

The Sandy Post

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Jury finds Nored guilty

Jerry L. Nored of Sweet Home was convicted Monday of robbery in the June 10 holdup-murder at Irene's Tavern in Sandy, but the jury deadlocked on its verdict of felony murder.

The five-man, seven-woman jury voted 10-2 to convict Nored of being an accomplice in the fatal shooting of Kermit Carney of Portland in the tavern incident, but a unanimous verdict is required in a felony murder charge.

Nored's alleged partner was Clarence Jake Reynolds of Eagle Creek who was sentenced earlier this fall to life in prison following his conviction of aggravated murder, first-degree manslaughter and first-degree robbery.

Circuit Court Judge Howard Blanding declared a mistrial on the murder count against Nored following the jury's verdict. Blanding has not yet decided if there will be a new trial.

Nored's sentencing will follow a presentence investigation which could take up to six weeks. He is currently out on bail.

During the trial Nored admitted that he accompanied Reynolds during the robbery, but that he was forced to do so at gunpoint.

However, Deputy District Attorney Steve Maurer contended in his closing remarks to the jury that Nored had ample opportunity to escape from Reynolds during the holdup.

In response to Maurer's remarks, defense attorney Charles Paulson replied that the state had been watching too much television to think that Nored could have run faster than a speeding bullet.

According to the prosecution, Nored and Reynolds had been drinking and playing pool in the tavern the evening of June 9 when Reynolds apparently became aggravated over a pinball machine that failed to pay off.

They left a short time later after Reynolds had allegedly asked what time the tavern closed.

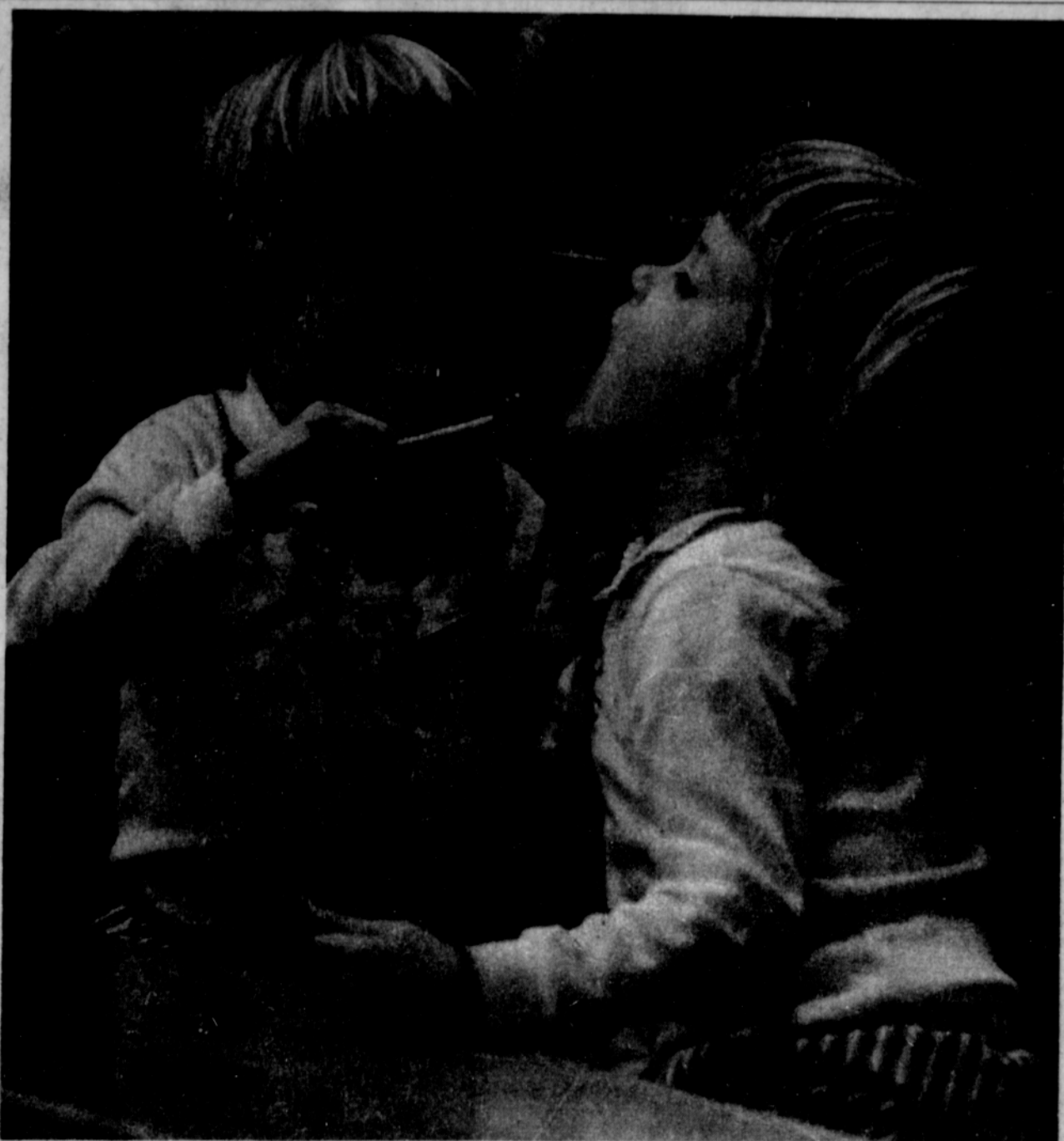
Two men wearing white hoods entered the bar just before closing and ordered the customers to lie on the floor. According to testimony at the Reynolds trial, Carney disobeyed the command and took a few steps toward the center of the room.

Tavern owner Lorraine Urnault said that she then heard a shot and saw Carney stagger to the bar, slump and fall to the floor.

The two men then fled the tavern in an orange van. They escaped with \$33 from the cash register.

Reynolds was arrested the morning of June 10 at his Eagle Creek home. An M-1 rifle, the same make and model of the gun used in the shooting, was found under a mattress in the living room. Two pieces of white cloth with holes cut in them were found outside of his house.

Nored was arrested by State Police while driving near Wilsonville.



Gettin' their licks in

photo by Mark Floyd

LISA AND Leslie Knudsen take a break from the vigors of watching the Gresham-Sandy basketball game Tuesday night to double-team a lollipop. Meanwhile, their father Larry was watching his team lick the Sandy Phantoms, 71-62.

Larry is the head coach of the Gresham Gophers who were visiting the Sandy gym Tuesday. For the story on the game, see page 1, section 3.

Water system study proposed

The Sandy Fire District has offered its services to help gather data for a comprehensive analysis of the city of Sandy's water supply system.

In a letter to city council, Fire Chief Bob Rathke suggested the city conduct a survey of the water distribution system to see where improvements should be made.

He said the study should be made to determine where larger water pipes may be needed in certain areas of the city which will have greater housing density in the future.

"The city added additional domestic water with the system on Alder Creek," Rathke said this week. "But we've still got the same distribution lines."

He added that with the growth of the city expected in the coming years, larger lines will be needed in some

areas for fire suppression. And he said the time to think about replacing them is now to avoid costly replacement of inadequate lines in the future.

Council agreed that the study should be done as soon as possible. City Manager Roger Jordan was asked to look into the possibility of hiring an engineering consultant to do the job. Rathke said some of his firemen would be available to do some of the fieldwork to make an accurate assessment of the city's distribution system.

"We'll cooperate in whatever way we can," he said.

The city last had a study done on the water distribution system in 1974 by Boatwright and Associates, engineers for the new million gallon water system which came on line last summer. But that study did not get down to

finding out the size of mains and distribution lines.

Rathke stated in his letter that the cost of the engineering study will be expensive. But he added that, "The cost of replacing even a small section of the water system because of inadequate pipe sizing or location could easily cost more than the total cost of a professional study."

He pointed out that with the city growing at a rapid rate, more water will be necessary for domestic use. Consequently, in a distribution system with small transmission lines, not enough water will be available to fight a fire.

"With the new housing units going in, we don't want to put in a 10 inch line and find out 10 years later it should have been 16 inches," he said.

Carmel Estates is resubmitted

by JOHN KLINE

Just when Sandy city officials and businessmen thought they had won the battle against construction of Carmel Estates shopping center on Highway 26 west of town, the owner of the property has started the process all over again.

Paul A. Federici of Hood River has resubmitted the same application for the development that was turned down in an appeals procedure earlier this year by the Land Conservation and Development Commission.

LCDC ruled in September, two years after the appeal was filed, that the Clackamas county commissioners did not address the state's land planning goals and guidelines when they approved the request in January, 1976.

The Clackamas County Planning Commission will hold a hearing on the re-application for a zone change from rural to urban Planned Commercial Development at its Jan. 18 meeting. Once again, the city of Sandy will attempt to have the proposal defeated.

City Council voted 6-1 Monday night to have city attorney Jack Hammond prepare the same arguments against the development that were used over the past two years.

"We'd be spading up the same old soil, but making the argument stronger," Hammond said. He also said he believed 1000 Friends of Oregon lobbying group would join with the city in opposing the development.

Members of council stated their opposition to the development on grounds it will hurt the businesses in the city and because it would be an extension of urban "strip development" in a rural area.

"The (developers) have the money and will come back time after time with this," said Mayor Mel Haneberg.

He added later this week that Carmel Estates would still the concept of open space land use planning.

"I'm thoroughly opposed to this," he said. "It's just not necessary. Let's leave a little breathing room for ourselves, a little open space."

Members of council stated their opposition to the shopping center for business reasons. Olin Bignall, Warren Decker and Bruce Cook said the city should fight the development to preserve the city's economic well being.

But George Burg said he did not want to see the city spending any more money fighting what the businessmen themselves should take on. He noted that the city spent approximately \$4,000

in legal expenses over a two-year period to oppose construction of the shopping center.

Cook responded that the businesses are a vital part of the city. "We need to fight to keep the tax dollars here that would otherwise go to the county if the development is approved," he said.

Vern Richards cast the only "no" vote against the city's participation in opposing Carmel Estates. "I don't object to the development," he said.

The county planning commission denied the zone change when the application was first submitted in December, 1975. But the commissioners overruled that decision in January, 1976. The city of Sandy then petitioned (with 1000 Friends and land owners in the Boring area) LCDC for a reversal.

The plaintiffs opposed the shopping center on the grounds it would violate state land planning goals which call for the preservation of agricultural lands. Area residents also claimed the increased traffic would detract from their quality of life with noise and air pollution.

If approved, Carmel Estates would be built in three years, according to the developer's application. It would be located on 26 acres on the southeast corner of Highways 26 and 212 across from Heidi's.

Plans call for construction of two service stations, a restaurant, grocery store, drug store, other shops, and a medical clinic.

Federici, developer of the property, has appeared at city council on numerous occasions to request hookup to the city's sewage treatment plant with a line to the property but has been turned down.

One reason for denial was that it would use a substantial amount of the treatment plant's capacity. That capacity is 5,000 now and can be expanded to a maximum of 10,000.

Councilman Jim Duff said he opposed construction of the shopping center on those grounds.

Bignall added that, "The city would then have to float a bond measure to finance a new treatment plant with city taxpayers paying for it."

Federici will now be required to use sub-surface drain fields on the property if the project is approved.

But Haneberg fears that if the soil in the area is not adequate to serve as a drainfield, the state health department could step in and require the city to treat the sewage from the shopping center.

Merchants combat shoplifting menace

by KAYE BARTON

Shoplifting, according to Sandy merchants, is a serious problem, although locally it does not approach national rates.

At least three area merchants have installed costly closed-circuit TV cameras to deter theft on the floor. Joe E. Cejka, owner of Coast-to-Coast Hardware, says the measure has been effective in keeping the problem under control.

"I know the system is a large deterrent, because my loss to shoplifting doesn't compare with national statistics," he said.

"But I'm also aware I'm not catching all of them — empty boxes in the store and my inventory control records show that," he explained.

Cejka and another Sandy merchant, Gale Meier of Sharon's Food King, said it is very difficult to estimate losses to shoplifting. There is no way to determine whether a theft was committed by a customer or an employee.

"When I find an empty box to a \$50 drill, I don't know whether it's a case of shoplifting or internal theft," Cejka explained.

A growing national awareness of stealing by employees has left small-town store owners uncomfortable. "I prefer to believe the problem of internal theft isn't as serious here as it is nationally," Cejka said.

"Security agencies warn us that our most trusted employees are the ones who are stealing from us," he continued.

Meier said that in the grocery

business there are three common kinds of theft: shoplifting and stealing by employees and vendors. He is sure he's been hit by all of them.

"I catch shoplifters regularly and prosecute them," he said. "I've also caught employees. When it comes to vendors — I've had cases where I suspected them, but I've never caught them."

There are patterns to each type of theft which give merchants a tip-off. A grocery customer will often wheel a shopping cart around the floor, filling it with unwanted items.

"When the coast seems to be clear, they ditch the cart and pocket the merchandise they want," Meier said. The cart has served as a distraction to store employees on the lookout.

To combat vendor theft, Meier has a closed circuit TV camera scanning his backroom, where large thefts would be made. "I also have extra labor costs because I assign employees to watch the back room when vendors are in the store," he said.

Both merchants are disturbed by the theft itself more than the monetary loss. "I take it very personally when someone steals from me," Cejka said.

According to Meier, most shoplifters believe they are stealing from an impersonal organization rather than an individual. "They don't think it's hurting any single person — after all, this big store can afford it," he said.

But Cejka uses an analogy to demonstrate the very personal nature of the crime against the merchant. "I once asked a city councilman if he

would take his savings — say \$5,000," Cejka recalled, "and break it up into one dollar bills and spread it out around his living room, then invite the general public in for an open house."

That, in effect, is what a merchant has done with his inventory, tying up life savings and sizable additional loans in his stock, Cejka said.

He estimates that in his hardware store, losses to theft might be \$3,000 each year. Meier's loss would be "pretty hard to express in figures," he said, but he guessed that a loss to theft which equaled or exceeded the grocery store's profit would not be uncommon.

Another Sandy merchant, Donna French of Foxy Bottoms, has no problems with employee theft since she staffs her shop alone. But shoplifters have plagued her consistently since her opening six months ago.

"I know there have been at least six incidents," she said. "And one time three articles of clothing were involved. But I've learned how to handle the problem — I can spot potential shoplifters now, and I know my rights in apprehending them."

French reports that her typical shoplifter is an affluent teenager. "It's not the kid who comes in during the summer with berry-stained dollar bills, counting out thirty of them for a school outfit," she said.

One shoplifting incident in French's shop involved a girl who was carrying a blank check from her mother and who had permission to spend all she needed

to outfit herself.

Meier reported the same trend. "It's not the lower-income person we see shoplifting," he said. "The problem exists more among middle class people."

Probably the most common loss to a grocery store is food eaten on the premises. Meier recounted numerous incidents of customers habitually eating fruit, nuts or bakery goods before leaving the store.

Another local merchant once gave him a gift of merchandise, refusing to accept payment for it. "It will make up for all the candy I've taken from your store," Meier was told.

Donna French echoed his sentiments about the matter-of-fact acceptance of shoplifting:

"One teenager came into my store wearing a blouse she had shoplifted from me earlier," she said. "They're so blatant about it — it's hard for me to believe."

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Staff photo

Woman injured on icy road

EMERGENCY MEDICAL technicians from Sandy Fire Department and Alpine Ambulance Co. prepare Margie Jean Eri of Sandy for ambulance transport to Kaiser Hospital. Ms. Eri hit a patch of ice on Highway 211 Wednesday morning which spun her car into a bank. The accident occurred between Dubois Road and Melvig Avenue.