

# The INDEPENDENT

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"Voice of the Upper Nehalem River Valley"

April 16, 2009



BJ the Clown had children roaring with laughter as he entertained them at the Vernonia Library. BJ the Clown was at the Library, on April 14, as part of the National Library Week celebration.

## Judge voids results of voter approved measure

A harsh anti-illegal immigration measure that targeted employers, and was approved by Columbia County voters last November, was nullified Tuesday by Columbia County Circuit Court Judge Ted Grove because it preempted federal law, violated state law, and exceeded county authority.

Grove had delayed implementation of the ordinance created by the ballot measure, in February, after a challenge by a coalition of social justice groups, business owners and other county residents.

The ordinance required the Columbia County Board of Commissioners to fine an employer that hires illegal immigrants \$10,000 for a first violation. A second violation required the board to seek revocation of all of the employer's business licenses and permits.

Grove ruled that the \$10,000 mandatory fine "clearly violates" the preemption of immi-

gration enforcement by federal law. Another provision, which required enforcement of violations by the Board of Commissioners, with appeals directed to the Justice Court, violates state law that requires all appeals to be heard by the Oregon Court of Appeals, Grove wrote, and the measure's requirement that violations result in suspension of all licenses and permits goes beyond the authority of both the Justice Court and the County Commissioners because they lack the authority to order other agen-

**See Court ruling page 5**

### New column starting in The INDEPENDENT

Please welcome Columbia County Sheriff Jeff Dickerson, who has joined the roster of local columnists to help our community stay informed.

"From the Sheriff's Desk..." may be found on page 19.

## May 19 election for fire, school board members

Ballots will be mailed May 1 for the May 19 election of board members for school districts, fire districts, and other special districts.

Mist-Birkenfeld Rural Fire Protection District has three open board positions and three candidates who are running without opposition.

William DeJager has filed for Position 3, Patricia "Trish" Wright is on the ballot for Position 4, and Louise Green is running for Position 5.

The Vernonia Rural Fire Protection District has two open positions and two unopposed

candidates. Incumbent Frank Cieloha is seeking another term in Position 1, and Incumbent Steve Weller is asking to be returned to Position 5. Both are four-year terms.

There are six candidates for four open seats on the Vernonia 47J School Board. Two incumbents are running without opposition, Ernie Smith in Position 4 and Kim Wallace in Position 6.

Two candidates filed for 47J board Position 1,

Incumbent Jim Krahn was appointed to Position 1 in February, 2008, and is now seeking election for a full term. He also served one term on the school board in 2001-2005.

"My experience - such as

being a legislative specialist at both the state and federal level - has a benefit to the district when we're working with the legislature to secure funds and their assistance," Krahn said. Referring to the need to site and build new schools out of the flood zone, Krahn added, "We're in a serious situation here and it will take people with a lot of experience to make sure we don't miss any opportunities."

Krahn's three children graduated from Vernonia and he now has three grandchildren in the local schools. He is a collegiate level teacher, when time permits.

**See Two Incumbents on page 5**

## Praise and criticism for VPD

Four citizens, speaking from the floor at the April 6 Vernonia City Council meeting, praised Interim Chief of Police Mike Kay and the Vernonia Police Department for the handling of recent arrests for theft and

drugs.

Another citizen, Ed Johnson, stood up to say, "Kudos to the Police Department, but I want to talk about police brutality. Mike Kay, you beat Elliott Graf, tasered him and beat him."

## Shelter needs homes for 26 rescued dogs

On April 2, Columbia County Animal Control removed 26 neglected dogs from a home in Rainier. Over the last week, the Shelter began cleaning up these animals and addressing any health issues. Some will need special care and attention, but most appear to be friendly and non-aggressive to people.

**See \$17,419 on page 5**

After being told by council that he should take this issue to Interim City Administrator Jim Johnson, Ed Johnson said that he just wanted it to be a matter of record at the council meeting. Graf was arrested March 21 for Resisting Arrest, two counts of Assault on a Public Safety Officer and MIP-alcohol.

Jim Johnson announced that the firm of Brown and Caldwell Engineering was chosen by the city's selection committee to update the Vernonia Waste-

**See Council on page 4**

**Candidates for Banks Fire and School District boards are in the regular Banks section starting on page 12.**