

# Lawsuits: Port of Astoria partnership has soured

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properties in the partnership; usurped Westerlund Log Handlers' assets, operations and business; and denied the two access to any records or accounting of the partnership.

The two demand a trial by jury, in which they seek at least \$30 million each for lost business assets, opportunities, compensation and profits; \$1 million each for emotional distress; and \$10 million for Westerlund Log Handlers from the log-handling agreement. They also seek an accounting of their partnership with Murphy, an injunction preventing Murphy from copying Westerlund's proprietary log-tracking software and a declaration that they are partners with Murphy in the log-exporting operation.

Discovery in the case is to be complete by Nov. 12, with a deadline of Dec. 11 to order a pretrial or reach a settlement.

## Murphy's beef

Murphy Overseas' suit alleges Astoria Forest Products covered expenses on behalf of Westerlund for its log-handling, vendors, stevedores, employees, legal fees with China National, rent on Westerlund's Lewis and Clark log yard, a deflocculating plant on the log yard and past-due payments to the Port.

To secure payments made on behalf of Westerlund Log Handlers, Murphy's case alleges, it entered into a co-tenancy agreement with Westerlund and the Port. The suit alleges the Port later terminated Westerlund's lease and transferred it to Astoria Forest Products, in exchange for the company paying Westerlund's past-due bills.

Murphy's suit seeks more than \$5.5 million in damages from alleged breaches of contract and Westerlund's inability to process logs as part of the parties' contract.

## Not so friendly neighbors

In yet another federal case filed last month, Dennis Murphy is suing David Westerlund and his wife, Lori, over nonpayment of more than \$400,000 he

**Astoria Forest Products Yard Manager Dave Daggett stands in front of the Pier 3 log yard the company started in October after acquiring Westerlund Log Handlers' operations.**

Daily Astorian File



Joshua Bessex/The Daily Astorian

Astoria Forest Products continues processing logs on Pier 3 and exporting them off Pier 1 at the Port of Astoria.



Dennis Murphy Sr.

loaned the Westerlunds to finance the building of a house.

Murphy's suit alleges the Westerlunds breached the loan agreement in April by not repaying the \$407,000 they borrowed. He seeks more than \$433,000 for the loan and accrued interest as of June 11, along with \$250 a day in interest until the total amount is paid back.



# Crisis: 'We are not providing the crisis services we need to'

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The district attorney is hopeful about a crisis respite center being planned for Warrenton, a possible alternative to jail or hospitalization, but said there are few options for psychiatric care or secure beds.

"We are in crisis in this community," Marquis said. "And we are not providing the crisis services we need to."

The county contracts with Clatsop Behavioral Healthcare for mental health services, using money that comes from the state and federal governments.

Marquis recommended the county spend additional money to hire mental health workers. The district attorney said the county needs "skin in the game" for the situation to improve.

"Unfortunately," Mar-

quis said, "the buck stops here."

## Emotional appeals

County Manager Scott Somers invited Clatsop Behavioral Healthcare to appear at the work session after emotional appeals to the county over the past few months to respond to potential gaps in mental health treatment.

Carrie Barnhart, a 54-year-old mother of six who had battled mental health issues, jumped off the Astoria Bridge in April. Astoria Police had responded to suicidal warnings from Barnhart four times in the months before her death. Police had pulled her from the bridge a week before her death and had taken her to Columbia Memorial Hospital, where



Sumuer Watkins

she was evaluated by Clatsop Behavioral Healthcare and released after two hours.

A retired Wyoming police officer and Barnhart's family have publicly pressured the Board of Commissioners for answers.

## Confidence in services

Somers framed the work session Wednesday around whether the county can feel confident in Clatsop Behavioral Healthcare's services, but the discussion turned into a description of the broader challenges in treating the mentally ill, not on Clatsop Behavioral Healthcare's performance.

Oregon, like many other states, has struggled to care for the mentally ill as the treatment model has moved away from institutionaliza-

## 'The goal now is to catch people before they're going into crisis.'

— Sumuer Watkins

executive director at Clatsop Behavioral Healthcare

tion toward a more community-based approach.

Social-service advocates argue that the federal and state governments do not provide enough money to adequately treat mental illness, leaving counties and cities with insufficient resources to handle people with complex problems.

Sumuer Watkins, the executive director at Clatsop Behavioral Healthcare, said the private contractor has increased the number of staff performing crisis services. The contractor has also worked to provide outreach to people in the community who are reluctant to

seek help, in part because of the stigma of mental illness.

"The goal now is to catch people before they're going into crisis," Watkins said.

Gov. Kate Brown signed a bill into law in June that expands the definition of mental illness for civil commitment. The law now covers people who are unable to meet the basic personal needs necessary to avoid serious physical harm in the near future and are not receiving care to avoid such harm.

## Performance measures

While Clatsop Behavioral Healthcare is already

subject to state and county oversight, Scott Lee, the chairman of the Board of Commissioners, urged the contractor to also provide quarterly reports to the board on performance measures.

Astoria City Councilor Drew Herzig, who attended the work session, suggested independent evaluations to help ensure accountability. "It's very hard for the agency to report on itself and be believed, at this point, because there is a climate of distrust," he said.

Lee said afterward that he has confidence in Clatsop Behavioral Healthcare.

"I never lost confidence in CBH," he said, adding he was pleased with the contractor's report at the work session. "I think that it's important that CBH gets out there and does some messaging."

# Brewery: New location will primarily be used for research, development

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Pelican's plans involve demolishing the former Dooger's Seafood and Grill at 1371 South Hemlock St., which has been vacant since 2011.

"We did start out thinking we'd add to the existing building," David Vonada of Tolovana Architect said. "When we started contemplating redesigning it, it turned out we were going to be adding onto it in about 40 directions. So at some point, we threw our hands up and said, 'Let's just replace it.'"

The brewpub will be Pelican's third location. Pelican first opened in Pacific City in 1996, and a site in Tillamook was added in

2013. Co-owner Mary Jones said they "love being on the coast" and had contemplated this location for a number of years.

"It's just a beautiful, vibrant community with a strong economy and really we feel like our brand fits well," Pelican's other co-owner, Jeff Schons, added.

Cannon Beach's site will feature brewery tours and be similar to Pacific City's menu-wise. John Newman was named Pelican's new corporate chef and will develop and maintain menu creations at all three locations. Newman, owner of Newmans at 988, was one of Pelican's chefs when the company first opened in 1996.

The 11,422-square-foot building will seat 160 inside and feature outdoor seating for 40 on the sunset side of the building, with a fire table to keep patrons warm during chilly days.

Walls on the brewery side will be designed to give visitors a peek at operations as staff work a seven-barrel brewing system, making about 600 barrels per year, Pelican CEO Jim Prinzing said.

He added that Cannon Beach's location will be primarily utilized for research and development, collaborating with chefs and brewers from areas such as Portland. They'll be "fun, one-off type of beers."

He noted that production of core brands, such as Kiwanda Cream Ale, will remain at Tillamook.

Pelican has also acquired the Sunset Inn that sits next door. Prinzing said there are "no definitive plans for that property yet," but that they are exploring the possibility of making it a "Pelican's Nest" with pelican-themed rooms and a "beer-centric hotel experience" similar to that of the Dogfish Inn in Delaware.

Surrounded by pine trees, grasses and perennials, the building's landscaping has been designed to make it look like a "landscaped dune," Rita Frailey with Cannon Beach Landscape Services said.

Design Review Board members objected to the removal of the property's cherry trees, however, noting they were unique to the city, and negotiated the planting of three healthy ones in a T-shaped zone in the parking lot.

While the exterior design is now complete, Prinzing said they still have the interior and brewery to work on. He doesn't have any cost estimates yet for those.

He added they'll begin the hiring process in December, and that Cannon

Beach's managers will likely start in Pacific City for training.

During peak season, he said they expect to have a staff of about 60 to 70 people. In the off-season, there will be 40 to 50 employees.

Vonada said they're "counting on a heavy traffic flow," and that he expects the new brewpub to draw more people to midtown.

Schons noted they may be "overly optimistic" about starting the brewpub construction in September and opening March 1.

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