

CHAPTER 2.50 BOARD OF SUPERVISORS

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2.50.010 Board Name

The name of the board shall be the Deschutes County Board of Supervisors, hereinafter in this chapter called "the board," or "the Dog Board."

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

2.50.020 Board Membership

- A. The membership of the board shall consist of no less than three and no more than five residents of the County. At least two members shall be directly or indirectly connected with the livestock industry.
- B. Members shall be appointed by the Board of Commissioners for a term of two years, except that each membership may be terminated by a majority vote of the Board of Commissioners.
- C. Appointments shall be made on a staggered basis, with each beginning on July 1 of the year of appointment, incumbents to serve until regularly replaced.
- D. At the expiration of the term of any member, the Board of Commissioners shall appoint a new member or may reappoint a member for a term of two years. If a vacancy occurs, the appointing body shall appoint a new member for the unexpired term.
- E. The Board of Commissioners may appoint one or more alternate board members who are residents of the County. Alternate board members shall be appointed for terms of two years beginning on July 1 of the year of appointment. If more than one alternate board member is appointed, the appointments shall be on a staggered

basis. Any alternative board member's membership may be terminated by a majority vote of the Board of Commissioners.

- F. When an alternate board member is sitting on the board for the purpose of conducting board business, the alternate board member shall be deemed to be a board member, and shall have all the rights, duties and obligations of a board member appointed pursuant to DCC 2.50.020.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

Amended by Ord. 99-005 §1 on 1/27/1999

2.50.025 Lack Of Quorum Due To Vacancy

If the board ceases for any reason to have a quorum of three members due to vacancy or unavailability, the Board of County Commissioners shall designate an interim member in order to establish act as the board until a quorum is appointed.

HISTORY

Adopted by Ord. 97-011 §3 on 3/19/1997

2.50.030 Compensation; Expense Reimbursement

No board member shall receive compensation, but shall be reimbursed for authorized expenses.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

2.50.040 Meetings, Attendance And Quorum

- A. The board shall convene a hearing promptly:

1. Upon ~~notice~~ written request of any livestock owner claiming that an identified dog(s), presently secured at impound, has engaged in killing, wounding, or chasing livestock, and provided that the Sheriff's Office is supportive of proceeding with a hearing of a damage claim filed under DCC 6.12.070;
2. ~~After completion of any tests administered pursuant to DCC 6.12.040(B), to determine whether a dog has been engaged in killing, wounding or chasing livestock. Upon referral from the Sheriff or the District Attorney as further described in DCC 2.50.050 C.~~

- B. Involved dog owners, ~~and~~ livestock owners, ~~and other identified persons~~ shall be given reasonable notice of hearings.
- C. Members absent three consecutive hearings may be asked to resign, enabling the Board of County Commissioners to appoint a replacement.
- D. ~~Three members~~ ~~A majority of the board~~ shall constitute a quorum. ~~When necessary for a quorum, if a majority of the board is unavailable to meet,~~ any or all alternative board members ~~or interim members~~ may sit on the board to provide a board of three or more board members. A board of three board members, including one or more alternative board members ~~and/or interim board members~~, shall also constitute a quorum.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

Amended by Ord. 99-005 §2 on 1/27/1999

2.50.050 Powers And Duties

As provided in ORS 609.030(2), the Board of County Commissioners vests in the board the following responsibilities:

- A. To conduct hearings to determine whether an impounded dog has been engaged in killing, wounding, injuring or chasing livestock in accordance with ~~applicable sections of DCC 6.12 and/or ORS 609.050-060.~~
- ~~B.~~ To conduct damage claims hearings in accordance with DCC 6.12.080.
- ~~C.~~ To conduct hearings, upon referral from the Sheriff's Office or the District Attorney's Office, to determine whether an impounded dog has engaged in conduct constituting nuisance, menacing, potentially dangerous dog, or dangerous dog as provided in DCC 6.08 and/or ORS 609, and thereafter to order proper disposition.
- ~~B-D.~~ Determinations made by the Dog Board shall be supported by reliable, probative and substantial evidence, and may be appealed as provided for in ORS 609.090 or ORS 609.165.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

2.50.060 Conflicts Of Interest

A member of the board shall not participate in any board proceeding or action in which any of the following have a direct, substantial financial interest: the member or his spouse,

brother, sister, child, parent, father-in-law, mother-in-law, or any business with which he is negotiating for or has an arrangement or understanding concerning prospective investment or employment. Any actual or potential interest shall be disclosed at the meeting of the board where the matter is being considered.

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

2.50.070 Appeal

The decision of the board shall be the final decision of the County, except in the case of remand after appeal or review by a court, *or as otherwise provided by law.*

HISTORY

Adopted by Ord. 95-013 §1 on 3/29/1995

Amended by Ord. 97-011 §3 on 3/19/1997

2.50.080 Remand

If a decision of the board is remanded after appeal or review by a court, the Board of County Commissioners shall conduct a new hearing under the law in effect at the time of the new hearing. For the new hearing under DCC 2.50.080, the term "board" shall mean Board of County Commissioners.

HISTORY

Adopted by Ord. 97-011 §3 on 3/19/1997