

PROPERTY

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The school and a 1-acre parcel surrounding it will cost Joseph \$1,220, while the remaining acreage comes in at \$20,000 or \$250 per acre.

The county assessor's office valued the entire lime plant property, which covers about 1,000 acres, at \$250 per acre.

It's not clear exactly when the current schoolhouse was built (Baker County Assessor Kerry Savage estimates that the tuff-stone building was constructed in the early 1900s) but there has been a school in the area since 1892. There were at least two previous versions of the schoolhouse before the current one was built. The district the school belonged to joined the Huntington School District in 1949.

In other business Monday, commissioners:

- discussed the county's 2016-17 audit with employees from the auditing firm, Pauly Rogers and Co. of Portland, via Skype. The com-

missioners are considering hiring a third party contractor to prepare the county's financial statements used in compiling the audit. In the past the county's auditor has done this, but Pauly Rogers, which is the county's new auditor, recommended the county hire a different firm to handle the financial statements.

Commissioners also discussed the possibility of creating a more involved Audit Committee. The last Audit Committee only chose the auditor. Commissioner Bruce Nichols said that a more involved committee could help create a timeline for parts of the audit.

- decided to send a counteroffer to Tim Kerns, who was the only person to bid on a piece of county property on Hunt Mountain west of Haines. Kerns, a former commissioner, proposed to buy 160 acres of land for \$20,000 a year for the next four years with no interest.

The county's counteroffer had the same terms except adding 4 percent interest, boosting the total payments to \$88,000.

The real market value of the property is listed as \$90,780. The

county had previously held a sheriff's auction for the property and received no bids.

- discussed what to do with \$53,194.24 in state marijuana sales taxes. According to Oregon law, the money must be used for drug and alcohol prevention, intervention and treatment. Commissioners didn't make any decision on what to do with the money and are expected to discuss it further in the future.

- approved the purchase of two vehicles: a 2019 Chevrolet Equinox from Baker Garage and a 2019 Jeep Cherokee Latitude from the Baker City Auto Ranch. The two vehicles will each cost about \$23,000, with the Chevy being about \$300 more. One of vehicles will be used by the veterans department and the other will be part of the general vehicle pool for the county.

The next commissioner meeting will be on Jan. 2 at the Courthouse, 1995 Third St. Commissioners Bill Harvey and Mark Bennett, who were re-elected Nov. 6, are planning to take their oath of office at 8:30 a.m. Jan. 2 before the meeting.

LOCAL BRIEFING

Baker City Police plan 'Shop With a Cop' event

Members of the Baker City Police Department will undertake a "Shop With a Cop" event Friday at Bi-Mart.

Here's how the program works: Students referred by their elementary school teachers have been invited to join police officers to shop for gifts for immediate family members Friday morning at the Baker City store, beginning about 9:15 a.m. When the shopping spree is over, the children will head to the Nazarene Church to play games, eat lunch, wrap presents and make a craft before going home with their goodies for the families, according to the police department. The money, food, transportation and crafts all have been donated. Baker City Fire Department employees also will participate in the event.

Cancer support group meets Thursday

The Baker County Cancer

Support Group will meet at 7 p.m. Thursday, Dec. 20, in the conference room of St. Luke's Eastern Oregon Medical Associates, 3950 17th St.

The group meets the third Thursday of each month at the same time and place. Anyone who has been diagnosed with cancer and their family members are invited, said Gloria Schott, support group organizer.

More information is available by calling her at 541-403-2659, or the American Cancer Society at 1-800-227-2345, seven days a week, 24 hours a day, or go to www.cancer.org

Conservation Districts annual dinner Jan. 18

The annual dinner meeting for the Baker County Soil and Water Conservation Districts is set for Friday, Jan. 18, at 5:30 p.m. at the Baker Elks Lodge, 1896 Second St.

Tickets are \$15. Tickets must be bought in advance at 3990 Midway Drive at Baker City.

PUBLISH

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In June 2014 McQuisten filed a civil lawsuit against Gina and Lynn Perkins contending the couple interfered with her attempts to buy the Record-Courier.

The lawsuit was settled by a written agreement that Gina and Lynn Perkins signed, dated Sept. 6, 2016. The agreement includes this clause:

"Defendants (the Perkinses) hereby agree not to engage in, consult with, be employed by or otherwise be involved in any business or enterprise which publishes news articles whether in paper, electronic or other form of medium located within 100 miles of Baker City, Oregon, for a period of 5 years from the date of this Agreement."

On Monday, attorney Connor J. Harrington of Salem, who represents McQuisten, sent a letter by certified mail to the Perkinses demanding that they "cease and desist from publishing any newspaper in print or electronic format within 100 miles of Baker City, including, but not limited to the Bar One Record-Courier (Perkins decided later to use the name Bar One Haines Record).

Gina Perkins contends that the clause in the settlement agreement was intended to prevent her from competing with McQuisten, who published the Baker County Press from January 2014 through January 2018.

Because McQuisten is no longer publishing a newspaper, that clause in the agreement is "a moot point," Perkins wrote in an email to the Herald. She wrote that she and her husband consulted with an attorney from Portland who concurred that the 2016 agreement does not legally preclude her from publishing the Bar One Haines Record.

Perkins also contends that because her plans for the Bar One Haines Record call for human interest stories, obituaries, photographs and other items rather than "news" stories, that the publication would not violate the 2016 agreement's restriction on her publishing "news articles."

McQuisten disagrees.

She cites the clause in the 2016 agreement, writing that the "language and intent are crystal clear" in prohibiting the Perkinses not only from publishing a newspaper, but from having any involvement with any business or operation that publishes news articles in any format.

"Removing our newspaper (the Baker County Press) from print has no bearing whatsoever on whether Ms. Perkins is legally obligated to uphold her signed Settlement Agreement," McQuisten wrote in an email to the Herald.

McQuisten also noted that the Baker County Press, though it no longer publishes a paper version, is an active business registered in Oregon.

"Baker County Press reporter Todd Arriola has been managing it as an electronic paper via social media throughout 2018," McQuisten wrote. "He stopped updating the page for a couple weeks to line out a new restructuring idea he had, is all. I can't fathom why Gina Perkins took that as an invitation to violate her Settlement Agreement or distribute libel and slander about me and others across the community."

McQuisten's reference to "libel and slander" has to do with a 10-page letter that Gina Perkins wrote recently, addressed "friends of the Record-Courier," in which she outlines why she and her husband ceased publication in 2016.

In the cease and desist letter, McQuisten's attorney, Harrington, also references that letter, writing that the letter "contains false factual and non-factual assertions about my client (McQuisten) and her business which are defamatory."

In an email to the Herald, McQuisten wrote that "It's shocking to once again be put in the position of protecting myself, my family and my business against the same people, particularly two years after this matter was settled so clearly within the legal system."

Perkins, in an email to the Herald, wrote that she and her husband were "extraordinarily confident we would have prevailed at trial" had McQuisten's lawsuit

proceeded.

But Perkins wrote that she was "too ill at the time" to take the matter to trial, and also that she and her husband could not afford to continue paying an attorney to represent them.

Perkins wrote that she had a "complete mental breakdown" in 2016 after "a credible threat was made to my life."

In the letter addressed to "friends of the Record-Courier," Perkins wrote that she believed the threat was not related to the lawsuit, but rather to articles and editorials she had written regarding the armed occupation of the Malheur National Wildlife Refuge near Burns in January 2016.

In an email to the Herald, Perkins wrote that due to a change in her medication, she is "99 percent recovered" but still faces "occasional bouts of anxiety and post traumatic distress syndrome which I hope lessens with time."

Perkins is working full-time as assistant director of the Eastern Oregon Small Business Development Center in La Grande.

McQuisten sued the Perkinses on June 26, 2014, alleging the couple interfered with her plans to buy the Record-Courier from the Brinton family, along with four other claims.

The Perkinses ended up buying the newspaper, and McQuisten started the Baker County Press.

Baker County Circuit Court Judge Greg Baxter, in a partial summary judgment, dismissed two of the five claims in McQuisten's lawsuit. The three others remained and would have been the subject of a trial had one happened.

McQuisten initially sought \$60,000 in economic damages but in the settlement agreement she waived any monetary relief. McQuisten said in 2016 that she believed the Perkinses would not be able to pay a settlement.

Gina Perkins, though, reiterated that she wanted the suit to go to trial, on the three issues that weren't dismissed in the partial summary judgment, but did not feel she was able to do so in 2016 due to her unresolved mental health issues.

Baxter dismissed these two claims in McQuisten's lawsuit:

- That the Perkinses interfered with McQuisten's potential purchase of the Record-Courier. The judge wrote that information, including a statement from the newspaper's former owner, Greg Brinton, showed that the Perkinses didn't begin discussing the purchase of the Record-Courier until four months after a sales agreement between McQuisten

and Brinton ended.

- That the Perkinses had interfered with businesses interested in advertising with the Baker County Press.

Baxter denied the Perkinses' request to dismiss the three other counts in McQuisten's lawsuit.

- Her claim that Gina Perkins, while working for Baker County Economic Development, had received from McQuisten a copy of her three-year financial projections for the Record-Courier, a business plan and other financial data, and her sales agreement with Greg Brinton. Perkins denied receiving the documents.

In the absence of definitive proof beyond the two competing stories, Baxter wrote, the claim could not be dismissed.

"The court cannot declare who the liar is at this stage of the case," he wrote. "The jury must make that determination."

- McQuisten's related claim that her detailed business plan was given to Gina Perkins, who denied that this happened.

- McQuisten's claim that Lynn Perkins had tried to interfere with sales of the Baker County Press by placing copies of the Record-Courier on top of the Press at retail locations.

DEATHS

Jackie Jackson: 68, of Durkee, died Dec. 16, 2018, at her home. Gray's West & Co. Pioneer Chapel is in charge of arrangements. To light a candle in memory of Jackie, or to leave a condolence for her family, go to www.grayswestco.com

Melvin E. Ohlson Jr.: 75, a United States Marine Corps veteran, died Dec. 16, 2018, at his home in Baker City. Gray's West & Co. Pioneer Chapel is in charge of arrangements. To light a candle in memory of Melvin, go to www.grayswestco.com

Robert Lane Watson: 75, of Baker City, died Dec. 16, 2018, at Settler's Park Assisted Living. His memorial service will be Saturday, Jan. 5, at 11 a.m. at the Baker United Methodist Church, 1919 Second St. There will be a reception afterward at the church. Private inurnment will take place later at the Prairie City Cemetery. Memorial contributions can be made to Heart 'N Home Hospice or Best Friends of Baker, through Coles Tribute Center, 1950 Place St., Baker City, OR 97814. To light a candle in memory of Lane, go to www.colestributecenter.com

FUNERAL PENDING

Carl Town: There will be a visitation from 2 p.m. to 6 p.m. Friday, Dec. 21, at Gray's West & Co. Pioneer Chapel, 1500 Dewey Ave. His funeral will be at 12:30 p.m. Saturday, Dec. 22, at St. Francis de Sales Cathedral in Baker City. Father Suresh Telagani will officiate. Interment will be at Mount Hope Cemetery. There will be a reception afterward at St. Francis de Sales Cathedral Parish Hall. Memorial contributions may be made to Carl Town's Family Fund through Gray's West & Co. Pioneer Chapel, 1500 Dewey Ave., Baker City, OR 97814. To light a candle for Carl or to leave a condolence

for the family, go to www.grayswestco.com

POLICE LOG

Baker City Police Arrests, citations
CRIMINAL MISCHIEF II: Justin Michael Shelton, 28, of 400 Second St., 6:37 a.m. Tuesday, at his home; jailed.
Baker County Parole and Probation Arrests, citations
PROBATION VIOLATION: John Gordon Hanna, 52, of 3320 K St., Apartment A, 9:21 a.m. Monday, in the 3000 block of Pocahontas Road; jailed.

Community-Wide Christmas Eve Service

December 24th • 6 - 7PM
Baker High School Auditorium

The churches of Baker City present a community-wide Christmas Eve Service.



FREE Christmas Movies at the Eltrym Theater

Thursday, Friday & Saturday
December 20th at 1PM,
21st at 1PM
& 22nd at 10:30AM

Elf, National Lampoon's Christmas Vacation & The Christmas Story

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ELTRYM THEATER

MOVIE TIMES DECEMBER 14-19

SPIDER-MAN: INTO THE SPIDER-VERSE PG

Miles Morales comes across the long-dead Peter Parker. With Parker's guidance, Miles will become Spider-Man, and through that he will become part of the ever-expanding 'Spider-Verse'

FRI & SAT: (4:00) 7:00, 9:35 SUN: (4:00) 7:00

MON-WED: 7:00

WIDOWS R

Four women with nothing in common except a debt left behind by their dead husbands' criminal activities, take fate into their own hands.

FRI & SAT: (3:45) 6:45, 9:30 SUN: (3:45) 6:45

MON-WED: 6:45

INSTANT FAMILY PG-13

A couple find themselves in over their heads when they foster three children.

FRI & SAT: (4:10) 7:10, 9:40 SUN: (4:10) 7:10

MON-TUE: 7:10

MARY POPPINS RETURNS OPENS WED, 12/19 AT 7:10!

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