

CITY OF RUTLAND, VERMONT
Board of Animal Control Minutes
Thursday, November 14, 2024

Members present: Police Commissioner Pat Brougham, Alis Headlam, Peg Flory, and Carrie Savage. Also present, ACO Noah Sweeney, Sargeant Williams and Clerk Kapusta. Absent Henry Heck and Attorney LaChance.

Chair Brougham called the meeting to order at 5:30 PM and noted that the Board was asked to hear a Concerning Canine Complaint from Animal Control Officer (ACO) Noah Sweeney, who investigated an incident that occurred on August 2, 2024, with Tiffany Harring-Flint and a minor child (complainant) and a dog named Max owned by Evelyn Hamilton-Short and James Short (respondent). Chair Brougham asked if there were any conflicts or ex-parte communications from the Board. Seeing none, Chair Brougham asked Clerk Kapusta to swear in anyone giving testimony or evidence. ACO Sweeney was sworn in.

ACO Sweeney explained that on August 9, 2024, he was assigned a dog bite complaint, on a minor child, that occurred on August 2, 2024, at the Quality Inn located at 253 South Main Street, room 221. On August 15, 2024, ACO Sweeney spoke with Tiffany Harring-Flint, the mother of the minor child. Ms. Harring-Flint explained that she and her minor child were watching a movie in Evelyn Hamilton-Short and James Short's room at the Quality Inn. As they were leaving the room they had to walk past Max's dog bowl and without warning, Max bit the minor child without warning on the upper inside part of his thigh breaking the skin and causing some bruising. The following day Ms. Harring-Flint brought the minor child to the Emergency Department to receive a tetanus shot. No other treatment was needed for the bite as Ms. Harring-Flint knew that Max was up to date on his vaccines.

On August 15, 2024, ACO Sweeney spoke with Evelyn Hamilton-Short and James Short at the Quality Inn. Max is a 68lb Australian Cattle Dog who at the time was not registered with the City of Rutland. Max did get registered with the City of Rutland on September 6, 2024. Ms. Hamilton-Short explained that she had warned Ms. Harring-Flint that Max is aggressive. When the minor child got off the bed to play with a toy, he started screaming and flailing his arms which caused Max to react and bite. Ms. Hamilton-Short believes that the wound the minor child had on his leg was from bug bites and not a dog bite. Mr. Short later stated that Max was cornered and that startled him.

Max has only bitten once before and that was to Mr. Short on the lower lip. Ms. Hamilton-Short explained that Max was abused when he was younger before she adopted him. The Quality Inn is requiring Max to be muzzled while out of the room for safety reasons since this bite occurred. ACO Sweeney did contact the Quality Inn and was told the order to muzzle was verbal and not in writing. Based on the information from both parties, this appears to be an unprovoked dog bite on a child that has resulted in an injury and required medical attention for the injury.

Chair Brougham then asked the Board if they had any questions for ACO Sweeney. There were a couple questions from the Board.

Clerk Kapusta explained that she contacted both of the parties as the Certified Mailing receipt was not returned notifying both parties of the hearing. Clerk Kapusta spoke with Ms. Harring-Flint who explained that she was now in Williams Town Vermont and would not be attending the meeting. Clerk Kapusta also spoke with Mr. Short who informed her that they no longer resided at the Quality Inn but had been moved to the Rodeway Inn at 115 Woodstock Avenue. Mr. Short stated that neither he nor his mother would be attending the meeting. He stated that the bite was not due to a dog bite but bug bites.

With no further questions from the Board, the Board concluded the open meeting session at 5:40 PM.

At 5:41 PM the Board enters deliberative session.

At 5:50 PM a motion was made to come out of deliberative session and to adjourn.

Respectfully submitted,

Tracy L. Kapusta
Clerk of the Board of Animal Control