

CUSTOM CARE AT COLUMBIA MEMORIAL HOSPITAL **COAST RIVER BUSINESS JOURNAL**

Developer backs away from Miles Crossing

Krueger was set to appeal to county commissioners

By **KYLE SPURR**
and **ERICK BENGEL**
The Daily Astorian

able housing has backed away from the project.

Richard Krueger is no longer challenging a Clatsop County Planning Commission decision in July to deny his proposed 48-unit complex.

A hearing that had been

scheduled for Tuesday before the Board of Commissioners has been canceled.

Krueger said he withdrew based on negative input he was getting from neighbors, who were concerned with traffic impacts and whether the area

has enough water and sewer capacity.

"I just got a negative feeling," said Krueger, who had agreed to scale the original project down from 168 units.

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Developer Richard Krueger listens during the Clatsop County Planning Commission's deliberation on his proposed Miles Crossing apartment project in July. Danny Miller/The Daily Astorian

WARRENTON SCHOOLS SEEK ROOM TO GROW



Photos by Edward Stratton/The Daily Astorian

Each weekday, more than 700 students stream into and out of Warrenton Grade School, which has ballooned in enrollment by nearly a third over the past few years. The Warrenton-Hammond School Board is discussing how to best accommodate the growth, whether that means expanding old schools or building new.

More students drives need for more space

By **EDWARD STRATTON**
The Daily Astorian

WARRENTON — Every weekday morning, more than 700 students stream into Warrenton Grade School from school buses and idling cars crowding the parking lot.

The growing housing developments around Clatsop Plains, so far the region's best answer to the housing crunch, have been a boon for Warrenton-Hammond School District's enrollment. While other school districts shrank over the past decade, Warrenton-Hammond has grown by nearly 20 percent, topping 1,000 students for the first time this year in initial enrollment counts.

The growth leaves the Warrenton-Hammond School Board with some

big decisions to make. Does the district build within its existing schools, hedged in by city streets and wetlands? Does it utilize or sell property the district owns in Hammond? Does the district follow Seaside's example and ask voters to fund a new campus on higher ground?

The next five years

Superintendent Mark Jeffery said the grade school has filled nearly every nook and cranny available to provide more educational space and avoid increasing class sizes. Closets and storage spaces have been turned into offices and classrooms; the library has been pared down by two-thirds to make way for a new multipurpose gym; and larger classrooms have been split in two.

The school board is poised to approve a \$2 million bond Tuesday to cover the district's needs in the next five

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Warrenton-Hammond Superintendent Mark Jeffery greets kids as they walk into Warrenton Grade School Thursday morning. The superintendent is overseeing efforts to accommodate an ever-growing number of students entering the district. More photos online at DailyAstorian.com



Gov. Kate Brown Bud Pierce Cliff Thomason

Governor hopefuls square off

Independent candidate joins the third debate

By **PARIS ACHEN**
Capital Bureau

EUGENE — Candidates in the contest for governor faced off in a debate at Churchill High School Thursday, offering their take on how to address the housing crisis, transportation, a revenue shortfall and the state's low graduation rate.

The third of five debates between Gov. Kate Brown and GOP nominee Dr. William "Bud" Pierce, the event also featured for the first time Cliff Thomason, Independent Party of Oregon candidate and an industrial hemp farmer from Grants Pass.

The candidates are seeking election to complete the last two years of former Gov. John Kitzhaber's four-year term. As former secretary of state, Brown was next in the line of succession when Kitzhaber resigned in February 2015 amid an influence-peddling scandal.

The debate was hosted by League of Women Voters Oregon and Oregon Public Broadcasting, and moderated by Think Out Loud host David Miller.

Talking points

Thomason provided a departure from largely partisan talking points by Brown and Pierce.

While Brown supports a \$3 billion corporate sales tax measure on the November ballot to help fund expansion of the Oregon Health Plan, Pierce said state government could come up with the money for the expansion simply with more efficient operations.

Meanwhile, Thomason proposed ditching the corporate tax in favor of passing a general sales tax, with corresponding reductions in other kinds of taxes, to help pay for health care and other services. Voters have rejected a sales tax 10 times.

Asked why voters would approve a sales tax on an 11th try, Thomason responded: "Because I am asking them."

Affordable housing

On affordable housing, Pierce proposed

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Appeals court to weigh extent of DA's immunity

Marquis froze out ex-Seaside Police detective Barnett

By **DERRICK DePLEDGE**
The Daily Astorian

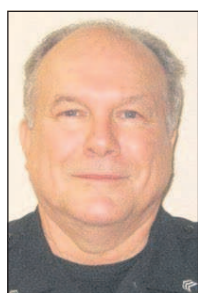
Did Clatsop County District Attorney Josh Marquis have absolute immunity when he froze out a Seaside Police detective who criticized him?

A three-judge panel of the 9th U.S. Circuit Court of Appeals will answer the question after accepting written legal arguments Thursday at Pioneer Courthouse in Portland.

Steven Barnett, who retired from the Seaside Police earlier this year, claimed Marquis violated his free speech and



Clatsop County District Attorney Josh Marquis



Former Seaside Police Lt. Steven Barnett

due process rights by refusing to vouch for his credibility to work on criminal prosecutions.

Marquis made the decision after Barnett, who was running against Sheriff Tom Bergin in 2012, wrote a guest column in The Daily Astorian critical of the

district attorney, who had endorsed Bergin in a newspaper column.

Barnett, who was one of four candidates to challenge Bergin, finished last in the primary with 7 percent of the vote.

U.S. District Judge Marco Hernandez in Portland ruled against Barnett in 2014, finding Marquis had absolute immunity because he was acting in his role as prosecutor in the judicial phase of the criminal process.

Barnett appealed to the 9th Circuit. The federal appeals court, like Judge Hernandez, will focus on the question of absolute immunity, not Barnett's underlying claims that his civil rights were violated.

"The only issue on appeal is the question of immunity, not the merits of the underlying claim, which will be for the trial court to resolve if and only if the

9th Circuit concludes that immunity is not available in this case," state Senior Assistant Attorney General Peenesh Shah, who is representing Marquis, said in an email.

Absolute immunity

Courts have long recognized absolute immunity for government officials performing their duties, a cover meant to protect the decision-making process from constant legal-guessing. For prosecutors, courts have distinguished actions that are judicial in nature from administrative functions.

In Barnett's case, Marquis informed the Seaside Police that the District Attorney's Office would not use the detective as a witness in prosecutions or work

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