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Weather

by the City of Heppner

February 4 - 10

	High	Low	Precip
Tues.	48	34	.14
Wed.	45	31	.02
Thurs.	38	26	
Fri.	35	20	
Sat.	41	24	
Sun.	41	25	
Mon.	33	26	.03

Duplication of services?

County considers elimination of Justice Court

That Justice Court might be providing a duplication of the services available to Morrow County residents through District Court and be costing them unnecessary tax dollars was a concern of the Morrow County Budget Committee at a Budget Workshop session last Friday afternoon.

Following discussion and presentation of the justice court budget, Budget Committee member Elden Padberg moved to direct the County Court to investigate the possibility of saving tax dollars by eliminating Justice Court. Morrow County Judge Don McElligott seconded the motion. Matt Doherty is chairman of the Budget Committee. Commissioner Jerry Peck was present for discussion. Commissioner Irv Rauch and Budget Committee member Terry Thompson were absent. Budget officer LoRayne Bowman and County Clerk Barbara Bloodworth were also present.

Justice of the Peace Charlotte Gray defended her court by telling the committee that although her budget looked like it was costing the taxpayers \$10,000 for the coming tax year, that the history of the budget indicates that the actual cost has not been that great. Revenues in justice court fluctuate according to the number of citations written and the number of small claims filed. There's really no way to predict these revenues, and the court's purpose is not to make money off of people, but since she has served as Justice of the Peace, she says the court has never used the entire amount which was budgeted for expenses.

During 1983, the total revenues from Justice Court were \$54,662.43; expenses were \$53,320.24, so the court made \$1,342.19. During 1984, the total revenues were \$51,131.88; expenses were \$55,767.44, so it cost the taxpayers \$4,635.56 to operate the court for two days a week at Irrigon and two days at Heppner each week. Expected revenues for 1985 are \$63,915.98; expenses are expected to be \$58,901, so if this continues, the court would make money again this year. The inconvenience which would occur from not having a local judge would not justify the minimal cost savings, Gray said.

Padberg suggested that perhaps people would pay a fine at District Court that they would contest in Justice Court which would also cost the county more money to bring in a jury. Justice Gray pointed out that fines which are collected in Justice Court are kept in the county, but

fines which are collected in District Court are paid to the state of Oregon.

Justice Court provides additional services to the county which are not provided by District Court, she said. Since District Court is held only one day each week in Morrow County and by Oregon State Statute 46.019 (3) must be held at least one day a week at Heppner, when a judge is needed to sign search warrants, regular warrants, or to arraign someone who has been arrested and held, it would be necessary to travel to Hermiston to obtain those services.

Statutes also dictate that a judge must be on call seven days a week, 24 hours a day, and with Justice Court, Morrow County has a judge available locally who can provide needed services. District Court Judges must also be available the same hours, but you would have to go to them. Sometimes, she said, if an officer must drive 100 miles round trip to obtain a judge's signature on a search warrant, the evidence might be gone by the time he could obtain the necessary signature. Not very often, but sometimes even with regular warrants, she said, time is important if the suspect may be leaving the county.

Another factor she points out is that statutes require a suspect who is arrested and kept in custody to be arraigned within 36 hours, excluding weekends, of his arrest. Without a Justice of the Peace, Morrow County would not be able to provide that service.

Small claims and evictions cost less in Justice Court, she said. If someone were to file a small claim of \$30 in Justice Court, the filing fee would be \$30 which includes the sheriff's services. That \$30 fee is added to the amount which is owed, and if the claim is awarded, the person filed against must pay \$60. To file the same claim in District Court costs \$51.30 including sheriff's services which means that the person filed against would have to pay \$81.30 for the same claim.

During the 1985 calendar year, Justice Court handled 2,337 traffic offenses, 271 misdemeanor and felony cases (including all game violations), 39 small claims, and 27 civil cases. During the same time, District Court which is held one day each week at Heppner handled 39 traffic offenses, 52 misdemeanor and felony cases, 12 civil cases, and 18 small claims.

To expect Judge Ralph Currin to handle all of the business during one day each week that he now handles with Circuit and District Courts in

addition to all of the business which the Justice Court handles in four days is an unreasonable expectation, Justice Gray says. There is nothing in current statutes which allow for a District Court Judge to hold court at Irrigon, she says. Should Judge Currin be willing to hold court there, the county would have to provide a suitable courtroom and a secretary to handle collection of fines. That still does not guarantee that the state will let him go there. Nor does it take into consideration that he does have a caseload now that keeps him busy the four days a week that he is not in Heppner.

In addition to this, she pointed out, Morrow County has more control over a judge which is elected in Morrow County. District Court judges are elected by voters in both Morrow and Umatilla Counties, and since Umatilla county has a greater population, most likely would control the selection of a judge. Since the Justice of the Peace is elected in Morrow County only, voters can and "should have the right to vote me out of office, if they choose."

Heppner attorney Ann Spicer, a member of Kuhn and Spicer law firm, said that abolishing the justice court would not save the county any money, and would result in an incredible backlog in the courts.

"Instead of the six months it now takes to process a case, it will take three years," Spicer said. "We would have cases thrown out left and right." Spicer said that Judge Currin of District Court is extremely busy now, and is in fact already

Little accomplished at mediation attempt

A mediation session between Morrow County teachers and the school board at Riverside High School in Boardman Monday night accomplished little.

The same issues presented in factfinding were discussed by both sides with the teachers offering a proposal and the district returning a counterproposal. "We made some progress," Jack Liles, school board representative observed, "but about three issues are still unresolved." He expects the Board to present a factual report of their position at the next meeting 7:30 p.m. Monday, Feb. 17.

Although three issues remain unresolved, no future bargaining sessions have been set. Another meeting is the next step, though, he said. Another meeting right away might not accomplish anything, said Bill

doing some Circuit Court work in addition to his District Court duties.

"He couldn't go to Irrigon either," Spicer said. She said the county court may not realize that Currin is required by law to hold court in the county seat, and would not be able to go to Irrigon as Gray does now. The cost of filing small claims would also go up, Spicer said, from the current \$15 in justice court, to about \$60 in district court. "This would make small claims out of reach for most people," Spicer said.

Additionally, abolishing the Justice Court would cause problems for law enforcement, who would be required to travel to Hermiston to have search warrants signed. Justice Court can now sign search warrants. "This would add a minimum of two hours, with the officer having to drive over there find the judge, and drive back," she said. As far as expense goes, Spicer said she didn't think it would save much money, as the money the Justice Court takes in from fines, just about offsets the expense of the court, Spicer said.

Food drive slated

Because supplies of emergency food are running low at the Heppner Neighborhood Center, a food drive has been planned for the month of March. Donations may be taken to the Center or left at boxes which will be set up at stores around town, said a spokesperson.

Emergency food is provided through the Center for local families with an immediate need.



MMM that's good, says Hillary Shelton of the pancake breakfast. Hillary is the daughter of Don and Delores Shelton, Heppner.

Good turnout at Appreciation Day

Seven hundred fifty people showed up at Morrow County Grain Growers Appreciation Day last Saturday for a free breakfast of pancakes, ham, eggs, coffee and hot chocolate.

The following door prize winners were selected from the tickets dropped in the door prize buckets: Joe Taylor, Heppner-Roll tool box; Charles McConnell, Heppner-pickup

tool box; Ken Howard, Lexington string trimmer; Ginger O'Brien, Heppner-coffee maker. Children's winners were Gregory Holtz, son of Mr. and Mrs. Elmer Holtz, lone-riding tractor; Brian Gutierrez, son of Mr. and Mrs. Kevin Gutierrez, Boardman-Case tractor; Sally Calvert, daughter of Mr. and Mrs. Dan Calvert, Heppner-Horse van.



Kara Miller, 6-year-old daughter of George and Nancy Miller, lone, finds a good resting place during customer appreciation day.

\$470 thousand in Revenue Sharing distributed

Members of the Revenue Sharing Committees met with the County Court at 9 a.m. last Friday morning at the Columbia Basin Electric Co-op Conference Room to approve the disbursement of federal revenue sharing funds for local projects.

Morrow County has always kept its revenue sharing amount at the maximum which it could receive by using the money only for special capital outlays and for social services, the judge explained. Some counties include the revenue sharing monies in their regular operating budget which reduces the amounts they may expect to receive in the future, he said, but we have not done that. Other restrictions on revenue sharing funds prohibit their use for lobbying of any sort or for anything which the county would not spend its own funds.

With the Gramm-Rudman bill and other federal legislation, Judge Don McElligott explained that the county does not expect to receive a full four entitlements this year and has budgeted accordingly. The Revenue Sharing budget reflects only the amounts expected to be received for two entitlement periods and even then we may need to cut out the last quarter's payment, the judge said.

Revenue Sharing is not dead yet, McElligott said, Morrow County and 2,000 other counties were recently assessed \$200 apiece for their lobbying efforts in behalf of revenue sharing.

The total amounts of last year's and this year's budgets do not reflect quite so great a difference, however, because the beginning fund balance is up from the carryover into last year's account. This year's total revenue sharing budget for two entitlement periods is \$470,130.

Four delegations appeared requesting a share of the funds. Vera Cooley, chairman of the Morrow County Senior Citizens Advisory Committee, and Rollin Reynolds, director of Senior Programs for the Area Agency on Aging requested \$8,994 to supplement senior services in Morrow County. The money would be used for two-thirds funding of the salary for Phyllis Hunter, Morrow County's Senior Services supervisor. The Area Agency on Aging would continue to support the balance of her salary.

Services which she provides the county include technical assistance at both the Heppner and Irrigon meal sites, management and operation of the senior bus, personal door-to-door escort service for seniors, legal services which do not require an attorney, Medicare assistance, monitoring the nursing home facility patients and those receiving in-home care, assistance with the building and development of the senior services center in Heppner, and helping clients get appropriate social and health care services.

The Revenue Sharing Committee which consists of Mary Bryant, Heppner, Perry Morter, Ione, John Grace, Boardman, and the county court: Judge Don McElligott, Commissioner Jerry Peck approved the senior services contribution as requested. Commissioner Irv Rauch was not present at the meeting.

Richard Gay, executive director of the Blue Mt. Economic Development Council which oversees the operation of the Heppner Neighborhood Center requested \$10,000 to assist in support of its projects in Morrow County which provide assistance to low-income people. Last year, for the entire county, the

program provided emergency food for 1,056 people, emergency clothing for 232, mediation for clients with other programs and services, federal surplus commodity cheese to 275 households, low income energy assistance, a nutrition program which benefitted 146 women and children, weatherization for nine homes, Christmas baskets to 68 families, and various other services.

The committee approved the request.

The Boardman Ambulance Board requested funds to purchase a lot and construct a suitable building to house the ambulance in north Morrow County. The ambulance currently is housed at the Boardman rural fire hall which the board said was unsatisfactory because the EMTs are allowed to use the building only two nights each month for training, and because the storage area at the fire hall is dirty compared to that which is needed for the storage of medical supplies. Estimated cost for a suitable building is \$33,850. The ambulance board previously proposed to the Boardman Rural Fire Board that the two boards be combined and the fire hall be expanded to accommodate both services, but they were denied. The ambulance board pays \$100 per month rent to the fire district for use of the building.

Commissioner Peck told the delegation that he considered the request one year too late for Revenue Sharing money of that amount. He said that the County Court would help them find alternatives which could take care of the problem. Judge McElligott concurred that the ambulance board should continue renting while checking into other possibilities. The committee refused the request.

Harold Peck requested \$3,000 for materials to expand "Shorty's Museum," a non-profit corporation at the Morrow County Fairgrounds. The money would be used for re-wiring and roofing materials. Commissioner Peck moved to fund half or \$1,500 of the money needed for purchase of materials. Judge McElligott offered Peck the use of salvageable tin from the wind damaged portion of the airport roof at Lexington.

The balance of the revenue sharing money was budgeted for capital outlay as follows:

\$20,000 for equipment purchases to expand the memory disk on the computer at the Courthouse to accommodate the computer system which the hospital will purchase next year.

\$10,000 for the development of the park behind Willow Creek Dam.

\$25,000 to supplement the county's land acquisition along the right of way on Wilson Road and the balance for acquisitions along Lower Willow Creek Road.

\$383,036 for building improvements and construction to enlarge the North Morrow Annex and make it handicapped accessible, upgrade the heating system, replace the windows, provide for weatherstripping, and other projects to make the Courthouse building energy efficient and to pay the balance of the amounts for projects begun last year and carried into this budget year, namely roofing, repairing the stone work, and redesigning the parking lot so that the Courthouse meets guidelines and is handicapped accessible.

The Revenue Sharing Committee approved the proposed expenditures for capital outlay.

For out-of-town water users Rates may be going up

Water rates for out of town users may be going up soon, under a plan by the Heppner city council to raise the fees. Last Tuesday the council discussed raising the rates for users outside the city limits, who are hooked up to city water lines.

The council did not decide how much to charge out of town users, but did mention that a committee set up to study the issue, recommended that the rates be double for that of intown water users.

The purpose of the increased rates is to compensate for city taxes that are paid toward the water system by users inside the city limits. Users outside the city limits do not pay city property taxes.

In other business at the meeting, the council heard from Myron Houston, who asked that the city do something about the dog problem downtown.

Houston said that he counted 90 dogs running up and down the street and lying in the door steps of businesses one day. Heppner Mayor Cara Costa said that without a dog pound, the city did not have much control over the dog population and urged Houston to find out who owns a given dog, and then file a complaint against the owner at city hall, before anything could be done.

heard from Kenneth Key, Heppner, who asked that the city provide water to property he just purchased on Cemetery Hill. The property is outside the city limits and was owned previously by Bobbie Angel. City Attorney Bill Kuhn told Key to

go first to the county planning department, then to the city planning department, and then if necessary back to the city council.

heard from Sue Walker of Lexington, who asked that the city change its licensing procedure for out of town door to door peddlers, because she said \$25 per day was too much for the city to charge. The city agreed to look into changing the ordinance.

heard that council members were receiving complaints about the back-up city police car being parked in front of the police officers' houses. The police chief said he would park the car at city hall from now on.

President's Day observed

Monday Feb. 17 is President's Day or the date to observe Washington's Birthday, but either way, it's a holiday for many people.

Both the post office and the Heppner Forest Service office report that they as well as other federal offices will close in observance of the holiday.

At first, the Extension office was not sure if they would observe the holiday, but confirmed that they as well as other Oregon state offices will close Monday.

Reports from the Courthouse confirm that county offices will close to observe the holiday.

Heppner City Hall will also be closed Monday as will local banks.