

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR COLUMBIA COUNTY, OREGON

In the Matter of the Livestock)
Attack Against Two Goats Owned) ORDER NO. 15-2003
by Richard Burdette)
_____)

WHEREAS, on October 28, 2002, Mr. Richard Burdette reported the killing of one of his goats to Shaun Barrett, Columbia County Animal Control Officer; and on November 9, 2003, Mr. Burdette reported the killing of another one of his goats; and

WHEREAS, Mr. Barrett investigated the reports and, based on the following information: statements provided by Mr. Burdette and Judith A. Adams, a neighbor; photographs of the dog which allegedly attacked the goats on Mr. Burdette's property feeding on one of the dead goats; personal observation by Mr. Barrett of the dog in the vicinity of the Burdette property; and a fecal check of the dog which appeared to contain hair and blood, an observation which was confirmed by a veterinarian; Mr. Barrett concluded that a black Labrador retriever dog named "Jerry" owned by Christopher and Ailee Marugg probably killed at least one of the goats; and

WHEREAS, after being contacted by Mr. Barrett, Mr. and Mrs. Marugg agreed to surrender the dog to Animal Control; and

WHEREAS, pursuant to ORS 609.156, Mr. and Mrs. Marugg requested a hearing on the complaint; and

WHEREAS, a hearing was opened at the Board of County Commissioners' regular meeting on January 15, 2003, but at the request of Mr. Burdette was continued to January 29; on January 29 Mr. Burdette requested that the hearing be continued further, and the Board continued it to February 19, 2003; and

WHEREAS, prior to reconvening the hearing on February 19, Mr. Marugg paid the outstanding lodging and other costs incurred by Columbia County Animal Control, and paid \$150 to Mr. Burdette for the two goats which had been killed; and

WHEREAS, at the hearing on February 19, 2003, Mr. Burdette told the Board that he was satisfied with the payment he had received from Mr. Marugg; and

WHEREAS, Mr. Marugg then withdrew his request for a hearing pursuant to ORS 609.156;

NOW, THEREFORE, the Board of County Commissioners makes the

following findings:

1. Christopher and Ailee Marugg were the owner of "Jerry", a black Labrador retriever on October 28 and November 9, 2002.
2. "Jerry" killed two goats owned by Mr. Richard Burdette.
3. The Board does not have information to indicate that "Jerry" had previously killed, wounded, injured or chased livestock.
4. Mr. Burdette has been paid for the two goats in the amount of \$150.00.
5. Columbia County's lodging and other costs have been paid.
6. Mr. and Mrs. Marugg have surrendered "Jerry" to Columbia County Animal Control, which would reasonably prevent a recurrence by "Jerry".

NOW, THEREFORE, IT HEREBY ORDERED that no penalty be imposed against Christopher and Ailee Marugg, and that this matter be, and hereby is, concluded.

DATED this 26th day of February, 2003.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

Approved as to form

By: [Signature]
Office of County Counsel
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By: not present
Commissioner