

COLUMBIA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING

MINUTES

October 24, 2018

The Columbia County Board of Commissioners met in scheduled session with Commissioner Margaret Magruder, Commissioner Henry Heimuller and Commissioner Alex Tardif, together with Robin McIntyre, Assistant County Counsel and Jan Greenhalgh, Board Office Administrator.

Commissioner Magruder called the meeting to order and led the flag salute.

MINUTES:

Commissioner Tardif moved and Commissioner Heimuller seconded to approve the minutes of the October 17, 2018 Board meeting; and October 17, 2018 Work Session. The motion carried unanimously.

VISITOR COMMENTS:

None.

HEARING: LIVESTOCK ATTACK BY DOGS OWNED BY KRISTIN MCGLOTHEN:

This is the time set for the public hearing, "In the Matter of the Livestock Attack by Dogs Owned by Kristin McGlothen".

Roger Kadell, Animal Control Officer, gave a summary of the report. The 2 dogs owned by Kristin McGlothen, worked together in the attack on a chicken owned by Kimberly Earlywine. The larger dog, Jasper, killed the chicken and the smaller dog, Sitka, ate it. The dogs then attacked a neighboring goat that sustained severe injuries and the owner, Jill Abbott, had to put the goat down. Roger explained what Ms. McGlothen has done to contain her dogs since this incident. His recommendation is included in the report.

The hearing was opened for testimony.

Kristin McGlothen and Chris McGlothen, 22435 Cedar Grove Road, Clatskanie. She owns 2 huskies, Sitka and Jasper. She explained how this accident happened. Chris stated that Kristin recently had brain surgery and one of the side effects is forgetfulness. That is why she inadvertently left the gate open. When they noticed that the dogs got out, they spent over 2 hours looking for them. When they got back to their house, Deputy Brehm was there with the dogs and Ms. Earlywine. She had no idea at the time what had happened. She is so very sorry this happened. She explained that Jasper is a service dog and Sitka is in training, because Jasper is getting too old. There is medical information from her neurologist attached to the report. These are good dogs and stay in the house most of the time. This was just a horrible accident and she has been stressing

over it since it happened. Kristin noted that there had been previous escapes, but the dogs are not let out on purpose.

Kimberly Earlywine, 22123 Cedar Grove Road, Clatskanie. Kim explained what happened. Her cat alerted her when she came running into the house. When Kim looked out her window, she saw one of the dogs jump her fence, so she went outside and then saw the other dog. She got hold of the small dog, read the tag and called the number. She thought she was calling the owner but it was a dispatch number. She could not, in her wildest dreams, imagine what these dogs did. They actually worked together to herd the chicken into the coop and then they got the door unlocked and opened, then pulled the chicken out. This is not an easy door to open. She was screaming at the dogs, who had taken off heading for the neighbors yard. She went over there and found the smaller dog eating her chicken, while the larger dog kept Kim at bay by lowering its head and moving toward her. These actions are so “pack” behavior and the cunningness of them working together to get the door open to get the chicken was unbelievable. When Kim returned home, she heard the dogs barking again and realized these dogs were at her neighbor’s barn and thought of the goat. She ran over there and found Jill between the goat and the dogs, trying to keep them off the goat. The goat had already been severely injured. It took from 7:30 to 9:46 for the officer to show up. In that amount of time, the dog would not leave the goat. This has all been very traumatic.

Jill Abbott, Loren Abbott, 22173 Cedar Grove Road, Clatskanie: Her husband was hunting and she was talking to him on the phone when she heard dogs barking. She looked out the window and saw 2 dogs attacking her goat. She grabbed her 22 rifle and used the barrel to get the larger dog off her goat. Loren told her to call his dad to help. She was able to get the smaller dog and put it in her unused chicken coop. The larger dog stayed with the goat and wouldn’t leave. She had to protect her goat for over 2 hours until law enforcement arrived. She has video that shows the larger dog circling her goat.

Chris McGlothen - the comment about the dog lowering his head is hard to believe, the dog would actually just lick you. Neither of these dogs are aggressive. **Kristin** added that they had both of these dogs while living in Alaska and neither dog had any interest in the deer that came into their yard or the moose that wandered near their fence. She wanted to apologize to Kim and Jill but was told by the deputy to not talk with them until this matter was settled.

With no further testimony coming before the Board, the hearing was closed for deliberation. Commissioner Heimuller explained that this is a situation that tends to happen more often in the rural areas and it can cause discord between neighbors. That said, the damage is done and there needs to be a resolution. He is concerned with the testimony about the cunning and strategy used by these dogs to enter the coop. His question is if there is a potential for human injury by one of these dogs and that’s a real concern based on the testimony.

Commissioner Magruder is very familiar with this type of situation. She has lived in Clatskanie and raised livestock all of her life. She has also had to eliminate her own dogs when they injured livestock. She is extremely concerned with the actions of these dogs. Commissioner Heimuller had brought up an important issue, that being the larger dog fending off humans and how that aggression can be a problem in the future. She is not in favor of moving the dog to another location because she believes that is just moving the problem somewhere else. She agrees with Commissioner Heimuller, that all of those involved are neighbors and hopefully they will work together to get past this.

Robin McIntyre explained that there are a couple of findings that need to be made for each dog. The Board would need to determine whether each dog chased, harmed or killed livestock. After that, the Board would move into the penalty phase on the basis of the findings. She reminded the Board that any decision made today, will not be final until it is put in writing. She can bring that before the Board during the afternoon work session for approval.

Commissioner Tardif feels it is very clear that Jasper has killed livestock and is also a potential threat, however he does not agree with euthanizing Jasper. He believes that moving him to another appropriate site would be a better option.

- **After discussion, Commissioner Tardif moved and Commissioner Heimuller seconded that the Board finds that the dog Sitka has injured or harmed livestock. Under discussion, Commissioner Magruder stated that she is not firmly convinced that Sitka was not involved in the killing of livestock. With the vote taken, Commissioner Magruder voted nay and the motion carried.**
- **Commissioner Tardif moved and Commissioner Heimuller seconded that the Board finds that the dog Jasper has killed livestock. The motion carried unanimously.**
- **Commissioner Heimuller moved and Commissioner Tardif seconded to impose a fine of \$500 on this violation and not require the owner to surrender the dog (Sitka), remove the dog to another location or euthanize. Under discussion, Commissioner Tardif would approve with added restrictions (considering the fence is already in place), 1) micro chipping of the dog to confirm ownership information in case of escape; 2) no additional dogs over 25 pounds to prevent pack mentality; 3) owner to report escapes to Ccom within 10 minutes of escape; and 4) owner commitment to immediately relocate the dog upon report of any additional harassment of livestock animals. Commissioner Magruder feels that it should read no additional dogs, no matter the weight, because that does not stop the pack mentality. She would support the motion with the amendment to #2 to read "no additional dogs". The motion carried unanimously.**

- ***Commissioner Tardif moved and Commissioner Heimuller seconded to require that Jasper be re-homed and impose a fine of \$500. Under discussion, Commissioner Magruder does not support re-homing Jasper but would support euthanizing. Commissioner Heimuller could only support re-homing with very strict conditions. Chris McGlothen stated that Kristin finds out if she gets the job in Alaska today and, if that happens, they will take Jasper there. If that doesn't work out, Jasper can go to her mothers home in Aloha. There was some lengthy discussion on the options and legalities. When the vote was taken, Commissioner Magruder voted nay. The motion carried.***

Restitution needs to be done through a separate process.

CONSENT AGENDA:

Commissioner Magruder read the consent agenda in full. With no changes/additions Commissioner Heimuller moved and Commissioner Tardif seconded to approve the consent agenda as follows:

- (A) Ratify the Select to Pay for the week of 10.22.18.
- (B) Reappoint James Tierney and Leslie Jerry Keenon to Chairperson's Pool on the Board of Property Tax Appeals.
- (C) Reappoint James Tierney and Leslie Jerry Keenon to Non-office-Holding Pool on the Board of Property Tax Appeals.
- (D) Appoint Debbie Hazen and Dave Reynolds to Non-office Holding Pool on the Board of Property Tax Appeals.
- (E) 2018 Foreclosure Deed and authorize the Chair to sign.
- (F) Order No. 41-2018, "In the Matter of the Approval of Appointment of Katherine Joanne Kelley as Deputy Tax Collector".
- (G) Approve that the Courthouse Evacuation Drill, scheduled for 11/20/18, be mandatory for all County employees.
- (H) Approve changing the name of the Road Department back to the Public Works Department.
- (I) Approve the updated job description for Public Works Director.
- (J) Approve the Personnel Action for Michael Russell.

AGREEMENTS/CONTRACTS/AMENDMENTS:

- (K) C100-2018: Purchase and Sale Agreement with William and Zaneta Lain for Tax Map IT 5N1W33-DD-10104 (Tax Account No.13674)".

The motion carried unanimously.

STF/STIF ADVISORY COMMITTEE:

This matter has been moved to the afternoon Work Session.

COMMISSIONER HEIMULLER COMMENTS:

Commissioner Heimuller wanted to remind people that we are more alike than not. When he hears that our politicians have received bombs in their mail and other things going on, it's very disheartening. We are all human beings and neighbors and must get along, no matter what your political views are and regardless of our differences.

The Kiwanis Children's Fair is this Saturday at the St. Helens High School 10-4.

COMMISSIONER TARDIF COMMENTS:

What Commissioner Heimuller just said, makes a point. It comes down to respect. If you don't have respect for people or yourself, and consumed with anger and hatred, you're bound to do a lot of stupid things. It's sad to watch what is happening in our country.

The Windemere Masquerade Party is this Saturday night at the Fairgrounds Pavilion.

COMMISSIONER MAGRUDER COMMENTS:

The Children's Parade is this Saturday at the Courthouse plaza.

Yesterday, the Board attended the Columbia County Economic Team Annual Breakfast in Clatskanie, where several young citizens were honored for their achievements. When she sees young people being honored, it makes her feel so good to be a part of this community.

There was no Executive Session held.

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With nothing further coming before the Board, the meeting was adjourned.

Dated at St. Helens, Oregon this 24th of October, 2018.

NOTE: An audio CD of this meeting is available for purchase by the public or interested parties. A video of the meeting is also posted on our website at www.co.columbia.or.us

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: _____
Margaret Magruder, Chair

By: _____
Henry Heimuller, Commissioner

By: _____
Jan Greenhalgh
Board Office Administrator

By: _____
Alex Tardif, Commissioner