

## COPS &amp; COURTS

Arrests and citations in the Blue Mountain Eagle are taken from the logs of law enforcement agencies. Every effort is made to report the court disposition of arrest cases.

## Circuit Court

CANYON CITY — The Grant County Circuit Court reported the following fines and judgments:

- Robert Chandler, 37, pleaded guilty July 14 to supplying contraband, a class C felony, April 27. He was sentenced to jail for 60 days, with credit for time served. He has a term of two years post-prison supervision, which, if violated, could bring sanctions and possible additional imprisonment.

- Emily J. Buell, 38, pleaded guilty July 14 to first-degree forgery, a class C felony, on May 5. She was sentenced to five days in jail with credit for time served, supervised probation for 18 months and 40 hours community service, which will be waived if she pays the entire compensatory fine of \$152.50 with 60 days. She was additionally fined \$200. Buell also pleaded guilty July 14 to second-degree theft, a class A misdemeanor, and was sentenced to jail for three days with credit for time served, 18 months probation and 20 hours of community service, which will be waived if the compensatory fine is paid. She was also fined \$100. A count of mail theft was dismissed.

- Michael Angelo Marcucci, 41, pleaded guilty July 14 to interfering with a firefighter or EMT, a class A misdemeanor, Jan. 28. He was sentenced to jail for 10 days with credit for time served, supervised probation for 18 months and 40 hours community service. He is to have no contact with the victim unless and until approved by the victim, the treatment provider, the probation officer (if applicable) and the court. He is required to step away from home if EMS responds

to the Marcucci residence for any other person. He was fined \$300. A count of harassment was dismissed.

## Grant County Sheriff

CANYON CITY — The Grant County Sheriff's Office reported the following for the week of July 1-14:

- Concealed handgun licenses: 4
- Average inmates: 13
- Bookings: 4
- Releases: 9
- Arrests: 3
- Fingerprints: 6
- Civil papers: 21
- Warrants processed: 3
- Asst./welfare check: 3
- Search and Rescue: 2

## Justice Court

CANYON CITY — The Grant County Justice Court reported the following fines and judgments:

- Violation of the basic rule: Raymond Tyrelle Corwin, 18, Culver, 75-55, June 16, fined \$160; Charlie Thomas Wolf, 20, Canyon City, 75/65, July 8, fined \$110; Chance R. Currey, 26, Mt. Vernon, 75/55, June 22, fined \$135; Elijah Allison, 41, Mt. Vernon, 73/55, June 21, fined \$135; Richard Martell Davies, Arlington, 72/55, June 14, fined \$135.

- Exceeding the speed limit: Shahaylie Aspen Smarr, 25, John Day, 75/65, June 21, fined \$160; Devin Stewart Bowman, 32, Baker City, 74/65, June 17, fined \$160.

- Driving uninsured: Shawn Colman Kite, 47, Prairie City, June 25, fined \$260; Dixie L. Blundell, 42, Grangeville, Idaho, June 5, \$260.

- Driving while suspended: Shawn Colman Kite, June 25, fined \$435.

- No seat belt: Shawn Colman Kite, June 25, fined \$110.

- Failure to register vehicle: Dixie L. Blundell, June 5, fined \$110.

- Exceeding daily limit of fish: Eric V. Winton, 19, Canyon City, June 12, fined \$135.

- Use of cellphone while driving: Etoile M. Bengel, 43, John Day, July 1, fined \$135.

## Dispatch

John Day dispatch worked 158 calls during the week of July 11-17. Along with the various traffic warnings, trespassing, injured animals, noise complaints and juvenile complaints, these calls included:

- **John Day Police:** Received a report of a dog attacking another dog July 12; took a report of a hit and run with vehicle damage in Chester's parking lot July 13; responded with ODFW to a possible cougar sighting at Mill corner in John Day July 13; report of person throwing fireworks out of vehicle window July 13; report of drunk driver in John Day July 15.

- **Grant County Sheriff:** Responded with Oregon State Police to a report of a dog attacking livestock in John Day July 11; dispatched with John Day ambulance for the unattended death of an elderly man July 11; responded to Tidewater in John Day for theft July 12; advised of a juvenile who became separated from his group July 12; responded to identify theft in Mt. Vernon July 14; dispatched for report of a 2-year-old bit by a dog in Mt. Vernon July 14; responded with OSP to a report of shots fired at Magone Lake July 16.

- **Oregon State Police:** Responded with John Day ambulance to a motorcycle accident at the 300 block of Main Street in John Day, one injured, July 11; responded with GCSO to Long Box Ranch for a report of a person shooting across the highway July 15.

- **John Day ambulance:** Responded for a woman with trouble breathing July 11; responded east of Mt. Vernon for a man who had difficulty standing and walking July 14; dispatched for a 37-year-old male with extreme intoxication and a wound to the head after a fall July 16; dispatched to a vehicle accident with injuries at Milepost 13 on South Highway 395 July 17.

## Palmer's legal expense fund receives more than \$20,000 in donations

By Sean Hart  
Blue Mountain Eagle

The legal expense trust fund for Grant County Sheriff Glenn Palmer, who is being investigated by the Oregon Department of Justice, received more than \$20,000 in donations between April and June, including one that appears to be from a fictional character with a false address.

Trustee Jodie Fleck filed the required quarterly statement for the Glenn E. Palmer Legal Expense Trust Fund with the Oregon Government Ethics Commission July 14, reporting \$20,450.15 in donations and \$5,268.93 in expenses from April 12, when the fund was created, to June 30.

Someone who donated \$100 June 7 is listed in the report as John Galt, 138 Got

Ur Six Way, Galts Gulch, CA 97632. The ZIP code actually corresponds to Malin, Oregon, near Klamath Falls. The Eagle could not find evidence of an actual city named "Galts Gulch" in California or the United States.

Galt's Gulch is, however, mentioned in Ayn Rand's 1957 novel *Atlas Shrugged*, as is the character John Galt.

Fleck could not be reached by phone for comment. Fleck, Palmer and his attorney Benjamin Boyd from Hostetter Law Group in Enterprise have not responded to emailed questions about the donation or the fund.

Oregon law requires the names and addresses of people who donate more than \$75 to these funds to be reported, but Government Ethics Commission Program Manager Virginia Lutz said in an email the stat-

utes do not mention verification requirements.

"The statutes do not speak directly to any verification or auditing requirement of the Commission or the Trustee regarding donations, but that would not preclude the Commission from taking action if it were alleged that there may be a violation of Chapter 244," she said.

Donations more than \$75 accounted for \$14,720, with \$3,654 coming from donations less than \$75 and \$2,076.15 coming from pro bono and in-kind donations.

Of the listed donors, seven were from Grant County, and the largest county donation was \$500.

The Oregon Firearms Federation Political Action Committee donated \$5,000, the largest in the report.



## No Recall

There is a new split beginning within our community and it does not have to happen. When a diverse group of residents formed Grant County Positive Action they stated, "The solution to the division in our community rests with all of us... we need to stand up to the spreading of falsehoods and other bullying behaviors, while we support our leaders..."

We are doing just that here today, standing in support of Commissioner Boyd Britton in the face of a baseless attempt to recall him from the Grant County Court. The voters of Grant County will be heard; and the future of our community, and our sense of community, hangs in the balance. Consequently, we take this position to refute the Recall of Commissioner Britton Petition very seriously. If you are one who took the "statements of fact" at face value and signed this petition, we hope you will reconsider your choice upon hearing us out.

The petition claims four points as "factual only and can be proven." Our research found every one of the statements false for lack of evidence, inaccuracy and/or reckless misrepresentation of the truth.

1.) Mr. Britton did not fail to represent us on road and access issues, nor has he violated Ordinance 2013-01. How is that so? The County Counsel has advised that Ordinance 2013-01 is not enforceable. You cannot fault a man for failing to enforce an ordinance that is not legal. Meanwhile, the Malheur National Forest supervisor has committed to produce road access enforcement orders on a project by project basis that will be presented to the county for review by the Court and the Sheriff. This is a significant improvement in moving the county ahead with road access issues. This information is all public record that the author(s) of the recall petition failed to include for signers to review.

2.) Many people asked for an investigation of the Canyon Creek Complex Fire. The process and consequences of conducting a local investigation are complex and would likely be very expensive. The recall petition stated that a majority of constituents requested the investigation. The truth is that the citizens of Grant County were never polled to determine this.

To say that an "overwhelming" majority of residents requested the court to investigate the fire is simply not true.

3.) The claim that the Commissioner did not recuse himself in decisions with agencies and individuals where he benefited is particularly hard to accept as valid. References have been made about Mr. Britton's business receiving contracts with the USFS. It is true Mr. Britton, who until recently was the only steel work provider in the area, won bids that brought him some modest income. Nothing was hidden, it was even discussed long ago within the court, and no decisions involving the USFS and Mr. Britton's vote on the county court have come up in the time since the subject was reviewed. He has had no opportunity to recuse himself because no conflict of interest decisions have arisen. The petition's claim is baseless.

4.) Finally, the claim that Commissioner Britton misrepresented his intentions of attending the John Day Senior Center public meeting on January 26th is simply puzzling: one has to ask whatever does it mean? All the commissioners attended. Wouldn't the residents hope they would be present in the interest of knowing what was planned in our county that evening? A "no show" of commissioners may have rightly been taken as a failure, but not their attendance. As a vague statement and an unclear accusation, how can it qualify as a reason for recalling the commissioner?

A number of people have respectfully and publicly asked the chief petitioner to provide evidence of alleged wrongdoing cited as reasons for the recall of County Commissioner Britton. Instead of responding with substantive, supporting material, several inquirers have been mocked and denigrated. The bullying nature of these personal attacks was initially puzzling, until we recognized the pattern from similar behaviors experienced by our neighbors in Harney County. They have just recently crushed another "assault by recall" on a county court judge. This recall against Boyd Britton is not about his performance as a commissioner. It is about discarding anyone who does not subscribe to a political agenda. That makes it a grievous assault on the democratic process. If you love liberty and are willing to protect our democracy, please vote NO to this baseless Recall.

## Road work planned on highways 395 and 26

Blue Mountain Eagle

Beginning about July 28, the Oregon Department of Transportation will be chip sealing an 8-mile section of Highway 395 south of John Day between Canyon Creek Road and the Paulina-Izee Highway junction, mile post 10-C to 18-C. The project is expected to take about

three days to complete.

Starting in August, chip seal work will also take place along Highway 26 between Mt. Vernon and the junction of state Highway 19 (mile post 124.17-154.03), taking about three weeks to complete. More information will be shared when a start date for this project is confirmed. Expect up to 20-min-

ute delays, reduced speeds, loose rock on the roadway, flaggers and pilot cars directing single-lane traffic through the work zones. Minor delays during nighttime/early morning hours for road sweeping. Slow down and watch for construction activities in the area and plan extra travel time during this highway preservation project.

## Mt. Vernon to shut off water for maintenance Wednesday

The city of Mt. Vernon will shut off water for maintenance on Ingle Street from the Beech Creek bridge to the Community Hall from 9 a.m. to noon today, July 20.

## LETTERS

Continued from Page A4

## Palmer informed us of law, saving property from fire

To the Editor:

We are now into a new fire season, and who knows what it may bring. Hopefully nothing as bad as the Canyon Creek Complex of last fire season.

I am submitting a copy of Oregon law 2013 ORS 477.100, which all landowners in Oregon should be made aware of.

(ORS 477.100: [1] The State Forester, or any agency or organization with responsibility under this chapter to suppress fires, may not prohibit an owner or the owner's agent from suppressing a fire occurring on the owner's property or that poses a threat to the owner's property. [2] Notwithstanding subsection [1] of this section, the forester,

agency or organization may prohibit an owner or the owner's agent from suppressing a fire if the owner or agent conducts the action in a manner that the forester, agency or organization reasonably determines is likely to increase the risk of injury or damage to the personnel or equipment of the forester, agency or organization.)

Sheriff (Glenn) Palmer informed us of this law when we contacted him about our confrontation with the (Bureau of Land Management) and Malheur National Forest over their refusing to put a cat line across BLM (land) between the fire and private property. According to the law, a private citizen can do this himself with his own equipment.

Thanks to Sheriff Palmer, the line was put across BLM (land), and the fire was held at that line. Be aware.

Michael and Marsha Christensen  
John Day

## Commissioner Britton should be recalled

To the Editor:

The recall is not about personality, volunteer actions or whether or not someone is a "good guy." Should a county commissioner continue to ignore the best interests of the county by catering to environmental, special interest groups and the Forest Service, while refusing to recuse himself from voting on issues that are a definite conflict of interest?

The actions listed did not take place at one time but have been evident for a long time. Finally, the situation has festered into the action of a recall. Mr. Britton should be recalled and a clear message sent to the county court that the county government is not going to be "going along to get along" anymore. We should expect and have unbiased and honest representation from our elected officials.

Nicky A. Sprauve  
Canyon City

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