

PUBLIC NOTICE

NOTICE OF SHERIFF’S SALE

On April 9, 2020 at the hour of 11 am the Morrow County Courthouse, 100 Court Street, Heppner, OR 97836, inside the lobby at the Front doors, the defendant’s interest will be sold, subject to redemption, in the real property commonly known as: 400 SE Division St. Irrigon, OR 97844. The court case number is 17CV42064, PHH MORTGAGE CORPORATION, Plaintiff and THE UNKNOWN HEIRS AND DEVISEES OF JAMES P. O'BRIEN AKA JAMES P. OBRIEN AKA JAMES PATRICK O'BRIEN; TRACEY LYNN O'BRIEN; NOAH JAMES LINDSEY; OCCUPANTS OF THE PROPERTY, Defendants. The sale is a public auction to the highest bidder for cash or cashier’s check, in hand, made out to Morrow County Circuit Court. For more information on this sale go to: <http://oregon-sheriffssales.org/> 2-26-4c

PUBLIC NOTICE
MORROW COUNTY LAND USE HEARING
THE MORROW COUNTY PLANNING COMMISSION will hold the following hearings of public interest on Tuesday, March 31, 2020, at 7:00 p.m. at the Port of Morrow Riverfront Center, Boardman, Oregon.
Land Partition LP-N-481-20: Daniel and Sarah Kerns, applicants and owners. The property is described as tax lot 201 of Assessor’s Map 4N 25 22AB. The property is zoned Rural Residential (RR) and located on Miller Road near the canal. Request is to partition a 5-acre parcel to create 2 parcels. Criteria for approval includes the Morrow County Zoning Ordinance (MCZO) Article 3 Section 3.040 Rural Residential Zone and Morrow County Subdivision Ordinance (MCSO) Article 5 Land Partitioning.
Conditional Use Permit CUP-S-342-20: Blattner Energy applicant and Mark Miller, owner. The property is described as Tax Lot 500 of Assessor’s Map 1S 26. The property is located 7 miles northeast of Lexington and is zoned Exclusive Farm Use (EFU). Request is to approve a temporary concrete batch plant. Criteria for approval include MCZO Article 3 Section 3.010(C)(14) and Article 6 Conditional Uses.
Opportunity to voice support or opposition to the above proposal or to ask questions will be provided. Failure to raise an issue in person or by letter or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on those issues.
Copies of the staff report and all relevant documents will be available after March 20, 2020. For more information, please contact Stephanie Case at 541-922-4624 or by email scase@co.morrow.or.us.
DATED this 6th day of March 2020.
MORROW COUNTY PLANNING DEPARTMENT
Published: March 11, 2020
Affidavit

INVITATION TO BID FOR MORROW EMERGENCY OPERATIONS CENTER RE-ROOF

325 Willow View Dr., Heppner, OR
Sealed bids for the Re-Roof of the County Emergency Operations Center project will be received by the Morrow County Public Works Department, At 365 W. Hwy 74, P.O. Box 428, Lexington, OR 97839, No later than 4:00 pm March 26th 2020. The bids will be opened and reviewed on March 31, 2020 at 9:00 a.m. at the Lexington Conference room located at 365 W. Hwy 74, Lexington, OR.
The County may reject any bid not in compliance with all prescribed public bidding procedures and requirements, and may reject for good cause any or all bids upon a finding of the County that it is in the public interest to do so. The bidder must be registered with the Construction Contractors Board. Work consist of, but may not be limited to, the following estimated unit cost quantities:
Provide necessary building permits.
Provide Morrow County with ten-year workmanship warranty
Remove existing roof, clean areas haul away all debris. All roofing removal and debris disposal to be done in accordance with all state, local and federal asbestos abatement regulations.
Any structural repairs deemed necessary by building code or manufacturer warranty standards to be done.
Install fully adhered 60 mil TPO, ¼” Dens-deck or equivalent.
Install custom manufactured edge metal, pipe flashing and metal vents.
Properly flash all roof penetrations.
The roof structure houses several mission critical units. Some of which are paired antennas. These will require special coordination to ensure that only one unit is misdirected at a time.
Work will need to be completed no later than June 18th, 2020.
This is a morrow County Public Works Project and funded with Morrow County funds. A bid bond in the amount of 10% of the bid amount is required with the proposal. Performed and payment bonds in the amount of the contract bid amount will be required of the successful bidder.
Site visits of the building can be arranged by contacting Tony Clement at (541)—240-1791. For all other questions of concerns please contact Morrow County Public Works at (541) 989-9500.
The County will award the contract with in thirty (30) calendar days of the bid opening. Work will commence within five (5) calendar days of the notice to proceed. The contractor shall complete all work.
3-11-3c

IN SEARCH OF

I am trying to find the gentleman that gave me his gun case to repair at the dentist’s office. Please call Marlene Pointer 541-256-0371 3-11-1c

Council considers 2nd amendment sanctuary, may send to voters to approve

‘Why would anyone be upset with this?’ asks councilmember

By David Sykes

The Heppner city council continued a conversation Monday, asking if the city should follow Lexington’s lead and pass a resolution or ordinance preserving second amendment rights and declaring itself a sanctuary city.
The council was looking at a second amendment preservation resolution that says, among other things, the people of Heppner have the right to “keep and bear arms as originally understood: in self-defense and preservation, and in defense of one’s community and county.” The resolution presented to the council by City Manager Kraig Cutsforth is almost identical to a law passed by Umatilla voters last November and it attempts to block any new laws coming from the state legislature taking away existing gun rights.
The second amendment sanctuary issue for Heppner surfaced at last month’s council meeting after Lexington had earlier declared itself a sanctuary city. The Lexington council had passed the town law in preparation for what it saw as new laws restricting gun rights coming from the Oregon legislature. The Heppner council discussed becoming a sanctuary last month and then instructed City Manager Kraig Cutsforth to come back this month with some examples of laws. Cutsforth brought the recently enacted Umatilla law as an example. Cutsforth admitted that the resolution lacked “a lot of teeth”, but still might accomplish what the council wanted. He said one problem with an ordinance is the city does not have a police force so depends on the county sheriff office to enforce the laws, including what is constitutional and what is not.
The issue came to the council when some people in the community expressed concern that a Democrat super majority now in control of the Oregon legislature would attempt to pass legislation limiting second amendment rights. Gun rights advocates feel the Oregon legislature is dominated by Portland-area liberals who will pass gun control measures antithetical to the beliefs of those in rural Oregon. Gun control advocates feel the current laws are too loose and there should be more restrictions on gun ownership and transfer. In an effort to fight off possible new state laws, voters in 23 Oregon counties and a dozen cities have already passed second amendment ordinances, resolutions or letters. Umatilla county passed its second amendment sanctuary ordinance with a 65 percent yes vote of the people in last November’s election.
The Oregon legislature at its just ended special session was considering two new gun control laws. HB 4005 is the safe storage bill requiring gun owners to secure their weapons with a trigger lock while not in use or being transported, and SB 1538 that would allow local governments and school districts to ban concealed weapons on their premises, which they currently don’t have

the authority to do when an individual has a valid concealed handgun license.
At Monday’s meeting councilmembers and members of the public discussed whether a second amendment law or resolution was even needed, if it would harm financing from the state, if it was legal, and if it should be taken to voters for approval. Councilmember John Bowles, who is also Undersheriff for Morrow County, said in talking to people since the last meeting he has heard both sides. “I have heard it both ways. Some support it, some don’t.” Councilmember Dale Bates said the proposed amendment only states what is guaranteed in the Bill of Rights and he could not understand why people would be opposed. “It takes us back to what our forefathers wanted,” he said speaking to the Bill of Rights and the second amendment. “Why would anyone be upset with this?” Heppner citizen Gayle Gutierrez however was against it and wanted to know why the city needed the resolution. “Why do we even need this?” she asked. Bates said he has heard concerns from people that the Oregon legislature may be going the way of Virginia, which has a similar political makeup as Oregon.
Virginia has a small geographic area of the state heavily populated with Democrats. After recently taking control of that state’s legislature the more liberal Democrats began considering gun control legislation against the beliefs of the more conservative and Republican rural areas. This caused a political standoff and pushback from the rural counties and cities, similar to what is happening in Oregon. To that Gutierrez replied, “But this is not Virginia.” Citizen Cindy Doherty, also in attendance at the meeting, was also against taking second amendment action, telling Bates he represents all the people and he should not just vote his opinion. Bates said he has talked to people in the city and it is not just his opinion.
Councilmember Adam Doherty said although he was pro second amendment, he was concerned the city could lose state and county funding if it passed a second amendment resolution or ordinance. Mayor Jim Kindle said if the state decides to come after the guns, he didn’t think the resolutions would stop them.
Near the beginning of the discussion City Attorney Bill Kuhn gave his opinion. “A large portion of my job as city attorney is compliance and risk assessment,” he told the council. “That is neither progressive or conservative, Democrat or Republican.” Kuhn said the danger in passing the resolution was that it makes a statement that the city will not enforce valid gun control laws. “Making a statement that the city will not enforce state and federal law is never wise and can have unintended and unforeseen legal liabilities,” he said in his statement. He went on to say his job as city attorney was to advise the city on how to comply

with all existing state and federal laws.
Kuhn also said the city cannot delegate to the sheriff the ability to determine the validity or constitutionality of state or federal firearms laws, saying, “Only the courts can determine these issues.” He said he was not recommending passage of a second amendment resolution without “a thorough and complete analysis of all the issues involved, constitutional and otherwise.” He compared the city passing the resolution to blindly hitting a hornet’s nest. “Before

hitting it with a stick, you check to see what kind of hornets are in it and how many,” he told the council.
After much discussion, many on the council thought it might be a good idea to take the issue to voters and let them have their say. However, no decision was made, and the second amendment issue was tabled until next month’s meeting.
The proposed resolution is about one and half pages long and is available on the Heppner Gazette-Times Facebook page.

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