

**MINUTES - SPECIAL SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, AUGUST 5, 2024**

Meeting convened at 6:15 p.m. in-person at Fire & Rescue Station (151 Bimson Drive) and via GoToMeeting telephone/online conference. This meeting was recorded via GoToMeeting.

Board members participating:

- **In-person:** Dylan Ford (presiding co-chair), Benjamin Gates, and Mark Jefferson.
- **Via GoToMeeting online video conference:** None.

Other Town officials and employees participating:

- **In-person:** None.
- **Via GoToMeeting online video conference:** Town Clerk Benjamin Heisholt, and Animal Control Officer Joy Morse.

Members of the public participating:

- **In-person:** Calvin “Sherm” Bogie, Logan Bogie, Darlene Bogie, Heather Labounty, Keith Labounty, and Connor Langley.
- **Via GoToMeeting online video conference:** Mona Marceau.

1. Hearing for animal control complaint regarding dog kept at Bridge Street pursuant to Section 8, Subsection B of the Barnet Animal Control Ordinance (Ordinance); take any action

The Board reviewed an Animal Control Complaint Form received from Heather and Keith Labounty on July 16, 2024. A redacted copy of this complaint is attached as an addendum to these minutes.

The Board noted that the complainants had, on July 19, 2024, waived the Ordinance’s requirement for a hearing within seven (7) days of the receipt of the complaint.

The Board noted that the owner of the dog alleged to have attacked a dog owned by Ms. and Mr. Labounty, Anders Hahr, was not available to be present at this meeting. They noted that the Board is free to proceed to hold the hearing and render a decision in his absence.

The Board heard testimony from the complainants. Their testimony is summarized below:

- The complainants recounted the details of the complaint, alleging that Mr. Hahr’s dog attacked the complainant’s dog, Willow.
- The complainants provided background information, also provided in the complaint, including the details of a previous encounter with Mr. Hahr in which Mr. Hahr stated that his dogs were loose and could be hazardous, as well as references to testimony from neighbors in Passumpsic regarding similar experiences with Mr. Hahr’s dogs.
- The complainants indicated that they do not request Mr. Hahr’s dog to be euthanized but hope for a resolution to ensure public safety.

- Mr. Jefferson moved to order that the dog owned by Mr. Hahr be muzzled whenever it is off the owner's property and be confined within a suitable enclosure whenever it is outside, and that, in lieu of a fine, Mr. Hahr must reimburse the complainant for their veterinary expenses related to the incident reported in the complaint. Seconded by Ms. Ford and approved by voice vote.

2. Hearing for animal control complaint regarding dog kept at Whitehill Road pursuant to the Barnet Animal Control Ordinance; take any action

The Board reviewed an Animal Control Complaint Form received from UPS (Connor Langley) on July 24, 2024. A redacted copy of this complaint is attached as an addendum to these minutes.

The Board heard testimony from complainant Connor Langley. His testimony is summarized below:

- The complainant recounted the details of the complaint, alleging that a dog owned by Calvin "Sherm" Bogie runs into the road every time Mr. Langley drives by Mr. Bogie's residence on his route as a UPS driver. The complainant indicated multiple encounters with Mr. Bogie have escalated into confrontations and that he will not drive on Whitehill Road past the Bogie residence until this situation is resolved.

The Board heard testimony from Calvin "Sherm" Bogie. His testimony is summarized below:

- Mr. Bogie noted that the dog's owner is his grandson, Logan Bogie.
- Mr. Bogie indicated that the complainant has been witnessed on separate occasions hitting the dog with his UPS delivery tracking device and multiple times kicking the dog from his truck. Mr. Bogie argued that the complainant has instigated the dog's behavior and is facilitating the dog running into the road by slowing to a stop and engaging with the dog. Mr. Bogie recommended that the complainant not slow his truck while driving past his residence but continue at a normal rate of speed and allow the dog to be hit by the truck if the dog does not get out of the way.

Discussion ensued. The Board noted that obstructing traffic is a nuisance as defined by the Ordinance (Section 4.A.6.). The Board discussed with the Bogies different strategies for preventing the dog from running onto the road.

- Mr. Gates moved to order that Calvin ("Sherm"), and Logan Bogie ensure that their dog does not enter the Town Highway right-of-way or obstruct traffic, and to waive any penalties and/or fines for this first offense of the Ordinance. Seconded by Ms. Ford and approved by voice vote.

3. Adjournment

- Mr. Gates moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 7:00 p.m.

A true copy. Attest: _____ *Town Clerk*

Town of Barnet

PO Box 15 · Barnet, Vermont 05821
phone. 802-633-2256 · *fax.* 802-633-4315
email. townclerk@barnetvt.org

ANIMAL CONTROL - COMPLAINT FORM

Name of Complaining Party: Heather and Keith Labounty	
Address: 83 Bridge St, Passumpsic (physical) Po Box 11, Passumpsic (mailing)	
Telephone:	Email:

Date of Incident: July 11, 2024	
Address/Location of Animal: Passumpsic Post Office	
Name of Owner(s) (if known): Anders Hahr	
Description of Animal: Black, pointed ears, long nose	Bitten: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Breed: Beligan Malinois	
Size: Med/Large (in between)	
Color: Black	
Distinguishing Features:	

Complaint/Additional Details: On July 11, 2024 my husband (Keith Labounty) and I were sitting on our front porch with our dog Willow around dusk. Keith was sitting where he could see the parking lot of the post office and noticed Anders Hahr and his dog in the parking lot. Keith said "watch Willow that dog is out there and not on a leash". Willow barked (still sitting on the porch) and for what seemed like seconds the dog jumped up on our porch so quickly that the dog slid into Keith and then turned and went at Willow. The dog had Willow in its mouth and flipped her on her back causing her to roll to her side. Keith yelled and kicked the dog to get it to stop. The dog let go of Willow and walked off the porch, by this time Anders came onto our lawn, asked what happened and grabbed his dog by the collar and started dragging it away (Anders did not have a leash with him). At this time Willow appeared lifeless and looked like she wasn't breathing. Keith and I both yelled at Anders and I told him I would be filing a complaint because he knew his dog was dangerous. My sister in law came over from her home (she is our tenant) and helped me check Willow again and that is when we saw she had shallow breathing but was alive. I called the emergency veterinarian's office in Littleton NH and they advised me that Willow was too emergent and needed to go to SAVES in West Lebanon where she received treatment for a neck and lower spine injury. (Records can be provided).

This was not our first experience with Anders Hahr and his dog. On the night of October 14, 2023 I had a birthday party for Keith, that evening Anders entered on to my property and let us know his dogs were loose, described what the dogs looked liked and stated he was concerned because they don't like kids and he was afraid if they came on our property they would attack. Since the incident I have spoken with some of our neighbors. Chelsea Bean who lives on Grange Hall Rd stated that one evening her husband, Ben Bean was going for a walk with their daughters and was approached by Anders who was looking for his dogs because they got loose and don't like kids and warned him they would attack. These dogs live on the same property as the Passumpic post office, my father in law has stated that on different occasions he would enter the post office and both dogs would be jumping at the fence and barking and growling, he stated he was nervous what would happen if they got loose. Since this incident we have not felt safe or comfortable letting our dogs out with the fear that this will happen again. Should one of my dogs bark, it causes us to jump and check to make sure the dog is not on our property again. We are in constant fear and feel that we should not have to feel this way or live like that at our own home. We have seen Anders walk by our home several times with his dog and him barely hanging on to the dog's leash. Passumpic village is a small area that has a lot of dogs and children. Anders and his dogs live on the same property as the Passumpic post office which not only has people in and out all day but is also a bus stop for kids which is extremely dangerous considering this dog doesn't like children . Keith and I feel this dog is a threat to our community and action needs to be taken to ensure all children and other dogs are safe on their own property. Keith and I ask that this dog never have the chance to come on to our property again or anywhere near our home, we want to feel safe bringing our dogs outside to play and be happy like we once were.

Town of Barnet

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ANIMAL CONTROL - COMPLAINT FORM

Name of Complaining Party: <i>UPS (Connor Lungley)</i>	
Address: <i>391 Little France rd. Barnet VT 05821</i>	
Telephone:	Email:
Date of Incident: <i>7/22/24</i>	
Address/Location of Animal: <i>150 Whitehill rd Barnet VT 05821</i>	
Name of Owner(s) (if known): <i>Sherm Bogie</i>	
Description of Animal: <i>black dog</i>	Bitten: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Breed: <i>some sort of Hound I think</i>	
Size: <i>mid/large</i>	
Color: <i>black w/ a little brown</i>	
Distinguishing Features:	
Complaint/Additional Details: <i>Dog runs into the road every time I drive past. I have to slow to about 2 mph to avoid running it over while its trying to bite my front tires. Multiple confrontations with the owner have escalated to just shy of getting physical. I will not be driving on that road by the farm until this is settled for the sake of my own safety.</i>	