

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of a Livestock Attack by Dogs
Owned by Rockie Brecheisen

ORDER NO. 12-2021

WHEREAS, Columbia County Animal Control Deputy Roger Kadell's investigation report, attached hereto as Exhibit "A" and incorporated herein by this reference, provides relevant facts in this matter; and

WHEREAS, on March 19, 2021, Deputy Kadell responded to a call from Marbara Merigas, who reported that two dogs, huskies, chased, three of her sheep and injured one of the sheep on her property located at 24150 Cox Rd, Rainier, OR 97048; and

WHEREAS, on March 19, 2021, Deputy Kadell interviewed Marbara Merigas at her property; and

WHEREAS, on March 19, 2021, Marbara Merigas, reported to Deputy Kadell that she observed the two dogs crawling under a fence and entering her pasture; then the dogs began chasing three of her sheep all over her pasture; she ran outside with a BB gun to scare the dogs away; when the dogs reached the pasture, the dogs cornered one of the sheep and attacked it on the ground with one of the dogs attacking the sheep from the rear and the other dog attacking the sheep around the neck area; and

WHEREAS, Deputy Kadell found 20 tufts of wool near the area of the reported attack and observed that the injured sheep had a tuft of wool missing from its rear, back leg and neck. Deputy Kadell photographed the injuries. Copies of these photographs are included in Deputy Kadell's investigation report on this matter, which is attached hereto as Exhibit "A"; and

WHEREAS, during Deputy Kadell's interview with Marbara Merigas, Rockie Brecheisen drove by the property and stopped to identify herself as the owner of the two dogs that had been involved in the incident. Rockie Brecheisen identified the dogs names as "Rooster," an adult male husky mix breed, and "Sky," a seven month old female husky mix breed, and reported that the dogs escaped from her property; and

WHEREAS, based on the information obtained during Deputy Kadell's investigation, he impounded the dogs under ORS 609.155 for chasing and harming livestock; and

WHEREAS, on March 19, 2021, Rockie Brecheisen provided the County with a written request for a hearing on this matter; and

WHEREAS, on March 23, 2021, the County mailed Rockie Brecheisen notice that a hearing was scheduled on this matter; and

WHEREAS, on March 31, 2021, the Board of County Commissioners held a hearing and considered the testimony and evidence presented; and

WHEREAS, Deputy Kadell recommended that the Board of County Commissioners impose the minimum civil penalty under ORS 609.162(1)(b) in the amount of \$250.00 per dog, an enhanced civil penalty under ORS 609.163(3) in the amount of \$250.00, payment of impoundment and boarding fees for Rooster and waive impoundment and boarding fees for Sky; and

WHEREAS, Deputy Kadell recommended that the Board of County Commissioners require Rockie Brecheisen to implement reasonable measures to prevent Rooster and Sky from escaping from her property in the future; and

WHEREAS, the Board of County Commissioners considered Deputy Kadell's investigation report on this matter, along with his recommendations;

NOW, THEREFORE, based on the evidence presented, including Deputy Kadell's investigation report on this matter, attached hereto as Exhibit "A", and the above recitals, the Board of County Commissioners makes the following findings and conclusions:

1. Rockie Brecheisen is the owner of dogs named Rooster and Sky, husky mixed breed.
2. On March 19, 2021, Rooster and Sky chased three sheep and injured one sheep, belonging to Marbara Merigas, at 24150 Cox Rd, Rainier, OR 97048.
3. According to Deputy Kadell, Rooster and Sky have no prior record of killing, wounding, injuring or chasing livestock under ORS 609.162(2). There is no evidence in the record for this matter to find that Rooster and Sky previously killed, wounded, injured or chased livestock. Therefore, the Board of County Commissioners finds that Rooster and Sky have not previously killed, wounded, injured or chased livestock.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS HEREBY ORDERS: that Columbia County Animal Control shall release Rooster and Sky to Rockie Brecheisen, subject to the following conditions:

1. Rockie Brecheisen shall provide and maintain adequate fencing at 24345 Cox Rd, Rainier, Oregon, to prevent Rooster and Sky from escaping the property. Adequate fencing shall be six feet in height and have covers to prevent the dogs from climbing over and digging underneath the fence.
2. Rockie Brecheisen shall obtain authorization from Frank Young or Norma Young, real property owners of 24345 Cox Rd, Rainier, Oregon, to provide and maintain fencing on the property as to comply with this Order.
3. Rockie Brecheisen shall obtain a dog license for Rooster and Sky.


4. Rockie Brecheisen shall ensure Rooster and Sky have and maintain all required vaccinations.
5. Rockie Brecheisen shall microchip Rooster and Sky, list the County as the primary contact with the microchip registration company, and provide the Columbia County Animal Control a copy of the microchip registration, who will register the chip with the Department of Agriculture as required under ORS 609.168.
6. When Rooster or Sky are not contained within the home, fenced area or kennel and in an area where livestock animals are present, Rockie Brecheisen shall ensure the dog will be secured on a leash and under the direct handling of a person who is physically capable of maintaining control of the dog.
7. Rockie Brecheisen shall report to Columbia County Animal Control via dispatch at 503-397-1521 any escapes of Rooster or Sky from the property within ten minutes of the escape.
8. Rockie Brecheisen shall notify the Columbia County Animal Control if Rooster or Sky are sold, transferred or rehomed within ten days of such occurrence.
9. Pursuant to ORS 609.162(1)(b), a civil penalty of \$250.00 per dog is imposed on Rockie Brecheisen for the livestock attack carried out by Rooster and Sky.
10. Pursuant to ORS 609.163(3), in addition to the civil penalty imposed ORS 609.162(1)(b), Rockie Brecheisen shall pay an enhanced civil penalty of \$250.00 for not having Rooster and Sky licensed.
11. Pursuant to ORS 609.155(3)(a), in addition to the civil penalties imposed above, Rockie Brecheisen shall pay \$420.00 in fees arising from the impoundment of Rooster and Sky, as described in the Fee Due Notice, attached hereto as Exhibit "B" and incorporated herein by this reference, and all boarding fees at a daily rate of \$15.00 per dog for the period of March 19, 2021 through March 31, 2021. Boarding fees will continue to incur until the dogs are released in accordance with this Order.
12. Rockie Brecheisen shall pay all penalties, impoundment and boarding fees imposed by this Order, provide a copy of a current dog license for Rooster and Sky, provide a copy of the microchip registrations showing the County as the primary contact, and provide proof that Frank Young or Norma Young, real property owners of 24345 Cox Rd, Rainier, Oregon, authorize Rockie Brecheisen to provide and maintain fencing on the property to comply with this Order, prior to the release of the dogs, unless otherwise agreed upon in writing by the County.
13. Rooster and Sky shall be deemed surrendered to the County if Rockie Brecheisen does not retrieve the dogs within 30 days of the date of this Order. In the event of that either dog is surrendered, the County may rehome or euthanize the surrendered dog and Rockie

Brecheisen shall pay a relinquishment fee of \$65.00 per dog and euthanasia fee, if applicable, of \$85.00 per dog.

14. Rockie Brecheisen shall make a payment of at least \$200.00 of the total civil penalties, impoundment and boarding fees imposed by this Order prior to the release of Rooster and Sky, unless otherwise agreed to in writing by the County. Rockie Brecheisen shall pay the remaining balance in equal payments within six months of retrieving the dogs.

DATED this 7th day of April, 2021.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Margaret Magruder, Chair

By: 
Casey Garrett, Commissioner

By: 
Henry Heimuller, Commissioner

Approved as to form

By: 
Office of County Counsel

CASE NUMBER	REFER CASE NUMBER	CAD INCIDENT NUMBER 210012158	CLASSIFICATION Livestock attack: ORS 609.155	CLR
DATE / TIME REPORTED 03/19/2021 1027	DATE / TIME OCCURRED (START) 03/19/2021 10:15	DATE / TIME OCCURRED (END) 03/19/2021 10:25	<input type="checkbox"/> RADIO (R) <input type="checkbox"/> S/I (S) <input checked="" type="checkbox"/> PHONE-IN (P)	
LOCATION OF OCCURRENCE 24150 Cox Road, Rainier Oregon 97048				
PREMISE TYPE 770 - Area, Woods, Field, Forest			PRECINCT OF OCCURRENCE	
ONE SENTENCE SUMMARY OF INCIDENT Two Husky dogs entered the Rp pasture and attacked one of his sheep.				

PERSONS BU - Business Complainant KN - Person w/Knowledge OW - Owner PF - Property Finder SB - Subject RP - Reporting Person VI - Victim WI - Witness

- COPIES
- DET
- CENT
- RECORDS
- D.A.
- OSP
- P & P
- CCMH
- JUV
- DHS
- SPD
- SHPD
- CPD
- RPD
- VPD
- CCPD
- COMPUTER ENTRY
- Person
- OPR Vehicle
- OPR Crime/ Prop
- OPR Book
- OPR

CODE VI	NAME (Last, First Middle) Merigas, Marbara	CRN	SEX F	RACE W	DOB
HOME ADDRESS 24150 Cox Road		CITY Rainier	STATE Oregon	ZIP 97048	HOME PHONE
BUSINESS/SCHOOL ADDRESS			<input type="checkbox"/> WORK PHONE	<input type="checkbox"/> MSG PHONE	MOBILE PHONE
X1, X2, - X9 - SUSPECTS MI - Missing RW - Runaway DK - Drunk DE - Deceased AS - Attempt Suicide ME - Mental					
CODE X1	NAME (Last, First Middle) Brecheisen, Rockie	CRN	SEX F	RACE W	DOB
HOME ADDRESS 24345 Cox Road		CITY Rainier	STATE OR	ZIP 97048	HEIGHT WEIGHT HAIR EYES
AKA/MONIKER		<input type="checkbox"/> WRK PHN	<input type="checkbox"/> MSG PHONE	MOBILE PHONE	HOME PHONE
OTHER DESCRIPTION					

VEHICLE S - Stolen R - Recovered L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle

OUTSIDE AGENCY NOTIFIED/REFERRED TO?
Columbia County Board of Commissioners.

PROPERTY RECEIPT NUMBER(S)

PROPERTY S - STOLEN L - LOST F - FOUND D - DAMAGED K - SAFEKEEPING R - RECOVERED E - EVIDENCE

CODE E	QTY 2	ITEM # 1 Rooster Male adult #2 Sky Female Puppy 7 Months
BRAND K-9	MODEL / STYLE Husky	SERIAL NUMBER
ENGRAVINGS / PECULIARITIES No tags, no chips found.		SIZE
		VALUE

NARRATIVE-The order of appearance for additional information will be:

ITEM 1: N/A
ITEM 2: N/A
ITEM 3: N/A
ITEM 4: ADDITIONAL WORTHLESS DOCUMENTS - Record multiple worthless documents on a fraud supplemental form. Record in the narrative the total number of worthless documents written.

ITEM 5: N/A
ITEM 6: ADDITIONAL OFFICERS - List all officers present and identify their involvement with the incident being reported.
ITEM 7: SUMMARY - A short summary is necessary if the narrative is more than one full page in length
ITEM 8: NARRATIVE - List in chronological order, all of the relevant details of the incident and/or elements of the crime or violation.

NARRATIVE SUMMARY:

On 03/19/2021 at around 10:15 Am, two Husky dogs, Rooster and Sky, were witnessed entering the Merigas families fenced pasture area and attacking one of their sheep. While the sheep did not received major injuries, this was the second attack in two days. Rockie Brecheisen came to the location and claimed ownership of the two dogs. Both dogs were impounded under ORS 609.155 and are being held pending board hearing.

REPORTING OFFICER(S) Roger Kadell	DPSST 15106	DATE 03/19/2021	PREC / DIV STS	ASSN / DIST STS	SUPERVISOR'S SIGNATURE
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CASE
NUMBER

NARRATIVE:

On 03/19/2021 at 10:27 am, I was dispatched to the address of 24150 Cox Road, Rainier Oregon on a reported attack of livestock animals by two Husky dogs. When I arrived I met with the caller's, Barbara Merigas and her husband.

The Marigas's reported that they were sitting having their morning coffee and looking out at the sheep in the pasture. They then observed two Husky dogs crawl under the green fence gate and into the pasture. The two dogs began chasing the three sheep all over the pasture. The Marigas's ran out with a BB gun to try and scare the dogs away. When the two got to the pasture, the two dogs had one of the sheep in a corner and on the ground attacking it. One of the dogs had the sheep from the rear end and the other was around the neck area.

COPIES

- DET
- CENT
- RECORDS
- D.A.
- OSP
- P & P
- CCMH
- JUV
- DHS
- SPD
- SHPD
- CPD
- RPD
- VPD
- CCPD
-
-
-
-
-

I noted 20 tuff's of wool near the area of the attack. I noted on the sheep itself that I could see where tuff's of wool had been pulled loose from the rear and back leg areas and around the neck area. The sheep itself was too scare to allow us to physically examine it at this time. I did not see any signs of bleeding.

I found that the pasture area is well fenced with boards and secondary hot lines. The sheep owner's tested the lines and found that they were active. The dogs had however entered the pasture by crawling under the pastures green gate which had no hot line near it.

The Marigas's reported that the two dogs had been in their pasture yesterday and had also at that time attacked the sheep. They had contacted the owners who came and took the two dog's home. They were able to tell me that the dogs lived at 24345 Cox Road.

While speaking with the Marigas's a SUV type vehicle Oregon license 9P-9218 was seen driving past. Mr. Marigas said that the person in the vehicle was the owner. The owner stopped when Mr. Marigas yelled at them. I contacted the owner and advised them of who I was and that I was recording the contact. The dog owner identified herself as Rockie Brecheisen [REDACTED] Phone [REDACTED] residing at 24345 Cox Road, Rainier Oregon.

Ms. Brecheisen identified the two dogs as Rooster a male Husky mix and Sky a female Husky mix 7 months of age. She told me that the two had escaped and that she had been able to catch Rooster and was still looking for Sky. I advised her of the issues with chasing and harming livestock and advised her I would contact her when I was done at this location.

I then took photos of the pasture and the sheep. I advised the Marigas's of the procedures in livestock case. I then drove to the location where Ms. Brecheisen had parked her vehicle. I noted that Ms Brecheisen and several others were residing on the property located at 24345 Cox Road, Rainier Oregon in camp trailers.

I advised Ms. Brecheisen that under ORS 609.155 that the dogs needed to be impounded. I provided her with an impound sheet and asked that she load the dogs into my truck. I then explained to her the process for incidents involving livestock.

Both dogs were loaded into my truck and then transported to the Columbia County Shelter in Saint Helens. Both dogs on arrival were checked for microchips, license tags or any other tags. None were found. Both dogs were secured in the isolation kennels and will be cared for by the Columbia Humane Society.

COMPUTER
ENTRY

- Person
- OPR
- Vehicle
- OPR
- Crime/
Prop
- OPR
- Book
- OPR

ENHANCEMENTS UNDER ORS 609.163

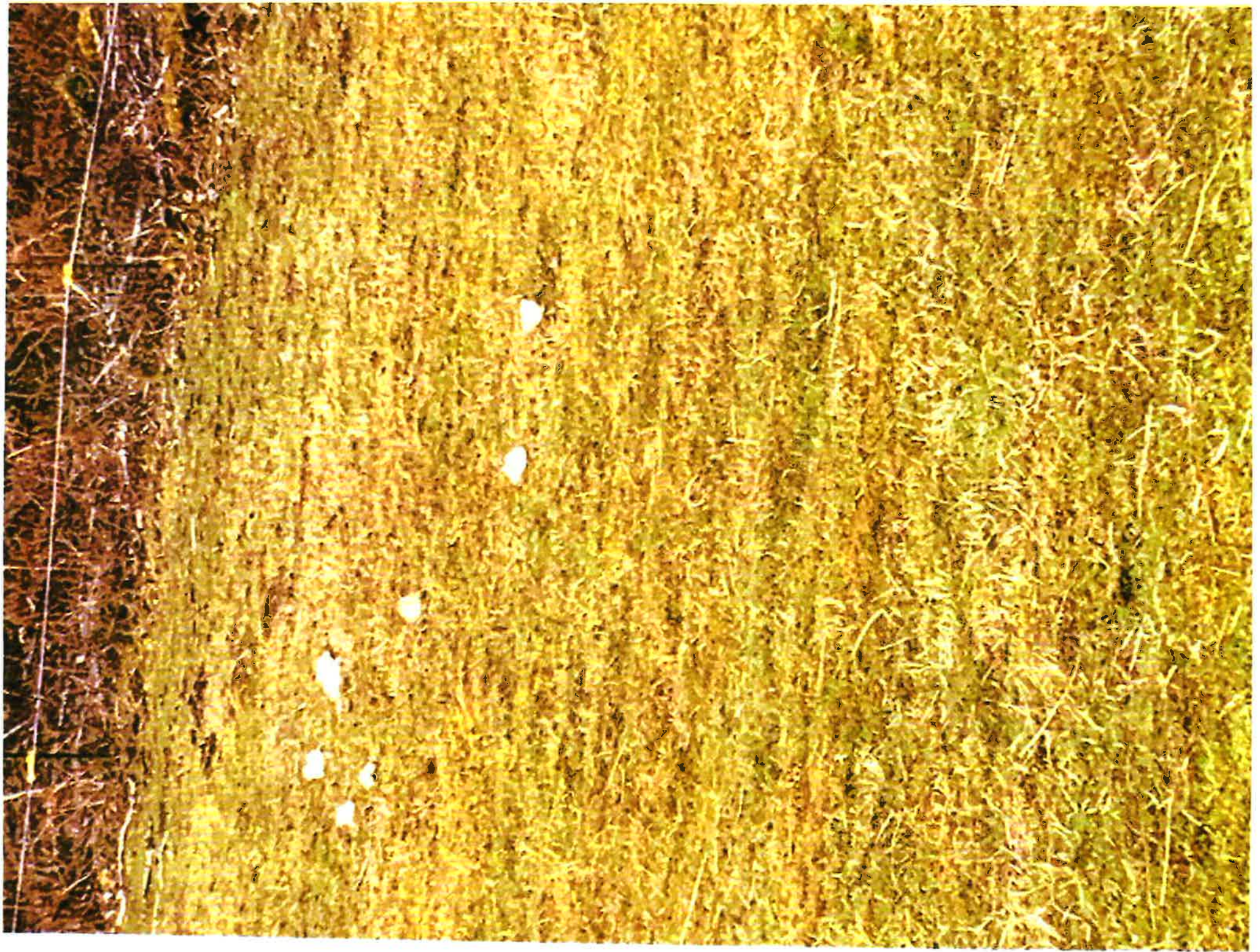
A check of county records found no license tags issued to the two dogs. On impound I did not see any other license tags on the two dogs.

REPORTING OFFICER(S)	DPSST	DATE	PREC / DIV	ASSN / DIST	SUPERVISOR'S SIGNATURE
Roger Kadell	15106	03/19/2021	STS	STS	























COLUMBIA COUNTY SHERIFF'S OFFICE

Brian E. Pixley, Sheriff

FOR:

Animal Shelter fees

NOTICE DATE | 03/31/21

BILL TO:

Rockie Brecheisen
24345 Cox Road
Rainier, Oregon 97048

DATE	DESCRIPTION	AMOUNT	RATE	TOTAL
03/19/2021	Impound fee / Rooster	1	\$30.00	30.00
	Impound fee / Sky	1	\$30.00	30.00
3/19-3/31/21	Boarding fee / Rooster	12	\$15.00	180.00
	Boarding fee / Sky	12	\$15.00	180.00
				\$420.00
				TOTAL DUE

MAKE CHECKS PAYABLE TO:

Columbia County Sheriff Office
Animal Control
901 Port Ave
St. Helen's, Oregon 97051