

## IN BRIEF

## Flory to step into interim Seaside planning director role

SEASIDE — Jeff Flory, the city's code enforcement officer, will serve as acting planning director.

The position became open after Kevin Cupples retired on Feb. 15. Cupples was a Seaside employee since 1998.

Assistant City Manager Jon Rahl made the announcement at last week's Planning Commission meeting.

The city has received one internal applicant for the planning director position, Rahl said, although the search outside the city "has been slow, to be quite frank."

## State reports new virus cases for county

The Oregon Health Authority has reported several new coronavirus cases for Clatsop County over the past few days.

The health authority reported nine new virus cases for the county over the weekend, one new case on Friday, four new cases on Thursday and three new cases on Wednesday.

Since the pandemic began, the county had recorded 4,536 virus cases as of Monday.

— *The Astorian*

## State lawmakers scrap plan to clear some past nonunanimous jury convictions

The Oregon Legislature effectively decided convictions by nonunanimous juries should remain in place for older criminal cases.

In 2020, the U.S. Supreme Court ruled nonunanimous juries unconstitutional. The court's decision in *Ramos v. Louisiana* also noted Oregon's jury system for more than 80 years was rooted in racism and discrimination.

In a separate ruling last year, the justices left it up to Oregon to determine whether to apply the ruling retroactively, meaning people convicted by nonunanimous juries could have their cases re-examined.

The amended version of Senate Bill 1511, which did not reach the Senate floor for a vote, would've applied only to people in custody convicted by a jury of 10 to 2 or 11 to 1, and whose victims were not minors.

Democrats declined to advance the bill after it passed the Senate Judiciary Committee last month along party lines.

— *Oregon Public Broadcasting*

## DEATH

Feb. 22, 2022

OSBURN, James A., 77, of Seaside, died in Seaside. Hughes-Ransom Mortuary is in charge of the arrangements.

## MEMORIALS

**Saturday, March 12**  
**CARLSON, Bertie Leonard "Len" Jr.** — Virtual celebration of life at 10 a.m., via Facebook, at fb.me/e/21WmQI187

**CARLSON, Charles B. "Chuck"** — Celebration of life at noon, American Legion Post 99, 1315 Broadway in Seaside.

## ON THE RECORD

## DUII

• William Robert Romine, 70, of Cornelius, was arrested on Sunday on U.S. Highway 26 for driving under the influence of intoxicants and reckless driving.

## PUBLIC MEETINGS

## TUESDAY

**Clatsop County Planning Commission**, 10 a.m., (electronic meeting).  
**Seaside School District Board**, 4:30 p.m., special meeting, (electronic meeting).  
**Clatsop Care Health District Board**, 5 p.m., Clatsop Retirement Village, 947 Olney Ave., Astoria.  
**Lewis & Clark Fire Department Board**, 6 p.m., main fire station, 34571 U.S. Highway 101 Business.  
**Cannon Beach City Council**, 6 p.m., work session, (electronic meeting).  
**Warrenton City Commission**, 6 p.m., City Hall, 225 S. Main Ave.  
**Clatsop Community College Board**, 6:30 p.m., (electronic meeting).

## WEDNESDAY

**Clatsop Soil and Water Conservation District**, 10 a.m., (electronic meeting).  
**Astoria School District Board**, 5:45 p.m., (electronic meeting).  
**Clatsop County Board of Commissioners**, 6 p.m., (electronic meeting).  
**Warrenton-Hammond School District Board**, 6 p.m., Warrenton High School Library, 1700 S. Main Ave.  
**Knappa School District Board**, 6:30 p.m. Knappa High School Library, 41535 Old U.S. Highway 30.

## THURSDAY

**Seaside Convention Center Commission**, 5 p.m., 415 First Ave.

# the Astorian

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## END OF AN ERA

On their final evening as owners and operators of The Depot in February, Nancy Gorshe and Michael Lalewicz did as they had done at the Seaview restaurant for nearly the past 20 years. Gorshe greeted eager guests at the door and escorted each to their awaiting table. Meanwhile, chef Lalewicz was busy in the back kitchen, grilling ribeyes and pan-searing rockfish.

Luke Whittaker/Chinook Observer

## Beach house: 'We've been dealing with this easement since September'

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The City Council held a public hearing last week for a driveway access easement — a requirement before the building permit is considered — but held off making a decision pending the outcome of the legal challenges and other information.

Prior to the hearing, Haystack Rock LLC, which owns land to the north of the Roberts' property, filed a claim for declaratory relief in Circuit Court to determine the rights and obligations of the city and the Roberts.

The court filing claims the Roberts do not have the right to build a driveway on an unimproved public right of way. The city, the filing claims, has the authority to deny the easement request for failure to adequately demonstrate safety, code compliance or that it is in the public's interest.

Haystack Rock LLC also argued that the city may not grant the proposed private easement, and that the right of way cannot be used for anything other than a public thoroughfare.

The property owned by Haystack Rock LLC includes a replica of a historic cabin once owned by former Gov. Oswald West. To the south of the Roberts' property sits an undevel-



Lydia Ely/The Astorian

Stanley and Rebecca Roberts want to build a beach house off Hemlock Street.

oped city-owned lot called Inspiration Point, purchased in the early 2000s with the help of the public to preserve green space along the coastal cliff.

The undeveloped lots off the Hemlock Street curves are some of the few oceanfront parcels left near the heart of the city.

As drafted, the easement agreement would still give the city authority to allow public pedestrian access to and along the city's property at any time. The driveway is also required to be at grade or as close to grade as possible.

William Rasmussen, the attorney representing Hay-

stack Rock LLC, told the City Council that the suit was filed, in part, to help reduce the city's risk of a future lawsuit from the Roberts. He asked the City Council to hold off until the litigation and a traffic safety assessment have been completed.

"The legal expense and making all the arguments that I want to make, and my clients want to make and the public wants to make, will not be on the city's dime," he added.

Haystack Rock LLC was one of the groups that signed on in support of the city in the Roberts' appeal to the Court of Appeals.

Chris Koback, the Rob-

erts' attorney, told the City Council he does not think the lawsuit has any merit. He suggested the council approve the easement subject to a condition that the design be approved by the city.

"We look at the lawsuit really as not a friendly lawsuit to the city, but one that's kind of been designed to intimidate my client and city in this public process," Koback said. "We don't think a late filing of a lawsuit the day before a public hearing is a reasonable basis to say, 'Let's put this on hold,' after we've been dealing with this easement since September."

## Qaqundah: Comes from a family of doctors

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Another room is devoted to music and features a collection of acoustic instruments, new and vintage, that Qaqundah's wife, the songwriter and guitarist Myshkin Warbler, has found and spruced up.

In 2013, one of Qaqundah's musician friends, who decided to play matchmaker, invited her to a gig she would perform with Warbler. She showed Qaqundah a poster with Warbler on it.

"Look who's coming to town to play a show with me," Qaqundah recalls her friend saying. "And I was like, 'Yes! OK!'"

Soon afterward, Qaqundah and Warbler started dating long distance, then moved in together.

About two months into their cohabitation, Qaqundah had a minor procedure that required

stitches. Two days later, she went into septic shock. Her organs began shutting down. She slipped into a coma that lasted six days.

She was given epinephrine, which shunts blood from the extremities to vital organs. Qaqundah survived, at the expense of both legs, the fingers of her right hand, damaged internal organs and much of her skin. Her body is covered with skin grafts, and she spent time in a burn unit, she said.

She was put on opioids, then had to kick them once she was out of hospital care.

"There's such a dark place — like I'd lost my hope and light, you know? — and really had to rely on my friends to remind me who I was," she said.

Qaqundah collected her friend's stories surrounding her hospital experience — how they heard about her ordeal, how it affected them, how they rallied around her.

She turned the pieces into a 456-page collaborative memoir, "Held Together," self-published in 2018.

Around the same time, Warbler finished an album, "Trust and the High Wire," largely about meeting Qaqundah and what they went through together.

The couple wove their words and music into a performance piece, which debuted with about a dozen musicians and readings by the book's contributors.

Eventually, Qaqundah and Warbler turned the piece into a two-person act and took it on the road. A gig at KALA marked Qaqundah's first time in Astoria. "We got out of our rig, and we were like, 'Oh

yes,'" she recalled.

A year later, they were Astoria residents.

Qaqundah has been musical since she was a child, playing piano, guitar and djembe. She was just learning the violin when she got sick. Afterward, she couldn't hold the instrument properly; she had lost too much tissue on her left arm.

She and Warbler realized Qaqundah could hold an upright instrument. So she took up the cello.

"I am lucky enough to get to play in Myshkin's band," she said.

In the office they share at Grateful Rain, mounted on the wall, is the poster of the concert that brought them together.

## WANTED

**Alder and Maple Saw Logs & Standing Timber**

**Northwest Hardwoods • Longview, WA**

Contact: John Anderson • 360-269-2500

Memorial for

## Steve Roman

March 12th, 3pm at Astoria Elks Lodge

Vaccinated Only Please