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Code proves costly

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When two young peacocks fluttered over their pen in a Ruther Glen farm a couple weeks ago, they encountered an unlikely predator--a 30-pound beagle.

The peacocks' owner reported the stray dog to the Caroline County Department of Animal Control. But by the time two animal-control officers arrived, the beagle had already reduced the 3-month-old peacocks to a pile of gray feathers.

"It was just a little beagle that had a taste for chicken, I guess," said Julie Heffler, Caroline's assistant animal-control officer.

Not surprisingly, the dog wasn't malnourished when the peacocks' owner, Ted Johnson, trapped him in a cage two days later.

The surprise came when Johnson learned the county would pay him the market value of the dead birds, which turned out to be \$150.

When a dog without an owner kills a farm animal, a little-used section of the Code of Virginia requires localities to reimburse the owner. That can be as much as \$400 per livestock animal or \$10 per bird.

Johnson, who declined an interview with The Free Lance-Star, was initially unaware of his right to be compensated by the county, Chief Animal Control Officer Ken Harris said. But when county officials told him of the law, Johnson filed a claim.

The officers investigate the legitimacy of each supposed dog attack.

Johnson told them he had witnessed the peacock maulings, they said, an assertion the officers had no reason not to believe.

Like Johnson, most people aren't even aware of the law, Heffler said, and "are glad to hear there is a code that says they're entitled to receive compensation."

But some Caroline officials aren't so enthusiastic about the law, which Assistant County Administrator Alan Partin says is a bit outdated and in need of change.

County officials will probably seek assistance from "anyone who will listen" in the General Assembly, he said, just as they did last year.

"It's not a high priority for us, but it's just something that seems like it's based in another time," Partin said.

Supervisor Floyd Thomas called the law a "non-issue"--for the most part.

"If the state likes to make the law, maybe the state should make the reimbursement," Thomas said. "What would happen if a pack of wild dogs went through a herd of cattle?"

In fiscal 2003, the county shelled out \$1,646 for livestock reimbursement claims, according to Finance Director John Sieg. That's largely because a few stray dogs attacked and killed some calves on a resident's farm, Heffler said.

"It takes two calves, and that's \$400 a piece," she said. "It doesn't take much."

Caroline has \$1,000 budgeted for the claims this year, twice the amount reserved for livestock reimbursements during last fiscal year.

In the past, Sieg said, the county has paid anywhere from \$150 to \$300 a year.

"As you can see, it can vary greatly, and is very unpredictable," he wrote in an e-mail.

Stafford County hasn't paid a claim in more than three years, said Mike Null, its chief animal control officer.

Spotsylvania had only one last year, said William Tydings, the county's director of animal control. "We've been fortunate that we've been able to find the [dogs'] owners," he said.

Stafford and Spotsylvania have budgeted at least \$500 less than Caroline for the livestock reimbursements.

In King George County, Supervisor Joe Grzeika says he has never seen a livestock reimbursement claim since he was elected to the board 10 years ago.

Last year, state Sen. Frederick Quayle, R-Chesapeake, sponsored legislation to cut maximum payments in half. He said he introduced the bill at the request of officials from Isle of Wight County, who thought "they had been hit fairly hard" by the law.

A couple of years ago, Isle of Wight forked over \$11,400 to a farmer after a pack of dogs raided his cattle farm, said Finance Director Liesl DeVary.

But Quayle's fellow legislators saw no need to tweak the current law.

"The bill did not pass, and it will not be introduced again, certainly not by me," he said last week.

An aide to Del. Bobby Orrock, R-Caroline, said Caroline officials haven't yet approached him about the issue.

As for the beagle, he had some skin issues and was recently euthanized. But the county isn't always forced to put down the homeless dogs.

After strays killed a few of one farmer's calves, he "took care of them himself," Heffler said.

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