



**Town of Milton – Special Selectboard Meeting
43 Bombardier Road, Milton VT 05468
In Person and/or via Zoom – Community Room
Tuesday, November 29, 2022 at 6:00 p.m.**

MINUTES

Selectboard Members Present: Darren Adams, Chair; Michael Morgan, Vice Chair; John FitzGerald, Clerk; Brenda Steady, Member

Selectboard Members Absent: Chris Taylor, Member

Staff Members Present: Don Turner Jr., Town Manager; Michaela Foody, Public Safety Director

Others Present: John Mayville; Phyllis Mayville; Jessica RoySmith; Eric M. Roy; Lori Coseo; Laura Holzscheiter (remote); Al Kendall (remote); Diane Barrows (remote); “M. Sheldrick” (remote); “Kary” (remote)

I. Call to Order

D. Adams called the meeting to order at 6:00 p.m.

II. Flag Salute

D. Adams led the attendees in the Pledge of Allegiance.

III. Continued Public Hearing for Vicious Dog Complaint Pursuant to 20 V.S.A. § 3546

Don Turner, Jr., Town Manager; Michaela Foody, Public Safety Director

D. Adams stated that additional information has been obtained by the Public Safety Director Michaela Foody from the Northern Greyhound Adoptions (NGA). M. Foody read a summary of her call (exhibit #11) with the Suzanne Gerry from NGA, which concerned circumstances that would warrant returning the dogs to NGA and what would happen to the dogs if they were returned.

The defendants, Eric Roy and Jessica RoySmith, read aloud a statement emailed on November 28, 2022 (exhibit #12) which stated actions that have been taken by the defendant to date as well as additional measures that can be taken moving forward. The email also contained a written assessment from Laura Holzscheiter, the owner and head trainer at CloverField K9 in Colchester, Vermont, who met with the defendant and their two greyhounds. The defendants responded to questions from the Selectboard and offered additional thoughts.

The Selectboard adjourned to another conference room for deliberation at 6:20 p.m. and returned at 7:18 p.m.

IV. Vicious Dog Complaint Decision/Vote

Darren Adams, Chair

D. Adams stated that after a verbal order is issued, it will be reviewed by an attorney and then a written copy of the order will be issued to both parties. Until the written order is issued, the protective order

issued previously remains in effect. D. Adams then read the following hearing decision and verbal protective order:

Conclusion of Law:

The Selectboard concludes that on November 5th, 2022, Poe and Usher, domestic pets owned by Jessica RoySmith and Eric Roy, bit Jessica RoySmith and John Mayville while they were off the premises of the owner without provocation.

Decision:

Based on the foregoing findings of fact and conclusions of law the Selectboard has decided that Poe and Usher did bite Jessica RoySmith and John Mayville without provocation, while off the premises of the owner, and therefore a protective order will be rendered.

Protective Order:

Based on the foregoing facts and circumstances, and pursuant to 20 V.S.A § 3546(c), the Selectboard hereby orders that the domestic pets named Usher and Poe and owned by Jessica RoySmith and Eric Roy are to be:

Rehomed by the owners back to Northern Greyhound Adoption by 7 pm Friday, December 2, 2022, or sooner if the owners so choose.

The dogs are not to be removed from the owner's property until such time the dogs are being transported to Northern Greyhound Adoption. The dogs must be muzzled and leashed when outside the house.

Failure to comply fully with the conditions set forth in this order shall subject the owner/keeper to the penalties provided for in Title 20 Section 3546. Usher and Poe shall be confiscated by the Town of Milton with all associated costs being the responsibility of the owner/keeper.

D. Adams stated that this decision may be appealed to the Vermont Superior Court Civil Division within 30 days of the date of this decision (when the written decision is received), pursuant to Rule 75(c) of the Vermont Rules of Civil Procedure.

V. Adjournment

Motion made by J. FitzGerald to adjourn the meeting at 7:22 p.m., with a second by M. Morgan.

Motion approved unanimously.

Meeting adjourned by D. Adams.

All documents pertaining to this meeting may be viewed using the following link:
<https://miltonvt.box.com/s/sji5c01whc0tamc2v5lns61x6eu9r2x1>

A video recording of this meeting can be found at the following location:
<https://miltonvt.box.com/s/lwgxexnzxl0d6klpktgjfamoxj3s1696>

Respectfully Submitted,

Brittany Tradup

APPROVED MINUTES:



Date:

12/5/2022

John FitzGerald, Clerk

Filed with the Milton Town Clerk's Office on this 6th day of December, 2022.

ATTEST:

Kristi Beas

, Milton Town Clerk

