

Des Moines County Animal Control Board Hearing

September 15, 2025 6:00pm

Board of Supervisors Room, 2nd Floor

Des Moines County Courthouse

513 N Main Street Burlington Iowa 52601

Animal Control Board Members:

Present - (Chair) Angela Vaughan, Canine Behavior and Des Moines County Safety Director, Dr. Brook Smith, Veterinarian, Shannon Prado, Des Moines County Emergency Management Director, Dustin Powell, Canine Behavior, Jack Brissey, Canine Rescue.

Absent - Dan Denny, Farmer

Agenda

1. Call to order
Angela Vaughan called the meeting to order at 6:00pm
2. Agenda Items
Motion to accept, Dr. Brook Smith, second, Dustin Powell
3. Opening Remarks
Angela Vaughan gave directions on hearing protocols and procedures.
4. Correspondence
Public Comments- There were no public comments
5. New Business
 - A. Victim interview recording from Arthur H. McCracken – Angela played the recorded interview with Author McCracken.
 - I. Arthur stated he went to the barn area to use his phone to call and find a phone that Larry had lost. He noticed Matt, (the son of Larry which is the homeowner) at the BBQ grill and stopped to visit with him. While they were talking the dog (Luther) came around the house and began attacking Mr. McCracken. Matt stepped in trying to stop the dog and as he was distracting the dog Mr. McCracken was able to make it to his truck. The bites did draw blood, and Mr. McCracken did go to the hospital where he was given a Tetanus shot since it had been such a long time since he had one. Mr. McCracken stated that he was not aware of any dog on the property, at the time of the incident. He also stated he holds no ill will toward the family, he has known Matt for many years.
 - II. Lisa Henderson was given a chance to respond to Authors comments. Lisa stated that she was inside, but that Matt had warned Author to get

in his truck. He saw the dog coming but refused to get into the truck. She said the dog had never acted that way before.

B. Victim interview recording from Larry A. Dean _ Angela played the recorded interview with Larry Dean.

- I. Larry had gone to the property to care for his livestock. Larry is the property owner and allows his son to live in the house. Lisa Henderson and her son Preston Palmer are staying with Larry's son Matt, and they are the owners of the dog named Luther. While Larry was there, he saw Preston Palmer trying to change the tire on his car and stopped to help him out. Lisa told Preston to tie up the dog, but the dog got loose and came after Larry. Larry was bit on the leg leaving three holes and caused bruising in that area. He also stated that this was not the only time the dog had attacked him, but the last time he attacked he got ahold of Larry's billfold and tore his pants. Had he not had his billfold in his pocket he believed he would have caused more damage. Larry stated he believes the dog is becoming more aggressive. He stated that his other family members will not come to the property anymore because of the dog. The farm worker that bails his hay has told him he can not get out of his tractor because of the dog. His sister lives across the street and has small farm animals and the dog has come to her property, and she is concerned it will injure her animals.
- II. Lisa Henderson was given a chance to respond to his comments. Lisa stated the incident that he talked about happened on the 31st. not the 4th. She also stated she asked him if the dog got him and Larry told her he just got his billfold. Lisa also stated she had told Larry several times to call her before he came.
- III. Preston Palmer was given a chance to respond, he stated that when asked to tie up the dog he did not find him and felt he was off somewhere sleeping. So, he did not find him to tie him up.

C. Offender Statement from Lisa L. Henderson

- I. Lisa stated these are isolated incidents and that the dog did not get Larry, he just got his pants and billfold. Lisa stated she had contacted all delivery people so that they call her and give her a warning before coming on the property. Lisa stated the dog is allowed to run free so he can get exercise. Lisa also stated the dog never showed signs of aggression until she lost her leg. (2022)

D. Offender Statement from Preston Palmer

- I. Preston Palmer stated that the dog Luther was an inside dog before coming to live with Matt. The dog was then forced to be an outside dog. He only wandered off the property while he was adjusting to being an

outside dog. The dog has not been aggressive to the bus driver or one of his friends that has come over. He also stated that Larry and Matt both have anger issues which could contribute to the dog's aggression.

E. Officer Statement Deputy Klay Foster

- I. Deputy Foster commented the dog was loose when he arrived to the property. He is used to dealing with dogs and started to leave his vehicle. The dog came up and began acting aggressively and showing his teeth, so Deputy Foster got back in his car. Preston came out and put the dog inside. Preston commented that the dog was territorial, but the deputy stated he felt the dog was acting more aggressive than he was accustomed to.

6. Question and answers from the board

- I. The board members had a chance to ask questions they had. They discussed the rabies vaccines. Neither time was the dog updated on his vaccines. There were no adjustments in how the dog was handled after the first attack. Lisa made comments several more times that people just need to call her and warn her before coming to the property.

A. Any further information needed – Board members did not need any further information after these discussions.

7. Board Chair Angela Vaughan read the ordinance for the member on what is legally considered a vicious dog. Code 6I - B-12-2 of the ordinance states: "Any dog which, when unprovoked, on two or more separate occasions, has inflicted injury upon a person(s)."
8. Board Chair then requested a vote on whether the dog meets the criteria of a vicious dog. yey or ney. All 5 board members voted yey that the dog Luther meets the criteria of a vicious dog according to the Des Moines County Dog Control Ordinance.
9. Angela explained to the family they had a 5-day stay in which they can appeal the decision with the district court. If they choose to go that route, she needs to have her attorney reach out to the County Attorneys office prior to the end of the 5 days which would be Tuesday September 23, 2025.
10. Angela made a motion to adjourn 6:29pm and it was seconded by Dr. Brook Smith