

Lawsuit

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an asthma attack during his second dive and had to abort. Another Salem Scuba instructor saw Burns using as inhaler on the beach.

On March 22, Laharty

took Burns for a deep dive. Within minutes of reaching 60 feet, Burns indicated he was out of air.

Laharty performed an emergency uncontrolled ascent to the surface, but failed to safely maintain control of Burns. Laharty had to swim back down to grab Burns.

Upon surfacing, Burns was barely responsive.

Laharty called for help.

When medics responded, they were not able to revive Burns. An autopsy revealed Burns suffered from chronic bronchial asthma with early pneumonia, dilated cardiomyopathy and chronic emphysema.

A forensic pathologist said cause of death was cardiac dysrhythmia as-

sociated with scuba diving and an enlarged heart with chronic asthma being a contributing factor.

The suit alleges that both the doctor, medical office, instructor and scuba business were all negligent.

According to the lawsuit, Neumann should have performed tests which would have dis-

qualified Burns from diving, reviewed the diving guidelines, known that the blood pressure medicine prescribed was inadvisable with diving and that symptomatic asthma was inadvisable with diving.

The lawsuit says the instructors should have known Burns was at risk of severe injury or death if he continued diving af-

ter having an asthma attack; didn't safely monitor Burns' air supply and allowed him to consume air too quickly which created an out-of-air emergency; and didn't maintain control of Laharty's backup regulator and buoyancy compensatory device which allowed Burn's backup regulator to fall out of his mouth.

Reading

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ies around the region. Program officials specified that the performance is part of this year's annual Summer Reading program's "On Your Mark, Get Set, Save!," a statewide campaign that encourages kids and teens to participate in summer reading at their local library.

OCSP is underwriting a series of free special performances in libraries in communities with a population of 10,000 or less to engage and motivate young readers.

"Summer reading allows kids to pursue their individual interests while maintaining and strengthening reading skills like comprehension and vocabulary," said Michael Parker, executive director of the Oregon 529 Savings Network. "Those are skills that can prevent a child from struggling academically during the school year, and help bet-

If you go

What: "Music in Action!" with children's musician Rich Glauber

Where: Performances at several mid-Willamette Valley libraries as part of the Summer Reading Program

When: 3:30 p.m. Tuesday, July 12, at Mt. Angel Public Library, 290 E. Charles St.; 3 p.m. Thursday, July 21, at Lyons Public Library, 279 8th St.; 12:30 p.m. Tuesday, July 26, at Jefferson Public Library, 128 N Main St.

Web: visit www.richglauber.com/ or www.oregoncollegesavings.com

ter prepare them for higher education in the future."

The summer reading campaign runs from May 1 through Aug. 26. Oregon State Library counts 206,425 youth, ranging from infancy through age 18, who signed up the program last year at public libraries throughout Oregon. Collectively, registrants read 144,643 books, while least 68,735

achieved their reading goal and completed the 2015 summer reading program.

OCSP officials encourage parents to pick up an entry form at the library for a chance to win a \$529 Oregon College Savings Plan account, plus \$500 for the winner's library. Up to 15 winners will be selected in a random drawing at the conclusion of the program. The program is a partnership between the Oregon College Savings Plan, Oregon State Library and the Oregon Library Association.

To participate in the campaign, Oregon parents/guardians/grandparents must first enroll their children in the 2016 summer reading program at their local public library, then fill out a post-age-paid entry card, available at the library, and drop it in the mail. All entries must be postmarked by Aug. 26 and received by Sept. 1.

jmuch@StatesmanJournal.com or 503-769-6338, cell 503-508-8157 or follow at twitter.com/jus tinmunch



Children's musician Rich Glauber will visit three local, east-Willamette Valley libraries in July: Mt. Angel, Lyons and Jefferson.

COURTESY OF OREGON COLLEGE SAVINGS PLAN

Roundup

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photo collections.

"I'm focusing on people who've suffered through major catastrophes, and their photographs may have been damaged," Traver said. "I love photos. I know the impact a photo has. If I can help bring people that little bit of healing, that's awesome."

His restoration process can include drying, demineralizing, scanning, retouching and reprinting photos. "Sometimes they

come out better than they were in their original condition," he said.

Clients with undamaged photos may be interested in having their hard copies digitized and archived.

With 12 years as a professional photographer, videographer and journalist, Traver will continue to work his Mid Valley Photography businesses.

Sharing the space at 202 Jersey Street is **Jesse Rodriguez Construction**, a 12-year-old company specializing in utility work for cities, counties and the state. The company also installs septic sys-

tems.

Rodriguez, originally from Scotts Mills, has worked in construction since the 1990s, opening his own business in 2004. His shop is located on Cascade Highway, but this is the first time he's staffed an office in Silverton.

Silverton's fitness community has grown with the addition of **Gratitude Yoga & Movement Space** at 211 West C Street. Most recently, the 1,300-square-foot space was a Mexican food market, said owner Bridget Shook.

Clients pay monthly fees to attend classes of their choosing, most of

which are offered mornings and evenings. Four instructors teach yoga, Pilates and Zumba and offer personal training.

"I really wanted a place that's non-competitive and body-neutral," Shook said. "I think it's so important to be in that space of gratitude."

In other business news, over at **Body Theory Fitness**, owners Janae Senter and Kristy Ward have added a yoga studio and new instructors to their fitness space at 106 N. First Street. And construction continues at the new **O'Reilly Auto Parts** store at 120 C Street.

PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-12228

T-12228 filed by James B. Roth, 7558 Indigo St NE, Salem, OR 97305, proposes a change in point of appropriation under Certificate 42212. The right allows the use of 0.4 cubic foot per second from a well in Sec. 2, T7S, R2W, WM for irrigation in Sects. 2 and 3. The applicant proposes to move the point of appropriation to Sec. 3, T7S, R2W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 06/29/2016. Call (503) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Silverton Appeal June 22 & 29, 2016

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING

Review Body: Planning Commission

Hearing Date & Time: July 12, 2016. 7:00 p.m.

Hearing Location: Council Chambers, Silverton Community Center; 421 South Water Street.

Agenda Item #1: File Number VC-16-02. Vacation application to vacate 12 alleys generally bounded by North Second Street, Whittier Street, Mill Street, and Lincoln Street and zone the property R-1, Single Family Residential. The title to the alley area vacated shall attach to the lands bordering on such area in equal portions. In essence, each property will receive 5 additional feet of rear yard. The application will be reviewed following the criteria found in Silverton Development Code (SDC) section 4.13.140.

Agenda Item #2: File Number ZC-16-01. Zone Change application change the base zoning of the Eugene Field School site from Downtown Commercial Fringe to Downtown Commercial at 410 South Water Street. The application will be reviewed following the criteria found in SDC section 4.7.300.

All interested persons and the general public will be given an opportunity to be heard relative to the application either by submitting material in writing to City Hall or providing oral testimony at the Public Hearing. Failure of an issue to be raised in a hearing, in person or by letter, or failure to provide enough detail to afford the decision maker an opportunity to respond precludes appeal to LUBA based on that issue. Additional information and/or review of this application, including all documents and evidence submitted, may be obtained at Silverton City Hall, 306 South Water Street, or by telephoning Jason Gottgetreu at (503) 874-2212. Copies of the staff report will be available seven (7) days prior to the public hearing and are available for review at no cost at City Hall, a copy can be provided on request at a reasonable cost.

Silverton Appeal June 29, 2016

Fees

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comments for Willamette National Forest should be emailed to Willamette-RecFeeComments@fs.fed.us or mailed to ATTN: Recreation Fees, 3106 Pierce Parkway, Suite D, Springfield, OR, 97477.

Zach Urness has been an outdoors writer, photographer and videographer in Oregon for eight years. He is the author of the book "Hiking Southern Oregon" and can be reached at zurness@StatesmanJournal.com or (503) 399-6801. Find him on Zach Urness or @ZachsOROutdoors on Twitter.



STATESMAN JOURNAL FILE

A fisherman sets up for a still morning of fishing outside his campsite on Mt. Hebo Lake in the Siuslaw National Forest. The popular fishing hole and recreation center northwest of Salem would see its camping fee jump \$6 to \$18 per night.

Marion County Fair 2016

Admission:

Adults (& youth over 11) \$9
Seniors (62 & older) \$5
Youth (6-11) \$5
Youth 5 and under FREE

Hours:

Thurs: 10am - 10pm
Fri: 10am - 11pm
Sat: 10am - 11pm
Sun: 10am - 6pm

Carnival Opens: 11am daily

FREE PARKING!

Compliments of



Fair Office: 503-585-9998 www.mcfair.net

Marion County Fair Highlights



JULY 7 HONOR DAY

Veterans with valid ID get in FREE
Seniors (62+) get in FREE
KGAL/KSHO Bingo
Health Screenings
Military Uniform Display
Free Professional Photos
Bean Bag Baseball
Dairy Women Cheesecake contest
Old-Fashioned Cake Walk
Quilting and Spinning Demos
Veterans Commemoration

JULY 8 AWESOME DAY

Awesome 3000 day: kids wearing this year's Awesome t-shirt get in FREE
Social Media Contests and Prizes
Break the Chain Monster Truck Contests and Giveaways
Benny Beaver (OSU)
Live Music: Showdown—6:15pm and Reckless Kelly—8:30pm
Sponsored by: Linn Benton Tractor

JULY 9 AG DAY

Home Depot Kids Workshop
FlyBall Dog Competition
4-H & FFA Market Auction
Live Music:
Melissa Mikelson—4pm
Briana Renea—5:40pm
High Valley—8:30pm
Sponsored by: Fitzpatrick Painting
Rough Stock Rodeo 7:00pm
Home Depot Kids Build

JULY 10 FAMILY FUN DAY

FREE Admission—children under 12
FREE Kids Activities
Home Depot Kids Workshop
BBQ Grill Off
FFA tractor driving contest
KBZY Pretty Baby contest
Meet Superheroes: Iron Man, Spiderman and More

ALL DAY HIGHLIGHTS EVERYDAY: Real Heroes—Police & Military Demonstrations and Displays
Live Music—Co Energy Main Stage | Public competitions and displays | 4H and FFA demonstrations, shows and displays
| Food—Bob's Burgers and so much more! | Petting Zoo
Walk on the Wild Side | Camel & Pony Rides | Brad's World Reptiles

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LEGAL/PUBLIC NOTICE DEADLINES

All Legals Deadline @ 1:00 p.m. on all days listed below:
***All Deadlines are subject to change when there is a Holiday.

The Silverton Appeal Tribune is a one day a week (Wednesdays) only publication

• Wednesday publication deadlines the Wednesday prior

LEGAL/PUBLIC NOTICE RATES

Silverton Appeal Tribune:
• Wednesdays only - \$12.15/per inch/per time
• Online Fee - \$21.00 per time
• Affidavit Fee - \$10.00 per Affidavit requested