

# Ouster: Three directors defended their decision

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Sharon Clyde

firefighters and emergency medical technicians, which she presented to the board. "They're obviously not acting on behalf of the community or the volunteers," Neuwirth said. "Because if they were it wouldn't have happened how it did, and it shouldn't have happened at all."

A volunteer for 30 years before becoming chief, Balzer was locked out of his office, met with a police escort while he gathered his belongings and sent home walking in the rain, Neuwirth said in January.

Balzer filed a civil suit in Clatsop County Court against the fire district, claiming the firing was motivated by "personal animus and did not constitute the good faith sufficient cause under the employment agreement." He seeks more than \$677,000 in damages and relief.

The three directors defended their decision.

"Those who serve on the boards of public agencies, such as Cannon Beach RFPD bear the ultimate responsibility for the success or failure of those agencies," Clyde wrote in a response on behalf of herself, Beck-Sweeney and Smith. "They have a fiduciary responsibility to those who elected them to provide a high level of oversight, particularly in matters of management and administration.



Submitted Photo

Interim Fire Chief Jim Stearns, right, at a January meeting of the Cannon Beach Rural Fire District Board of Directors. Three directors, Linda Beck-Sweeney, Sharon Clyde and Garry Smith, are the subject of a recall drive.

"Failures and shortcomings in these areas can subject an agency to financial

loss, sanctions by regulatory agencies, and liability," they wrote.

"The best athletes don't always make the best coaches. The termination of

Mike Balzer as fire chief had nothing to do with his qualities as a human being, his dedication to the community, or his skills as a firefighter ... all of which are unquestioned.

"Mike was let go when the majority of the directors, elected by district voters, became concerned about his ability to perform the administrative skills required of the head of a public agency," the directors wrote.

Arguing that the chief's legal action limits the amount of information that can be released, Clyde wrote "Indeed, it could be argued that a recall effort is premature, as the details of the events leading up to the chief's termination won't become public knowledge until such time as a civil trial is held."

A minimum of 125 names were required on each petition to bring the recall to a vote. For each director, 126 signatures were certified, County Clerk Valerie Crafard said.

# Johnston: He has a background in hospitality management

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With a background in hospitality management, Johnston enjoys interacting with customers and providing customer service. In Utah, he spent 16 years as a general manager at major hotel groups. He also worked at Comcast for several years, providing tech support.

Johnston's various services include troubleshooting modem problems, upgrading hotel property management systems, adding system software and assisting with hospitality revenue management. He has helped several businesses set up their Facebook pages, and is working on installing a receiver for a zone on Elk Creek Road that lacks cellular service.

customers upgrade their email in-boxes by clearing out thousands of unwanted junk mails, which reduce the number of potential emails that could contain scams.

He also provided audio-visual support during the streaming broadcast of Seaside Police Sgt. Jason Gooding's funeral at the Coaster Theatre, and is the newest member of the Cannon Beach Chamber of Commerce.

When not troubleshooting technological issues, Johnston likes to spend time with Lillian. They enjoy mountain biking together.

He's excited for the many opportunities to "pay it forward" in Cannon Beach, whether by supporting the arts or cleaning up the beach.

— Lyra Fontaine

# Lawyers: Arnold called complaint 'frivolous'

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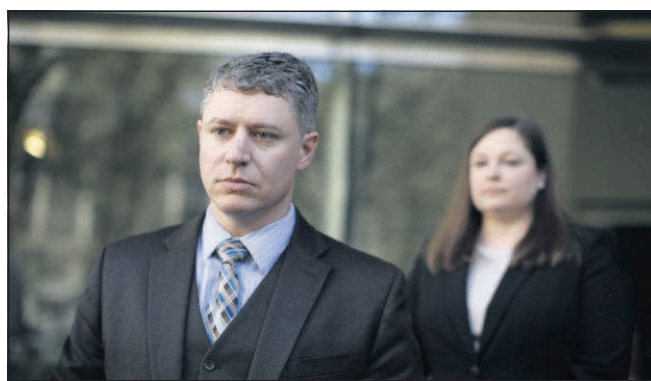
Attorneys in Oregon are barred from making public statements that threaten the imminent fact-finding process in a legal case, but only if attorneys know their comments will have a substantial likelihood of materially prejudicing the process, a high legal threshold.

Arnold and Casey believe they are exercising their free-speech rights under the First Amendment and worry that complaints from Marquis and others will have a chilling effect on attorneys who take on unpopular causes.

"Your particular DA is a unique publicity hound," Arnold said. "It's just ironic that he complains."

Marquis, a former reporter who has served as district attorney since 1994, often writes and speaks publicly on legal issues and is the chief spokesman for his office. He has cautioned local reporters, however, about the extent to which he can comment about pending criminal cases.

Marquis said the idea he is seeking publicity through his complaint is absurd given his two decades in office, his visibility in the press, and the fact he did not identify him-



Beth Nakamura/The Oregonian

Mike Arnold, an attorney for Ammon Bundy, speaks at a news conference held outside the Mark O. Hatfield U.S. Courthouse in Portland on Wednesday.

self as district attorney or otherwise publicize the complaint when he filed with the state bar earlier this month.

"The difference between your DA and us, is we comment to assist our clients, and he comments to hear himself speak," Arnold said.

Arnold said Marquis, who once worked as a deputy district attorney and a defense attorney in Lane County, went on the Arnold Law firm's Facebook page last year to chide an attorney critical of Patricia Perlow, who was being considered for appointment as Lane County district attorney. The law firm deleted Marquis' comment.

"He commented under his

own name, personally attacking one of our attorneys for speaking out against the local DA, who he's friends with," Arnold said.

Marquis said he made the Facebook comment to defend Perlow, who was appointed by Gov. Kate Brown last July to fill a vacancy, from "an unfair attack."

The district attorney drew a sharp distinction between talking with the news media, which he has long encouraged attorneys to do, and what he called a "gross abuse of this by another attorney."

"I felt morally and ethically obligated to report it."

Marquis said that "because I have been so outspoken

about this, both locally, statewide and nationally, I feel a particular duty to speak up."

The other complaints filed against Arnold and Casey with the state bar over the Bundy case came from Mitzi Linn, a Eugene artist, and an anonymous citizen in Portland who cited an Oregon Public Broadcasting report on the occupation.

Bundy, a small businessman whose cattle-ranching family was involved in an anti-government standoff in Nevada in 2014, is facing a federal conspiracy charge in the 41-day occupation of the Malheur National Wildlife Refuge in Harney County.

Arnold called Marquis' complaint with the state bar "frivolous."

"Only a narcissist could possibly conceive that two lawyers from Eugene could influence the jury pool in a case this big with this much coverage and national interest," he said in an email. "We just don't exude that sort of influence. Our constitutionally protected words are a drop in the bucket compared to the negative publicity against Ammon."

"All a person needs is a pulse and a pen to file a frivolous bar complaint."

# TV LISTINGS

Evening listings  
MONDAY

MONDAY EVENING												FEBRUARY 29	
A	L	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30
2	KATU	(2) KATU News at 6		Jeopardy!	Wheel of Fortune	The Bachelor (N)				Castle "And Justice for All" (N)		KATU News at 11	(35) Jimmy Kimmel
3	KRCW	(3) Seinfeld	Seinfeld	Modern Family	Modern Family	ExGirl "Josh and I Go to Los Angeles" (N)	Jane the Virgin "Chapter Thirty-Five" (N)			KGW News at 10	(35) Access H.	Met Your Mother	Met Your Mother
4	KOMO	(4) KOMO 4 News		Wheel of Fortune	Jeopardy!	The Bachelor (N)				Castle "And Justice for All" (N)		KOMO 4 News	(35) Jimmy Kimmel
5	KING	(5) NBC Nightly News	KING 5 News	KING 5 News	Evening	The Voice "The Blind Auditions Premiere" (SP) 1/2 (N)				Blindspot (N)		KING 5 News @ 11	(35) Tonight Show
6	KOIN	(6) KOIN Local 6 at 6	CBS Evening News	Extra	Ent. Tonight	Supergirl "Solitude" (N)	Scorpion "The Fast and the Nerdiest" (N)			NCIS: LA "Revenge Deferred" (N)		KOIN 6 News	(35) S.Colbert
7	KIRO	(7) KIRO 7 News	CBS Evening News	The Insider	Ent. Tonight	Supergirl "Solitude" (N)	Scorpion "The Fast and the Nerdiest" (N)			NCIS: LA "Revenge Deferred" (N)		KIRO News	(35) S.Colbert
8	KGW	(8) KGW News at 6:00 p.m.		Live at Seven	Inside Edition	The Voice "The Blind Auditions Premiere" (SP) 1/2 (N)				Blindspot (N)		KGW News at 11	(35) Tonight Show
10	KOPB	(10) This Old House	Business (N)	PBS NewsHour		Antique "Charleston (Hour Three)" (N)	Oregon Experience   Oregon Experience			In Performance at the White House (N)		Independent Lens	"Wilhemina's War" (N)
12	KPTV	(12) 6 O'Clock News		Family Feud	Family Feud	Gotham "Mr. Freeze" (N)	Lucifer "Favorite Son" (N)			10 O'Clock News		11 O'Clock News	Loves Ray
13	KPDx	(13) Mike & Molly	Mike & Molly	Big Bang Theory	Big Bang Theory	FOX 12's 8 O'Clock News on PDX-TV	FOX 12's 9 O'Clock News on PDX-TV			Law & Order: S.V.U. "Delinquent"		Law & Order: S.V.U.	"Smoked"
14	KCPQ	(14) Name Game	Modern Family	Big Bang Theory	Big Bang Theory	Gotham "Mr. Freeze" (N)	Lucifer "Favorite Son" (N)			Q13 News at 10		Q13 News	Modern Family
20	TBS	(20) Amer. Dad 1/2	Amer. Dad 2/2	Family Guy	Family Guy	Family Guy	American Dad (N)	Angie Tribeca	Family Guy	Full Frontal (N)		Conan (N)	
22	KZJQ	(22) Two and Half Men	Two and Half Men	The Simpsons	The Simpsons	Modern Family	Modern Family	Q13 News at 9		Big Bang Theory	Big Bang Theory	Friends	Friends
29	ESPN	(29) NCAA Basketball Kansas at Texas (L)				SportsCenter		SportsCenter		SportsCenter		SportsCenter	
30	ESPN2	(30) NBA Coast to Coast				College Basketball	NFL Live		NBA Tonight	Jalen & Jacoby (N)	30 for 30 "June 17, 1994"		30 for 30
31	NICK	(31) The Thundermans	The Thundermans	Paradise Run (N)	Henry Danger	Henry Danger	NickyRickyDicky	Full House	Full House	Full House	Full House	Friends	Friends
32	DISN	(32) K.C. Undercover	Girl Meets World	Liv and Maddie	Jessie	*** Enchanted (2007, Adventure) Amy Adams, Patrick Dempsey, Julie Andrews.		Austin & Ally	Bunk'd	K.C. Undercover	Girl Meets World		
34	FAM	(34) (5:30) *** 27 Dresses '08, Com James Marsden, Malin Akerman, Katherine Heigl.				The Fosters "EQ" (N)		Recovery Road "Heaven Backwards" (N)	The Fosters "EQ"			The 700 Club	
35	FMC	(35) (5:00) *** Gangs of New York '02 Daniel Day-Lewis, Leonardo DiCaprio.				(15) *** Gangs of New York (2002, Drama) Daniel Day-Lewis, Cameron Diaz, Leonardo DiCaprio.							(35) FXM Presents
36	LIFE	(36) To Be Announced				To Be Announced				To Be Announced			
38	ROOT	(38) Ship Shape TV	Mariners Access	Mariners Mondays	"Robinson Cano" (N)					UFC 162 Silva takes on Weidman in mixed martial arts action.			
39	FS1	(39) NCAA Basketball Texas vs. Baylor (L)				UFC "196: Dos Anjos vs. McGregor"	TMZ Sports (N)	Best I Heard (N)		NASCAR Auto Racing	Folds of Honor QuikTrip 500 Sprint Cup Series		
43	SPIKE	(43) Cops	Jail	Cops	Cops	Cops	Cops	Cops	Cops	Cops	Cops	Cops	Cops
44	COM	(44) Futurama	Futurama	Archer	Archer	South Park	South Park	South Park	South Park	South Park	South Park	The Daily Show (N)	Nightly Show (N)
45	HIST	(45) Swamp People "Gator Ghost Town"		Swamp "The Code of the Swamp"		Swamp: Blood "All Hands on Deck" (N)	Swamp People (N)			Billion Dollar Wreck (N)		(05) Billion Dollar Wreck	
46	A&E	(46) (5:00) *** Gladiator (2000, Epic) Joaquin Phoenix, Connie Nielsen, Russell Crowe.				To Be Announced						To Be Announced	
47	TLC	(47) Dateline NBC "The Confession"		48 Hours "The Hunt for Mr. Wright"		48 Hours Mystery "Deadly Proposal"	48 Hours "Millionaire Manhunt"	48 Hours "Secrets of Palm Beach"	48 Hours "The Hunt for Mr. Wright"			Street Outlaws "List Busters"	Street Outlaws "List Busters"
48	DISC	(48) Street Outlaws "550K, All the Way!" 1/2		Street Outlaws "550K, All the Way!" 2/2		Street Outlaws	Street Outlaws "List Busters" (N)	Rockin' Roadsters (P) (N)	He Named Me Malala ("15) Malala Yousafzai.	He Named Me Malala ("15) Malala Yousafzai.		Street Outlaws "List Busters"	Street Outlaws "List Busters"
49	NGEO	(49) Wicked Tuna "Pissed Off on Pissah"		Explorer "25 Years"		He Named Me Malala ("15) Malala Yousafzai.		He Named Me Malala ("15) Malala Yousafzai.		Major Crimes "Hindsight, Part Three" (N)	Major Crimes "Hindsight, Part Three" (N)	Better Call Saul "Amarillo" (N)	Better Call Saul "Amarillo" (N)
50	TNT	(50) (5:30) *** The Lincoln Lawyer ("11) Marisa Tomei, Matthew McConaughey.				Major Crimes "Hindsight, Part Two" 2/5	Major Crimes "Hindsight, Part Three" (N)	Better Call Saul "Cobbler"	Better Call Saul "Amarillo" (N)			(05) Colony "Broussard"	Chopped "Leftovers Overload"
51	AMC	(51) Movie (25) ** Twister (1996, Action) Bill Paxton, Jami Gertz, Helen Hunt.										Mr. and Mrs. Smith ("05, Act) Brad Pitt.	Chopped "Leftovers Overload"
52	USA	(52) NCIS "Obsession"		NCIS "Borderland"		WWE Monday Night Raw	Cake Wars "Party Animals" (N)	Chopped "We Love Leftovers!"	Chopped "We Love Leftovers!"			Chopped "Leftovers Overload"	
53	FOOD	(53) Guy's Game "Guy's Games Of Chance"		Diners, Drive-Ins   Diners, Drive-Ins		Cake Wars "Hello Kitty"		Ellen's Design Challenge (N)	House Hunters   House Hunters	House Hunters	House Hunters (N)	Tiny House Hunters	Tiny House Hunters
54	HGTV	(54) Love It or List It		Love It/List It "Mid Century Maternity"		House Hunters (N)   House Hunters	Ellen's Design Challenge (N)					Mr. and Mrs. Smith ("05, Act) Brad Pitt.	
55	FX	(55) ** Bad Teacher (2011, Comedy) Jason Segel, Justin Timberlake, Cameron Diaz.				** Mr. and Mrs. Smith (2005, Action) Angelina Jolie, Vince Vaughn, Brad Pitt.						On the Record	On the Record
57	CNN	(57) Anderson Cooper 360		CNN Tonight With Don Lemon		CNN Tonight With Don Lemon	CNN Newsroom			CNN Newsroom		On the Record	On the Record
58	FNC	(58) The Kelly File with Megyn Kelly		Hannity		The O'Reilly Factor	The Kelly File with Megyn Kelly			Hannity		On the Record	On the Record
61	CNBC	(61) Shark Tank		Shark Tank		The Profit	The Profit			Restaurant Startup		On the Record	On the Record
63	BRVA	(63) Vanderpump Rules "Pucker and Pout"		Vanderpump Rules "Bitch Ghost"		Vanderpump Rules "Beach, Please"	VanderpumpR "Too Little, Too Late" (N)	WatchWhat (N)	After Show (N)	Vanderpump R. "Too Little, Too Late"		On the Record	On the Record
64	TCM	(64) (5:00) Only Angels Have Wings		(15) *** The Strawberry Blonde ('41) Olivia De Havilland, James Cagney.		*** The Hunchback of Notre Dame	*** Thomas Mitchell, Charles Laughton.			(15) Young Bess ('53) Jean Simmons.		On the Record	On the Record
65	SYFY	(65) (5:00) Men in Black II ('02) Will Smith.		*** Men in Black (1997, Sci-Fi) Tommy Lee Jones, Vincent D'Onofrio, Will Smith.		The Magicians (N)	Lost Girl "Family Portrait"			Bitten "Right Behind You" (N)		On the Record	On the Record
162	RFD	(162) American Rancher	Red Steagall	Horse Master	Inside Reining	Craig Cameron	Rural Eve. News	Rural America "Live"		American Rancher	Red Steagall	Product Showcase	Product Showcase

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