

PENDLETON

# Council upholds RV land lease

By ANTONIO SIERRA  
East Oregonian

Gale Marshall has lobbied the Pendleton City Council for years to cancel a land lease with an Indiana transport company. But when the council had a chance to cancel it, Marshall was greeted with silence.

When Mayor John Turner asked the council if they wished to reverse the lease at a meeting Tuesday, no councilor made a motion, effectively putting a halt to Marshall's campaign.

The crux of Marshall's complaint is that a 12-year land lease signed by a subsidiary of Horizon Transport called Queen B Storage in 2015 is undercutting his business.

Marshall owns 24 acres of land adjacent to the city's property, both located near Keystone RV Co.'s Westgate plant. Transport companies use the properties to store vehicles ahead of their transport to RV dealerships across the country.

Marshall has argued that the city's lease rate was lower than the market rate, causing transport companies to abandon his property for the Queen B lot.

He brought along eight people from the business community to support him, but otherwise, Marshall stuck with his usual talking points.



EO file photo

**The Pendleton City Council upheld its land lease with Queen B Storage after drawing complaints from Gale Marshall that the city's lease rate was undercutting his business.**

Marshall said living and investing in Pendleton was a dream, but his revenue has dropped by 300 percent since the city signed the lease.

"I still love it here, but I don't want to be put out of business," he said. "And that's exactly what's happening."

Marshall said the council should have considered the lease as "money managers" rather than business people and not compete with the private sector.

Councilor Paul Chalmers

asked Marshall if the city should abandon the Pendleton Convention Center because it competes with the Red Lion Hotel's event space.

Marshall didn't directly answer the question but said there was a difference between the city taking action to bring new industry to town and signing a lease that didn't bring new jobs.

"I'm sitting in an adverse position trying to negotiate a sale with Horizon but they got a sweetheart lease with city," he told the

council. "Why would they even want to buy (from me)?"

In an interview after the meeting, Marshall said he doesn't know what his next step will be.

"It looks like (the council) didn't want to give me a break," he said.

Despite calling the agreement between the city and Queen B illegal at the meeting, a characterization contested by City Attorney Nancy Kerns, Marshall didn't seem inclined to take legal action.

"What good would it do me?" he said. "If the community doesn't see a problem, that would only draw more resources from me."

Later in the meeting, the council unanimously approved new self-contained breathing apparatuses for the Pendleton Fire Department.

The department's current equipment is set to be decommissioned next year and purchased through the \$10 million fire bond voters approved in May. LN Curtis & sons of Kent, Washington's \$275,844 bid was \$5,844 above budget, but cost savings from other projects means the overall bond budget is still on track.

Contact Antonio Sierra at [asierra@eastoregonian.com](mailto:asierra@eastoregonian.com) or 541-966-0836.

UMATILLA

# City opts in to OSU Service District vote

Voters in Umatilla, Morrow counties will have say

By GEORGE PLAVEN  
East Oregonian

Voters in the city of Umatilla will have a chance to weigh in on the proposed Oregon State University Extension Service District after all.

The Umatilla City Council decided Tuesday to reconsider a resolution putting the formation of a new taxing district on the May 2018 ballot. The resolution, which was previously rejected by the council, this time passed by a slim 3-2 margin with councilors Roak TenEyck, Selene Torres-Medrano and Mel Ray in favor and Michael Roxbury and Mark Keith opposed. Councilor Mark Ribich was not present at Tuesday's meeting.

The reversal means that every city in Umatilla and Morrow counties will now be able to vote on whether the new tax district moves forward. If created, the district would collect 33 cents per \$1,000 of assessed value to help support OSU Extension programs, such as 4-H, Master Gardeners and both agricultural research stations in Hermiston and Pendleton.

It was Ray who ultimately proved to be the swing vote Tuesday, changing his position after he said he was contacted personally by two residents wondering why they would not be allowed to have a say in the matter.

"I was on the fence to start with," Ray said. "It was a very tough decision."

No other councilor changed their opinion. TenEyck said the formation of a new OSU Extension Service District is best left to the voters, adding that the importance of agriculture in the region cannot be underestimated.

Roxbury, however, said the city needs to focus its tax dollars on other major utility and infrastructure projects coming down the pike. He also raised the concern of bumping against the tax compression cap.

"Thirty-three cents is not a modest tax," Roxbury said.

Roxbury added that OSU does not necessarily need the city of Umatilla to create its district, and if the measure passes local residents would be saddled with an additional county-wide tax whether or not they voted yes or no.

But if the district passes and the city was not included within the district boundary, OSU Extension would be left to charge an additional fee for its services. Heidi Sipe, Umatilla School District superintendent, said 4-H and supplemental child nutrition programs provided by OSU Extension are an essential part of the school system, and schools would have to find a way to cover the added cost.

As an aspiring physician, Torres-Medrano said she understands the importance of after-school nutrition and college-readiness programs provided by OSU Extension.

"I know the impact these programs are going to have on our kids," she said. "I believe that we can make a successful future for our residents."

Umatilla County commissioners recently voted to start the process of forming the OSU Extension Service District ahead of the vote next May. A separate district is also being proposed in Morrow County, where all five incorporated cities have passed resolutions putting the proposal on the ballot.

BRIEFLY

## Former youth supervisor moves toward plea in sex crimes case

PENDLETON — Former Oregon Youth Authority supervisor Gary Charles Cross has a court date to change his plea to charges of sexual and official misconduct.

Umatilla County Circuit Court records show Cross, 39, of Jefferson, has a change of plea hearing Dec. 2 in Pendleton. Cross pleaded not guilty in May to two counts of first-degree custodial sexual misconduct, class C felonies, and four counts of first-degree official misconduct, class A misdemeanors.

The state has accused Cross of having a sexual relationship with an 18-year-old former inmate at Oak Creek Youth Correctional Facility, Albany, where he worked as a group life coordinator.

According to court documents, Cross in 2016 came to Pendleton for Oregon Youth Authority meetings and had sex with the girl in his hotel room.

## Fire bond subject for Thursday meeting

PENDLETON — Personnel from the Pendleton Fire Department will discuss the fire bond at the National Active and Retired Federal Employees (NARFE) meeting today at 11:30 a.m. The meeting will be held at Shari's Restaurant, 319 S.E. Nye Ave.

For more information, call Janet Lambert at 541-980-3268.

Briefs are compiled from staff and wire reports, and press releases. Email press releases to [news@eastoregonian.com](mailto:news@eastoregonian.com)

## Breiling runs for judge of circuit court

By PHIL WRIGHT  
East Oregonian

Pendleton attorney Michael Breiling is running for circuit court judge for Umatilla and Morrow counties.

Breiling, 47, is seeking the Position 1 seat on the bench of the Sixth Judicial District. He filed to run on Oct. 6, according to the state's election website. The term for circuit court judges is six years. Judge Lynn Hampton serves in the post and Wednesday afternoon announced she is not seeking re-election and plans to retire.

"We're going to need a new judge," Breiling said. "It is important that the judge be well versed in different areas of the law, and have deep experience in the areas of law the court is most likely to consider."

"I think I'm the best person for the job." Breiling began his legal career 22 years ago in the Portland area and has been in Pendleton 18 years. He and his wife, Heidi Van Kirk, have their own law firm in Pendleton and have raised a son and daughter. Breiling is an aggressive defense lawyer but said his legal background covers more.

"I've done every kind of criminal case, from murder to barking dogs, and every kind of family case you can imagine," he said. "I've handled every kind of case the circuit court handles."

He said most people have one interaction with the justice system, which probably means some kind of crisis brought them to court. The experience should be as positive as it can be, he said. Those murder and barking dog cases of years before, he recalled, came back-to-back and taught him a valuable lesson.



Breiling

**"I've done every kind of criminal case, from murder to barking dogs, and every kind of family case you can imagine."**

— Michael Breiling, Pendleton attorney

"Every person who shows up to the court, their case is the most important case there is," Breiling said. "I think that's something a judge really needs to remember."

Hampton has not announced a retirement date, according to a written statement from the district court, but she made her intention to retire "generally known to the other judges and to members of the local Bar Association." The statement also reported she looks forward to continuing her assignment as the family law, juvenile dependency and juvenile delinquency chief judge for Morrow and Umatilla counties into 2018.

March 6 is the last day for a candidate to file with the state elections division to make it on the ballot for the May 15 primary. Breiling said he expects someone else to file, and would be ready for the challenge.

"I think it's important that the people of Umatilla and Morrow counties get the best judge they can," he said.

Winning would mean leaving the firm of Breiling & Van Kirk and the job he loves, he said, for a new challenge. If he wins, the firm would continue with another lawyer taking over his end of the practice. He said he and his wife are considering who that might be.

Judges Eva Temple and Christopher Brauer filed to run again for their seats on the circuit court. Temple works in Hermiston and seeks reelection to Position 4, and Brauer works in Pendleton and seeks Position 5. No one has challenged either judge.



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The East Oregonian will not publish on Saturday, Nov. 11 due to the postal holiday

Look for your BONUS EDITION of the EO on Friday, Nov. 10

- Special section profiling local veterans from four wars: WWII to Iraq
- Friday and Weekend comics, Dear Abby, Days Gone By and This Day in History
- Double Sudoku and crossword puzzles
- TV listings for Friday, Saturday, Sunday and Monday

Veterans Day Tribute  
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