

Owner objects to home's demolition

Baker City officials issued numerous warnings about 'dangerous' structure

By JAYSON JACOBY
Baker City Herald

BAKER CITY — The man who owned a home that Baker City had torn down in early August after the city's building official deemed it dangerous says the experience has left him in a "crippling state of depression."

Lucas Buddy Lee Gwin, 37, whose home was at 1975 Birch St. in east Baker City, at the corner of Birch Street and Washington Avenue, wrote in an email to the Baker City Herald that he's been "looking at what I do have and trying to learn to let go of the pain and anger of what I've lost."

Gwin's home was the first to be deemed a "chronic neighborhood nuisance" under a 2019 revision to the city's property maintenance ordinance.

Brent Kerns, Baker County

Justice of the Peace, made the chronic nuisance judgment on Jan. 11, 2022.

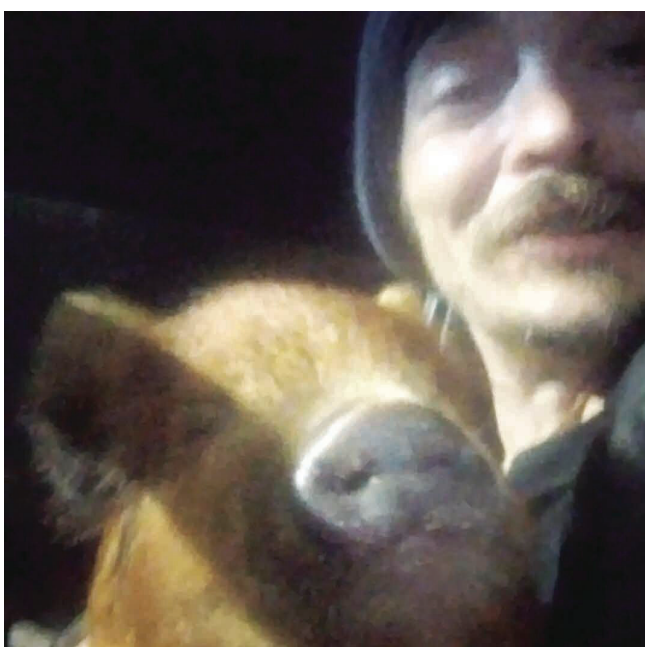
Gwin appealed that decision, but the appeal was dismissed July 19.

Although the city paid to remove trash and other debris from outside Gwin's home four times from 2017-21, the recurring violations of the city's property maintenance ordinance, culminating with the chronic nuisance designation, are not the reason Gwin's home was torn down, said Dawn Kitzmiller, the city's building official.

The structure was taken down because she deemed that it had multiple structural problems that clearly made it a dangerous building, Kitzmiller said.

The 950-square-foot home, built in 1900, had a market value of \$3,740, according to the Baker County Assessor's Office, which last appraised the property in 2019.

The lot, which covers almost 5,000 square feet, has a market value of \$31,330, according to the Assessor's Office.



Lucas Gwin with his pet pig.

Contributed Photo

"At some point that structure would have failed," Kitzmiller said in August. "It was in terrible shape."

Kitzmiller said she met with Gwin soon after she inspected his home on April 7, 2022, and told him she would be sending an official letter declaring the home unsafe to occupy.

She gave him until mid May to submit a plan for either repairing the house — which Kitzmiller said she didn't think was feasible given the likely cost — or dismantling it. "I'm sorry for Mr. Gwin, but he's been given so many chances," Kitzmiller said.

In an email to the Herald,

Gwin said he had "requested to purchase the necessary permits to demolish the house myself" but that city officials didn't give him a deadline.

Gwin also contends that a shed on his property was not supposed to be torn down, but it was, along with the house.

Gwin also wrote in his email that the city took a trailer he owns and that was parked on the street, and that he has not recovered personal documents, photo albums and other items that were inside the trailer.

Gwin pointed out that a 2019 state law requires a 72-hour notice before a city or other government agency removes personal items from public property.

Gwin said the city also took his utility trailer, which was also parked on the street. He said his cellphone was inside the trailer, and because he lost his phone he wasn't able to attend a hearing with the Social Security Administration related to his application for disability.

"I have no money, am homeless, have mental impairments that make employment

difficult to sustain," Gwin wrote in an email to the Herald. "I don't have the means to acquire phone service so I don't have a telephone number and can not get another hearing for disability consideration without one."

Baker City Police Chief Ty Duby said he believes the city has been "more than fair with Lucas."

Duby said if anything, the city was more lenient than it could have been, including repeatedly paying to remove items from Gwin's property before declaring his home dangerous.

"He just never came into compliance" with the city's property maintenance ordinance, Duby said. "At some point it's not fair to the community."

Gwin acknowledged that he accumulated a lot of material on his property.

"I'm messy, I've never denied this fact, I've always plead guilty to my property maintenance issues," he wrote. "But I am a good human, I am a tax paying citizen and a honest man."

COPS AND COURTS

Arrests and citations in the Blue Mountain Eagle are taken from the logs of law enforcement agencies. Every effort is made to report the court disposition of arrest cases

Circuit Court

Nov. 14

Christopher C. Boyer, 33, pleaded guilty to failure to appear in the second degree as well as criminal mischief in the first degree. Boyer was sentenced to 55 days in jail for each count, and the sentences can be served concurrently.

Justice Court

The Grant County Justice Court reported the following activity for the week ending Nov. 9:

- Misdemeanors filed: 5
- Traffic citations filed: 25
- Small claims/civil filed: 2
- Hearings held: 7
- Suspensions: 11
- Cases on probation: 16
- Community service hours performed: 4

Violation of the basic rule: Jeremy Wayne Loud, 49, John Day, Sept. 24, 71/55 zone, fined \$165; Adrienne Erin Wilson, 34, Donnelly, Idaho, Oct. 8, 67/55 zone, fined \$165; Alexandria Nicole Wachtel, 24, Baker City, Oct. 9, 74/65 zone, fined \$165; Michael Shane Taylor, 54, Redmond, Oct. 9, 73/55 zone, fined \$165; Brandon Lawrence Knoll, 39, Springfield, Oct. 16, 71/55 zone, fined \$165; Jose Kikahunani Gaceta III, 53, Sweet Home, Oct. 24, 75/55 zone, fined \$165; Douglas Alan Vandeborn, 52, Bend, Oct. 26, 75/55 zone, fined \$165; Michael E. Warren, 58, Prineville, Oct. 30, 71/55 zone, fined \$165; Larry D. Wood, 78, Springfield, Oct. 30, 74/55 zone, fined \$100.

Exceeding speed limit: Aaron D. Klefman, 27, Sept. 30, 35/25 zone, fined \$115; Genevieve Violet Perdue, 32, Oct. 8, 45/35 zone, fined \$115; Quinten Michael Hallgarth, 19, Oct. 9, 75/65 zone, fined \$165; Mandi Louise Loud, 47, Oct. 11, 50/35 zone, fined \$165; Kathrynne Lucia Scott, 34, Bend, Oct. 16, 35/25 zone, fined \$115; Walter Paul Lorence, 59, Halfway, Oct. 22, 37/25 zone, fined \$165; Carolyn Zanotto, 51, Redmond, Oct. 29, 62/35 zone, fined \$265.

Driving with suspended or revoked license: Brad Lee Hartwick,

46, Oct. 19, fined \$440; Mathew Walker, 39, Oct. 19, fined \$440.

Driving uninsured: Brad Lee Hartwick, 46, Oct. 19, fined \$265; Mathew Walker, 39, Oct. 19, fined \$265.

Failure to wear motorcycle helmet: Brad Lee Hartwick, 46, Oct. 19, fined \$115.

Exceeded permitted weight limit: Anthony I. Reeves, 55, Oct. 10, fined \$200.

Oregon State Police

Nov. 4

9:01 a.m.: Dale Dwane Voetberg, 46, of La Grande was cited for careless driving with an accident involved on Highway 26, milepost 174.

11:48 p.m.: Callie Gill-Deford, 23, was arrested for DUI on Highway 26, milepost 162. Gill-Deford's breath sample reportedly measured 0.18%. She was also cited for speeding and lodged in the Grant County Jail.

Nov. 5

9:55 a.m.: Dionico Rafael Pereyda, 19, of Milton-Freewater was cited for careless driving with an accident involved. Pereyda reportedly fell asleep at the wheel and struck an ODOT road reflector, culvert grate and gravel embankment. Pereyda's car went airborne and struck a tree stump head-on before rolling onto its side on the shoulder of the northbound lane. Pereyda was transported from the scene by ambulance prior to the arrival of the citing officer.

Nov. 7

2:45 p.m.: Joseph Scott Baker, 24, of Gladstone was cited for driving while suspended, driving uninsured and no/improper mudflaps. Baker was initially stopped for an equipment violation.

Grant County Sheriff

The Grant County Sheriff's Office reported the following for the week ending Nov. 9:

- Concealed handgun licenses: 12
- Average inmates: 11
- Bookings: 6
- Releases: 6
- Arrests: 3
- Citations: 1
- Fingerprints: 9
- Civil papers: 7
- Warrants processed: 7

Assist/welfare check: 2
Search and rescue: 0

Dispatch

Grant County dispatch worked 154 calls during the week ending Nov. 9, including:

• Grant County Sheriff

Nov. 2

7:50 a.m.: Responded to a report of an abandoned vehicle at Keeney Fork.

9:39 a.m.: Transport to Umatilla.

7:39 p.m.: Report of a driving complaint and domestic incident at West Main Street in John Day.

8:07 p.m.: Report of a mental subject on West Brent in John Day.

Nov. 3

10:21 a.m.: Responded to a commercial panic alarm at Rocky Mtn. Dispensary.

11:56 a.m.: Responded to a civil issue on Brent Street in John Day.

2:48 p.m.: Conducted a welfare check on 12th Street in Prairie City.

6:39 p.m.: Responded to a juvenile problem on Aslin Avenue in Mount Vernon.

6:54 p.m.: Overdue motorist/missing person at Camp Creek.

Nov. 4

9:21 a.m.: Responded to a hit and run at The Outpost in John Day.

10:31 a.m.: Attempted warrant service at the Elkhorn Apartments in John Day.

2:06 p.m.: Parking complaint at the Blue Mountain Hospital in John Day.

4:09 p.m.: Responded to a 911 call for a dispute over a car on Southwest Brent Drive in John Day.

11:13 p.m.: Report of kids throwing rocks at houses on Northwest 7th Avenue in John Day.

Nov. 5

11:19 a.m.: Responded with BLM law enforcement officer to a dispute in Chester's parking lot

2:24 p.m.: Information about elder abuse at Marks Creek.

11:59 p.m.: Deschutes County served local warrant on South Canyon Boulevard in John Day.

Nov. 6

5:29 a.m.: Advised of a missing person in Grant County.

9:16 a.m.: Burglar alarm at Little Dog Creek Lane.

11:20 a.m.: Theft complaint at the Mini-Mart in Dayville.

11:29 p.m.: Advised of an accident on South Canyon Boulevard in John Day.

Nov. 7

12:56 p.m.: Responded to dogs that killed chickens and ducks on Highway 26.

1:06 p.m.: Responded to suspicious circumstances on Highway 395 South.

3:18 p.m.: Welfare check at East Riverside Street in Mt. Vernon.

5:40 p.m.: Report of a suspicious vehicle at Eastern Oregon Realty in John Day.

6:07 p.m.: Officer contact at Grant Union High School.

7:22 p.m.: Traffic stop. Driver Austin Catron arrested for DUI.

Nov. 8

7:29 a.m.: Dispatched with OSP to a motorist assist on Highway 395B, Milepost 113.

8:17 a.m.: Traffic stop at Keeney Fork, driver warned for speed.

9:40 a.m.: Suspicious vehicle on North Canyon Boulevard in John Day.

1:18 p.m.: Found property at ODOT.

3:39 p.m.: Dispatched to a report of trespassing on West Main Street in John Day.

4:07 p.m.: Officer contact at Prairie City School.

Nov. 9

11:58 a.m.: Robert L Crosby II was arrested on a Grant County warrant on North Main Street in John Day.

1:07 p.m.: Report of a theft from a cargo container at Carter Rest Area.

4:18 p.m.: Kevin H. Wong, 44, of Portland was cited for driving while suspended on Highway 395C, milepost 1.

7:58 p.m.: OSP was requested to contact a Dayville resident regarding a roadstruck deer at the South Fork Mini-Mart.

• Oregon State Police

Nov. 2

10:32 a.m.: Advised of a non-injury accident on Highway 395, milepost 15.

8:42 p.m.: Report of a non-injury accident on Highway 26, mile-

post 150.

Nov. 3

5:53 a.m.: Report of a semi-truck in the ditch on Highway 26 near Antone Ranch.

11:00 a.m.: Responded with sheriff's office to a report of theft of services at Chevron.

Nov. 4

4:45 a.m.: Report of a logging truck on its side on Highway 26, milepost 174.

Nov. 7

4:16 p.m.: Report of an injured elk calf on Strawberry Road in Prairie City.

6:37 p.m.: Dispatched with sheriff's office to a report of a calf on the highway on Highway 26, milepost 136.

Nov. 8

6:21 p.m.: Dispatched to a vehicle vs. cow accident at the Blue Basin Trailhead.

Nov. 9

6:45 p.m.: 911 call reporting a dead deer in the highway on Highway 26, milepost 151.

• John Day Ambulance

Nov. 2

6:44 p.m.: Responded to a female having chest pains on Cottonwood Street in Mt. Vernon.

7:02 p.m.: Responded to a female with unknown symptoms on West Main Street in John Day.

Nov. 3

7:28 a.m.: Responded to an 85-year-old male with heart problems and high blood sugar on Sunset Road in John Day.

11:45 a.m.: Responded to a bed-ridden female patient on Moon Creek Lane in Mt. Vernon.

12:33 p.m.: Responded to a 91-year-old female with bloody vomit on Valley View Drive in John Day.

1:50 p.m.: Responded to an 84-year-old male who had a fall on Valley View Drive in John Day.

Nov. 5

4:56 a.m.: Responded to a female that had fallen on West Main Street in John Day.

3:16 p.m.: Ambulance service at Dollar General in John Day.

Nov. 7

10:45 a.m.: Dispatched to a med-

ical alarm on Valley View Drive in John Day.

4:40 p.m.: Responded for an elderly woman who fell on RNR Ridge Road in John Day.

Nov. 8

8:51 a.m.: Ambulance transport at Blue Mountain Care Center, Prairie City.

3:46 p.m.: Dispatched with Long Creek Ambulance to an elderly female with chest pain on South Eagle Street in Long Creek.

• Prairie City Ambulance

Nov. 6

10:23 a.m.: Ambulance call on South Main Street.

Nov. 9

5:24 p.m.: Dispatched with John Day Ambulance for a medical alarm on Dixie Creek Road.

• USFS

Nov. 2

7:47 a.m.: Fire burn information at Black Butte.

Nov. 3

8:20 a.m.: Fire burn information at Summit Prairie.

Nov. 7

8:06 a.m.: Fire burn information at 16RD/1662 RD.

Nov. 8

7:41 a.m.: Fire burn information at 16RD/1662 RD.

• Long Creek Ambulance

Nov. 5

9:24 a.m.: Dispatched with sheriff's office, OSP and John Day Ambulance for a rollover accident on Highway 395 North, milepost 75B.

• ODOT

Nov. 4

5:29 a.m.: Report of a big rock in the highway on Highway 19, milepost 116.

5:43 a.m.: Report of hazardous road conditions on Highway 395B, milepost 95.

5:51 a.m.: Report of whiteout conditions on Beech Creek and Long Creek mountains.

7:24 a.m.: Report of a boulder on the highway on Highway 26, milepost 93.

• Dayville Ambulance

Nov. 9

8:17 a.m.: Dispatched with John Day Ambulance for a subject with a back injury on Ervin Street.

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