

DAILY
PLANNER

TODAY

Today is Monday, Feb. 11, the 42nd day of 2019. There are 323 days left in the year.



TODAY'S HIGHLIGHT

On Feb. 11, 1990, South African black activist Nelson Mandela was freed after 27 years in captivity.

ON THIS DATE

In 1531, the Church of England grudgingly accepted King Henry VIII as its supreme head.

In 1929, the Lateran Treaty was signed, with Italy recognizing the independence and sovereignty of Vatican City.

In 1937, a six-week-old sit-down strike against General Motors ended, with the company agreeing to recognize the United Automobile Workers Union.

In 1945, President Franklin D. Roosevelt, British Prime Minister Winston Churchill and Soviet leader Josef Stalin signed the Yalta Agreement, in which Stalin agreed to declare war against Imperial Japan following Nazi Germany's capitulation.

In 1963, American author and poet Sylvia Plath was found dead in her London flat, a suicide; she was 30.

In 1968, New York City's fourth and current Madison Square Garden, located on Manhattan's West Side at the site of what used to be the Pennsylvania Station building, opened with a "Salute to the USO" hosted by Bob Hope and Bing Crosby.

In 1979, followers of Ayatollah Ruhollah Khomeini seized power in Iran.

LOTTERY

Megabucks: \$8.0 million
4-7-12-14-30-41

Mega Millions: \$173 million
14-24-31-42-48-13 x3

Powerball: \$242 million
1-2-3-7-39-PB 25-x3

Win for Life: Feb. 9
11-12-37-54

Pick 4: Feb. 10

• 1 p.m.: 3-4-7-8

• 4 p.m.: 3-7-4-6

• 7 p.m.: 0-9-5-8

• 10 p.m.: 4-7-1-7

Pick 4: Feb. 9

• 1 p.m.: 8-2-9-4

• 4 p.m.: 9-4-8-2

• 7 p.m.: 8-0-6-1

• 10 p.m.: 7-3-2-5

Pick 4: Feb. 8

• 1 p.m.: 3-2-6-1

• 4 p.m.: 3-0-8-6

• 7 p.m.: 0-3-9-3

• 10 p.m.: 9-0-5-3

ROAD REPORT

Numbers to call:

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QUOTE OF THE DAY

"Life does not count by years. Some suffer a lifetime in a day, and so grow old between the rising and the setting of the sun."

— *Augusta Jane Evans, American novelist (1835-1909)*

Baker City couple receives Boy Scout honor

By **Dick Mason**
The Observer

The Presbyterian Friendship Center does not have a spotlight, still Ed and Michele Hibbard received the attention they deserved the morning of Feb. 6.

The Hibbards, longtime Boy Scout volunteers, were called to the Friendship Center's podium during the annual Friends of Scouting Breakfast to receive the Gene Palmer Eagle Within Award. The honor is given annually to the year's top local adult Boy Scout volunteer or volunteers.

"They are of the unsung heroes of scouting," said Bryon Quebbeman, a La Grande Boy Scout volunteer who won the 2018 Eagle Within Award and introduced the Hibbards.

Ed and Michele were honored at the annual Friends of Scouting Breakfast in La Grande. The couple were saluted in large part for an annual day camp for Cub Scouts they put on at Antone Creek about 10 miles west of North Powder.



Dick Mason/The Observer

Michele Hibbard, left, and her husband Ed, right, received the Gene Palmer Eagle Within Boy Scout Award on Wednesday.

Science is a focus of the day camp, at which Ed Hibbard teaches Cub Scouts about subjects including steam engines, airplanes, nature, cooking, crafts and the art of making root beer. The root beer is made with substances including flavoring and dry ice, which provides carbonation.

"Putting on the day

camp is always fun. We try to get (the Cub Scouts) excited about science," said Ed Hibbard, who teaches the science classes.

Ed Hibbard is an engineer who works in La Grande for Anderson Perry and Associates, and Michele is a registered nurse who works at Baker Technical Institute in Baker

City where she teaches Certified Nursing Assistant classes.

Michele is the program director of the three-day Cub Scout day camp, organizing its classes and much more.

"Michele is very creative and comes up with great ideas. She makes things more fun," her husband said.

States would get free hand under Wyden's pot bill

The Associated Press

Oregon Sen. Ron Wyden proposed legislation Friday that would give states a free hand to allow legal cannabis markets without the threat of federal criminal intervention, the latest push in Congress to bolster the nation's burgeoning pot industry.

The proposal, identical to a bill in the House, aims to ease the long-standing conflict between states where cannabis is legal in some form and the U.S. government, which categorizes marijuana as a dangerous illegal drug, similar to LSD or heroin.

"The federal prohibition of mari-

juana is wrong, plain and simple,"

Wyden, a Democrat, said in a statement. "Too many lives have been wasted, and too many economic opportunities have been missed."

It remains unclear if Wyden's bill would have a chance of clearing the Republican-controlled Senate.

The Democratic majority in the House appears more open to considering proposals to ease federal restrictions on marijuana. The chamber has set a hearing next week on a bill intended to make banking services more widely available for pot companies.

A proposal similar to Wyden's previously languished in the Sen-

ate and House.

However, Rep. Earl Blumenauer, an Oregon Democrat carrying the current bill in the House, said voters have "elected the most pro-cannabis Congress in American history."

"It's tough to see how things will shake out, but there is a very serious chance cannabis policy reform will move in the Senate," said Morgan Fox of the National Cannabis Industry Association.

Most Americans live in states where pot can be legally purchased for medical or recreational use, and the move to loosen federal restrictions on marijuana came as the

issue has played into the emerging 2020 presidential campaign.

The proposal would take marijuana off the federal controlled substances list, and remove federal criminal penalties for individuals and businesses acting in compliance with state marijuana laws.

It would also reduce barriers for legal marijuana businesses to get access to banking.

The bill is part of a three-bill package: A second would impose a tax on marijuana products similar to federal excise taxes on alcohol, while a third would allow state-legal marijuana businesses to claim tax deductions and credits.

Commissioners file challenge against landowner

By **Casey Crowley**
WesCom News Service

The Baker County Board of Commissioners voted 3-0 Wednesday to file a legal challenge seeking to force a landowner to remove a locked gate across a road near Lookout Mountain in eastern Baker County.

The gate, installed in August 2017, is near the upper end of the road starts at the mouth of Connor Creek at Brownlee Reservoir. The road, which commissioners believe is a public right-of-way, connects to the Daly Creek Road northeast of Lookout Mountain.

The legal complaint names property owners Todd Longgood and Dennis Hansen as defendants. The defendants' lawyer, Charles Hudson of Lane Powell in Portland, sent a letter to the county's attorney, Larry Sullivan of Vale, in July 2018. The letter disputed the county's contention that the section of road running through his clients' property is public.

Hudson cited historic maps and property deed records as evidence the gated road was built after the formerly public land was transferred into private ownership, and thus can't be deemed a public right-of-way based on the

1866 one-sentence federal statute the county referenced in its complaint.

The complaint, filed in Baker County Circuit Court, is a declaratory judgment suit which doesn't ask for any damages against Longgood and Hansen. Rather, the county is asking a judge to determine the road through the private property is a public right-of-way that can't be blocked.

The county contends a 2002 resolution passed by county commissioners applies to the entire road, from its eastern end at the Snake River Road to the west end at Daly Creek Road. Longgood and Hansen's property is near the Daly Creek Road.

That 2002 resolution came about after a different property owner, on the eastern end of the road near the Connor Creek Mine, installed a locked gate.

County commissioners at that time determined, based on maps and testimony from longtime area residents, the road existed as early as the 1870s and thus qualified as a public right-of-way under the 1866 statute known as RS 2477. The 2002 resolution deems the entire route of the road, including the section that passes through Longgood and Hansen's

property, as a public right-of-way 60 feet wide.

But Hudson, in his July 2018 letter, noted maps as recent as 1933 don't show a road following the route of the current gated road. Maps from as far back as 1882 do, however, show a road on a different alignment, south of the current road.

Hudson contends the county's 2002 resolution doesn't legally apply to the road through his clients' property because that section of the road, unlike the lower section near the Connor Creek Mine, wasn't built when his clients' property was still public.

If a judge declines to order the gate be unlocked, the county could potentially try to reopen the older road as an alternate route.

Before the commissioners voted Wednesday to file the complaint they heard testimony from members of the public both in support and opposed to litigation. Six citizens spoke in support, two were opposed and one was uncertain.

Lou Echelbarger, a business partner of Longgood's with no stake in the property involved in the complaint, and Dan Forsea, who owns property adjacent to Longgood and Hansen's, both said Commission

Chairman Bill Harvey originally approved installation of the gate but later changed his mind.

Harvey said during Wednesday's meeting he never authorized installation of a locked gate.

Echelbarger contends the road crosses the private property is Sawmill Basin Road and has always been private.

Ken Helgersen, retired Baker County Roadmaster who had that position during the 2002 dispute over the Connor Creek Road, said he agrees with commissioners' decision to file the claim against Longgood and Hansen.

Commissioner Mark Bennett said the only way to resolve the issue is to take it to court.

"I am not for litigating our neighbors and our taxpayers or our friends... but I don't see any other way," Bennett said.

He said he supported filing the complaint in part because he had been assured that in doing so the county would not be potentially subject to paying attorney fees for Longgood and Hansen.

When the county lost in a lawsuit it filed against the owner of a helicopter company in Baker Valley, a judge in 2016 ordered

the county to pay about \$324,000 in attorney fees for the business.

Harvey said from the beginning he has wanted to work with the landowners.

"We attempted everything we could to no avail, so at this point in time this is the next step you follow," Harvey said.

Commissioner Bruce Nichols said he hopes there are no winners and losers in the dispute and the county can come to an agreement with the landowners.

"I get all sides of this deal here... like Mark said we are painted into a corner, we need to find out what the real solution is," Nichols said.

Neither Longgood nor Hansen attended the Wednesday meeting.

Nichols and Harvey said they have each spoken separately with Longgood.

Longgood couldn't be reached for comment.

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