shark shaking my body," Mark told the Board, adding that the process of cleaning his wounds of debris was incredibly painful. "On a positive side, I appreciate the owner showing up and saving my life." Liz extended her condolences.

Ron Hemingway's Response

Ron told the Board that the three dogs need to be "put down." He said he stopped the passerby and told him to stay in the car and call 911 because Mark needed emergency medical assistance. He said the dogs could not be trusted. "That was a serious, serious vicious attack."

He said he thought the dogs had a bear, not a human. He confirmed the dogs' names were Sunshine, Autumn and Dozer, the same dogs who'd attacked a dog in February during which his owner was bitten. Ron said he loved his dogs, but it was such a horrible thing he wanted to kill them himself. He was stopped by Robert Penney and Charlie Merriman who delivered the notice of the hearing and advised Ron not to kill the dogs. Erika explained that when a dog bites a human it must either be quarantined for 10 days or its body sent to the state veterinarian for rabies testing. If Ron had killed the dogs, that wouldn't have been possible and Mark would have faced a series of rabies shots.

Questions from Board

Referring to when the notice service, Liz said according to the two men, when Ron opened the door the dogs came out unleashed, a violation of the February order. She said she was surprised he'd allowed that, especially after the attack. She reminded Ron he must keep the dogs inside or tethered outside until they're removed. Ron agreed.

Dr. Penney took an oath and testified that when they delivered the notice, they were at the top of the driveway on the road. The dogs ran from the house up the driveway to the road, encircling them. The public had no comments or questions.

MOTION: Vic moved and Zara seconded to close the public hearing. The motion passed and at 5:29 PM the public hearing concluded.
MOTION: Vic moved and Zara seconded to enter a closed deliberative session and to include Erika, Christina and Sarah. The motion passed and the Board entered deliberative session at 5:30 PM. The deliberative session ended at 5:52 PM. The Board issued an order attached to these minutes.

The meeting adjourned at 5:52 PM.

THE ABOVE MINUTES WERE APPROVED AS A WARNED AGENDA ITEM AT A REGULARLY SCHEDULED MEETING OF THE MIDDLESEX SELECT BOARD ON OCTOBER 1, 2024.

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LIZ SCHARF, CHAIR

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RANDY DRURY, VICE CHAIR

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VIC DWIRE
_____N/A_____
PETER O. HOOD

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ZARA VINCENT

DRAFT