

CITY OF RUTLAND, VERMONT
Board of Animal Control Minutes
Monday, November 30, 2015

Members present; William Notte, Larry Jensen, Sean Sergeant, Dr. Luther Brown. Jon Skates was absent. Also present, Attorney Romeo, Chief Kilcullen, Commander Covell, ACO Jones and Clerk Heck. Complainants, Richard Adkins, Ingrid Heyrman and their Attorney. Defendants James Mead, Tina Lizotte and Charmé Bouvier.

Chair Jensen proceeded to open the meeting by asking the Clerk to read the warning of the meeting and the letter received from Attorney, Matthew D. Anderson requesting the hearing for a vicious dog into the record. Clerk Heck complied. Chair Jensen asked if both parties were in receipt of the rules and procedure for the Board of Animal Control. Both acknowledged that they were.

Chair Jensen asked for all parties giving testimony be sworn in. Clerk Heck swore in Richard Atkins, Ingrid Heyrman, James Mead, Tina Lizotte and Charmé Bouvier.

Chair Jensen asked the complainants to start the proceedings. Their Attorney opened the hearing by placing the lease of the defendant into evidence (4-A) Ingrid Heyrman then proceeded to give an example of an issue with the dog in question, Bella a two (2) year old pitbull. Mr. Adkins then gave a very brief history of his account of the incident from October 21, 2015. A photo was entered into evidence (1-A) of a bite and bruising on the lower thigh. At this point, there was no further evidence or testimony given.

Chair Jensen then asked the defendant James Mead if he recognized the lease. There was brief debate as to that issue. Mr. Mead stated that he did not acknowledge signing the lease. Tina Lizotte, girlfriend of Mr. Mead spoke to the issue presented by Ingrid Heyrman about Bella attempting to get at Ms. Heyrman and the insurance man. Ms. Lizotte then gave her testimony to the incident on October 21, 2015. Charmé Bouvier then testified about her experience with Bella and stated that she has watched the dog since it was a puppy. Ms. Bouvier did enter evidence labeled 2-A of a note left by Ms. Heyrman about her car being left in the driveway.

ACO Jones testified to his account of the incident and noted that he was not the first officer to respond. He did follow up the next day and stated that there was no prior history on Bella. The animal was licensed with the City (Not prior to the incident) and had been evaluated by Dr. Ma, a vet in Clarendon. ACO Jones noted that the vet noted that the dog reacted fine and was not vicious in her opinion.

As the proceedings came to the close, Chair Jensen asked if there were any other questions or comments from any of the parties present. Chair Jensen asked the complainants what they sought as a resolution to this issue. They stated they just wanted the dog removed from the premise. Chair Jensen asked that the medical records (3A) and copy of the tenants lease (4A) be entered into evidence.

A motion was made and passed to close the hearing and move into deliberative session.

At 6:17 PM the board moved into deliberative session.

Respectfully submitted,

Henry A. Heck
Rutland City Clerk
Clerk of the Board of Animal Control