

The INDEPENDENT

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"Voice of the Upper Nehalem River Valley"

May 1, 2008

Snowball...



Snow was flying April 18 as Vernonia High School hosted Neah-Kah-Nie in a chilly baseball game. VHS Logger Kyle Brixey is at bat in the photo above. See story on page 11.

Vernonia Council again ignores Oregon law

Vernonia City Council went into executive session April 21, citing authorization in accordance with ORS 192.660(2)(b), "a governing body may hold an executive session to consider the dismissal or disciplining of a public officer, employee, staff member or individual agent, or hear complaints or charges brought against such a person, if that person does not request an open hearing."

The legal definition of the session failed for several reasons: The person being discussed was a volunteer on a

city committee, who serves at the will of the Mayor, and not an employee or agent of the city. Additionally, the person being discussed must have received sufficient advance notice to request an open hearing, which was not the case.

Council was told that the person being discussed might be biased against the police department because of an incident involving the police and a family member. Mayor Sally Harrison told council she had sent a letter asking for the person's resignation. Council agreed that removing a person who has only one vote, from an advisory committee was not necessary.

The Oregon Attorney General's written opinion states that "A news reporter has a clear right to disclose any matter

covered in an executive session that is not properly within the scope of the announced statutory authorization of the executive session."

The Independent has withheld the name of the person discussed in order to maintain some degree of privacy, and because the person had no control over the council's decision to hold an improper session.

May 10 is day to help Make Vernonia Shine

Vernonia Pride invites the community to come out on May 10 and help "Make Vernonia Shine".

Registration will start at 9:00 a.m. in the parking lot at Providence Medical Center.

Participants are asked to bring tools such as hoes, rakes, and weed-eaters for cleaning yards, parks, etc.

Banks councilors resign over state requirements

Three Banks City Councilors – Jason Short, Dan Keller and Ron Kemper – resigned their positions, effective 5:00 p.m. April 14, in response to recent changes in the Ethics Law that will require reports to be filed on April 15. The city also lost a member of their Planning Commission, Kevin Sturmer, for the same reason.

Banks had previously opted out, as have many small rural communities, from the reporting requirements in the existing version of the state's Ethics Law. However, starting in 2008, opting out was no longer possible.

Banks City Manager Jim Hough told *The Independent*, "None of our council members is worried about the ethics part of the law – they all realize they have an obligation [to be ethical]. It's the gathering of the information that is so onerous. The new law swept us into the system. The listing of family members and members of the household is an invasion of privacy." Hough went on to say, "If

these laws are so good why do they need to keep changing them?" There was also a concern that the information gathered could be used by criminals to commit ID theft.

Councilor Short was appointed in 2006, then voted into office. Kemper was appointed to an open position in February of 2007 and Keller had served Banks since July 2005. Sturmer had been on the planning commission since 2004; his resignation leaves three openings as there were already two vacancies on the commission.

Another councilor, Craig Stewart had planned to resign but decided to stay so the council would have a quorum. Had Stewart left, it's unclear how the open positions would have been filled because there would not have been enough members left for legal voting.

Mayor Teri Branstitre called a special meeting for last night, April 30, to appoint volunteers.

The next regular council meeting will be held May 13.

Council hears more from citizens

Vernonia citizen Leonard Simmons, who has refused to pay part of his water bill as a protest (*See the April 24 Independent for the full story*.) read a letter to the city council at their April 21, 2008, meeting (see Letters to the Editor in this

issue). Mayor Sally Harrison responded that the water loan reserve was spent to repay a different loan so the citizens have to rebuild it. Harrison read a letter from city employee Bree Eckertson giving her view as a witness and participant to the encounter between Interim City Administrator Aldie Howard and Simmons on March 31. In the letter, Eckertson supported Howard's handling of the episode and derided *The Independent*. Please see page 4

Candidate Interviews

Interviews with candidates for Columbia County Sheriff and two Commissioner positions start on page 5

– CORRECTION –

The headline for the picture on page 1 of the April 17 issue was not meant to indicate that the cows shown are actually toxic. No slander of the cows was intended.