

NEWS BRIEFS

Grange hosts Christmas party

South Fork Grange will host a children's Christmas Party 3-5 p.m. Friday, Dec. 22, at the grange hall.
Mrs. Claus will visit at 5 p.m. and a family soup and salad dinner will follow.

The hall is on Rosewell St. in Lostine.

Auxiliary sets bake sale Dec. 21

The Wallowa Memorial Hospital Auxiliary is having a bake sale 8 a.m. to 2 p.m. Thursday, Dec. 21, in the hospital lobby. A variety of goodies will be available, along with See's Candy.

Dec. 14

7:34 p.m. — Report of a smoke alarm going off at a residence in Enterprise. There was no fire and the occupant was wanting to know how to shut it off.

3:38 p.m. — Sheriff's deputies arrested John William Fine, 50, of Enterprise, on a fugitive warrant out of Umatilla County.

Dec. 15

8:19 a.m. — Theft of tools was reported in Enterprise.

10:49 a.m. — Theft of gift card was reported in Wallowa.

5:19 p.m. — Report of disorderly conduct in Enterprise.

5:26 p.m. — A vehicle slid off the road in rural Wallowa.

Dec. 17

7:33 a.m. — Sheriff's deputies responded to a menacing complaint in Lostine. Timothy O'Brien McRae, 39, of Lostine, was arrested and charged with menacing. He was transported to Umatilla County Jail.

FOR THE RECORD

Dec. 11

7:45 a.m. — A 911 caller reported a fire in Wallowa.

9:39 a.m. — A fire drill was conducted at Enterprise School.

12:58 p.m. — Enterprise PD investigated a theft report. Joshua William Connolly, 24, of Enterprise, was arrested for theft and carrying a concealed weapon. He was cited and released.

Dec. 12

7:26 a.m. — Flue fire was reported in rural Enterprise.

10:34 a.m. — Wallowa County SO investigated a report of an animal neglect case in rural Enterprise.

6:02 p.m. — 911 caller requested dispatch advise the hospital a subject was coming in by private vehicle.

9:40 p.m. — Stolen vehicle reported in Wallowa.

BILLION

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facts that support the alleged case for relief." He added that after reading the complaint, he was unable to ascertain what the county did or how it would have damaged the plaintiff.

The county's attorney also stated that the tort violated the Oregon Tort Claims Act by failing to serve notice to the defendants, which would have allowed them time to investigate the complaint. He also asked Powers to dismiss the case with prejudice because of the lack of a valid claim or even a potential claim against the county.

Karpinski said he had little to add to Jagelski's statement, although he did say that the state had received an amendment to the complaint that didn't include Wallowa County and a motion for summary judgment, which is a motion that contends that all necessary factual issues are settled or are so overwhelming they need not be tried. He added that both the summary judgment motion and the amended claim were equally unintelligible.

Powers made clear that he had received notice of the aforementioned claims and motions and several others as well.

"None of those filings, as I can see, have been accepted by the court," he said. "They were not properly filed or properly served as far as we can tell, so those are not of record."

He told Tippett that the court was only examining the motion to dismiss. He asked that Tippett confine his remarks to the dismissal motion.

Tippett ventured an argument that he had not received any evidence that he was an Oregon resident or that such evidence even existed. He said

he was not in a valid contract with the state of Oregon, and if anyone disagreed, they needed to supply the contract so he could review it. He recited a U.S. Supreme Court case that bore hazy connection to his case.

Powers asked Tippett to ascertain whether he was a resident of Oregon. Tippett replied "no."

Powers then said as the complainant did not claim to be a resident of the state, which provided an additional reason to dismiss the case because of the court's lack of jurisdiction. Tippett began to recite another case when Powers cut him off, telling him it was not an Oregon case and therefore irrelevant to the motion for dismissal.

Tippett tried to interrupt but Powers reiterated he wanted to hear a direct argument pertaining specifically to the dismissal motion. The claimant essentially replied that the state's tort act was invalid and that the book of Revelation 9:12 described the alleged deception of the state, and because the Bible is the Word of God, it is good enough for the circuit court. The verse Tippett used to make his case says: "One woe is past; and, behold, there come two woes more hereafter."

Not surprisingly, perhaps, the entire hearing took less than 20 minutes from beginning to end, including Powers' finding in favor of the county and state's motion for dismissal because of its failure to follow the tort claims act. He also dismissed the complaint with prejudice, which means the case is dead. Tippett cannot refile, reamend or appeal.

County commissioner Susan Roberts wasn't sorry to hear of the demise of Tippett's case.

"It was an interesting concept but not very well fleshed out," Roberts said.

BRIDGE

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other bridge engineers and determined it can be moved.

A feasibility study would be required. The plan is to dismantle the major pieces and have the Oregon National Guard move the anchoring ends by helicopter to the new spot. Then the rope supports would be reattached.

The move would be a couple hundred yards, but 1,000 feet higher in elevation. No cost estimates have been determined. Presentations are also planned to the other Rotary Clubs that participated in the original build.

Camp Wallowa on the Wallowa River opened in 1939 as a Boy Scout camp when Pacific Power and Light Co. donated the land to the Blue Mountain

Council, based in the Tri-Cities in Washington, in 1947.

The 90 acres was leased to the nonprofit Creating Memories in July 2014. That organization has been working on the facility in hopes of creating a resort for disabled individuals.

Last week, the nonprofit's board gave its approval for the bridge project, Bombaci said.

"They only wanted to be sure the plaque would go with the bridge, and they want a letter from the trails association describing the proposal for their official consideration," he said.

The matter also requires the approval of the Boy Scouts. The Blue Mountain Council is expected to consider it in February 2019. The U.S. Forest Service, which has been supportive, will also need to sign off before work can commence.

BOOM

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rebirth of the theatre as a community center and entertainment mecca is ongoing. In addition to serving as a live theatre, site for fundraisers, showcase for special film presentations and the Ruby Peak Film Festival, and music venue, the theatre has also become a sound studio where local musician Bart Budwig has recorded approximately 20 albums for a variety of musicians.

"Some big stuff happened as a result of that," said Brann. "Music from one album has been used in a movie. Another artist is now touring with a big name performer. We hope to build that part of the business with the theatre."

The historic theatre building is also getting a lot of love. Brann has received grants for restoration and is currently swamping out the basement to dramatically upgrade heating, cooling and wiring. ADA-approved bathrooms will also be installed.

Next door in the Weaver Building, Brann has been "picking away" at remodeling with the plan of having three retail spaces. Two spaces are already spoken for and there has been a lot of interest in the third, Brann said.

Deyette Perry of "Perry and Associates Certified Public Accountants" began renting office space in November and Grady Rawls' "Living Skies Production" is planning to move from the theatre into the Weaver Building as well.

Getting in on growth

Meanwhile, former Wallowa County native Bill Warnock and his wife, Michelle Starr, began buying up buildings on the other side of Main, beginning with the buildings now housing "R's Consignment" and "Bird Dog Signs," which they purchased a year ago. Warnock and Starr live in Vermont but will be returning full-time to Wallowa County in the next five years.

A week ago, they expanded their holdings west to the old Masons Lodge that used to serve as the "Annex" to Steve and Cathy Lear's Lears' Main Street Pub and Grill.

"We're going to put that building on the historic registry, fix it up, and put apartments on the second story and two smaller commercial spaces downstairs," Starr said.

The Bowlby stone building suffered structural damage recently when the back wall collapsed, but the investors were prepared for that event. The wall that fell is part of a 1910 add-on to the original building, which enclosed a porch.

"We've been looking at this building for six years," said Starr. "It's not an impulse buy, and we did a really thorough investigation."

The focus is stabilizing the building, which engineers and contractors say can be accom-



Kathleen Elynn/Chieftain

Don't worry about the businesses displaced by the new remodeling being done by investors — most of them have already found new spaces. Earnest "Bunk" Sasser cuts Keith Carmen's hair in his bigger shop just a block from the old one.

BOWLBY BUILDINGS FILLING FAST ON E. MAIN

East Main, a bastion of Bowlby Stone buildings, has not been left out of the boom. There, an entire block of ground floor business spaces is filling up.

- Dr. Rusty Woods retired and moved out, but the fire at city hall saw his 117 E. Main address filled again as a temporary location.

- Meantime, next door, the 119 E. Main "Stage One" space was taken up by two new businesses: "Belle Salon" and "Eagle Cap Wellness."

- Christ Covenant Church took the 115 E. Main office space.

- A private space owned by Julia Zeise that is sandwiched between "Pioneer Guest Home" and "The Bookloft" is sometimes rented out for yoga classes.

- A group of massage therapists is discussing Dr. Barton's old chiropractic office as a possible site for a business.

The back half of that block is where the old City Hall is located. That area will soon be the site of the new Enterprise Fire House and City Hall. The Burnaugh Building is also on that block.

plished. Contractor Ken Nash of Enterprise began work on it this week. Warnock and Starr also hope to have Dave Melville of Enterprise doing the tucking and pointing on the Bowlby Stone restoration, just as he has done on the newly remodeled Burnaugh Building at 107 N. River Street.

The investors are very excited about the future of their buildings.

"Bill grew up there and we have a house up at the lake and we plan to live there in a few years," Starr said. "We like Enterprise. It was at one time the hub of the county and we think it will become that again at some time. We think the buildings are a great location, and Bill has memories of going downtown and getting whatever you needed. We think that's possible again and we want to be a part of that."

Lear's Pub still for sale

When Steve and Kathy Lear left for Lewiston, Idaho, they leased their building to

Rachel Esquibel of Enterprise for her bid at running "Stockman's Lounge." Unfortunately, an especially bad winter shortened the life of the venture.

The restaurant with full kitchen and upstairs apartment remains for sale for \$250,000. The fire marshal's sign recently posted on the door of the restaurant was placed there in error, real estate agent Diane Daggett said. It belongs next door on the Masons Lodge where the wall fell.

McKee Brothers Investments

Across W. Main Street, McKee Brothers Investments is restoring and significantly remodeling a second Bowlby Stone building project within city limits, the Litch Building on the corner of River and Main streets.

Joseph resident Andy McKee is the builder in the brother-investment-team, and his first project was the Bur-

naugh Building.

The enormous Litch Building stretches west down Main Street to include the storefronts that formerly housed "R's Consignment" at 100 W. Main and currently houses "Sugar Time Bakery" and "Favorite Finds on Main." Another business located on the River Street side of the building, "Valley Barbers E & B" (Bunk's Barber shop) has also moved.

All four of those renters were advised of McKee's intent to remodel when he purchased the building and as the remodel process developed and conversations were had about what renters needed and what McKee felt he could reasonably commit to — all the renters decided that moving was their best option.

McKee intends to remodel the street level buildings to house seven or more smaller business spaces.

"These big units are hard to fill based on the price point you need," he said. "It's hard to rent out 3,000 square-foot without giving away a ton of real estate."

Most of the displaced businesses have already found new locations. Bunk's Barber Shop has moved further west to 211 W. Main, "R's Consignment" moved across the street to 105 W. Main and "Sugar Time Bakery" will move to the newly remodeled Burnaugh Building in January.

Sugar Time Bakery owner Eva Herold opened in the Main Street location two years ago and said it had been "amazing." The new space she'll occupy is also amazing, she said. McKee is busy building it to her specifications.

"The Burnaugh Building space is about the same size as our current location, but we'll expand our services," Herold said. "We're going to be doing sandwiches on our fresh bread, serving soup — it's going to be an expansion of the menu. We'll have more seating, there will be a public restroom, it's very exciting."

Sondra Lozier, owner of "Favorite Finds on Main," has been offered the other retail space in the Burnaugh Building, but the layout is a big change, so she's still considering her options.

"It's still undecided," Lozier said. "I have 3,300 square feet of display and another 700 of storage here, and I'd have 1,400 square feet and no storage if I went to the Burnaugh Building."

Despite the inconvenience, Lozier is pleased with McKee's plans.

"Andy (McKee) has a good vision for Enterprise, and I'm really glad he bought the Litch Building," she said. "I think it's wonderful they are going to preserve the building." Montana investors have purchased the old Ace Hardware building and McKee has gotten "at least five serious inquiries about investing in the county." The potential investors are out-of-county people, he said.

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