

## Citing council obstruction, Lexington mayor resigns

*'Council has illegally stopped me from fulfilling my duties,' Kemps says*

By David Sykes

In the midst of a recall election seeking her removal, Lexington Mayor Marcia Kemp has announced her resignation.

Citing a council that has "vowed to fight me every step of the way," Kemp issued a letter to the news media (see below) saying it was time for her to "step aside and resign." A resignation letter has apparently not been received by either the council or delivered to the town hall, however legal counsel says the public letter is enough to effect Kemp's resignation. "I am unaware of any state law or any provision in the town charter that specifies the method in which a council member or the mayor must submit their resignation. It is my advice to consider it valid," Jayme Hafner, Assistant General Counsel for the League of Oregon Cities said in an email to a councilmember when informed of Kemp's method of resignation.

Kemp has been at odds with most of the council since she was elected mayor by write-in vote last November. The town went through a brief shutdown with both sides blaming each other which heightened tensions and sparked the recall against her.

In her resignation letter Kemp says the council acted "illegally" in blocking her from "fulfilling my duties". Kemp also said she had contacted several state agencies including the Department of Environmental Quality, Ethics and Conduct, State Revenue and

Secretary of State to report what she said were violations in doing city business, by the town council.

One of the councilmembers who has at many times been at odds with Kemp on various issues, recently survived a recall election and will remain on the council. Kemp did not attend last Tuesday's council meeting, writing on the bottom of the agenda handed out at the meeting that she was ill.

Recall ballots had already been mailed out prior to Kemp's resignation so the election is still moving forward with the ballots due back by October 22.

### The complete text of Kemp's letter:

"Personally I would like to thank the community members who have helped make a positive impact on the Town of Lexington with our goals of providing safe neighborhoods attracting more families to move in, clean water, safe streets, children's park, recruiting more firefighters and promoting and supporting businesses."

"Last November, I was elected by a write in vote for mayor. When I took the oath of office as mayor of Lexington, I promised to follow all the rules, laws and regulations of the State of Oregon, as well as the Town of Lexington and Morrow County. As mayor, I found that the town council had not been following some rules and guidelines. I contacted the state agencies DEQ, Ethics and Conduct, State Revenue, Secretary of State and with the League of Oregon Cities lawyers,

our auditor and was advised to correct the violations. I also sought out county assessor, clerks, planner, for further direction and guidance and was supported by county government.

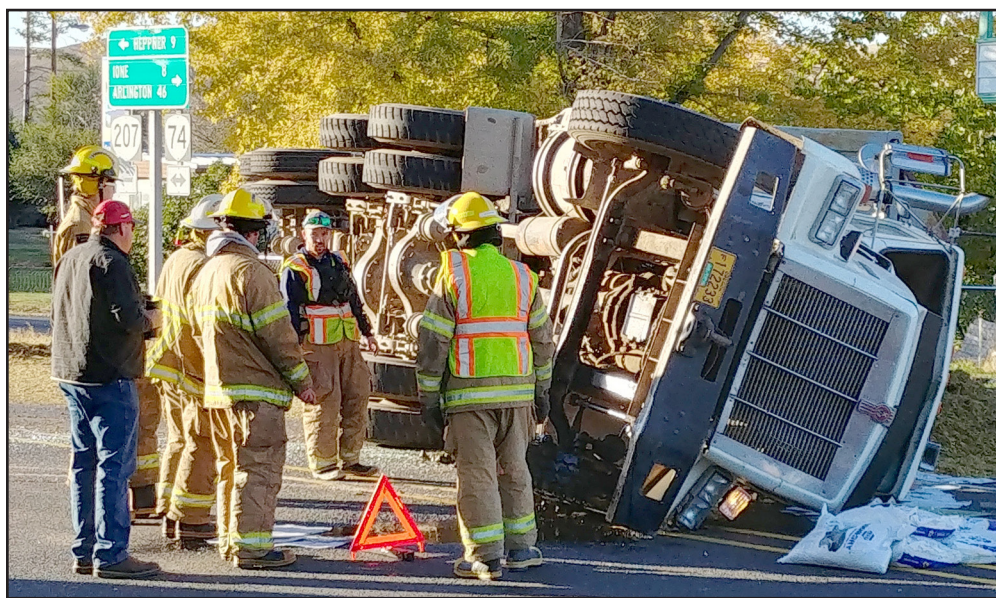
"When I started to change the council way of doing business, the personal attacks against me started at council meetings, on social media and in the newspaper. Council members vowed to fight me every step of the way. The present council has illegally stopped me from fulfilling my duties by taking actions with no resolutions, changing the town charter and making decisions outside of council meetings.

"Recently, Lexington's town recorder and maintenance personnel resigned due to a hostile work environment, which is my biggest disappointment as I was unable to protect them.

"Many in our town have been working hard applying for grants and established partnerships to help us make Lexington great with a bright future. As much as I would like to pursue improving the Town of Lexington, the council has prevented me fulfilling my duties, so it is time to step aside and resign. However, I will continue to be an active community member and on a positive note, I have been recruited to help other communities and organizations with their goals and missions and look forward to contributing my time and effort."

Marcia Kemp

## Truck tips over in Lexington



A truck bound for JVB Dairy tipped over on Hwy 74, spilling corn silage onto the highway. -Photos by Bobbi Gordon.

By Bobbi Gordon

A semi truck and trailer overturned at the intersection of Highways 207 and 74 in Lexington Thursday morning. According to witnesses it appeared the truck was unable to slow enough to make the turn from Highway 207 onto

Highway 74, causing it to flip onto its side. The truck was headed to JVB Dairy near Ione when it tipped over and spilled corn silage onto the highway.

Morrow County Sheriff's Office was on the scene and reported Kevin Mendoza was arrested for

failing to perform duties of a driver. MCSO was assisted by Morrow County Public Works, ODOT, Heppner Fire Department and Morrow County Grain Growers. The incident was cleared from the highway but is reportedly still under investigation.

## City considers taking credit/debit cards for utility payments

*But how many will pay the \$2.95 service charge?*

By David Sykes

The city of Heppner is considering taking credit and debit cards for payment of sewer and water bills, but the city council is wondering how many people will pay the \$2.95 service charge that goes with it.

At its meeting Monday night the council heard a proposal for the city to purchase a new service allowing people to pay their sewer and water bills by debit or credit cards. If implemented paying by credit or debit card would still be optional and citizens could still pay their bills by check or cash.

City Manager Kraig Cutsforth said the new program would cost the city "in the range of \$2,000" to set up and then a \$125 monthly charge. In addition, any citizen that used credit or debit cards to pay their bill would be charged an additional \$2.95 per payment.

However, before spending the money and signing a three-year agreement, councilmembers wondered how many people would use the payment option. "Are people going to use it?" councilmember Teresa Hughes asked. She said she didn't like signing a three-year contract, having the city pay out the \$2,000 setup fee and then spending \$125 per month before knowing how many might use the payment option.

Cutsforth said there are 690 water users in the city of Heppner, and he guessed about 10 percent would use credit or debit cards. He said people could also pay for their burn permits with credit cards. Burn permits are \$5.

"It's a convenience all right," said councilmember John Bowles. "But do you think people will use it?" he asked. Citizen Marty Brannon, who was at the meeting, suggested the city do a survey to find out how many would participate. The council held off signing a three-year agreement and spending the money until they got a better feel from the community.

1,400 square foot building will be \$400 per month for the first year. Under terms of the agreement the company will have the option to renew the lease for an additional three years after that at \$425 per month. Before voting its approval of the lease, Heppner citizen Jay Keithley, who was in attendance at the meeting, asked if the building had been advertised to the public as available for rent. He was told that it had not been. The council voted 4-1 in favor of the lease. Public works moved out of the building some time ago and now has its offices in the old fire hall building on Willow Street.



City leases former shop at 140 Gale Street to new HVAC business coming to Heppner.

In other business at the meeting the council agreed to lease the former city shop building at 140 Gale street to Zack Wilson of Columbia Basin Heating and Cooling of Umatilla who plans on opening an HVAC business in Heppner. Rent for the approximately

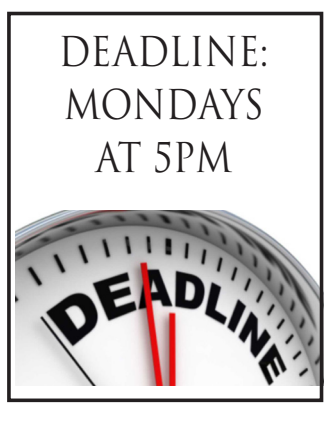
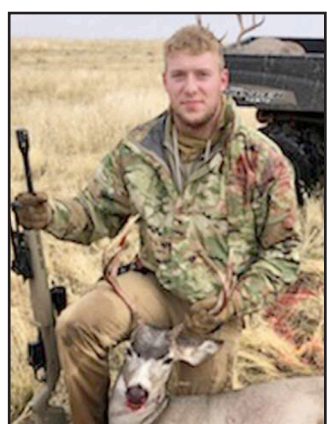
the minutes of the last police commission meeting on Sept. 26 were presented to the council. Some of the business at the meeting included a report from the sheriff that juvenile

-See CREDIT/DEBIT CARDS/PAGE SIX

## Gazette-Times Trophy Corner



Kegan Steagall and Wyatt Steagall, with bucks they shot.



The Heppner Gazette-Times wants pictures of your trophy animals from this hunting season for our Trophy Corner. Stop by to have your picture taken, drop off photos, mail them to PO Box 337 in Heppner, email them to editor@rapidsolve.net or text cell phone photos to 541-980-6674.

ALL NEWS AND ADVERTISEMENT DEADLINE: MONDAYS AT 5:00 P.M.

**POLARIS**  
 FACTORY AUTHORIZED CLEARANCE

REBATES UP TO **\$1,700**

0% FINANCING 12 MONTHS

**UPGRADE YOUR ADVENTURE!**

M.C.G.G.  
 Morrow County Grain Growers Inc.

**MORROW COUNTY GRAIN GROWERS**  
 350 MAIN ST  
 LEXINGTON, OR 97383, CONTACT: JUSTIN BAILEY  
 541-989-8221

Offers vary by model. \*Retail offers valid on select 2019-2020 new and unregistered Polaris® 825i, 840i, 850i, 860i, 870i, 880i, 890i, 900i, 910i, 920i, 930i, 940i, 950i, 960i, 970i, 980i, 990i, 1000i, 1010i, 1020i, 1030i, 1040i, 1050i, 1060i, 1070i, 1080i, 1090i, 1100i, 1110i, 1120i, 1130i, 1140i, 1150i, 1160i, 1170i, 1180i, 1190i, 1200i, 1210i, 1220i, 1230i, 1240i, 1250i, 1260i, 1270i, 1280i, 1290i, 1300i, 1310i, 1320i, 1330i, 1340i, 1350i, 1360i, 1370i, 1380i, 1390i, 1400i, 1410i, 1420i, 1430i, 1440i, 1450i, 1460i, 1470i, 1480i, 1490i, 1500i, 1510i, 1520i, 1530i, 1540i, 1550i, 1560i, 1570i, 1580i, 1590i, 1600i, 1610i, 1620i, 1630i, 1640i, 1650i, 1660i, 1670i, 1680i, 1690i, 1700i, 1710i, 1720i, 1730i, 1740i, 1750i, 1760i, 1770i, 1780i, 1790i, 1800i, 1810i, 1820i, 1830i, 1840i, 1850i, 1860i, 1870i, 1880i, 1890i, 1900i, 1910i, 1920i, 1930i, 1940i, 1950i, 1960i, 1970i, 1980i, 1990i, 2000i, 2010i, 2020i, 2030i, 2040i, 2050i, 2060i, 2070i, 2080i, 2090i, 2100i, 2110i, 2120i, 2130i, 2140i, 2150i, 2160i, 2170i, 2180i, 2190i, 2200i, 2210i, 2220i, 2230i, 2240i, 2250i, 2260i, 2270i, 2280i, 2290i, 2300i, 2310i, 2320i, 2330i, 2340i, 2350i, 2360i, 2370i, 2380i, 2390i, 2400i, 2410i, 2420i, 2430i, 2440i, 2450i, 2460i, 2470i, 2480i, 2490i, 2500i, 2510i, 2520i, 2530i, 2540i, 2550i, 2560i, 2570i, 2580i, 2590i, 2600i, 2610i, 2620i, 2630i, 2640i, 2650i, 2660i, 2670i, 2680i, 2690i, 2700i, 2710i, 2720i, 2730i, 2740i, 2750i, 2760i, 2770i, 2780i, 2790i, 2800i, 2810i, 2820i, 2830i, 2840i, 2850i, 2860i, 2870i, 2880i, 2890i, 2900i, 2910i, 2920i, 2930i, 2940i, 2950i, 2960i, 2970i, 2980i, 2990i, 3000i, 3010i, 3020i, 3030i, 3040i, 3050i, 3060i, 3070i, 3080i, 3090i, 3100i, 3110i, 3120i, 3130i, 3140i, 3150i, 3160i, 3170i, 3180i, 3190i, 3200i, 3210i, 3220i, 3230i, 3240i, 3250i, 3260i, 3270i, 3280i, 3290i, 3300i, 3310i, 3320i, 3330i, 3340i, 3350i, 3360i, 3370i, 3380i, 3390i, 3400i, 3410i, 3420i, 3430i, 3440i, 3450i, 3460i, 3470i, 3480i, 3490i, 3500i, 3510i, 3520i, 3530i, 3540i, 3550i, 3560i, 3570i, 3580i, 3590i, 3600i, 3610i, 3620i, 3630i, 3640i, 3650i, 3660i, 3670i, 3680i, 3690i, 3700i, 3710i, 3720i, 3730i, 3740i, 3750i, 3760i, 3770i, 3780i, 3790i, 3800i, 3810i, 3820i, 3830i, 3840i, 3850i, 3860i, 3870i, 3880i, 3890i, 3900i, 3910i, 3920i, 3930i, 3940i, 3950i, 3960i, 3970i, 3980i, 3990i, 4000i, 4010i, 4020i, 4030i, 4040i, 4050i, 4060i, 4070i, 4080i, 4090i, 4100i, 4110i, 4120i, 4130i, 4140i, 4150i, 4160i, 4170i, 4180i, 4190i, 4200i, 4210i, 4220i, 4230i, 4240i, 4250i, 4260i, 4270i, 4280i, 4290i, 4300i, 4310i, 4320i, 4330i, 4340i, 4350i, 4360i, 4370i, 4380i, 4390i, 4400i, 4410i, 4420i, 4430i, 4440i, 4450i, 4460i, 4470i, 4480i, 4490i, 4500i, 4510i, 4520i, 4530i, 4540i, 4550i, 4560i, 4570i, 4580i, 4590i, 4600i, 4610i, 4620i, 4630i, 4640i, 4650i, 4660i, 4670i, 4680i, 4690i, 4700i, 4710i, 4720i, 4730i, 4740i, 4750i, 4760i, 4770i, 4780i, 4790i, 4800i, 4810i, 4820i, 4830i, 4840i, 4850i, 4860i, 4870i, 4880i, 4890i, 4900i, 4910i, 4920i, 4930i, 4940i, 4950i, 4960i, 4970i, 4980i, 4990i, 5000i, 5010i, 5020i, 5030i, 5040i, 5050i, 5060i, 5070i, 5080i, 5090i, 5100i, 5110i, 5120i, 5130i, 5140i, 5150i, 5160i, 5170i, 5180i, 5190i, 5200i, 5210i, 5220i, 5230i, 5240i, 5250i, 5260i, 5270i, 5280i, 5290i, 5300i, 5310i, 5320i, 5330i, 5340i, 5350i, 5360i, 5370i, 5380i, 5390i, 5400i, 5410i, 5420i, 5430i, 5440i, 5450i, 5460i, 5470i, 5480i, 5490i, 5500i, 5510i, 5520i, 5530i, 5540i, 5550i, 5560i, 5570i, 5580i, 5590i, 5600i, 5610i, 5620i, 5630i, 5640i, 5650i, 5660i, 5670i, 5680i, 5690i, 5700i, 5710i, 5720i, 5730i, 5740i, 5750i, 5760i, 5770i, 5780i, 5790i, 5800i, 5810i, 5820i, 5830i, 5840i, 5850i, 5860i, 5870i, 5880i, 5890i, 5900i, 5910i, 5920i, 5930i, 5940i, 5950i, 5960i, 5970i, 5980i, 5990i, 6000i, 6010i, 6020i, 6030i, 6040i, 6050i, 6060i, 6070i, 6080i, 6090i, 6100i, 6110i, 6120i, 6130i, 6140i, 6150i, 6160i, 6170i, 6180i, 6190i, 6200i, 6210i, 6220i, 6230i, 6240i, 6250i, 6260i, 6270i, 6280i, 6290i, 6300i, 6310i, 6320i, 6330i, 6340i, 6350i, 6360i, 6370i, 6380i, 6390i, 6400i, 6410i, 6420i, 6430i, 6440i, 6450i, 6460i, 6470i, 6480i, 6490i, 6500i, 6510i, 6520i, 6530i, 6540i, 6550i, 6560i, 6570i, 6580i, 6590i, 6600i, 6610i, 6620i, 6630i, 6640i, 6650i, 6660i, 6670i, 6680i, 6690i, 6700i, 6710i, 6720i, 6730i, 6740i, 6750i, 6760i, 6770i, 6780i, 6790i, 6800i, 6810i, 6820i, 6830i, 6840i, 6850i, 6860i, 6870i, 6880i, 6890i, 6900i, 6910i, 6920i, 6930i, 6940i, 6950i, 6960i, 6970i, 6980i, 6990i, 7000i, 7010i, 7020i, 7030i, 7040i, 7050i, 7060i, 7070i, 7080i, 7090i, 7100i, 7110i, 7120i, 7130i, 7140i, 7150i, 7160i, 7170i, 7180i, 7190i, 7200i, 7210i, 7220i, 7230i, 7240i, 7250i, 7260i, 7270i, 7280i, 7290i, 7300i, 7310i, 7320i, 7330i, 7340i, 7350i, 7360i, 7370i, 7380i, 7390i, 7400i, 7410i, 7420i, 7430i, 7440i, 7450i, 7460i, 7470i, 7480i, 7490i, 7500i, 7510i, 7520i, 7530i, 7540i, 7550i, 7560i, 7570i, 7580i, 7590i, 7600i, 7610i, 7620i, 7630i, 7640i, 7650i, 7660i, 7670i, 7680i, 7690i, 7700i, 7710i, 7720i, 7730i, 7740i, 7750i, 7760i, 7770i, 7780i, 7790i, 7800i, 7810i, 7820i, 7830i, 7840i, 7850i, 7860i, 7870i, 7880i, 7890i, 7900i, 7910i, 7920i, 7930i, 7940i, 7950i, 7960i, 7970i, 7980i, 7990i, 8000i, 8010i, 8020i, 8030i, 8040i, 8050i, 8060i, 8070i, 8080i, 8090i, 8100i, 8110i, 8120i, 8130i, 8140i, 8150i, 8160i, 8170i, 8180i, 8190i, 8200i, 8210i, 8220i, 8230i, 8240i, 8250i, 8260i, 8270i, 8280i, 8290i, 8300i, 8310i, 8320i, 8330i, 8340i, 8350i, 8360i, 8370i, 8380i, 8390i, 8400i, 8410i, 8420i, 8430i, 8440i, 8450i, 8460i, 8470i, 8480i, 8490i, 8500i, 8510i, 8520i, 8530i, 8540i, 8550i, 8560i, 8570i, 8580i, 8590i, 8600i, 8610i, 8620i, 8630i, 8640i, 8650i, 8660i, 8670i, 8680i, 8690i, 8700i, 8710i, 8720i, 8730i, 8740i, 8750i, 8760i, 8770i, 8780i, 8790i, 8800i, 8810i, 8820i, 8830i, 8840i, 8850i, 8860i, 8870i, 8880i, 8890i, 8900i, 8910i, 8920i, 8930i, 8940i, 8950i, 8960i, 8970i, 8980i, 8990i, 9000i, 9010i, 9020i, 9030i, 9040i, 9050i, 9060i, 9070i, 9080i, 9090i, 9100i, 9110i, 9120i, 9130i, 9140i, 9150i, 9160i, 9170i, 9180i, 9190i, 9200i, 9210i, 9220i, 9230i, 9240i, 9250i, 9260i, 9270i, 9280i, 9290i, 9300i, 9310i, 9320i, 9330i, 9340i, 9350i, 9360i, 9370i, 9380i, 9390i, 9400i, 9410i, 9420i, 9430i, 9440i, 9450i, 9460i, 9470i, 9480i, 9490i, 9500i, 9510i, 9520i, 9530i, 9540i, 9550i, 9560i, 9570i, 9580i, 9590i, 9600i, 9610i, 9620i, 9630i, 9640i, 9650i, 9660i, 9670i, 9680i, 9690i, 9700i, 9710i, 9720i, 9730i, 9740i, 9750i, 9760i, 9770i, 9780i, 9790i, 9800i, 9810i, 9820i, 9830i, 9840i, 9850i, 9860i, 9870i, 9880i, 9890i, 9900i, 9910i, 9920i, 9930i, 9940i, 9950i, 9960i, 9970i, 9980i, 9990i, 10000i.