

Sisters Country saw a warm, dry February

Temperatures at Sisters averaged warmer than normal during the month of February, according to preliminary data received by NOAA’s National Weather Service in Pendleton.

The average temperature was 38.3 degrees, which was 4.5 degrees above normal. High temperatures averaged 51.2 degrees, which was 6.9 degrees above normal. The highest was 62 degrees on February 19. Low temperatures averaged 25.4 degrees, which was 2.1 degrees above normal. The lowest was 9 degrees, on February 23.

There were 23 days with the low temperature below 32 degrees.

Precipitation totaled 1.20 inches during February, which was 0.11 inches below normal. Measurable precipitation — at least .01 inch — was received on four days with the heaviest, 0.44 inches, reported on February 9.

The highest wind gust was 38 mph, which occurred on February 6.

The outlook for March from NOAA’s Climate Prediction Center calls for above-normal temperatures and below-normal precipitation. Normal highs for Sisters rise from 48 degrees at the start of March to 55 degrees at the end of March. Normal lows rise from 25 degrees to 29 degrees. The 30-year normal precipitation is 0.98 inches.

FOOD CARTS: Issue stirred up a spat at meeting

Continued from page 3

applicant is informed. The planning commission then has the option to “call up” the decision for further review. It was the failure of former city planner Eric Porter to inform the planning commission of the food cart decision last November that sparked a controversy that has occupied the City for the past three months.

Critics argue that another section of code states that three or more members of the planning commission can call up a Type II site-plan review — and that the commissioners can hardly call up a site-plan review decision that they don’t know exists. The argument that the code requirement already exists is a key component of the contention that the City should unwind the decision that allows food carts at Eurosports and open a new appeal period.

That is not going to happen. The city council consensus is that the original decision allowing carts at Eurosports will stand. However, the planning commission has agreed to consider policy regulating food carts going forward.

When Ed Protas rose to

testify in Thursday’s public hearing on the matter, a spat quickly developed between him and planning commission chairman Alan Holzman. The situation was primed for a confrontation; there is bad blood between the two men. Protas has publicly called for Holzman’s ouster from the chairmanship and called his integrity into question, stating in his “Sisters Voice” email circular that Holzman should “step down and let someone with integrity and an understanding of how public processes are meant to work take your place. The community does not benefit from your statements and spin to help out a friend (Eurosports owner Brad Boyd).”

From the chair, Holzman evinced little patience with Protas, telling him he had three minutes to complete his testimony. Protas heatedly objected and refused to limit his testimony. The two men then proceeded to argue for several minutes over whether Protas had one more minute to speak. Holzman gavelled Protas out of order and instructed outgoing planning director Pauline Hardie to call the sheriff to remove Protas from the speaker’s podium.

At that point, planning commissioner Darryl Tewalt

intervened and began a discussion with Protas on the finer points of noticing requirements. It is not standard practice for planning commissioners to engage in a discussion with citizens giving testimony at a public hearing, but Holzman did not gavel the exchange.

Tewalt’s intervention ultimately seemed to calm the roiled waters. After considerable back-and-forth, Tewalt noted to Protas that, “we’re trying to fix a problem that you brought up.”

Roy Dean, serving in his first meeting as a newly appointed planning commissioner, noted that, regardless of interpretation of the previously existing code, the new language makes the point explicit and unambiguously clear: all Type II decisions must go to the planning commission for the option for potential call-up — which

is what everybody says they want.

“That’s what we need to focus on — whether the objective has been accomplished — and I think it has,” he said.

The code now also explicitly requires that “all decisions (Type II and III) approved by the planning commission shall be emailed to City Council members on the date the decision is mail(ed) to the applicant. Two or more members of the City Council may initiate review of a Type II or III decision.” (Type III decisions included master plans and major variances and the like).

The hearing marked Pauline Hardie’s last planning commission meeting in Sisters as she takes a position in Bend and hands over the reins of the department to new Community Development Director Patrick Davenport (*see related story, page 1*).



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SUMMONS
(CITACION JUDICIAL)

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YOU ARE BEING SUED BY PLAINTIFF: JACK PETER JEVNE (LO ESTÁ DEMANDANDO EL DEMANDANTE):

SUM-100
FOR COURT USE ONLY (SOLO PARA USO DE LA CORTE)

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA BARBARA
OCT 02 2014
Darrel E. Parker, Executive Officer
BY *Penny Wooff*
Penny Wooff, Deputy Clerk

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO:** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Use carta o una llamada telefónica no lo protegerá. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le queda más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibido mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desear el caso.

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Santa Barbara County Superior Court
1100 Anacapa Street
P.O. Box 21107
Santa Barbara, CA 93121-1107
The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Peter G. Bertling, SB #131602 (805) 892-2100 (805) 963-6044
Bertling & Clausen, LLP
15 W. Carrillo St.
Santa Barbara, CA 93101
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SUMMONS

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Code of Civil Procedure §§ 412.20, 465

Page 1 of 1

LETTER FROM SISTERS CITY HALL

Back-in Parking: Back-in parking should be in our rearview mirror within 90 days. In order to remove the parking, the City needs to amend its adopted Transportation System Plan and Comprehensive Plan which, requires 35 day notification to the State. After that the Planning Commission will need to hear the matter and then forward the matter to the City Council for final approval. Look for changes by June 5, just in time for the rodeo.

Community Development Director: Patrick Davenport has been hired as the new Community Development Director. He has an extensive background working for local government in planning and community development with almost nine years of related experience working in North Carolina, West Virginia and Virginia. Patrick also worked for the U.S. Department of Defense in Afghanistan and U.S. Agency for International Development in Haiti. He received his master’s degree in Public Administration from James Madison University in Virginia and a Parks and Recreation Management degree from East Carolina University in North Carolina. Patrick and his family have lived in Bend for 4 years. Patrick replaces Pauline Hardie, who has accepted a position in Bend. Good luck to both Patrick and Pauline.

Food Carts: The City Council has given direction to the Planning Commission to address food carts and recommend changes to the Development Code. Major concerns regarding the existing Eurosports decision have been addressed by legal counsel and City Council. The Council supports the decision from the Community Development Department and the decision will stand. The public will have opportunity to provide input during the Planning Commission process.

Business Licenses: Transient Merchant Licenses and Public Events: The Council continues to work out the details of these issues to ensure there are no unintended consequences. Another workshop to discuss proposed changes will be on Thursday, March 12, 6 p.m. at City Hall. Changes being considered include fee structure, location of events, Citywide events and more.

Mental Health: A Community Mental Health Forum will be held Thursday, March 12, 6 p.m. at Sisters High School. The forum will address the needs and services available in the community. Mental health is the number five statewide goal of the League of Oregon Cities, and the City of Sisters supports this goal.

As always, if you have questions or concerns about anything going on in the City of Sisters, please contact one of your City Councilors (their contact information is on the City website) or City Hall at 541-549-6022.