

Barn owner faces court date for commercial activities

Despite lack of permit, barn owner said to rent premises

By R.J. MARX
The Daily Astorian

GEARHART — In another twist to a long-running dispute, Shannon Smith, owner of Neacoxie Creek Barn, will be in Gearhart Municipal Court Monday to face trial for zone code tickets. The two tickets charge that Smith conducted business activities in a residential zone.

Smith also will receive two additional tickets for zone code violations for alleged commercial activities based on other events early last month, City Manager Chad Sweet said Wednesday.

Each ticket could bring a \$500 fine.

Smith pleaded not guilty to the first two tickets, and will issue a plea for the third and fourth tickets Monday.

"I want to give her every opportunity she has to make this work, but at this point we have to go through these steps to protect the city from a liability standpoint," Sweet said.

He said despite the lack of a permit, Smith has continued to operate commercial events, such as weddings and large parties in violation of city code.

"She's technically not permitted for anything at this point," Sweet said. "She has a pending conditional use permit with conditions that need to be fulfilled before she conducts



Gearhart resident Shannon Smith in front of Neacoxie Creek Barn, said to be in use as an events center despite what the city says is a lack of proper permits.

commercial business. Those conditions have not been met."

Conditions unmet

Those conditions include parking access under the Americans with Disabilities Act; an ADA license; fire, life and safety issues; and an occupancy permit, "which is very important to a commercial business, especially when you're changing occupancies from a livery stable to an event center," Sweet said.

According to its website, Neacoxie Creek is an event venue located on the banks of Neacoxie Creek, with a 110-year-old historic barn and acre of grounds. The property was the original livery stable for the first "Gearhart Park" hotel built in 1890.

The barn is listed for weddings, parties, corporate picnics, retreats and workshops and more with use of the barn main floor, western lawn, creekside front lawn, and gardens.

"We understand there is at least

one more wedding scheduled this month," Sweet said.

City may seek injunction

The code violations are separate from an injunction proposed by the City Council at its meeting last week.

Councilors agreed to seek an injunction that could padlock the barn from future events. That injunction would be sought at the county level. "We're working with our attorneys and that is pending so



Katherine Lacaze/EO Media Group
Gearhart resident Shannon Smith has been trying for several years to renovate her historic livery for use as an events center.

I can't comment on that," he said. Smith asked to speak and brought an "olive branch" to Mayor Dianne Widdop.

The plastic branch was intended as a request for "a sit-down discussion with this town," Smith told the council. "Let's find another way. I don't want to have an injunction. I want to work with the city. I'd like to find solutions, instead of this crazy situation that has gone on too long. I don't want to be fined or legally acted upon into oblivion, and I think it's actually the spirit of Gearhart to sit down and talk with each other and work with each other.

"So here's my olive branch," Smith said. "Countries can do it, organizations can do it, we can do it. I don't think anybody wants to have the legal bills we continue to have. This is my eighth request and I hope you really take it to heart."

Citing pending litigation, Widdop and councilors did not respond.

Drought loans offered to businesses

The Daily Astorian

U.S. Secretary of Agriculture Tom Vilsack has designated Clatsop County a primary natural disaster area because of damages and losses caused by a drought that started in July.

"Our hearts go out to those Oregon farmers and ranchers affected by recent natural disasters," Vilsack said in a release. "President Obama and I are committed to ensuring that agriculture remains a bright spot in our nation's economy by sustaining the successes of America's farmers, ranchers, and rural communities through these difficult times. We're also telling Oregon producers that USDA stands with you and your communities when severe weather and natural disasters threaten to disrupt your livelihood."

The U.S. Small Business Administration is offering small, nonfarm businesses in Clatsop, Tillamook, Washington and Columbia counties low-interest federal disaster loans to offset economic losses because of the drought.

Businesses in Washington's Pacific and Wahkiakum counties are also eligible. The deadline to apply for loans is May 2.

"SBA eligibility covers both the economic impacts on businesses dependent on farmers and ranchers that have suffered agricultural production losses caused by the disaster and businesses directly impacted by the disaster," said Tanya N. Garfield, director of the administration's western Disaster Field Operations Center.

Small, nonfarm businesses; small agricultural cooperatives;

small businesses engaged in aquaculture; and most private nonprofit organizations of any size may qualify for loans of up to \$2 million to help meet financial obligations and operating expenses which could have been met had the disaster not occurred.

Eligibility for the loans is based on the financial impact of the natural disaster, and not on any property damage. The loans have an interest rate of 4 percent for businesses and 2.625 percent for private nonprofits, with a maximum term of 30 years.

By law, the government makes such disaster loans available when the secretary designates an agricultural disaster.

Nurseries are eligible for disaster assistance in droughts.

But businesses primarily engaged in farming or ranching are not eligible for disaster assistance. Agricultural enterprises should contact the Farm Services Agency about USDA assistance made available by the Vilsack's declaration.

Applicants may apply online at <https://disasterloan.sba.gov/ela>

Disaster loan information and application forms are also available from the administration's Customer Service Center at 800-659-2955 or at disastercustomerservice@sba.gov. For more information, visit www.sba.gov/disaster

Completed applications should be mailed to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

Molalla man arrested for online sex abuse

The Daily Astorian

Clatsop County Sheriff's deputies arrested a 22-year-old Molalla man Wednesday in connection to online sexual corruption and physical abuse of a 13-year-old Clatsop County girl.

Colby Alen Greer was arrested in the parking lot of a shopping center in Happy Valley following a two-week investigation.

Prior to his arrest, the sheriff's office said, Greer had been communicating with deputies who were posing as the girl on a social media network. Greer thought he would be meeting the girl but was instead greeted by Clatsop and Clackamas County sheriff's deputies.

Greer reportedly started contacting the victim after being randomly suggested to her as a friend on a social media

site. He apparently nurtured the relationship using several forms of online communication. During their monthlong relationship, Greer met the victim in person on two occasions at public locations within Clatsop County.

He was booked into Clatsop County Jail on two counts of first-degree sexual abuse, two counts of luring a minor, second-degree unlawful sexual penetration, first-degree and second-degree online sexual corruption of a child, using a child in a sexually explicit display and attempted using a child in a sexually explicit display.

The sheriff's office does not believe there are other victims in the case. However, if anyone has any information related to other related crimes they are asked to contact Sheriff's Office Detective Ryan Humphrey at (503) 325-8635.

Clatsop County hires firm for manager search

The Daily Astorian

The Clatsop County Board of Commissioners unanimously agreed Wednesday to hire national consulting firm Waldron to assist the board with hiring a new county manager.

County Manager Scott Somers' last day with the county is Sept. 18. He resigned to become the city

manager in College Park, Md.

Last week, the Board of Commissioners selected Rich Mays, the former city manager of Cannon Beach, to serve as interim county manager.

Waldron is charging a flat fee of \$25,000 for the county manager search.

In its proposal, Waldron touted a four-stage search process that consists of dis-

covery, outreach, candidate presentation and final candidate selection.

The entire selection process could take more than three months.

In other business:

The Board of Commissioners approved a cable franchise agreement with Charter Communications to eventually fund video recording of county meetings and public access service.

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