

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of the Livestock Attack by)
Dogs Owned by Melissa Senior) ORDER NO. 38-2021

WHEREAS, on July 27, 2021, Animal Control Officer Roger Kadell responded to a call from the Scappoose Inn, located at 53756 West Lane Road, near Scappoose, that a black Shepherd dog and grey and white Husky dog attacked and severely injured a llama on the property; and

WHEREAS, Officer Kadell observed the downed llama and set off to locate the dogs, which he found in Scappoose RV Park, along with their owner, Melissa Senior, who was camping in the park; and

WHEREAS, Ms. Senior identified the black Shepherd as "Shadow" and the grey and white Husky as "Loki" and admitted that the dogs had just returned after escaping from her tent but was unaware of the llama attack; and

WHEREAS, Officer Kadell observed blood on Loki's face and contained the dogs while he continued his investigation; and

WHEREAS, Officer Kadell then observed and photographed the llama, which suffered severe bite wounds to the rear and neck and exhibited considerable blood and injuries to the leg and underside. Copies of these photographs are included in Officer Kadell's investigation report, attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, Officer Kadell also spoke with two people who witnessed both dogs attacking the llama, and based on the information obtained during the investigation, Officer Kadell impounded the dog under ORS 609.155 for chasing and injuring livestock; and

WHEREAS, Officer Kadell has determined that neither dog has a history of harming livestock; and

WHEREAS, on July 28, 2021, Jeri Anderson, the owner of the Scappoose Inn and keeper of the llama, informed Officer Kadell that the llama had to be put down due to the seriousness of the injuries; and

WHEREAS, Ms. Anderson informed Officer Kadell that although she kept the llama on her property, the llama belonged to Richard Burdett; and

WHEREAS, pursuant to ORS 609.156, on July 29, 2021, the County mailed and Officer Kadell hand delivered a notice of the opportunity to request a hearing on this matter; and

WHEREAS, Ms. Senior waived her right to a hearing and signed a settlement agreement, which is attached hereto as Exhibit B and incorporated herein by this reference, stipulating to facts and agreeing to conditions, including restitution in the amount of \$3,000; and

WHEREAS, as set forth in Exhibit B, Officer Kadell recommended that the Board of County Commissioners impose a fine of \$500.00 for each dog for killing livestock; require payment of impoundment and boarding fees; require both dogs be relocated to a non-livestock area in Vancouver, Washington, and be prohibited from returning to Oregon; require Shadow be microchipped; and require restitution in the amount of \$3,000; and

WHEREAS, the Board of County Commissioners considered Officer Kadell's report on this matter, along with his recommendation, and directed Officer Kadell to inspect the proposed relocation site for the dogs; and

WHEREAS, Officer Kadell visited the relocation site in Vancouver, Washington, and after interviewing the existing resident, learned that Ms. Senior did not live at that location; and

WHEREAS, a hearing was then scheduled for the Board to consider the additional information and Officer Kadell's revised recommendation, attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, following proper notice, the Board held a hearing on August 25, 2021, during which Ms. Senior admitted both dogs were involved in harming the llama, but that Loki was the instigator and Shadow was a follower, and that Ms. Senior did not have a permanent housing location; and

WHEREAS, Columbia County Humane Society Director Lisa Beggio testified that based on her experience with the dogs during their impound at the animal shelter, both dogs are friendly towards people and could be successfully rehomed in a non-livestock area; and

WHEREAS, Ms. Senior asked the Board to allow the Columbia Humane Society to rehome the dogs; and

WHEREAS, after considering the testimony and evidence on the matter, the Board voted, as follows: (1) a \$500 civil fine for each dog for killing livestock; (2) payment of impound fees for both dogs; (3) payment of boarding fees at 50% for each dog; (4) transfer of the dogs to the Columbia Human Society for rehoming in a non-livestock area; and (5) payment of \$400 in restitution to the County for the llama;

NOW, THEREFORE, based on the evidence presented, including the Animal Control Officer Roger Kadell's reports on this matter, attached hereto as Exhibits A and C, and the above recitals, the Board of County Commissioners makes the following findings and conclusions:

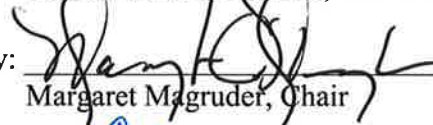
1. Melissa Senior is the owner of a black Shepherd dog named Shadow and a grey and white Husky named Loki.
2. On July 27, 2021, Shadow and Loki killed a llama, belonging to Richard Burdett.
3. Neither Shadow nor Loki have prior records of killing, wounding, injuring or chasing livestock under ORS 609.162(2).

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

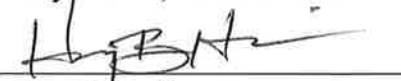
1. Pursuant to ORS 609.162(1)(c), Melissa Senior shall pay a civil penalty of \$500.00 for Shadow's involvement in killing the llama owned by Mr. Burdett on July 27, 2021.
2. Pursuant to ORS 609.162(1)(c), Ms. Senior shall pay a civil penalty of \$500.00 for Loki's involvement in killing the llama owned by Mr. Burdett on July 27, 2021.
3. Pursuant to ORS 609.162(1)(c)(A), Ms. Senior shall relinquish Loki and Shadow to the Columbia Humane Society for rehoming in an area where they will not be a threat to livestock.
4. Pursuant to ORS 609.155(3)(a), in addition to the civil penalty imposed, above, Ms. Senior shall pay the impoundment fee of \$60 for both dogs to Columbia County and all boarding fees at a rate of \$15 per day for both dogs (which is a 50% reduction in boarding fees), accruing from July 27, 2021
5. Shadow shall be microchipped and the number provided to the County within 30 days of release.
6. Ms. Senior shall reimburse the County in the amount of \$400 for the value of the llama, which the County will be paying Richard Burdett in restitution from its Dog Control Fund in accordance with ORS 609.170 to 609.190.
7. Melissa Senior shall pay any penalties, impoundment and boarding costs and fees imposed by this Order prior to the release of the dogs, unless otherwise agreed to in writing by the County.

DATED this 1 day of September, 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	COLUMBIA COUNTY SHERIFF'S OFFICE		SPECIAL REPORT		TYPE: 4. SUPPLEMENTAL	PAGE/OF 1 / 3	
	CASE NUMBER	REFER CASE NUMBER	CAD INCIDENT NUMBER 210032866	CLASSIFICATION			
	STATUS 6. Referred		ORIGINAL REPORT DATE 07/21/2021	TIME 1339	THIS REPORT DATE TIME		
	LOCATION OF OCCURRENCE 53756 West Lane Road, Scappoose Oregon 97056					PRECINCT OF OCCURRENCE	
SUBJECT OF THIS REPORT Livestock attack/kill by two dogs.							
COPIES <input type="checkbox"/> DET <input type="checkbox"/> CENT <input type="checkbox"/> RECORDS <input type="checkbox"/> D.A. <input type="checkbox"/> OSP <input type="checkbox"/> JUV <input type="checkbox"/> DHS <input type="checkbox"/> SPD <input type="checkbox"/> SHPD <input type="checkbox"/> CPD <input type="checkbox"/> RPD <input type="checkbox"/> VPD <input type="checkbox"/> CCPD <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>							
PERSON CO - Complainant SB - Subject SI - Sick/Injured/Cared For PE - Park Exclusion VI - Victim RP - Reporting Party KN - Person w/Knowledge OW - Owner WI - Witness BU - Business PF - Property Finder MI - Missing RW - Runaway AR - Arrested							
CODE VI	NAME: (Last, First Middle) Anderson, Jerry		CRN	SEX F	RACE W	DOB	
ADDRESS 53756 West Lane Road			CITY Scappoose	STATE Oregon		ZIP 97056	
<input type="checkbox"/> WORK PHONE <input type="checkbox"/> MESSAGE PHONE		MOBILE PHONE 503-833-2278	HOME PHONE				
CODE OW	NAME: (Last, First Middle) Senior, Melissa		CRN	SEX F	RACE W	DOB 04/29/1975	
ADDRESS P/O BOX 873658 / 12715 NE 38TH CIRCLE			CITY VANCOUVER	STATE Washington		ZIP	
<input type="checkbox"/> WORK PHONE <input type="checkbox"/> MESSAGE PHONE		MOBILE PHONE 484-326-4970	HOME PHONE				
CODE WI	NAME: (Last, First Middle) Curtis, Dave		CRN	SEX M	RACE W	DOB	
ADDRESS 30426 Canaan Road			CITY Deer Island	STATE Oregon		ZIP 97054	
<input type="checkbox"/> WORK PHONE <input type="checkbox"/> MESSAGE PHONE		MOBILE PHONE 503-459-8179	HOME PHONE				
CODE WI	NAME: (Last, First Middle) Womack, Dawn		CRN	SEX F	RACE	DOB	
ADDRESS			CITY	STATE		ZIP	
<input type="checkbox"/> WORK PHONE <input type="checkbox"/> MESSAGE PHONE		MOBILE PHONE 503-396-1449	HOME PHONE				
VEHICLE L - Locate A - Abandoned T - Towed V - Victim's Vehicle X - Suspect Vehicle I - Information M - Missing							
PROPERTY RECEIPT NO. Impound notice issued.							
PROPERTY S - STOLEN L - LOST D - DAMAGED F - FOUND K - SAFEKEEPING R - RECOVERED E - EVIDENCE							
CODE E	QTY. 1	ITEM Dog / Named LOKI					
BRAND Husky		MODEL / STYLE Male		SERIAL NUMBER 981020027907953	COLOR Gry/White/blk		
ENGRAVINGS / PECULIARITIES Chipped.				SIZE ADULT	VALUE		
CODE E	QTY. 1	ITEM Dog / Named Shadow					
BRAND German Shepard		MODEL / STYLE Female		SERIAL NUMBER None	COLOR black		
ENGRAVINGS / PECULIARITIES				SIZE	VALUE		
NARRATIVE (COMMENTS) SUMMARY: On 07/27/2021 around 230 Pm, the two dogs Loki and Shadow left the Scappoose RV park and trespassed upon the property of the Scappoose Inn on West Lane Road. While on the property, the two dogs viciously attacked and caused severe injuries to the Llama "Viola". The Llama Viola had to be put down by the owners due to the extend of the injuries. Both Loki and Shadow were located at the nearby Rv park under the care and ownership of Melissa Senior. Both dogs were seized for the attack. Ms. Senior was							
REPORTING OFFICER(S) Roger Kadell			DPSST 15106	DATE 07/28/2021	PREC / DIV STS	ASSN / DIST STS	
			SUPERVISOR'S SIGNATURE				

issued a livestock attack impound notice.

NARRATIVE:

On 07/27/2021 at around 230 pm, I responded to the Scappoose Inn located at 53756 West Lane road on a reported dog attacking and severely injuring the Llama at that location. The dogs were reported to be a black Shepard and a gray and white Husky. Last seen headed into the Scappoose RV park.

CASE NUMBER

COPIES

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

Upon arrival, I observed the down Llama in the pasture. I began an area check for the two dogs. Inside the RV park, I located Melissa Senior camping in a tent behind the park host trailer. With her was a Black Shepard dog named Shadow and a Gray and white Husky named Loki. Ms Senior advised that yes the dogs had just returned after escaping from her tent. She claimed to be unaware of the dogs attack on the Llama. However the dog Loki was noted as having blood on his face.

I advised her of the complaint and that I would be impounding both dogs while I completed my investigation and spoke with the Llama's owners to determine what action would be taken. She assisted with loading both dogs into my animal control truck.

I then contacted several people over with the Llama. They advised that the animals owner was Jeri Anderson and that she was en-route to the location. I spoke with Ms. Anderson by phone and later when she arrived. I checked the Llama and took some photos. I could see severe bite wounds to the butt area and to the neck area. I noted considerable blood and injuries to the leg and underside of the animal. Not wanting to place the animal in pain, I was unable to take a better look at the leg.

Ms. Anderson the following day advised me that Viola had to be put down as her leg had a compound fracture with the bone sticking out. That she also had received numerous bite wounds to the area and loss of blood. Ms. Anderson said they had been recently looking for a play mate for Viola and placed the value to replace her at \$1500 to \$2000. She also advised that they were unable to get Veterinarian services for the animal and so had to have a friend come and assist.

At the time of the incident I also spoke with Dave Curtis at the food cart across from the Inn. Mr. Curtis told me that a lady in an Audi pulled in and told him that two dogs were attacking the Llama next door. He said that he ran over hearing the animal screaming. That when he arrived he found that the Husky and the Shepard already had the animal on the ground and were attacking it. He said the gray dog had the animal by the neck and had blood on him. He then said that he chased the two dogs off and they ran directly to the RV park. I showed Mr Curtis the two dogs I had in my truck. He identified them as the two dogs involved in the attack.

COMPUTER ENTRY

Desk

I returned to issue impound notices to Ms. Senior. She was advised of the procedure for a hearing regarding the dogs and of the potential cost involved. Ms Senior claims she was only here for a few days and that she resided at the home in Vancouver.

DPSST

Person

I then transported both dogs to the shelter. I found that the Husky Loki had a micro chip that was registered to Mellisa Senior. I photographed the blood on the dogs face. The second dog was also photographed, but no chip was found. With the black coloring of the second dog I could not see any blood on the animal. Both dogs were found to be handleable and people friendly. Both dogs were secured at the animal shelter.

DPSST

Entry / Vehicle

DPSST

Distribution

On 07/28/2021. The dogs owner, Melissa Senior came into the shelter to discuss the options for handling this matter. She clearly recognized that the animals had been involved in this attack and wanted to see how

DPSST

REPORTING OFFICER(S)
Roger Kadell

DPSST
15106

DATE
07/28/2021

PREC / DIV
STS

ASSN / DIST
STS

SUPERVISOR'S SIGNATURE

she could resolve the matter. I then prepared and discussed with her her signing an stipulation of facts of the incident and waiver of her rights to a hearing in the matter as well as an agreement to sanctions to be imposed by the County upon agreement to the Stipulation and waiver by the County Board of Commissioners. We discussed that the dogs would be held until September 1st 2021, or until completion of the terms of the boards order. That should she fail to meet these terms that the dogs would be considered surrendered to the County. A copy was given to Ms. Senior for her review.

CASE
NUMBER

COPIES

- DET
- CENT
- RECORDS
- D.A.
- OSP
- JUV
- DHS
- SPD
- SHPD
- CPD
- RPD
- VPD
- CCPD
- _____
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On 07/29/2021, Ms Senior returned to the shelter with a signed copy of the stipulation and waiver of her rights to a hearing.

On 07/29/2021, I spoke with the witness, Dawn Womack. She reported that she had been driving by the Scapoose Inn area when she saw the Husky dog on the back of the Llama that was on the ground. The Black dog at the time had the dog by the neck. She said the llama was trying to stand and she could see that the leg was messed up. She continued that the two dogs circled and continued to attack biting the dog in the stomach area and getting the Llama on the ground.

Ms. Womack said she drove over to the food cart and told them what was happening. Dave from the food cart ran over and chased the dogs off. Ms Womack said that both dogs were clearly attacking the Llama.

CASE REFERRAL. A packet of the incident will be hand delivered to the County Attorney.

**COMPUTER
ENTRY**

- Desk
- DPSST
- Person
- DPSST
- Entry / Vehicle
- DPSST
- Distribution
- DPSST

REPORTING OFFICER(S)
Roger Kadell

DPSST
15106

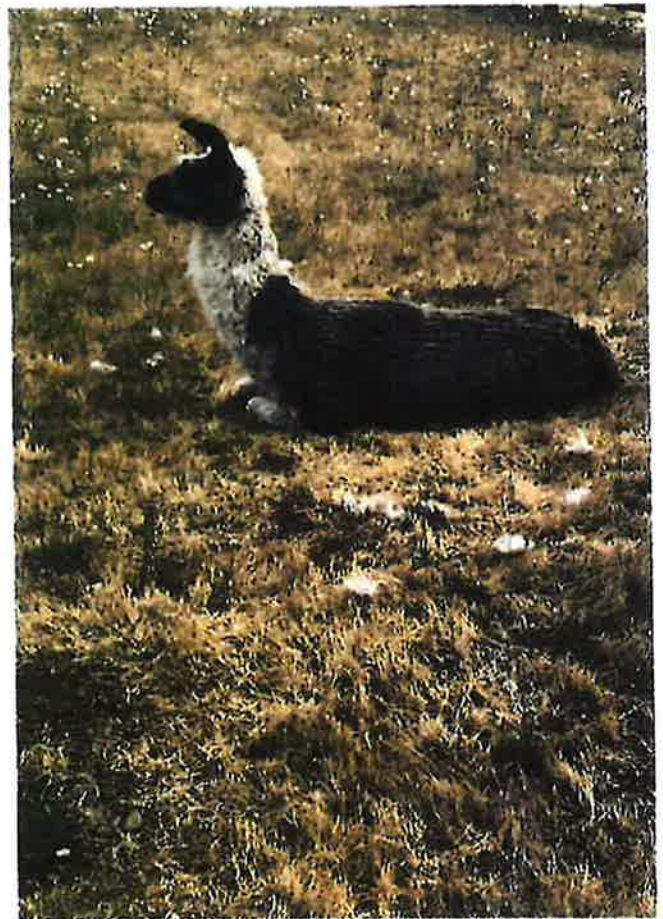
DATE
07/28/2021

PREC / DIV
STS

ASSN / DIST
STS

SUPERVISOR'S SIGNATURE







COLUMBIA COUNTY SHERIFF'S OFFICE

Brian E. Pixley, Sheriff

CAD# 210032866	DATE: 7/27/21	Shelter ID#
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ANIMAL INFORMATION:

Name	Description (Breed, color, sex)	Tags/chip identifiers
#1 Loti (OHS)	male-husky	
#2 Shadow	black shepherd	

FINDERS INFORMATION:

Name:	Address	Phone#
Location found:		

REASON FOR IMPOUND: Check all that apply. See reverse side for details.

Stray or at large	Nuisance	Quarantine rabies	Neglect/police holds	Owner request	Owner arrest	Livestock attack
						X X

ANIMAL BEHAVIOR INFORMATION: Medical, Bite, Aggression or other issues.

attacked LlamA

OFFICER HOLD: DO NOT RELEASE:

YES / NO Livestock Attack - Injuries

OWNER SURRENDER: I understand that by signing this release that I am:

- The owner or lawful keeper of the animal and have the right to make decisions for the animal.
- Giving up my ownership/rights/custody to the above described animal.
- Transferring all possession rights to the animal to Columbia County.
- Acknowledging that I may be billed fees for the surrender, impound and/or quarantine of the animal by the County.
- Acknowledging that the surrender of the animal does not preclude the County from taking enforcement action against me.
- Acknowledging that the animal may be euthanized without additional notification.

Signature Date

Officer R Kadell	Radio # 144	Date 7/27/21	Time 230P
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DISPOSITION OF ANIMAL (RETURNING OFFICER TO FILL OUT)

Returned owner	Transferred CHS	Transfer OHS	Other	Euthanized
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Owner's name: MELISSA SENIOR Address P/O Box 673658 Vancouver

WHITE: Shelter in box Canary: Place on kennel gate Pink: Finder or dog owner.
12715 N 38th VANCOUVER WASH
WA



901 Port Ave
 St. Helens, Oregon 97051
 Phone: (503) 366-4614 Fax: (503) 366-3990

TO: Columbia County Board of Commissioners.

Date: 7/30/21

I, Melissa Senior acknowledge that I have received the livestock impoundment notification from the county, it is my desire to resolve the issue of my two dogs, Loki (Husky) and Shadow (German Shepard) as quickly as possible. In this effort, I am willing to admit the following:

That I am the SOLE owner of the dog's Loki and Shadow and that my permanent address is in Vancouver Washington. That I live in a residential area on a property with a secured fenced yard.


That on July, 27th 2021 at around 1:30 Pm, my two dog Loki and Shadow left the camping space I was using at the Scappoose RV park and did enter the property across the street from the park and did attack and cause physical injuries to the Llama Viola, resulting in the animals death.

That I am waiving my rights to a hearing under ORS 609.156: Opportunity to request hearing and admit to the facts presented by the county alleging that my dogs Loki and Shadow did cause physical injuries and death to a livestock animal in violation of ORS 609.155: impoundment for harming or chasing livestock. I consent to the imposition of the following penalties under ORS 609.162: Guidelines for imposing remedial measures, civil penalties or other sanctions.

1. (1) c. A civil penalty for having killed livestock in the amount of \$500.00 for the dog Loki.
2. (1) c. A civil penalty for having killed livestock in the amount of \$500.00 for the dog Shadow.
3. (1) c (A) Both dogs to be relocated back to Vancouver Washington and to reside in a residential non farming area of Washington at all times.
4. (1) c (A) Both Loki and Shadow will be prohibited from visiting or residing in Oregon.
5. Payment of an Impound fee in the amount of \$60.00 to Columbia County.
6. Payment of boarding fees in the amount of \$30 per day until the date the dogs are reclaimed.
7. The dog Shadow will be micro chipped and the number provided to the County within 30 days.
8. The dog Loki is currently micro chipped and the number has been provided to the County.

In addition, I agree to pay the County the sum of \$ 3000.00 to settle livestock claims under ORS 609.170: Claim by owner of livestock. I acknowledge that this amount is double the damages to the livestock owners as provided under ORS 609.140: right of action by owner of damaged livestock.

I agree that the dogs will not be returned to me until the above fees and penalties have been paid. As time is a consideration, I agree that if I fail to pay these fees and reclaim the dogs Loki and Shadow by September 1st, 2021, that the dogs will be deemed surrendered to Columbia County and that the County may take any action they deem in regards to the dogs at that time, to include euthanasia of the dogs, without any additional notification to me or any other party.


 Owner: Melissa Senior


 Deputy: Roger Kadell



901 Port Ave
St. Helens, Oregon 97051
Phone: (503) 366-4614 Fax: (503) 366-3990

Date: 08/19/2021

TO; County Board of Commissioners

From: Deputy Kadell, ACD Columbia County

Re: Recommendation in regards to Ms. Senior livestock dogs:

Re: Recommendation in regards to Mr. Burdett's livestock claim upon the County.

First There is no dispute over the facts that these dogs two dogs did harm chase and cause the death of the Llama. Eye witness account place both dogs attacking the Llama at the time of the incident. The owner does not dispute the claims of the attack, but feels that the dog Loki to be the instigator in these events.

My penalty recommendation is the following:

1. A civil penalty for having killed livestock in the amount of \$500.00 for the dog Loki.
2. A civil penalty for having killed livestock in the amount of \$500.00 for the dog Shadow.
3. Payment of \$60 in impound fees (\$30 per dog)
4. Payment of Boarding fees in the amount of \$ 30 per days for 35 days Total \$1050.00
5. Payment of \$15 per days per dog until animal's confinement is resolved.
6. Repayment to the County of any funds paid under ORS 609.170 to Mr. Burdett.

My investigation of Ms. Senior found that she does not reside at the location stated in Washington. Thus I can not recommend that the dogs be allowed to return to this location. Ms. Senior has been advised to plead her situation directly to the board for consideration. While I think the dogs have redeeming value, due to the questions raised, I would not recommend that the dogs be returned to her for relocation in Washington.

The Columbia Humane Society has also expressed an interest in these two animals. They will be attending the hearing to offer their recommendations. As always, I have no objection to the CHS obtaining these animals and relocating them to a proper location and proper home. Transfer of the animals to the CHS would be contingent upon the owner agreeing to such transfer and owners payment of the estimated \$2500 in fees due.

CLAIMS UNDER 609.170

Mr. Burdett has filed a claim for damages from the county. The investigation showed that Mr. Burdett has not cared for the animal for over six years and that as a whole the animal had little value to him. My investigation into livestock values found that the stated value for the animal of \$1500 does not match with the current markets. This animal was older and also had little years remaining. Based on the information I located and speaking with Chip at the Department of Ag office I placed the value of this animal at \$400.00

Mr. Burdett has the option to reject this claim and seek a hirer amount and double damages from the dog owner in a civil court.