

HEPPNER

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Fair tab deadline July 29

Anyone wishing to place a story or an ad in the Morrow County Fair special edition of the Heppner Gazette-Times must have their information into the Gazette by Tuesday, July 29, at 5 p.m. You may drop the information by the GT office at 188 W. Willow St. in Heppner, mail to The Heppner Gazette-Times, P.O. Box 337, Heppner, OR 97836, or email to megan@rapidserve.net. The fair tab will be published August 6.

Kindle sentenced in Heppner arson case

A Heppner man has been sentenced in relation to a November 2013 arson and burglary case, Morrow County District Attorney Justin Nelson announced last week.

On Thursday, July 10, Judge Daniel Hill sentenced Joseph Edward Kindle, 34, in connection with a burglary and arson that occurred on November 15, 2013, in Heppner. Judge Hill sentenced Kindle to 65 months in the Department of Corrections. The sentence was "open sentencing,"

Nelson said, with the sentence left to the complete discretion of the court, with each side stating their recommendation.

Kindle pled no contest to Arson I, and guilty to Theft I, Felon in Possession of a Firearm and Burglary I.

Nelson reported that he asked the court to focus on several factors when considering Kindle's sentence, including prior criminal history, the fact



Joseph Edward Kindle

that Kindle had completed previous post-prison supervision only three months prior to committing these new crimes, Kindle's training as a volunteer firefighter, and the significant damage caused to the home.

Nelson said Kindle had engaged in multiple criminal activities since 1998, including two separate convictions of Theft II, convictions of Criminal Mischief I, Burglary II, Assault IV, Driving Under the Influence of Intoxicants (DUI), Harassment, Criminal Trespass II, Contempt of Court, Stalking, Criminal Mischief II, and two separate convictions of Felon in Possession of a Firearm.

Based on that history, Nelson said, Kindle was considered a repeat offender. Also, with only three months since his last supervision ended, there was not a "long period" of conviction-free time.

In fact, Kindle had been released from prison on a prior sentence on August 12, 2011, and had been on post-prison supervision until August 10, 2013.

In addition, Nelson stressed, Kindle's specialized training and knowledge as a member of Heppner's Volunteer Fire Department made him aware of the risk to the firefighters that would be called out to fight the fire, but he still placed his "firefighting brothers and sisters" in danger when he set the fire at the residence.

Finally, Nelson said there had already been more than \$60,000 in costs in repairing the damage to the home and items inside the home.

Defense counsel Robert Klahn requested that the court run the sentences in all counts concurrent, for a total sentence of 32 months prison time.

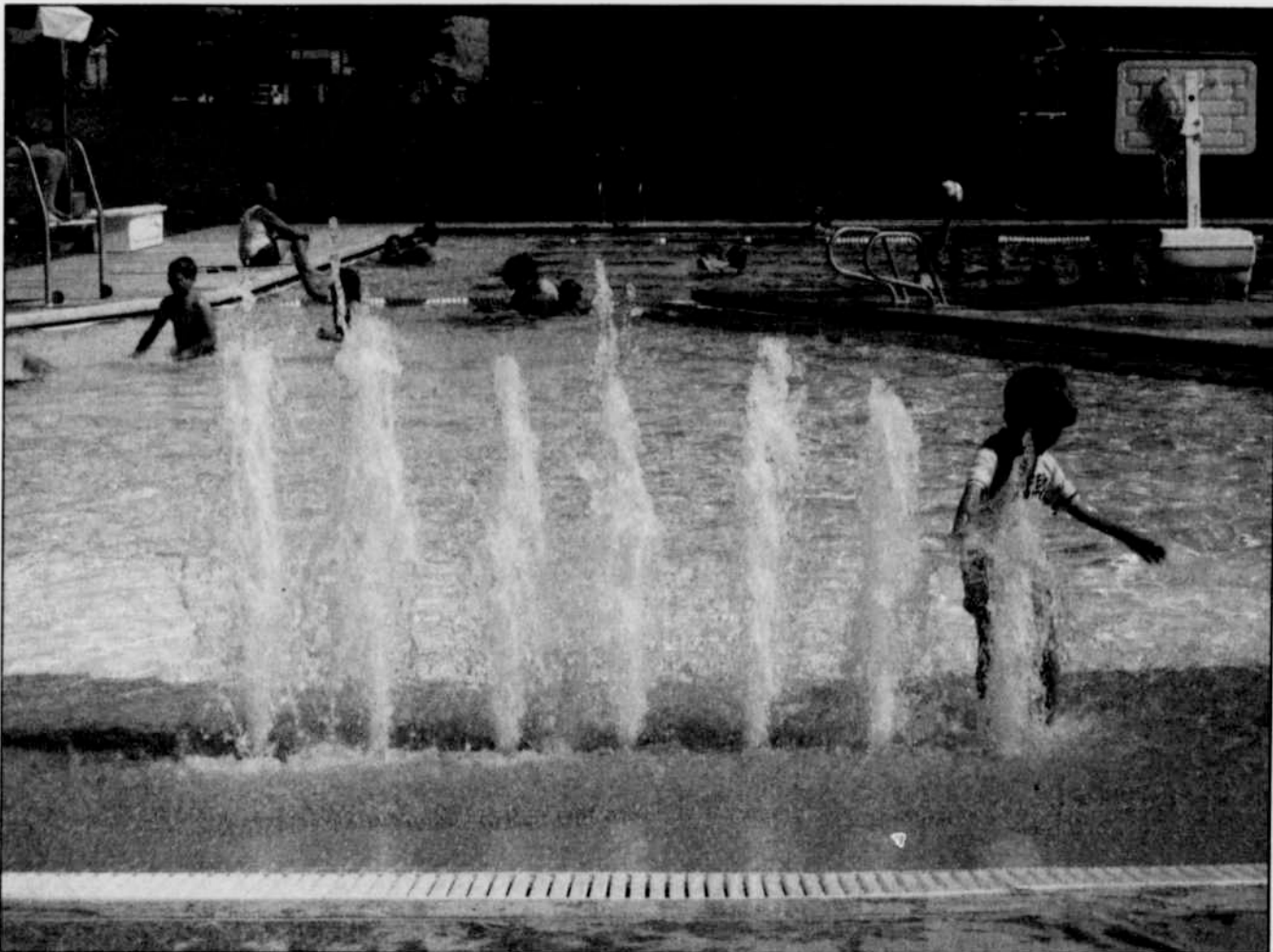
Klahn also called several community members to testify that Kindle had been doing exceptionally well in the community since he was released from prison and returned to Heppner in August of 2011.

Kindle also was given an opportunity to address the court, during which time he apologized to the court for his actions. He informed the court that he had no excuses for what he did and wanted to take responsibility for his actions.

"The exceptional work by the Morrow County Sheriff's Office led to the successful prosecution in this case," said Nelson.

"I believe the court imposed a fair sentence in this case, taking into account Mr. Kindle's extensive criminal history and the danger he placed to members of the Heppner Volunteer Fire Department when he set the house on fire. It is because of Oregon's repeat property laws and the passage of Measure 57 in 2008 that allows us to hold repeat property offenders accountable and protect the public."

Locals beat the heat at the pool



A young boy frolics in the fountains at Willow Creek Water Park in Heppner Monday. Temperatures reached into the high 90s and low 100s over the past several days, driving area residents to find ways to beat the July heat. -Photo by Andrea Di Salvo

City considers public smoking ban

Would outlaw smoking in parks and on sidewalks



Ash trays like this one on Main Street may not be needed anymore if Heppner passes an ordinance to ban smoking on sidewalks. -Photo by David Sykes

By David Sykes

The city of Heppner is considering making it against the law for anyone to smoke on its sidewalks or in city parks, it was announced at the monthly council meeting Monday night.

City Manager Kim

Cutsforth presented the council with a sample ordinance from Baker City, where they have enacted the ban. The Heppner City Council did not request the law be considered; however, Cutsforth presented the ordinance and said the council should

"start talking about it."

"We have a problem with loitering at city parks. Kids are smoking there and this would give the police a reason to talk to the kids," she said.

Cutsforth also said she did not like the buckets outside of Bucknum's Tavern on Main Street with cigarette butts in them, pointing out that right next door is Windwave's office with planters on the sidewalk.

In the sample Baker City ordinance passed out to council members, that city banned all cigarettes, cigars, pipes, electronic cigarettes, hookahs and nicotine vapor products. The Baker ordinance says banning smoking "promotes public health by decreasing citizens' exposure to secondhand smoke and creates smoke free environments for citizens through regulation in all public parks and walk ways."

The ordinance does not spell out penalties for breaking the law. A member of the public attending the meeting objected to the idea of the city passing the non-smoking law.

"It's a public sidewalk,"

said Deanna Koerner of Heppner. "I think this (non-smoking law) is ridiculous."

In other business, Cutsforth gave the following report to the council:

-The Beautification committee has continued to work on the Talking Rocks project. Doris Brosnan has agreed to edit the plaques so that they will have the same format and flow. Before the end of July, they will ready to send to the plaque manufacturer. Pam and Mark Wunderlich and Frank and Cara Osmin have agreed to donate boulders for this project.

-Cutsforth met with representative from Travel Oregon. They were visiting several eastern Oregon towns to familiarize themselves with the local areas. Several different representatives from our community gave presentations.

-She attended an Oregon Bikeways meeting. The meeting followed a bike tour of the Blue Mountain Bikeway. Several local bikers attended along with representatives of the Oregon Bikeways group. They have requested official permission to park for 24-48 hours at a time. This is just to reassure travelers that their vehicles are safe from towing.

-Met several times with Morrow County planning and other Morrow County city officials to discuss the Marijuana Moratorium and related land-use issues. A plan should be available for discussion before September.

-The youth soccer field at Hager Park is complete. Irrigation is done and it was hydro seeded last week. Grass should be growing within 20 days.

-Toplock Asphalt Maintenance Co. crack-sealed Riverside Ave. and South Court Street.

-Granite Construction should be here next week to crack- and chip-seal Hager Street. This will be the last phase of the Beautification Project.

The council heard a report from Fire Chief Rusty Estes who said during the month of June there was one false alarm at the grade school, four wild land fires in town, one rekindle structure, one wild land rural fire, the helicopter land zone was secured two times, they responded to six motor vehicle accidents, there were two mutual aid runs to Ione and 42 chief calls.

In other action, the council appointed Jay Keithley to the Utilities Commission.

Demolition operations ongoing this week on Bombing Range

The Morrow County Sheriff's Office says the Explosive Ordinance Disposal (EOD) Detachment Northwest from Whidbey Island Naval Air Station will be conducting explosive demolition operations at the Boardman Bombing Range

Monday through Friday, July 14-18.

All operations will occur during daylight hours in the northeast and central sections of the range. Dust clouds and ground vibration may result from these operations. NAS Whidbey Island stated that safety

precautions have been taken to ensure operations pose no threat to people or property.

MCSO says it does not expect any issues or traffic problems on Bombing Range Road but will keep the public updated as needed.

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