

PUBLIC HEARING
IN THE MATTER OF A REQUEST BY OWNER OF A DOG OR DOGS
IMPOUNDED UNDER THE AUTHORITY OF ORS 609.155, FOR WOUNDING,
INJURING, KILLING, OR CHASING LIVESTOCK

May 25, 2016, 3:00 p.m.
Board Conference Room
500 N.W. Sixth Street, Grants Pass, OR 97526

Present: Cheryl Walker, Chair, Keith Heck, Vice Chair and Simon Hare, Commissioner
County Legal Counsel: Wally Hicks, County Legal Counsel
Owner of Impounded Dog: Mark Minton (not available)
Owners of Livestock: Gwen Luthy (not available)
County Animal Control Officers: David Pitts
Recorder: Wendy Watkins

These are meeting minutes only. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents of the proceeding, please refer to the audio recording.

Pursuant to notice through the media and in conformance with the Public Meeting Law, Cheryl Walker, Chair called the meeting to order at 3:00 p.m.

Commissioner Walker advised the first hearing was on April 26, 2016, where a Rottweiler dog attacked two neighborhood sheep, injuring one and killing the other. This is the second hearing due to the dog escaping his yard and attacking five more sheep and was later shot and killed by Officer David Pitts, Animal Control Officer.

Officer Pitts said Mr. Minton was first issued a citation for having a dog that was not licensed and another for having a nuisance dog. The second citation was for a dog at large and a nuisance dog.

Commissioner Walker mentioned Mr. Minton is not present and discussed at the first hearing Mr. Minton was instructed to pay \$285 Shelter Fee, \$325 Veterinarian Fee, \$500 penalty for the dog getting loose and killing livestock and a \$20 License Fee. After agreeing to pay the fines and getting the dog back, two days later the dog broke lose again injuring five more neighboring sheep.

Commissioner Hare said in his opinion, Mr. Minton should not have been given his dog back unless he paid all the fees and an Animal Control Officer went to his location to make sure the fence was in place and the dog was able to be secured behind a fence or kennel. Commissioner Hare mentioned he felt it was not fair to file civil penalties on the case when he was not involved with the first hearing and excused himself from the hearing at 3:10 p.m.

Commissioner Walker said she would like to incorporate the previous evidence into the record from the previous hearing. Commissioner Walker cited ORS 609.150(2) stating to kill a dog when the owner does not have control over that animal and asked Officer Pitts if the dog was charging at him. Officer Pitts said, "Yes" and had to shoot three times, killing the dog.

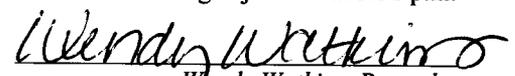
Commissioner Walker cited 609.162(c) - shall impose a civil penalty of not less than \$500 but not more than \$1,000. Commissioner Heck felt a \$1,000 should be issued due to it being the second offense and injuring livestock and Commissioner Walker agreed.

BOARD DETERMINATION FINDINGS: FEES AND PENALTIES

The Board discussed the penalties and agreed on the following:

- Carry over the \$500 penalty from the previous hearing.
- \$1,000 penalty for the second attack.
- Register the name and address of Mark Minton to the State Department of Agriculture.

The Public Hearing adjourned at 3:31 p.m.


Wendy Watkins, Recorder