

CITY OF RUTLAND, VERMONT
Board of Animal Control Minutes
Tuesday, July 23, 2019

Members present; Sean Sargeant, Dr. Luther Brown, Tom Calcagni, Lisa Ryan and Rebecca Mattis. Also present, Attorney Charles Romeo, ACO Jones, Control Commander Sheldon, Deputy City Clerk Kapusta and Darlene Trombley.

Chair Sargeant called the meeting to order at 6:01 PM and noted that the Board was asked to hear a vicious dog complaint from ACO Jones who investigated the incident with a dog named Mercedes, owned by Shawna Barrier (respondent) and a dog named Lucy owned by Ms. Trombley (complainant). Chair Sargeant noted that the respondent, Shawna Barrier was not present. Deputy Clerk Kapusta confirmed that notices were sent by Certified Mail Receipt, that both Ms. Trombley and Ms. Barrier signed the mail receipt when received on July 18 and July 13, 2019 respectively. Chair Sargeant introduced all members and participants present. Chair Sargeant asked if there were any conflicts or ex-parte communications from the Board. Seeing none, Chair Sargeant asked Deputy Clerk Kapusta to swear in anyone giving testimony or evidence. ACO Jones and Ms. Trombley were sworn in.

ACO Jones read the Vicious Dog Complaint form and brief history of the attack that occurred on June 24, 2019. ACO Jones presented evidence including sworn statements, medical records and pictures. ACO Jones presented his evidence and reviewed the documents prior to submitting them to the Chair. Chair Sargeant noted the documents and placed them into evidence. Chair Sargeant noted that Ms. Trombley has indicated that the bite was to her right pointer finger.

Ms. Trombley was asked to comment on the incident and gave verbal testimony of the incident. A dog identified as Mercedes came on her porch and attacked her dog Lucy. Lucy was hooked on a leash on the porch. Mercedes pinned down Lucy and wouldn't let her go. Ms. Trombley tried to pull Mercedes off of Lucy by the collar, when that didn't work, she called out for help and her neighbors and Ms. Barrier came over and while trying to separate the dogs, Mercedes bit Ms. Trombley on her right pointer finger. Ms. Barrier's boyfriend ended up coming over and was able to scoop up Mercedes and bring her back home. Ms. Trombley cleaned up Lucy who was bit on her ear. She did not take the dog to the veterinary. Ms. Trombley went to the Emergency Room for her finger. She was given an antibiotic and had a tetanus shot.

On June 29, 2019, Ms. Trombley was on her porch with a friend, Lucy was hooked on a leash on the porch when Mercedes again came over up on to the porch and attacked Lucy. This time Mercedes did not have a collar on and it was difficult to try and get her off of Lucy. Ms. Barrier came over and helped to get Lucy separated from Mercedes and unhooked, so Ms. Trombley could get her dog safely into the house. Ms. Barrier then was able to control her dog and returned back to her residence. Lucy was bit on the face this time, but Ms. Trombley did not bring her to the veterinary.

There was brief Q & A with Ms. Trombley, ACO and Board.

Chair Sargeant asked again if Ms. Barrier or anyone was present to represent the respondent. There was no response.

At this point, Chair Sargeant offered all evidence presented, to Deputy Clerk Kapusta with the addition of the pictures and written complaint from June 29, 2019.

With no further questions from the Board, testimony or evidence from either party, the Board concluded the open meeting session at 6:33 PM.

At 6:35 PM the Board moved into deliberative session.

Respectfully submitted,

Tracy L. Kapusta
Rutland City Deputy Clerk
Deputy Clerk of the Board of Animal Control