

WHEREAS, ACO Kadell has recommended that the Board of Commissioners require the dog to be microchipped in accordance with ORS 609.168; and

WHEREAS, ACO Kadell has recommended that the Board of Commissioners prohibit Buckwalter and Anderson from keeping the dog anywhere within the unincorporated area of Columbia County, and requiring the dog to be leashed whenever it is in any area where livestock animals may be present within the State of Oregon; and

WHEREAS, Buckwalter and Anderson have agreed to the recommendations of ACO Kadell, as evidenced by their signatures affixed to Exhibit B; and

WHEREAS, the Board of County Commissioners has considered Deputy Thompson's Informational Report on this matter, along with ACO Kadell's recommendations;

NOW, THEREFORE, based on the evidence presented, including Exhibit A, Exhibit B, ACO Kadell's recommendations the other contents of the record compiled for this matter, and the above recitals, the Board of County Commissioners makes the following findings and conclusions:

1. Daniel J. Buckwalter and Morgan I. Anderson are the owners of the Husky dog named Niko.
2. On August 11, 2024, the dog Niko attacked and killed two (2) ducks and two (2) chickens belonging to Katelin A. Logan and John M. Coppola at their residence located at 32175 Narrow Lane, Scappoose, Oregon.
3. There is no evidence in the record for this matter to find that the dog Niko has previously killed, wounded, injured or chased livestock. Accordingly, the Board of County Commissioners finds that the dog Niko has not previously killed, wounded, injured or chased livestock.

NOW, THEREFORE, IT IS HEREBY ORDERED based on the record before the Board of Commissioners that the dog Niko is authorized to be returned to the Buckwalter and Anderson, subject to the following:


1. Pursuant to ORS 609.162(1)(c), a civil penalty of \$500.00 is hereby imposed for the dog Niko's involvement in the killing of two (2) ducks and two (2) chickens.
2. The dog Stitch shall be microchipped and the chip information shall be registered with Columbia County.
3. The City shall pay to Katelin A. Logan and John M. Coppola restitution in the amount of \$150.00 (\$50.00 per duck and \$25.00 per chicken).
4. An impound fee of \$30.00 and a daily boarding fee of \$20.00 shall be charged for the impound of the dog Niko.

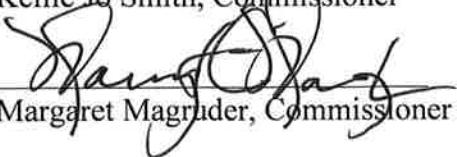
5. Starting immediately, the dog Niko will no longer be kept in any part of the unincorporated area of Columbia County.
6. Starting immediately, the dog Niko will be leashed and under the direct control and supervision of an adult, anywhere within the State of Oregon, whenever the dog is in an area where livestock animals may be present.
7. The fine, restitution, impound and boarding fees imposed by this Order, as well as any other applicable fees that may have accrued, shall be paid prior to the dog Niko's release from impound to Buckwalter and Anderson.
8. The Animal Control Officer shall notify Yamhill County of the incident addressed above, and provide a copy of this Order.
9. Unless otherwise specified, all requirements imposed above shall be satisfied within 21 days of the date of this Order.

DATED this 21 day of August, 2024.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Casey Garrett, Chair

By: 
Kellie Jo Smith, Commissioner

By: 
Margaret Magruder, Commissioner

Approved as to form

By: 
Office of County Counsel

Exhibit A.



COLUMBIA COUNTY SHERIFF'S OFFICE

Brian E. Pixley, Sheriff

Informational Report

Case Number: 240037284.Thompson

Reason for Report:

ORS 609.095 – Dog as public nuisance

ORS 609.150 – Harming or chasing livestock

Location: 32175 Narrow Lane, Scappoose, OR 97056

Time and Date of Incident (if known): 08/11/24 @ 1343

Others Person Mentioned (Designate if they are a subject or witness):

Subject-1/Dog Owner: Buckwalter, Daniel J. (02/27/92) Add: 507 NE Davis Street #4, McMinnville, OR 97128 PH: 971-325-9380

Subject-2: Anderson, Morgan I. (01/10/98) Add: 507 NE Davis Street #4, McMinnville, OR 97128 PH: 971-203-6825

Victim-1: Logan, Katelin A. (02/14/82) Add: 32175 Narrow Lane, Scappoose, OR 97056 PH: 503-410-5407

Victim-2: Coppola, John M. (03/27/77) Add: 32175 Narrow Lane, Scappoose, OR 97056 PH: 971-806-6063

Dog: "Niko" 4 year old Siberian Husky (Male)

Vehicle Information: N/A

Tangible Evidence: N/A

Digital Evidence: Digital Photos / BWC

Narrative:

On August 11, 2024, at about 1:43 PM, Katelin Logan called C-Com to report a husky (dog) had killed her chickens. Logan reported the dog was still on the property. Logan resided at 32175 Narrow Lane, Scappoose, OR. C-Com noted they could hear growling in the background. There was also yelling in the background, and C-Com advised there was possibly a verbal argument ensuing (Refer to CAD Call #240037284).

I responded to the residence and arrived at about 1:56 PM. As I pulled into the driveway, a male and female exited the residence. They were later identified as Katelin Logan and John Coppola. In summary, Logan and Coppola came home shortly before calling C-Com. When they arrived home, they noticed one of their turkeys was on the roof of the house. Logan said when she went to get the turkey off the roof, she rounded the house and saw the husky in their chicken pen. Logan said they observed several of their animals were dead. Coppola said he had his dogs with him at the time, and the husky came toward him. Coppola advised he grabbed a wooden post and hit the husky several times. Coppola was afraid of his dogs and the husky fighting. Coppola said this was not the first time the husky had been to their property, but the first time the husky had killed their animals.

I took digital photos of the chicken pen. I noted there were feathers strewn about which was consistent with the dog killing the animals. Coppola had moved four dead animals out of the pen and into the yard. There were two deceased ducks and two chickens (4 total). Coppola advised they were missing three turkeys and were unsure if they were also deceased. The turkeys were later found, and it was determined only the 4 total animals were killed.

There was a wooden shed at the front of the fenced pen. The wooden shed was utilized as the chicken coop. The front doors of the coop had been secured by a metal latch and wooden slat. The doors to the coop were open when Logan and Coppola arrived home. Looking at the latch and wooden slat, it appeared the husky was able to force the doors open. The metal latch was loose and the wooden slat was broken (Refer to photos for further details).

Coppola said the dog owner, an unknown male, had come and got his dog back. Coppola said he asked the male to wait until I arrived but refused and said he had to get back to his kids. Coppola provided me with the dog owners address, 32210 Scappoose-Vernonia Highway. 32210 Scappoose-Vernonia Highway was 2-3 propertys away from Narrow Lane to the north.

I responded to 32210 Scappoose-Vernonia Highway. I attempted to reach someone in the residence, but no one answered. A short time later, I saw a male and female walking toward my location from the back of the property. I made contact with the two. They were identified as Daniel Buckwalter and Morgan Anderson.

They explained they did not live at the location and actually live in McMinnville, OR. Anderson said she was part owner of the property and they come out on the weekends, while her father lives there full time. The back of the property, near the creek, had been set up with tents and other outdoor activities. Buckwalter and Anderson come to the property on the weekends for

recreation.

Buckwalter said his dog was with them and is usually good about staying right with them. Buckwalter said his dog took off, and they had been looking for him. Buckwalter said he could hear yelling and found his dog at the neighbors property. Buckwalter felt bad and was sorry about what happened. Buckwalter said his dog had learned he could get across the creek and that was the second time his dog had ended up at that same neighbor.

Buckwalter identified his dog a "Niko," a four year old Siberian Husky.

Buckwaleter advised Niko had some injuries from the nighbor hitting him. Buckwalter said Niko appeared to be okay.

I contacted Animal Control Deputy Roger Kadell by phone. He advised I needed to impound Niko per Oregon Resvised Statue.

I explained to Buckwalter I was required to impound Niko and that Niko would be housed at the animal shelter. Buckwalter brought Niko to my patrol vehicle. I transported Niko to the shelter. I completed an intake form. Buckwalter and Anderson later arrived at the shelter. They were provided with Niko's leash and a copy of the intake form. I further explained that ACD Kadell would be in contact with them later about what would happen moving forward.

I later returned to Logan's residence. I advised she and Coppola what had been done so far. I explained ACD Kadell would be in contact with them about the next steps. I confirmed only the four birds had been killed. They rest of the missing birds and been located since I had been there last. I was told the two ducks that were killed were "Indian Runners." One checken was a "Silkie." The other checken was a "Road Island Red."

I cleared the residence without further incident.

(Refer to BWC footage for complete details)

Action Recommended:

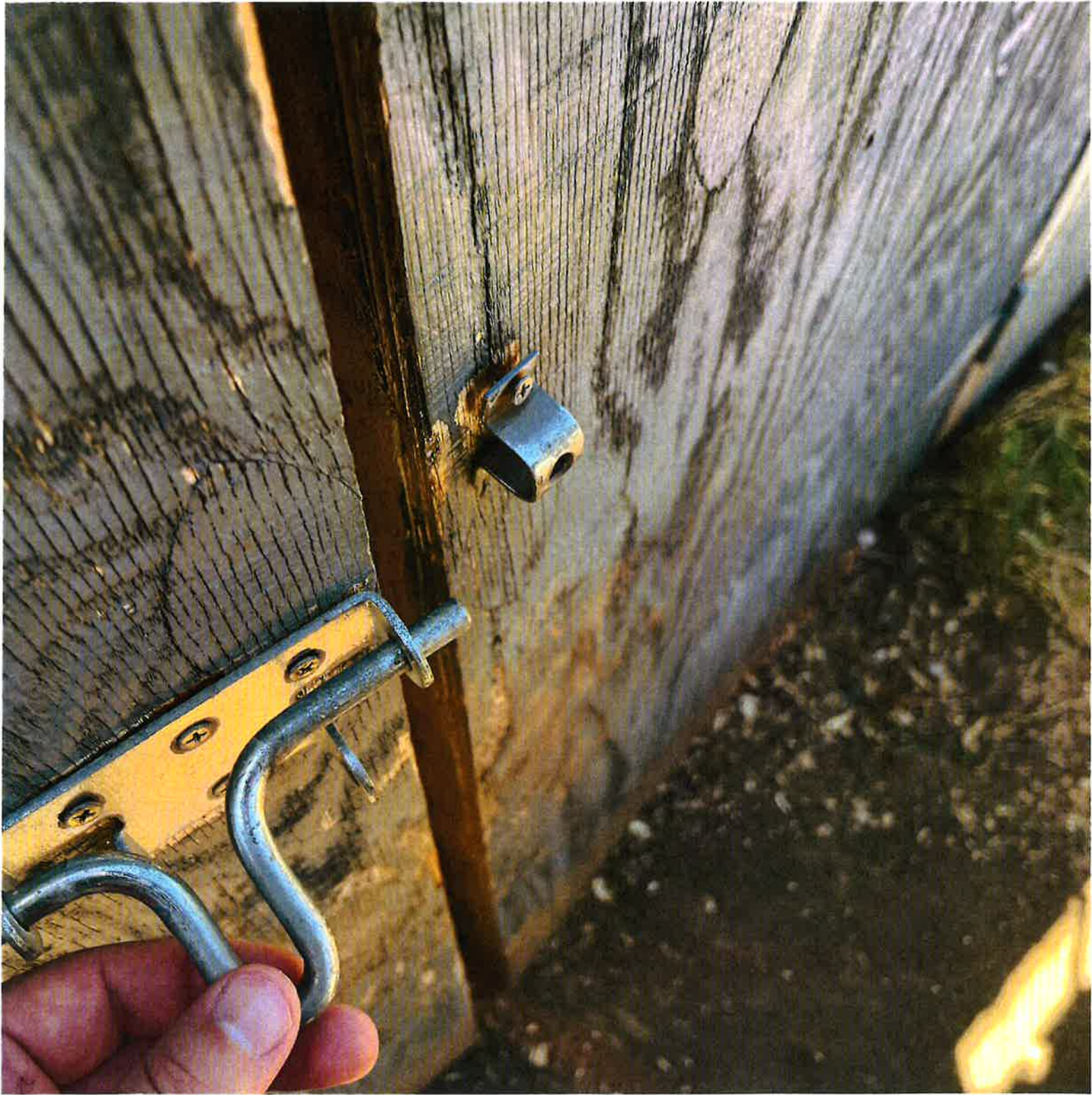
Forward report to Animal Control Deputy Roger Kadell /// Refer to Records











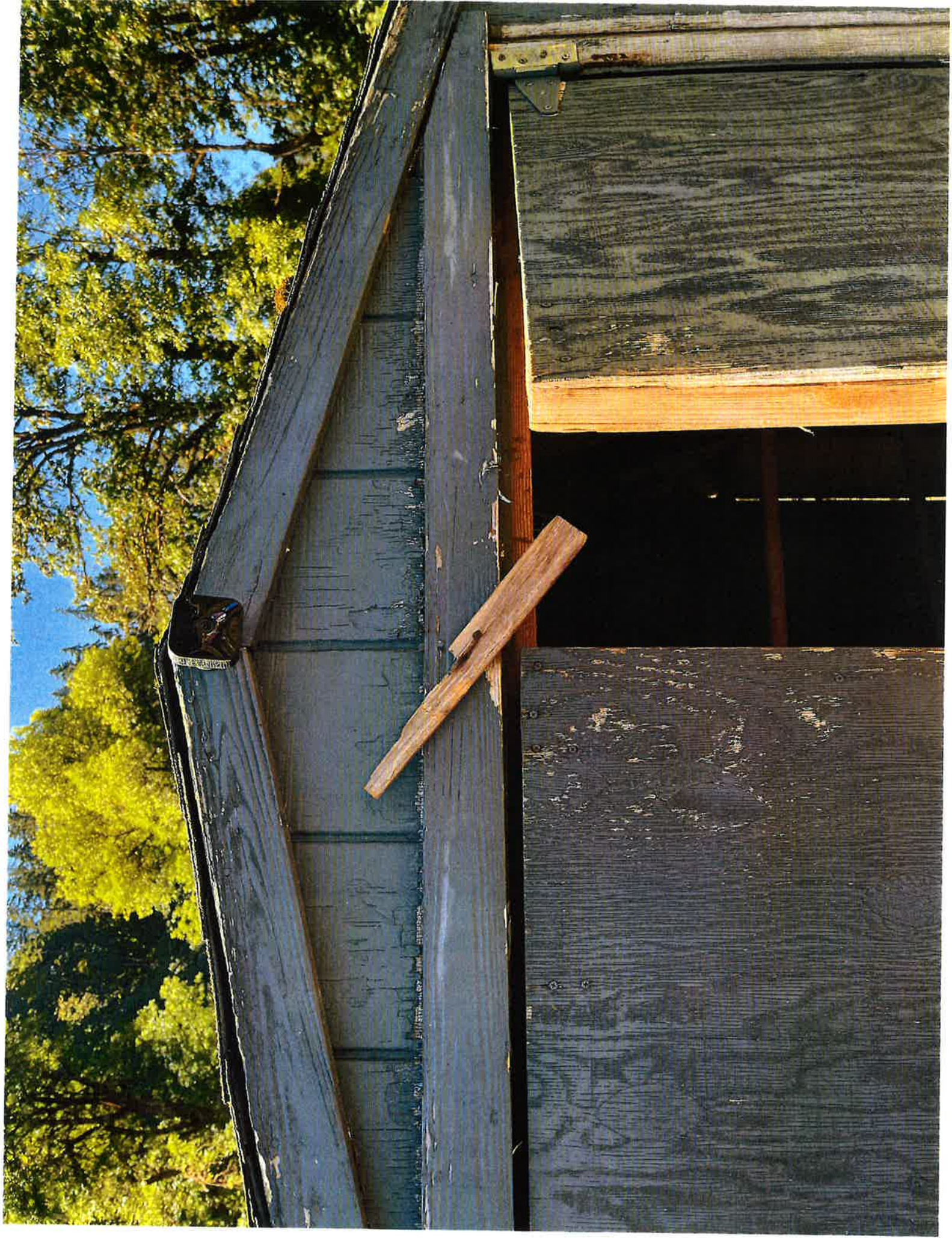


Exhibit B



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

STIPULATION OF FACTS AND AGREEMENT TO TERMS

Owners, Daniel Buckwalter and Morgan Anderson, stipulated to the fact that on 08/11/2024 at around 1:43 Pm, our dog, Niko a 4-year-old Siberian Husky, male did unlawfully enter the property located at 32175 Narrow Lane, Scappoose Oregon 97056, and while on the property did enter the property owners' chicken coop, and while in the coop did kill two chickens and two ducks.

We both affirm that the impoundment of the dog Niko by Columbia County Sheriff Office was lawful under ORS 609.155 and agree to payment of \$30 impound fee and \$20.00 per day boarding fees until the date the dog Niko is redeemed.

We both hereby acknowledge being informed of the right to request a hearing prior to Columbia County making a determination as to whether Niko killed, wounded injured or chased livestock. We further hereby waive the opportunity to request such a hearing under ORS 609.156, as well as the fourteen (14) day period for requesting such a hearing, and wish to stipulate to the facts of these events as outlined above and request that the Columbia County Board of Commissioners issue an order as outlined in the terms of this STIPULATION OF FACTS AND AGREEMENT TO TERMS.

As the dog Niko has no history of this type of incident, we ask and agree to the County Board of Commissioners ordering payment of a fine in the amount of \$500, as outlined in ORS 609.162(1)(c).

As the dog Niko has no history of this type of incident and currently resides in a multi-unit housing complex located in McMinnville, Oregon, and is residing in an area away from livestock animals, we ask and agree to the County Board of Commissioners imposing a requirement as part of an Order that the dog Niko will not be allowed to return to any unincorporated portion of Columbia County. Further, we ask and agree to a provision in said Order that the dog Niko will be secured upon a leash when in any area where any livestock animals may be present within the State of Oregon.

We both agree to having the dog Niko micro chipped and the chip registered with Columbia County as required under ORS 609.168.

We both agree and request that the Board of Commissions include in their order, the repayment of damage claims by the owner of the livestock under ORS 609.140 in the amount of \$150.00. (\$25 per chicken and \$50 per duck).

We both agree that all fees, fines and restitution shall be paid prior to the release of Niko back into our custody.

Daniel Buckwalter
Daniel Buckwalter
8/15/24
Date

Morgan Anderson
Morgan Anderson
8/15/24
Date