

# DRAFT

## MINUTES – REGULAR SELECTBOARD MEETING TOWN OF BARNET, VERMONT MONDAY, OCTOBER 10, 2016

Meeting convened at 7:00 p.m. in the conference room of the Barnet Town Clerk's Office.

**Board members present:** Chair Jeremy Roberts, Gary Bunnell, and Dylan Ford.

**Others present:** Town Clerk Benjamin Heisholt, Kathleen Campbell, and Jennifer Hall.

### 1. Consideration of approval of minutes of regular meeting held September 26, 2016

Mr. Bunnell moved to approve as presented the minutes of the regular meeting held September 26, 2016. Seconded by Ms. Ford and approved by voice vote.

### 2. Public hearing on notice of violation of the Barnet Animal Control Ordinance (Ordinance), pursuant to Section 12, Part C.5. of the Ordinance

A public hearing was held on the notice of four violations of the Ordinance delivered to Kathleen Campbell on September 17, 2016, relating to Ms. Campbell's dog Harley and her tenant's (Timothy O'Keefe) dog Chopper, as discussed at the Board meeting held September 12, 2016. Pursuant to §12 (C)(5) Ms. Campbell requested a hearing on the violations. This hearing was held, as summarized below.

- Ms. Campbell testified, contesting all four counts of violations. Her testimony on each of the four is summarized below:
  - Animal Control Complaint Form received from Mike DeKoeper describing an incident on August 11, 2016: Ms. Campbell argued that the complaint form contains very little information, and it is difficult to prove that the dog in question was actually her dog.
  - Animal Control Complaint Form received from Edward and Nancy Brower describing an incident on August 20, 2016: Ms. Campbell argued that immediately after Harley was reported loose by her tenants, he was found to be back on Ms. Campbell's property.
  - Animal Control Complaint Form received from David Price describing an incident on August 23, 2016: Ms. Campbell argued that Chopper's owner and three other persons were with Chopper at the time of the incident. Ms. Campbell also stated that according Vermont law the landlord is only responsible for her tenant's dog when she has knowledge that the dog may be vicious; Ms. Campbell indicated that she did not believe that Chopper is a vicious dog.
  - Animal Control Complaint Form received from Edward and Nancy describing an incident on September 10, 2016: Ms. Campbell testified that on this date Harley could not have been loose, indicating that she had ensured that he was secured before she left the house for a period of time, and that when she returned Harley was where she left him. Ms. Campbell indicated that there is another dog similar to Harley in the neighborhood, and that Mr. and Mrs. Brower may have mistaken this dog for Harley.
- Discussion ensued between Ms. Campbell and the Board regarding the four incidents in question.
- Ms. Campbell discussed her frustration regarding the process of enforcement of the Ordinance, as related to prior violations and assessments of penalties.
- Ms. Ford moved, after consideration of the evidence presented at the hearing, in particular the multiple complaints over a period of time and Ms. Campbell's failure to comply the Ordinance

by restraining, leashing, fencing or otherwise securing her animals, and pursuant to §12 (C)(5), to affirm the decision to assess a civil penalty of \$2,000 (\$500 per violation). Seconded by Mr. Bunnell and approved by voice vote.

### **3. Appearances by other members of the public**

There were no appearances by other members of the public.

### **4. Appearance by Fire & Rescue Chief Ronald Morse regarding Fire & Rescue Station alarm system estimate**

Mr. Morse did not make an appearance at this meeting. Mr. Roberts indicated that he had spoken to Mr. Morse earlier in the day and had acted on this matter. The alarm system for the Fire & Rescue Station has been malfunctioning, resulting in numerous daily test calls, and failed alarm service. An estimate for repair of the system from the Town's alarm company Alarmco, Inc. indicates a total cost of \$1,065.49. Mr. Morse inquired if the Board would like him to obtain estimates from other vendors. Due to the Town's service contract with Alarmco, Inc., the above-referenced estimate includes parts and equipment only, not labor. Mr. Morse would expect that estimates from other vendors would include labor charges. For this reason Mr. Roberts had instructed Mr. Morse to proceed with repair of the system by Alarmco, Inc.

- Mr. Ford moved to approve the repair of the Fire & Rescue Station alarm system per the estimate from Alarmco, Inc. Seconded by Mr. Bunnell and approved by voice vote.

### **5. Appearance by Road Foreman Mark Chase regarding Highway Department matters**

Mr. Chase did not appear at this meeting.

### **6. Other business**

- a. External lights for Fire & Rescue Station.** Mr. Roberts indicated that the St. Johnsbury Academy electricity class had installed exterior lighting at the Fire & Rescue Station.
- b. Harvey's Lake channel beaver dams.** Mr. Bunnell reported that four beaver dams had been removed from the channel, to prepare for lowering of the lake level commencing on October 12, 2016.
- c. Forestry billing.** Mr. Roberts indicated that the St. Johnsbury Academy forestry program did not submit and bill for the work they performed in assisting the Town in logging a portion of the Town Forest. Mr. Roberts asked the Board for approval to request an invoice for expenses (e.g. gasoline, chains, etc.).
  - The Board agreed to request an invoice.

### **7. Outstanding check warrants**

The Board reviewed and approved all outstanding check warrants.

### **8. Adjournment**

Mr. Bunnell moved to adjourn. Seconded by Ms. Ford and approved by voice vote. Meeting adjourned at 7:40 p.m.

*A true copy.*

Attest: \_\_\_\_\_ Town Clerk