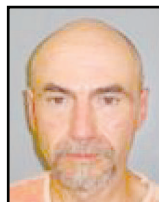


# First marijuana theft case in county gets prison sentence

In the first marijuana theft case in Morrow County since the legalization of the drug, David Lynn Bailey, 52, was sentenced to 18 months in prison last week for stealing four mature marijuana plants from outside a residence in Irrigon.



David Lynn Bailey.

According to Morrow county District Attorney Justin Nelson, the plants were being grown for a medical marijuana patient in Morrow County. The producer of the

marijuana plants informed Morrow County Sheriff's Deputy Scott Carter that the four mature plants would produce two pounds of marijuana, with a replacement value of around \$6,400 (based upon a \$200 per ounce replacement value). At the time of the theft, around Sept. 18, the plants were all nearly six feet tall.

In the process of the investigation, Carter interviewed Bailey, who admitted to stealing the plants.

Bailey faced charges of Theft I and Criminal Trespass II. Deputy Carter was able to retrieve half of the stolen marijuana plants. The charge of Criminal Trespass II was later dismissed by the court.

Because Bailey had several prior property crime convictions in Oregon, the court considered him a repeat property offender, with a presumptive repeat property sentence of 18 months with the Oregon Dept. of Corrections.

-See MARIJUANA CONVICTION/PAGE FIVE

## Heppner, Lexington drop boxes open for ballots

The ballots are out for the Nov. 3 general election. All ballots are due by 8 p.m. that day and must be received, not simply post-marked, on that day.

Voters are reminded that only the Heppner and Lexington 24-hour drop boxes will be used for this election. Drop locations are as follows:

Heppner: Courthouse parking lot (24 hours) or the Morrow County Clerk's Office, Room 102 inside the courthouse. Open 8 a.m. to noon and 1-5 p.m., M-F and Election Day (Nov. 3) from 7 a.m. until 8 p.m.

Lexington: 365 West Hwy 74 (Public Works Parking lot). Turn off Hwy. 74 onto Tom Street and left into the public works parking lot. Open 24 hours.

## Former mayor says city utility rates discourage rental development in Heppner

Landlord Joe Perry tells council all he wants is fairness

By David Sykes

Former Heppner Mayor Joe Perry says, if the city of Heppner set out to discourage more rental unit developments in town, it could not do a better job than with its current utility rate structure.

Heppner has long wrestled with a shortage of rental units, and Perry says when the city charges him a \$53 base charge per month for every one of his 11 units in the Baltimore Apartments, even though there is only one water meter, it not only discourages more rental investment, but is unfair compared to other water users in town.

At the Oct. 12 city council meeting Perry said the RV parks, Pioneer Memorial Hospital, Lakeview Heights Secure Residential Treatment Facility and the Willow Creek Terrace Assisted Living Center are



Joe Perry in front of his 11-unit Baltimore Apartment building, which he says is being overcharged for utilities. -Photo by David Sykes

only charged a single fee for water and sewer, even though they have multiple users on one meter.

Both the Willow Creek Park and the Northwestern RV Park do start getting charged the single user fee of \$53 per month once a resident stays more than 30 days.

And when asked later about Lakeview Heights and the assisted living receiving only one meter charge, Heppner City Manager Kim Cutsforth said, "Yes, this is correct as these are medical facilities and you have to be admitted to both," as the reason they are not charged the higher multiple fees.

When Perry asked Cutsforth what the justification was for the higher fee

for his apartments, he says she told him the city needed the money.

"They shouldn't be balancing their budget on the back of my apartment renters," Perry says. He also points out he gets billed \$53 per month per apartment even if there is no one living there. "The RV parks don't get charged for empty spaces," he says.

In addition Perry says he waters the lawn around the apartments and that puts his usage over the base rate gallons. He says the city distributes that usage across all the apartments instead of just the one meter, resulting in even more higher discriminatory pricing. He says because of this he considering tearing up the lawn and putting in something

that does not need water.

"All I want is fairness," Perry emphasizes, and he provided a spread sheet of his 2015 water and sewer charges, which he says shows an overcharge of \$4,748.85 so far this year. He also says neither Boardman nor Irrigon bills their apartments this way, and that Heppner is discouraging new rental development by doing so.

"If the city of Heppner set out to discourage new development of multi-family rental units in town, it couldn't do a better job than the billing system it currently has," Perry says.

After hearing Perry's concerns city attorney Bill Kuhn said when the new

-See UTILITIES BATTLE/PAGE TWO

## Cardinal volleyball, Mustang cross country headed to districts

Both Heppner and Ione will send teams to their respective district tournaments this weekend.

The Ione volleyball team will be at the Big Sky District Tournament this Saturday, Oct. 24, at The Dalles High School. The tournament starts at 10 a.m. Playing for Ione are Ivy Sanford, Katelyn Bass, Morgan Orem, Hannah Jo Padberg, Tristan Estabrook, Maggie Flynn, Susie Teeman, Renee Peterson, Tatum Clark, Jessie Flynn, Rachel Holland and Ann Rietmann.

The Heppner High School boys cross country team enjoyed a successful first year as a team and will compete at the 3A/2A/1A-SD5 District 5 Championships Friday in Pendleton. Races will begin at 1:45 p.m. at Pendleton's McKay Park. Running for Heppner are Hunter Nichols, Trent Smith, Skyler Palmer, Hayden Qualls, Gibson McCurry, Reno Ferguson, Mitchell VonGuten and Jimmy Adams.

Heppner Middle School girls cross country participants Madelyn Nichols and Hannah Palmer will be participating in the PDXC State Middle School Championships in West Linn this weekend, as well.

## G-T Trophy Corner



Top: This buck was taken by Allen Osmin on the Osmin Ranch. Allen is the 11-year-old grandson of Frank and Cara Osmin. He shot the buck from 250-plus yards. Middle: Clare Osmin, granddaughter of Frank and Cara Osmin, with the three-point buck she took on the Osmin Ranch. This was the first buck taken by Clare, who is in the mentored youth hunter program. She shot the buck at 170 yards. Bottom: Colton Evans took this 5x5 buck in the Fossil Unit on the opening weekend of rifle season while hunting with his family. Colton is the son of Mary Evans, Heppner, and the grandson of Ken and Jan Evans, Irrigon. -Contributed photos

## A reminder to insulate water meters

The City of Heppner would like to remind everyone to insulate their water meters this winter to protect meters from freezing before the temperatures drop. The city will charge \$75 plus materials for the repair of any uninsulated meter that becomes frozen.

Building supply and hardware stores, including Pettyjohns, carry the needed insulation. Anyone who has a difficult time accessing their meter to insulate it is encouraged to contact the city for assistance.

Please contact the city or stop by city hall with questions or concerns.

Have a trophy to show off? We want to help. Stop by to have your picture taken, drop off photos, mail them to PO Box 337 in Heppner, email them to editor@rapidserve.net or text cell phone photos to 541-980-6674.



## Infant death ruled accidental

The death of a six-week-old boy in Irrigon last week has been ruled accidental according to Morrow County Sheriff Kenneth Matlack.

On Oct. 12, the Morrow County Sheriff's Office dispatch was contacted by a mother who reported that her six-week old-infant son was not breathing and was unresponsive. Deputies arrived at the Irrigon residence within three minutes and began immediate CPR on the infant. The baby was then transported to the emergency room at Good Shepherd Hospital, where emergency room staff reported that the infant had

died.

Morrow County Detective Brian Snyder was assigned to investigate the circumstances of the baby's death. On Oct. 13 he attended the autopsy at the Oregon State Medical Examiner's Office in Clackamas, OR.

Dr. Larry Lewman advised that the death was ruled as accidental and was consistent with and caused by co-sleeping.

After a consultation with Morrow County District Attorney Justin Nelson, it was determined that, with no evidence of foul play or suspicious activity, the case will be ruled as accidental.

## Haunted Heppner a day early

Because Halloween falls on a Saturday this year, the annual Haunted Heppner trick or treat event will be held on Friday, Oct. 30, from 2 to 5 p.m. to allow local businesses to participate. These businesses will offer treats to costumed children who come by the stores, banks and offices. The participating store fronts will display an orange sign that says "Welcome to Trick or Treat."

Stop by Heppner City Hall or call 541-676-9618 to request a sign or with any questions.



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