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Wednesday, May 20, 2020

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SOUND
PUBLISHING INC

Shooting leaves 3 dead in Sequim-area home

BY MICHAEL DASHIELL

*Sequim Gazette
and LEAH LEACH
Olympic Peninsula News Group*

A fatal shooting last week in a house near Sequim apparently was prompted by differing expectations for a relationship, authorities said after interviewing people who knew the three found dead on May 14.

Brother and sister James Faber Jr., 32, and Samantha Faber, 34, were found dead along with Jacob M. Hunter, 25, an acquaintance of the Fabers who had been living at their home on Sheldon Lane north of Sequim city limits, Staff Sgt. John Keegan with the Clallam County Sheriff's Office said in a press release.

Hunter is considered to have been the shooter.

Five people, two of them children, were not hurt in the shootings, Keegan said.

"According to statements made to detectives by witnesses, it appears that the motive centered on Samantha Faber's unwillingness to enter into a romantic relationship with Jacob Hunter at the level he desired," Keegan said in a press release issued May 15.

"Statements also indicate that James Faber Jr. was shot when he ran towards the gunfire in an attempt to stop Jacob Hunter, and/or render aid to his sister Samantha."

Brian King, chief criminal deputy with the Clallam County Sheriff's Office, said the weapon used in the shooting was a handgun.

Keegan said investigators don't have anything concrete about what

kind of relationship the two had.

"Individuals close to Jacob are under impression he was in relationship with her. People close to her believed that the relationship was platonic and that it was going to stay that way," Keegan said.

One of the children was Samantha's and one was James', Keegan said. They are now with family members, he said. Also there were James and Samantha's father and two friends of the Faber family, he added.

Detectives have finished processing the scene at the house but continue to investigate, Keegan said.

Keegan said Washington State Patrol continues to investigate evidence from the scene and a digital

See SHOOTING, A-6



Law enforcement officials confer at a home on the 100 block of Sheldon Lane, where a shooting left three people dead on May 14. Sequim Gazette photo by Matthew Nash

Sequim siblings remembered for their love of family

Gofundme started to support funeral, family expenses

BY MATTHEW NASH

Sequim Gazette

Jim Faber Sr. was one of five people evacuated from his Sequim residence along with his two 12-year-old granddaughters last Thursday morning during a tragic shooting that took his daughter and son's lives.

Clallam County Sheriff's Office detectives report Samantha "Sam" Faber, 34, and James "Jimmy" Faber Jr., 32, were victims of gunfire from Jacob M. Hunter, 25, who wanted a romantic relationship with Samantha.

With Jim Faber by her side, family-friend Stacy Mills said in a phone interview that they "were just a big-hearted family."

"Jim's takeaway is that both his kids had really big hearts," Mills said.

Jim Sr., Jimmy Jr., his 12-year-old daughter, Sam, and her 12-year-old daughter lived in the home together off Old Olympic Highway.

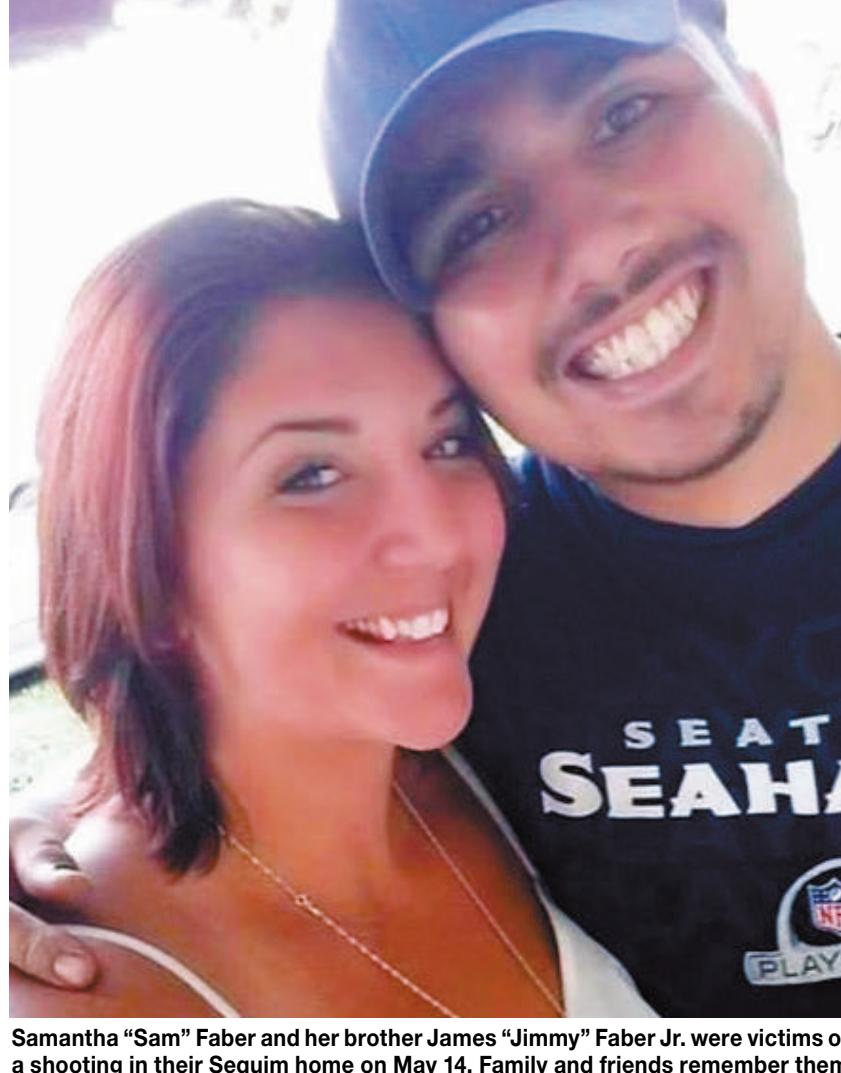
Sam, a 2004 Ingraham High School graduate, inherited the home from her great-uncle about six weeks ago following his passing, Mills said.

She moved to Sequim about eight years ago, and Jimmy about five years ago.

"Sam was very family-oriented and she was her great-uncle's caretaker up to his passing," Mills said. "She made sure the girls had everything and she and Jimmy worked together."

Sam also loved playing in co-ed softball leagues, Mills said.

For about two years, Jimmy worked at Sequim Walmart with his most recent position as night support manager, family said.



Samantha "Sam" Faber and her brother James "Jimmy" Faber Jr. were victims of a shooting in their Sequim home on May 14. Family and friends remember them as family-oriented and loving people. Photo courtesy of Jim Faber Sr.

He loved building cars and computers, and Jimmy and his dad were quite knowledgeable about vehicles and willing to help out friends with fixing them, Mills said.

Jimmy was also working on his GED. Jim said his children were good with

their children, and they always made jokes and were loving.

The family spent most of their time in the Kingston community, Mills said.

See FAMILY, A-6

City OKs tribe's MAT clinic application

Appeals accepted through June 5

BY MATTHEW NASH

Sequim Gazette

After months of public discussions and rallies for and against, City of Sequim staff announced last Friday that they approved the proposed medication-assisted treatment (MAT) facility off South Ninth Avenue.

Inside the Jamestown S'Klallam Tribe's proposed 16,806-square-foot medical facility on 3.3 acres, doctors would dispense daily doses of methadone, Suboxone and Vivitrol for patients with opioid-use disorder and provide wrap-around services such as primary care, dental and childcare services.

Barry Berezowsky, Sequim's Community Development director, approved the project on May 15 because he "found this project to be consistent with the standards

See MAT, A-13

Health officer: Clallam could move to Phase 2 by June

BY PIERRE LaBOSSIERE

and ROB OLKAINEN

Olympic Peninsula News Group

Clallam County is now among those eligible to apply for an early Phase 2 reopening.

Kitsap, Mason, Thurston, Adams, Spokane, Lewis, Clark, Island and San Juan counties also were added to the list, according to Gov. Jay Inslee, who spoke at a morning press conference on May 19.

His expanded criteria not only allows more counties to reopen more quickly but

also more businesses to resume operations.

Counties apply to the state Department of Health.

Jefferson County was made eligible several weeks ago and is working on an application.

Among other requirements, counties that apply for a Phase 2 variance must have fewer than 10 new cases per 100,000 population over a 14-day span and have hospital capacity to handle a surge in coronavirus cases.

The rest of the state is scheduled to move into

See PHASE 2, A-15

Sequim Gazette faces coronavirus challenges

To our readers,

In a few short months, our world has changed. Today, we are facing unprecedented challenges as the world fights COVID-19.

Trusted local news has never been more important. At the Sequim Gazette and sequimgazette.com, our journalists are on the front lines, bringing you up-to-date information and breaking news.

To help the citizens of the Sequim in this time of crisis, we have lifted our "paywall" to

give essential news to the greatest number of people. This allows full access to all stories online about the novel coronavirus and COVID-19, free of charge. If you are a subscriber, you have access not only to this information, but to all of our other content online as well.

We are also proud that our advertisers have chosen us as the way to connect with you about what they are doing during these unprecedented circumstances.

But, like many other local businesses,

the COVID-19 pandemic is exerting financial pressures on the Sequim Gazette we've never before experienced.

As a result, we've had to make some tough decisions, including temporarily reducing the hours our staff is working and reducing the number of sections we print weekly.

Every week you'll still get news, sports, features, editorial columns, and plenty more.

Our priority in making these changes has been

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Lawsuit against City of Sequim looks to halt MAT

Save Our Sequim, Parkwood owner file jointly in Clallam Superior Court

BY MATTHEW NASH

Sequim Gazette

Earlier this month, members of Save Our Sequim (SOS) and Jon Gibson, owner of Parkwood Manufactured Housing Community near Carlsborg, filed an injunction action against the City of Sequim to stop the processing of the Jamestown S'Klallam Tribe's proposed medication-assisted treatment (MAT) facility.

The Complaint for Declaratory, Injunctive and Mandamus Relief was filed May 5 in Clallam County Superior Court.

SOS members and Gibson seek the following:

- A declaration that the city acted improperly with the project's classification as an A-2 staff reviewed process rather than C-2, a quasi-judicial review because it's an "essential facility"

- A declaration that waiting for an appeal on the project's classification

at the end of the application process takes too long and wastes time and resources

- A declaration that the city's provisions for the process are unconstitutionally vague and overbroad delegating authority to Barry Berezowsky, Sequim director of Community Development

- Prohibit the application from continuing

- Place a moratorium on all land use decisions under Sequim Municipal Code Title 20 until the code is revised

- Plaintiffs recover attorneys' fees

Sequim City Attorney Kristina Nelson-Gross said the city has 20 days, or until May 25 to respond and that "we will address it in accordance with usual processes with litigation."

Berezowsky issued his approval for the 16,806-square-foot MAT facility on May 15, and community members have until June 5 to file an appeal of his decision.

SOS chair Jodi Wilke said that

despite the city approving the application, their legal action won't be amended and they are awaiting guidance from the court system before filing another appeal.

"We're going to wait and see what the court has to say," she said.

Gibson, a California resident and owner of Parkwood for about 20 years, said the city codes are vague and confusing and he feels they've been implied inconsistently by city staff.

He said he's unsure of the potential impact of the MAT on Parkwood, a retirement community for more than 300 residents aged 55-and-over.

"I'm concerned for the health, safety and welfare of our community," Gibson said.

"If we assume the staff wants to do the right thing, we need to help them by cleaning up the code."

Lawsuit

Wilke said SOS has been fundraising and researching the lawsuit

for some time and recognizes that "it would have been better to file sooner."

She said part of the suit challenges the city's methodology.

"They won't hear appeals until after the application is done," Wilke said. "That's putting the cart before the horse. If you disagree with that decision you have no recourse at all. It could be 120 days down the road. That's not a speedy trial. How is that constitutional?"

Gibson said he and SOS are funding the legal work separately but filed it together. He said he is not a member of SOS but has been following the MAT discussion since it was announced.

"Hearing some of (SOS's) information, it's obvious to us there is a significant number of people involved from various walks of life, like professionals, who started to raise some serious questions," Gibson said.

"Unfortunately, with so much of what's going on, all the facts are not

seeing the light of day.

The truth loves light. That's part of what we want to do. We want to make sure everything is crystal clear."

Wilke said when the tribe sought grant funding the landscape might have been different for opioid treatment in the area but she believes it's since changed and the Olympic Peninsula is better equipped to handle patients.

"Their entire business plan migrates people into Sequim for this care that aren't connected to this community," she said.

However, Wilke said she "never wants to overgeneralize people" and that SOS is not against people getting the help they need for addiction.

"We also don't want the community negatively impacted in the process," she said. "There're many ways (the MAT) will negatively impact the community."

For more information about Save Our Sequim, visit www.saveoursequim.org.

Read the MAT application at www.sequimwa.gov/471/Current-Projects.

MAT

From page A-1

Brent Simcosky, the Jamestown S'Klallam Tribe's health services director, said the city's decision is "very exciting."

"It's a big relief," Simcosky said. "It's been a long time coming. We feel the City of Sequim made the correct decision based on city and state laws. We're excited to move to the final step."

Jodi Wilke, chairman for Save Our Sequim (SOS), said the organization isn't surprised by the city's decision but is disappointed in the quality of work leading to that decision.

"It doesn't change anything; it's a non-decision," Wilke said. "With these appeals out there, it has no meaning. It's a check in the box."

Sequim Senior Planner Tim Woolett said appeals can be made on the project's approval and its Mitigated Determination of Non-significance (MDNS) within 21 days or by end of business, 4 p.m. on June 5.

Each appeal against the city's decision costs \$600 to file.

Each appeal will be heard before the city's recently appointed hearing examiner Phil Olbrechts city officials say. So far, he's slated to consider three appeals on city staff's decision to classify the project as an A-2 process in which city staff — specifically,

Berezowsky — review and approve the project opposed to a city council-made decision.

Pending legal action by Save Our Sequim and the owner of Parkwood Manufactured Homes is awaiting a hearing in Clallam County Superior Court that could hinder the application.

Wilke said they are awaiting word from the court system and aware of the June 5 deadline before moving forward with an appeal of the application.

With questions on the appeals process, contact Woolett at 360-582-2476 or twoolett@sequimwa.gov. Read the application's documents at www.sequimwa.gov/471/Current-Projects.

Community interest

Since the project was announced, a surge of interest grew in online community groups and gatherings at municipal meetings.

For the first comment period of the project's application there were 1,025 comments with most opposed to the clinic in various ways, i.e. its location, size, and/or that there's enough capacity for patients already. Another 64 comments were submitted on the MDNS process during its comment period, too.

Woolett said following protocol, there will be no further comment periods on the MAT application until appeals go to the hearing examiner.

In the application, Ber-

ezowsky wrote that "many concerns raised through the public comments were social issues that are outside the purview of this land use matter."

He added that several comments on the MDNS raised concerns over land use issues such as traffic, stormwater, public safety and more and that city staff addressed many of these issues with conditions.

Conditions

City staff set several conditions through the application the tribe must accommodate before and during construction. Some of those state the tribe must:

- Create a monitoring and evaluation program overseen by a Community Advisory Committee made up of health professionals, elected officials, public safety officers and more. They must make contingency plans when monitoring or evaluation indicates expectation and standards are not being met.

- Hire a social services navigator to provide social service assistance to patients and other persons in need of Substance Use Disorder assistance and mental health assistance in the city; patients who choose to leave the program are reported to the navigator for intervention and/or assistance in transitioning to another program.

- Develop a plan acceptable to the city regarding ramp-

ing up patient care during the first year of the clinic's operation.

- All patients must be pre-screened before treatment.

- Accommodate patients only inside the facility with no loitering allowed.

- Hire full-time, on-site security.

- Distribute direct access information/complaint line provided to all adjacent property owners within 300 feet of the property.

- Install a fence at a mutually agreeable location out of mutually agreeable materials between the clinic and the Shaw family farm.

- Protect the one Garry oak tree on site and if it does not survive, three replacements must be planted.

Next

Simcosky said they're

"bending backwards" to accommodate the city's conditions.

"We've agreed to a lot of things that we wouldn't have to normally," he said. "But we want to do those things because we want to be safe."

As for the appeals process through a hearing examiner, Simcosky said they're OK with it and if the application is approved he anticipates breaking ground in August.

"We're not that far behind in the process because we thought we'd be breaking ground around now," Simcosky said. "With (COVID-19), we thought we'd break ground in a few more months."

Partly because of COVID-19 pandemic, community members and SOS members asked city staff to delay or extend comments

on the environmental review application, but Berezowsky replied that he didn't have the authority to do so because of the defined comment period of time for the MDNS.

City Manager Charlie Bush spoke with Jamestown's Tribal Chairman W. Ron Allen about a 90-day delay in processing the application but the tribe opted to continue on.

Allen said in a phone interview that the tribe has "gone through extensive measures to communicate with the public and the city" and that it doesn't need to be delayed further. He added that delaying it further could add to construction costs.

For more information on the application, visit www.sequimwa.gov/471/Current-Projects or call 360-683-4139.

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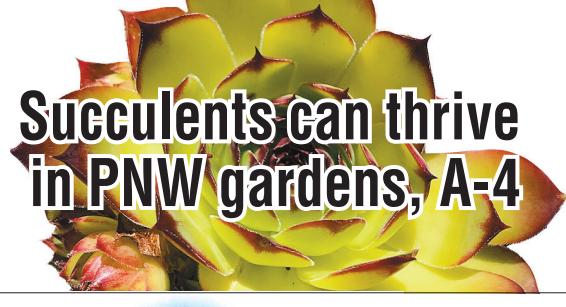
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School board eyes Aug. 3 for reopening decision

BY MICHAEL DASHIELL
Sequim Gazette

Sequim-area students, teachers and staff will have a plan for what a return to school looks like this fall by early August.

That plan may be, for most students, not immediately returning to classrooms.

Sequim School District's board of directors agreed on

July 20 to bump up the date of their vote on the district's reopening plans from Aug. 17 to Aug. 3.

Board members expressed a hesitancy to back one of the three "hybrid" models superintendent Dr. Rob Clark and a school reopening committee have proposed in recent weeks, as school officials seek to offer an educational plan while maintaining health and

safety during the COVID-19 pandemic.

"I can't in good conscience approve a plan ... that sends hundreds of students into school buildings," board vice president Eric Pickens said.

"I know there is no other place I'd rather be this fall than in a classroom with students," said Pickens, who teaches in the Port Angeles School District. "I wish

things could change drastically in a month or so, but I'm extremely skeptical that will happen at this point.

"The acceptable death rate for students and staff is zero."

Following a district-wide survey of parents and staff, a committee examining options for in-person school reopening highlighted three

See SCHOOLS, A-13

Judge dismisses restraining order case against MAT clinic

BY MATTHEW NASH
Sequim Gazette

Following a June decision to deny a temporary restraining order and injunction for the Jamestown S'Klallam Tribe's proposed medication-assisted treatment (MAT) clinic, Clallam County Superior Court Judge Brent Basden permanently dismissed the request on July 17 in Clallam County Superior Court.

Tribe attorneys LeAnne Bremer and Andy Murphy requested the dismissal because Basden wrote in his previous

See MAT, A-13

Smiles, social distancing at Lavender Weekend

Many farms to remain open for summer with restrictions

BY MATTHEW NASH
Sequim Gazette

With masks on, standing at least two lavender plants apart from strangers and using hand sanitizer as needed, visitors to Sequim's lavender farms seemed to still enjoy the sights and smells of a modified Sequim Lavender Weekend.

Despite no Street Fair, vendors, live music or food tents allowed on farms because of the state's Phase 2 guidelines for COVID-19, many lavender farmers reported a toned down but consistent flow of visitors.

Carmen Sepulveda, co-owner of Sunshine Herb & Lavender Farm, said "everyone has been extremely gracious" about her business' precautionary efforts.

Inside her shop, masks/face coverings are required with hand sanitizer available by the door as visitors come in.

Outside, much of the farm's lavender is closed off because it's largely used for culinary purposes, and Sepulveda said they don't want to run any risk of contamination with her products or visitors.

"People have just been happy to be out," she said. "We had no issues."

"People have just been happy to be out. We had no issues."

Carmen Sepulveda
Co-owner, Sunshine Herb & Lavender Farm

Typically, Sequim Lavender Weekend brings thousands of visitors to area lavender farms, events and businesses. However, with new health guidelines in place regarding the 2019 novel coronavirus, various organizers scaled back, such as the Sequim Lavender Festival cancelling its Street Fair in Carrie Blake Community Park.

Clallam County's Phase 2 doesn't allow for formal gatherings like an official festival; farms, however, could open to visitors/customers and sell existing products under state

guidelines that include use of masks inside buildings and social distancing.

Options

Some farms like B&B Family Farm moved their farm stores outside for visitors to peruse easier and farther apart.

At Juan Gonzalez and his family's new farm Rancho La Morada Lavender & Flower Farm, he said "people have definitely been coming around."

He wavered on the idea of opening over the national concern of COVID-19, but

figured he'd try. Family and friends helped out under tents making lavender wreaths and selling products for visitors, too. The business opens this weekend — 10 a.m.-4 p.m. Friday-Saturday, July 24-25 — at 1434 Marine Drive.

"We're hoping next year

everything will come back to normal," Gonzalez said.

Of the dozens of farm visitors interviewed across Sequim's many farms, most were from the I-5 corridor, saying they sought an escape or a day

See WEEKEND, A-9

River Center expansion begins

Groundbreaking held virtually via partners

BY MATTHEW NASH
Sequim Gazette

Crews broke ground on the Dungeness River Audubon Center's approximate \$3.5 million expansion project last week.

To celebrate, organizers of the Inspire Wonder capital campaign held a virtual groundbreaking on July 13 to mark the success of a three-year effort to add more than 5,000 square feet for educational and meeting spaces, a commercial kitchen, new entryway, parking and more.

"This virtual ceremony is the most unusual groundbreaking I've ever been to," said W. Ron Allen, Jamestown S'Klallam Tribal Chair and CEO.

"I look forward to one year from now, when we can see and talk to each other onsite to celebrate the grand opening. The Tribe is delighted and honored to be a partner in this amazing resource that is a centerpiece of the peninsula. We raise our hands to express our deep appreciation to all who have made this project possible."

Videos were shown of Loni Grinnell-Greninger, Tribal Council vice-chair, blessing the site, and Kirk Nelson, the tribe's facilities and construction manager, breaking the first ground on the



Loni Grinnell-Greninger, Jamestown S'Klallam Tribal Council vice-chair, performs a tribal blessing for the soon-to-be expanded Dungeness Audubon River Center.

Photo by Silas Crews, Story Crane Productions

project.

The center was incorporated in 1994 as part of the Jamestown S'Klallam Tribe's Railroad Bridge Park on the Dungeness River. It's run by the tribe, Dungeness River Audubon Center, the Olympic Peninsula Audubon Society and National Audubon Society.

Space

Stakeholders with the center said

the existing 1,600-square-foot building

is too small for programs, exhibits and meetings with standing room only for many events.

Capital Campaign Chair Annette Hanson said at the virtual meeting, "Our future is awesome."

"In 2019, we recorded 220,000 crossings of the bridge, we engaged 4264 children in hands-on science, and served 19,277 people in educational programs."

See RIVER CENTER, A-8

Peninsula holds at 118 confirmed COVID-19 cases

BY ZACH JABLONSKI
Olympic Peninsula News Group

The state secretary of health has returned the Safe Start applications to Jefferson and six other counties as the phased reopening process remains on pause.

Jefferson County had applied to enter Phase 3 at the end of June. However, due to the rise in the number of COVID-19 cases statewide, Gov. Jay Inslee has kept any applications from being approved until at least July 28.

While the state continues to see a high number of

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School leaders: EP&O, capital project levies on hold until early 2021

BY MICHAEL DASHIELL

Sequim Gazette

A pair of levy proposals — one that sustains about 17 percent of the Sequim School District's annual budget, the second to help address a myriad issues at school buildings — won't come to local voters in November as planned, school leaders say.

That seemed to be the consensus among school board directors in early July, as Sequim schools superintendent Dr. Rob Clark detailed Educational Program & Operations (EP&O) and capital projects levies he and staff were drafting for possible inclusion on the November General Election ballot.

"Realistically (we) felt good about

that for a couple of months," Clark told school board members at a July 1 workshop.

"It's kind of exploded. As much as I would like to run (those issues) in November, I think that's ill-advised," Clark said. "I just don't think that trying to get school reopened and in the mode we need to, and running a levy and a capital projects levy, I don't think there's a time in the day."

"I don't think there's an avenue to get the information out and I just think people's minds will be on other things."

Board directors concurred with Clark's view, as the five-member board plans to reopen schools this September with some form of "hybrid" model of remote and in-

person learning.

"We don't know what going back is going to look like completely," board president Brandino Gibson said. "I know that there's some tension regarding opening, and how that's going to be handled."

Board director Brian Kuh added, "I think that (focus) would dilute a really effective campaign."

Sequim's EP&O levy, formerly a Maintenance and Operations Levy, makes up about \$6.9 million of the district's 2020-2021 budget and pays for staffing (teachers, para-educators), some food services and transportation, technology and special education services not covered by federal funds. That levy runs out after the 2021 calendar year.

The district's proposed capital

projects levy would not — as in previous project proposals — pay for a new elementary school, but rather pay for various building needs across the district including, among other items: electronic lock systems at several buildings; a new roof, sewer connection and heating upgrades at Greywolf Elementary School; a fire sprinkler system and kitchen remodel at Helen Haller Elementary; a roof replacement and intercoms at Sequim Middle School; heating system and science classroom upgrades, and gym and cafeteria floor replacement at Sequim High School; a water/sewer connection at Olympic Peninsula Academy; a heating system at the former Sequim Community School gym; replacement of the

school stadium's track and remodeled stadium restrooms, and paving projects throughout the district.

The capital project levy would run \$3 million-\$3.5 million each year for three years, Clark said.

The Sequim School District's most recent capital projects levy, a three-year, \$5.75 million levy voters approved in 2017 that paid for the district's new central kitchen and deconstruction of the unused community school, is paid off in December 2020.

If board directors defer one or both of the levy proposals past November, the earliest they could run a ballot measure is Feb. 9. They would need to submit their plan(s) to county election officials by Dec. 11, Clark said.

Schools From page A-1

primary options for a "hybrid" schedule for students: an "AA/BB" model that sees students divided into two groups, with each attending classes in person two days a week (Monday-Tuesday or Thursday-Friday, for example) and remote learning the other three weekdays; an "AB" model, in which one group of students attends class in person one week while the other learns remotely, then switches the following week; or an "A/B/C" model, with two or three student groups attending class in person, then rotating, so that pupils are on campus two out of three weeks.

Clark said the school reopening committee was leaning toward the "AA/BB" model.

However, school board directors noted that the rise in

COVID-19 cases both on the Olympic Peninsula and statewide, along with concerns they've heard from parents and staff, have them considering the option of starting the school year as the 2019-2020 school year ended: with students learning remotely.

Board director Larry Jeffries said he's concerned with the prospect of seeing a COVID-19 case or cases in Sequim schools forcing buildings or the entire district to shut down.

Additionally, he said, students can be transmitters of the disease not only to themselves but parents and grandparents.

"We don't really know what is going to happen when we put them in a schools," Jeffries said. "Until the community get the numbers down, it's going to be tough to open."

"I have some real reservations of jumping into blended learning in September,"

he said.

Board president Brandino Gibson said opinions about the reopening plan are all over the proverbial map.

"We have parents who absolutely think we shouldn't open our doors and we have parents who believe we should open our doors every day," he said.

Even if Sequim schools open remotely, Gibson said, the district needs to be able to provide psychological and emotional support for students during the school year.

Pickens added that the district needs to provide Sequim students with the technology they need, such as laptop computers and internet access.

Clark said that a number of school districts across the state have already locked in a plan to start the year with remote learning only, but that they are primarily larger districts.

"When you all hired me you

hired me to be the superintendent of the Sequim School District," he said.

"I have to make recommendations that are unique to Sequim, or Clallam County."

"Right now, I believe it's best for our school district to start with some (sort of) hybrid model. I believe we have the people who can pull that off."

Clark added, "I think we can clean the buildings ... take the kids' temperatures and monitor the situation. I think the kids need the social aspect of school. We do our best when we teach face to face."

"I don't make this recommendation lightly. I believe I'm looking at it through the lens as what's best for kids."

The school reopening committee is scheduled to meet once more, on July 28, prior to the board's decision on Aug. 3.

"My strong inclination is to lean toward our CEO's

recommendation (but) this is a decision that has no right answer," director Brian Kuh said. "Whatever decision we make will be wrong in many regards."

Board directors were also scheduled to make a decision on Aug. 17, about two weeks prior to the start of school.

Sequim schools are scheduled to open Wednesday, Sept. 2.

"I am concerned (that we will) make a decision on Aug. 17; I think that's too late for a parents," Jeffries said.

"I would like to approve a plan sooner than later," director Jim Stoffer said. "We owe it to these parents and families in our area."

Sequim schools be-

gan remote learning on March 16 and state leaders closed all public schools a day later. Sequim students, along with other students across Washington state, spent the next three months learning remotely to close out the 2019-2020 school year.

On June 11, state schools superintendent Chris Reykdal said all Washington state schools will be required to develop a plan to open schools in the fall. But he also noted it would be "almost impossible" that all Washington state schools would be able to offer in-person education for all students.

"We're far worse now than we were in mid-March," Pickens said Monday.

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Creamery posts product advisory, A-2



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A-9



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Wednesday, October 14, 2020

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Hearing examiner dismisses five of six MAT appeals

Jamestown S'Klallam Tribe still seeks reversal of environmental review elements

BY MATTHEW NASH

Sequim Gazette

Last week, the City of Sequim's appointed hearing examiner Phil Olbrechts told advocates for and

those against the Jamestown S'Klallam Tribe's proposed medication-assisted treatment (MAT) clinic he dismissed five of six appeals against the facility's application.

His Oct. 8 written order dismisses

appeals from Save Our Sequim, Jon Gibson, owner of Parkwood Manufactured Housing Community, LLC, and Sequim resident Robert Bilow saying they "lack standing."

He told involved parties of his decision on Oct. 6 via email followed with a 25 page document two days later. The partial decision comes in favor of the tribe who looks to

install a 16,806-square-foot medi-

cal facility on 3.3 acres off South Ninth Avenue where doctors would dispense daily doses of methadone, Suboxone and Vivitrol for patients with opioid-use disorder. The phased project would cost about \$20 million.

Olbrechts said he will still conduct a hearing for the tribe's appeal of the Mitigated Determination of Nonsignificance (MDNS) State

Environmental Policy Act (SEPA) review. City staff said the hearing is tentatively set for Nov. 16-17 with more information to come about public commenting procedures.

Appellants oppose elements of the application's classification (a city staff review versus city council review), the environmental MDNS

See APPEALS, A-12



David Hough of Sequim stands by his wherry he built from a kit during the past few months. The "Planet X" saw its maiden voyage in Sequim Bay in late September. Submitted photo

On the water once again

Sequim man revisits nautical interests with boat project

BY MICHAEL DASHIELL

Sequim Gazette

Seven decades after building his first boat, David Hough was at it again — using some unexpected downtime to revisit his nautical interests amidst the coronavirus pandemic.

"(It) allowed me to forget all that; the resin is hot, or I need to get to fill this hole," said Hough, 83.

"I'd get up and spend, sometimes, six hours sanding. I don't have to worry about the COVID that's outside somewhere."

See BOAT, A-10

A procession in the coronavirus age



Royalty (from left) princess Brii Hingtgen, prince Logan Laxson, queen Lindsey Coffman and princess Alicia Pairadee wave to a sparse crowd on Sequim-Dungeness Way during the Sequim Irrigation Festival's makeshift Grand Parade on Saturday, Oct. 10. Sequim Gazette photo by Michael Dashiell

125th Irrigation Festival goes (mostly) virtual

BY MATTHEW NASH

Sequim Gazette

"The tradition lives on," Sequim Irrigation Festival float designer Guy Horton said.

The state's oldest continuous festival kept its streak alive, this time in mostly online form this past Saturday.

The 125th Sequim Irrigation Festival, forced by COVID-19 restrictions to postpone, modify or cancel a number of events

See FESTIVAL, A-4

RIDING THE WIND

A kitesurfer and gulls enjoy a windy day near the Dungeness Spit on Oct. 10. Sally Harris, who took photos at the 3 Crabs area, said regulars who use Cline Spit for their water sports activities had to move east to the 3 Crabs with a high tide in Dungeness Bay.

Photo by Sally M. Harris/
www.sallyharrisphotos.com



Health officers cite compliance for slowing COVID transmission rate

BY ZACH JABLONSKI

Olympic Peninsula News Group

Jefferson County confirmed two new cases of COVID-19 on Monday, while Clallam County had no cases to report.

Jefferson County's new case rate rose to 25.08 per 100,000 population for the past two weeks, while Clallam County's rate dropped to 20 per 100,000 for the same time period.

Both counties are in the state's low-risk category, with Jefferson County at the limit between low and moderate.

See COVID, A-12

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weather outlook:

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SATURDAY, OCT. 17
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Clallam County to disperse more COVID-19 relief funds

Ferry, businesses, child care among recipients

BY ROB OLLIKAINEN
Olympic Peninsula News Group

Clallam County will deploy an additional \$1.86 million in coronavirus relief funds, including \$668,000 to small businesses and \$500,000 to the idle Black Ball Ferry Line.

The three commissioners on Oct. 5 directed staff to prepare contracts for 11 recipients of Coronavirus Aid, Relief and Economic Security (CARES) Act funds.

The federal money must be spent by Nov. 30, county Chief Financial Officer Mark Lane said.

Clallam County previously dispersed \$4.18 million in CARES Act funding for public health, business support, rental and utility assistance, support for the homeless population, child care and food security.

Six working groups were formed around each of the priorities to make recommendations for CARES Act spending.

"I continue to be very proud of the way that our county is prioritizing and deploying these dollars," said Commissioner Mark Ozias, board chairman, in the Oct. 5 work ses-

"There are still gaps in the county where there is no child care really being provided, especially on the West End, and a little bit on the East End."

Charlie Bush
Sequim city manager

sion.

Commissioners Randy Johnson, Bill Peach and Ozias agreed in principle to the following expenditures:

- \$680,000 to the Clallam County Economic Development Council (EDC) for its Small Business Life-boat grant program.

The EDC received \$350,000 in CARES Act funding for the small business program in July.

- \$500,000 to Black Ball Ferry Line, which operates the MV Coho ferry between Port Angeles and Victoria. The ferry has been out of service because of a border closure since March 29.

"We are extremely grateful to our county commissioners for their decision to provide support to Black Ball," said Ryan Malane, Black Ball vice president of marketing, on Oct. 6.

Malane said the grant would have an "enormous impact" on the company's ability to resume ferry service when discretionary travel is again allowed between the U.S. and Canada.

"Along with the company's ongoing commitment, it will also allow us to continue providing health care premium support to our employees and help to assure we can retain our highly qualified local workforce," Malane added.

- \$200,000 to support Angeles Composite Technologies Inc. (ACTI), a Port Angeles aerospace manufacturer.

Like the Black Ball grant, the money will be funneled through the EDC.

- \$165,000 to the Boys & Girls Clubs of the Olympic Peninsula for child care support.

- \$89,000 for the city of Port Angeles' rental and utility assistance programs.

- \$37,000 for nonprofit water districts for utility assistance.

- \$26,100 to the Olympic Peninsula Farmers Fund for food security.

- \$50,000 to the Port Angeles Food Bank.

- \$30,000 to the Forks Community Food Bank.

- \$53,000 to the Sequim Food Bank.

- \$30,000 to the New Hope Food Bank in Clallam Bay.

"It sounds like we've got a couple of additional details to work out, but I think we're circling in pretty close on these final allocations here," Ozias said in the virtual work session.

The \$165,000 in child care support includes \$70,000 for unidentified organizations, Sequim City Manager Charlie Bush said.

"There are still gaps in the county where there is no child care really being provided, especially on the West End, and a little bit on the East End," said Bush, who has worked with Boys & Girls Clubs Executive Director Mary Budke on the child care subcommittee.

The city of Port Angeles had provided \$298,000 in utility assistance to 1,672 customers as of last week,

City Manager Nathan West said.

"In addition, we've done over \$19,000 in mortgage assistance and \$66,000 in rental assistance," West said. "The need is absolutely there at the city."

Clea Rome, Clallam County's Washington State University Extension director, said local food banks had seen a "really big uptick" in demand during the pandemic.

EDC Executive Director Colleen McAleer said local businesses impacted by Gov. Jay Inslee's stay-home orders had requested a combined \$4.8 million in assistance.

"Over the weekend, it just blew up with businesses that are saying they have a need," said McAleer, who is also a Port of Port Angeles commissioner.

John Nutter, Port of Port Angeles deputy executive director, said the port had been in constant communication with Black Ball officials.

"I think all of us are on the phone with legislators of all varieties all the time on that subject," Commissioner Johnson said of Black Ball.

ACTI, which operates in a port-owned facility near William R. Fairchild International Airport, was in a similar financial hardship due to the pandemic, Nutter said.

COVID

From page A-1

The state's overall rate is 85 per 100,000 residents, said Dr. Tom Locke, Jefferson County health officer.

During his Monday briefing with the county commissioners, Locke described how the state and nation is seeing a rise in COVID-19 cases — with states like North Dakota and South Dakota showing some of the highest numbers of new case rates and hospitalizations — and

Washington state seeing about a 9 percent increase in new COVID-19 cases over the past week.

However, the Peninsula hasn't seen a significant rise in cases because residents following COVID-19 prevention protocols such as mask wearing and social distancing, Locke said.

"A lot of people can take credit for that," he said.

Locke explained it is still vital for people to continue to wear masks, social distance and stay home when sick, or case numbers could begin to rise and schools might have to close.

Clallam County Health Officer Dr. Allison Unthank agreed.

"Clallam County has really been doing really quite well keeping our COVID-19 numbers under control, and we're encouraging everybody to keep up that work," she said. "Our success is always tenuous, but if we keep up the work that we're doing right now — we don't let down our guard — I think that we really can get through the fall and winter without seeing the kind of surges that we're seeing in other parts of the country."

Jefferson County school districts have all opened using various

styles of hybrid in-person and online learning, while some Clallam County schools started to bring back younger students last week.

Unthank said classes are going well: "I think one of the early concerns around mask wearing was if small children could do it, and I think that our kindergartners are doing a great job of teaching the rest of us how to wear masks well," she said.

"They're really doing quite well and adapting to the new normal better than many adults, I think."

Jefferson County now has COVID-19 testing available at the

Jefferson Healthcare South County Clinic in Quilcene by appointment. Those who need to be tested are encouraged to call the nurse hotline at 360-344-3094.

Most primary care clinics in Clallam County are able to test for COVID-19, and Olympic Medical Center has a drive-thru testing site in the parking lot west of 1035 E. Caroline St.

Clallam County has confirmed 259 cases of COVID-19 since March, with eight active cases and one death, according to Clallam County Public Health data.

Appeals

From page A-1

review, and the application as a whole.

Olbrechts stated that he would uphold the city staff's determination that he "... finds that the proposed (MAT) Clinic does not qualify as an essential public facility and that the city's A-2 process serves as the appropriate process for review."

Barry Berezowsky, Sequim director of community development, approved the tribe's application in May, leading citizens and community groups to appeal the project's elements. City councilors later approved the hiring of Olbrechts.

Document decision

"The unavoidable fatal flaw to the numerous arguments presented by project opponents is that they could not identify any reasonably identifiable harm they would suffer due to the approval of the MAT clinic," Olbrechts wrote in his decision.

He added that the appellants were too general and didn't specify any concrete injury from the clinic other than its close proximity to Parkwood that could impact emergency response time.

Olbrechts said "almost all

of Sequim's residents live within three miles of the project site and there is no reasonable basis to conclude that the MAT clinic could somehow impair emergency vehicle availability."

He wrote, "there is no question that a substantial portion of the Sequim community is concerned and opposed to the project, no party to this proceeding has identified any cognizable injury that would qualify them as having standing."

"The only injury that could possibly be inferred from such unsubstantiated assertions is financial, an increase in taxes due to an increase in demand upon police or other government services."

"However, a litigant seeking to challenge a discretionary government act, as opposed to an allegedly unlawful act, must show a special injury, i.e. that he or she has a unique right or interest that is being violated, in a manner special and different from the rights of other taxpayers."

As to whether or not the clinic is an Essential Public Facility, Olbrechts said classifying it as such would only be applicable if the tribe included its previously proposed 16-bed inpatient facility in its second phase, which it did not. He said the city's code allows the clinic, classified as an outpa-

tient facility, in its zoning and does not go before city council for review.

"If and when the Tribe decides to add an in-patient facility, with that addition it would likely qualify as an essential public facility and then the C-2 process may apply," he wrote.

Olbrechts goes into deeper detail in his decision, which can be read at the *Gazette's* website.

Meeting

In his decision, Olbrechts referenced state case law examples stating he would uphold the update to the city's code from a Sept. 26 special meeting where A-1 and A-2 process appeals will all go to a hearing examiner.

City staff asked for the meeting to change the city code after Olbrechts wrote an email on Sept. 20 saying he doesn't have jurisdiction over consolidated permit hearings that include the MDNS appeal. He canceled a three-day hearing for the six appeals for Sept. 28-30.

However, councilors voted 5-1 — with Mayor William Armacost opposed — on Sept. 26 to direct A-1 and A-2 permit appeals to a hearing examiner and appeals of those decisions to the Superior Court.

Appellants' reactions

Officials with Save Our Se-

quim wrote in a press release that they were disappointed to learn their members "do not have 'legal standing' to challenge the Regional MAT project."

"His preliminary ruling indicates that we, the citizens of Sequim, have NO voice, NO vote and NO involvement in a decision which will forever impact the future of our beloved town."

"Who represents the people of Sequim? Did we not vote for a City Council?"

"The city staff is making land use decisions that contradict everything represented in the current Comprehensive Plan, which describes the official vision for the city of Sequim. If the city of Sequim is silencing our community on the first phase of this Opioid Treatment Program and facility, what makes us think we will have a voice regarding the second phase or other future expansions?"

SOS leaders said they plan to pursue every legal opportunity regarding the proposed clinic "that makes sense to protect our town."

Gibson said he was shocked to learn of the decision.

"Things in the government sound very fishy," he said. "There seems to be on the part of the staff (a) total disregard for the citizens

of Sequim, and I believe if things continue it will virtually destroy the beautiful fabric of Sequim."

"The town will have feces on the sidewalk and needles everywhere."

He said the project will line the pockets of the tribe.

"Is the city council awake?" Gibson asked.

Blow was unavailable for comment.

City, tribe response

Sequim City Manager Charlie Bush said in an email, "We are pleased with the outcome and the thoroughness of the hearing examiner's decision. It validates the analyses, processes, and actions taken by the city regarding this project. We look forward to resolving the remaining issue with the Jamestown S'Klallam Tribe."

W. Ron Allen, tribal chairman/CEO, said in a statement the tribe is pleased with Olbrechts' decision.

"We have consistently said that we will build a first-class facility and provide the highest quality, innovative services for those suffering from opioid dependency," he said.

"Our Tribe is firm on that commitment."

Allen added that the city has been "fair, objective and professional" ... and "it is time for the city and our community to move forward and work together."

He said the tribe is disappointed in personal attacks and the spread of misinformation because it "does not help the community to

understand that this health care service is another urgent need for many of the citizens on the Olympic Peninsula."

He added, "The misperceptions born of fear need to stop."

The new clinic would add 70-plus jobs to Sequim, Allen said.

In his statement, he added they "look forward to continuing to build trust and confidence that our Tribal programs and businesses will make a meaningful difference to the quality of life that we all desire."

"We firmly believe that when we have completed our Healing Clinic, people will be surprised at the cultural elegance of the site, appreciate the success experienced by our clients, and recognize that we have added to the community's health care infrastructure and economic status," Allen said.

What's next?

Olbrechts will only consider one appeal from the Jamestown S'Klallam Tribe for stipulations enforced by the city in the application for the MDNS. In its appeal, the tribe's attorneys state that some of the city's conditions don't fall under SEPA regulations, such as the clinic causing environmental impacts to public services, community concern is not an environmental impact, and the city's land use authority doesn't include clinic operations.

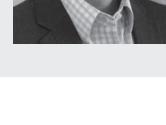
For more information about appeals and motions made, visit www.sequimwa.gov/964/MAT-Clinic-Appeals.

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FROM THE POLICE BLOTTER

The weekly police blotter includes incidents that occurred in the City of Sequim and in unincorporated Clallam County in the Sequim-Dungeness Valley area.

Dec. 21

9:22 a.m. — Theft, 400 block of South Second Avenue

9:35 a.m. — Theft, 400 block of Louella Road

10:06 a.m. — Burglary, near 100 block of Maple Leaf Lane

10:16 a.m. — Burglary, 100 block of Hooker Road

10:29 a.m. — Theft, near 100 block of South Rhoderfer Road

10:48 a.m. — Vehicle accident, 1000 block of Woodcock Road

11:55 a.m. — Burglary near 100 block of Traxinger Trail

3:51 p.m. — Vehicle accident, 262000 block of US Highway 101

Dec. 22

6:31 a.m. — Vehicle accident, East Silberhorn Road/ Valley View Drive

9:41 a.m. — Vehicle accident, 200 block of Dryke Road

9:59 a.m. — Theft, 200 block of West Hammond Street

10:03 a.m. — Vehicle accident, Sequim-Dungeness Way/Primrose Lane

11:23 a.m. — Theft, 270000 block of US Highway 101

1:23 p.m. — Burglary, near 100 block of Kane Lane

4:33 p.m. — Theft, 1100 block of West Washington Street

5:10 p.m. — Theft, 200 block of Louella Road

5:29 p.m. — Vehicle accident, 100 block of West

Washington Street
6:19 p.m. — Theft, 1000 block of West Washington Street

Dec. 23
(not available)

Dec. 24

9:45 a.m. — Vehicle prowls, 1300 block of Chicken Coop Road

10:48 a.m. — Theft, 100 block of River Road

8:21 p.m. — Domestic violence, East Robert Place

8:24 p.m. — Drug violation, 270000 block of US Highway 101

9:13 p.m. — Vehicle prowls, 300 block of West Maple Street

Dec. 25

9:11 a.m. — Vehicle accident, 4300 block of Old Olympic Highway

10:41 a.m. — Theft, 300 block of West Hammond Street

7:35 p.m. — Assault, 600 block of North Garry Oak Drive

Dec. 26

11:44 a.m. — Theft, 400 block of Carlsborg Road

1:26 p.m. — Vehicle accident, US Highway 101/Happy Valley Road

3:55 p.m. — Auto theft, 4200 block of Woods Road

Dec. 27

4:15 p.m. — Theft, 1200 block of West Washington Street

7:21 p.m. — Vehicle prowls, 300 block of West Prairie Street

Dec. 28

1:25 a.m. — Assault, 600 block of West Hemlock Street

8:59 a.m. — Burglary, 700 block of Taylor Cut-Off Road

2:15 p.m. — Theft, 700 block of Taylor Cut-Off Road

Hearing Examiner requires Advisory Committee in MAT clinic decision

BY MATTHEW NASH
Sequim Gazette

scheduled for 9 a.m. Thursday, Jan. 14.

Both the city and tribe filed motions to dismiss the appeal, which Superior Court judge Brent Basden will consider.

Olbrechts' decision on the MDNS environmental review cannot be appealed.

Advisory committee

Olbrechts heard testimony between Nov. 16-24 from tribal and city officials and community members about the proposed clinic in a virtual hearing. It centered on concerns for the clinic's location, transportation to and from it, homelessness, treatment plans, security and more.

In his 39-page final decision, Olbrechts approved the city/tribe stipulated agreement from Sept. 8 with revisions. One of those revisions include the establishment of a Community Advisory Committee

to develop a monitoring and evaluation program for the clinic including members such as the tribe's director of health services, Sequim city manager, law enforcement leaders, and a Sequim resident who applies to join selected by committee members.

However, the Save Our Sequim (SOS) community group filed a Land Use Petition Act (LUPA) appeal in Clallam County Superior Court prior to Olbrechts' decision, seeking city staff review the tribe's construction application again and be permitted differently.

If that appeal is successful, the tribe would have to halt construction and city staff review the permit again under a different review process. The appeal first scheduled virtual hearing regarding the appeal is

dependent on how a clinic is run. One article states how things go depends on being "properly run." But Olbrechts said evidence is "fairly clear the proposal will not result in any increase in violent crime."

He wrote, "With this monitoring plan, the proposal will create no significant adverse impacts to police services."

Olbrechts wrote that the monitoring plan will "directly enable the City to mitigate impacts for which there is insufficient information to evaluate at this time."

"Ultimately, an enforceable monitoring plan should successfully mitigate all impacts to non-police emergency services," he wrote.

The monitoring program adopted by this decision creates a 'wait and see' mitigation strategy that enables the City to identify precisely what impacts do occur and then tailoring the mitigation necessary to address them."

Olbrechts wrote that it's understandable the tribe doesn't want its business plan locked in concrete, but the Community Response Plan was the only document that limited the proposed clinic patient load to 250 patients per year.

Olbrechts also stated that in lieu of a potential \$250,000 bond to support local first responders' efforts if there's

an adverse impact from the clinic, and all or some funding for a Social Services Navigator may pay for studies and corrective actions found by the committee.

In his decision, Olbrechts maintained the tribe needs to provide on-site security requirements, transportation for those who need it to and from the clinic, and deter any patient loitering.

More takeaways:

- Transportation

Olbrechts found the shuttle service to and from the facility for patients without transportation to be "a significant mitigation measure" to "help reduce the transfer of residences to Sequim." But with a high number of unemployed and "housing insecure patients," they may find Sequim more appealing and move from other parts of Clallam and Jefferson counties.

- Crime

On page 8 of his decision, Olbrechts noted that documents from Sequim resident Wendy Goldberg establishes "MAT clinics can be the source of non-violent drug activity, such as illegal drug transactions, loitering and littering" dependent on how a clinic is run. One article states how things go depends on being "properly run."

He said Goldberg's written testimonies and examples show "that concerns over impacts to police services are not remote or speculative." However, he added, they "do not conclusively establish on their own that such impacts are likely to occur for the proposed MAT clinic."

Olbrechts agreed with Chief Sheri Crain's "exemplary investigation" that the proposed MAT clinic's impacts to Sequim police services would be "negligible."

She interviewed six police chiefs with MATs in comparable cities, and none reported an appreciable increase in criminal activity.

Crain reported that she learned a MAT clinic with little to no negative impacts is "good site location, good building and site, the development of good relationships with neighbors and a good model of implementation."

Response

City officials were unavailable for comment because of holiday vacations.

W. Ron Allen, Jamestown's tribal chairman/chief executive officer, said in a statement:

"After hearing all the evidence, the Hearing Examiner found the Tribe would run the clinic

properly and in a manner that is sensitive to the community interest.

"This professional management approach is what our Tribe has said all along," he said. "We look forward to opening the Healing Clinic and showing how beneficial it will be to the Olympic Peninsula community and those in need of this medical service."

Save Our Sequim's board of directors thanked Olbrechts in a statement for "recognizing our main educational point for the past 18 months that installing the proposed MAT clinic, a large Opioid Treatment Program (OTP) or methadone clinic, in the retail core of Sequim will have adverse effects on our community unless properly mitigated."

SOS directors write that Olbrechts' decision states "that 'worst case ... probable impacts would involve drug dealers attracted to patrons of the MAT clinic, add to the homeless population, former and current patrons will ... congregate in the vicinity ... take, sell, and purchase illegal drugs and engage in other non-violent crime.'"

They added that Olbrechts acknowledged data that shows "significant impact on police services in a number of cities and not 'remote or speculative,'" that he feels evidence is "very compelling that patrons of MAT clinics engage in a high frequency of criminal conduct," and that while "Crain testified that only 3-5% of the Sequim population causes problems," Olbrechts acknowledged "a 13 percent rate of criminal conduct in a MAT study group, is 'significantly higher than that of the Sequim population."

SOS board directors said, "these impacts have not been acknowledged or adequately studied as a problem for Sequim," but "Olbrechts has done the community a great service by recognizing that these impacts are worth considering, and that they require action to reduce their effect on Sequim, which is a small town and therefore likely to suffer disproportionately" — and thus a mitigation plan is required.

However, SOS disagreed with Olbrechts on multiple points. Some of those include:

- Him finding busing patients to be mitigation, whereas they consider it a problem as he states Sequim's "climate and isolation" may be an attractive feature to move here.

They also feel the Community Advisory Committee "is unlikely to advocate for our community" and that their "mitigation will (not) have any protective influence for Sequim citizens, visitors, or businesses."

Cooper From page A-10

very poor. We lack affordable housing. We don't support our school district in its need to update facilities. We are beginning to see more evidence of inequality and exclusion.

We're not without conspiracy theorists who see themselves as saviors of our very goodness. Remember the paranoid locals further west who stalked visiting campers or the gun-toting men attending a BLM demonstration in Sequim because they believed a terrorist group was coming to cause violence.

We have at least one elected official who is an admitted QAnon follower.

The opposition to the medicine-assisted treatment (MAT) clinic proposed by the Jamestown S'Klallam

tribe continues to be tainted by challenges to the tribe's motives and broad unfavorable characterizations of the tribe and people with Opioid Use Disorder.

None of this is news. We are not special. It's human inventory and like most inventories, we have too much of some things and not enough of others. And like inventories, we can do something about it. We've shown support through food banks, homeless shelters, charitable giving, kind words and caring. We know we can always use more giving, kindness, caring.

We can expect our elected official and community leaders to be accountable in removing barriers to opportunity.

We can be wise and carefully assess those who are not smart enough to make their point without decep-

tion and dehumanizing others because they are proving they are not smart enough to do any job.

We will manage our inventory for the best if we are clear on our values and honest in their application to our expectations and actions.

And, when we see each other again without our masks, we will be feeling success in managing the best and worst inventory left from the long dark 2020 and we will be smiling in our small corner of the world.

Bertha Cooper, featured columnist in the Sequim Gazette, spent her career years in health care administration, program development and consultation. Cooper and her husband have lived in Sequim more than 20 years. Reach her at columnists@sequimgazette.com.



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Wednesday, February 17, 2021

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Court ruling goes in favor of MAT clinic

Community groups, leaders call for unity

BY MATTHEW NASH

Sequim Gazette

More than a year-and-a-half after the project was announced, litigation over the Jamestown S'Klallam Tribe's medication-assisted treatment (MAT) clinic appears to be over.

Judge Brent Basden ruled on Feb. 10 in Clallam County Superior Court to dismiss the Save Our Sequim (SOS) group's Land Use Petition Act (LUPA) appeal of the clinic's application, writing that the "court concludes that SOS does not have standing to file this LUPA petition."

Basden's decision follows appeals of an Oct. 8, 2020 Interlocutory Order from City of Sequim-appointed hearing examiner Phil Olbrechts — ruling that SOS, Jon Gibson, owner of Parkwood Manufactured Housing Community, and Sequim resident Robert Bilow lacked standing for their appeals.

Basden wrote that SOS "... has not shown that it 'has (been) prejudiced or is likely to be prejudiced by the decision, and hence is not an aggrieved or adversely affected party."

Formed in July 2019, SOS leaders said they opposed the MAT clinic's location in Sequim's retail

core without their knowledge, and sought a new review of the application with further public input.

Despite pending litigation, a building permit was issued by city staff on June 29 for the 16,806-square-foot facility off South Ninth Avenue, where doctors would dispense daily doses of methadone, Suboxone and Vivitrol for patients with opioid-use disorder while offering wrap-around services.

Construction began in November 2020.

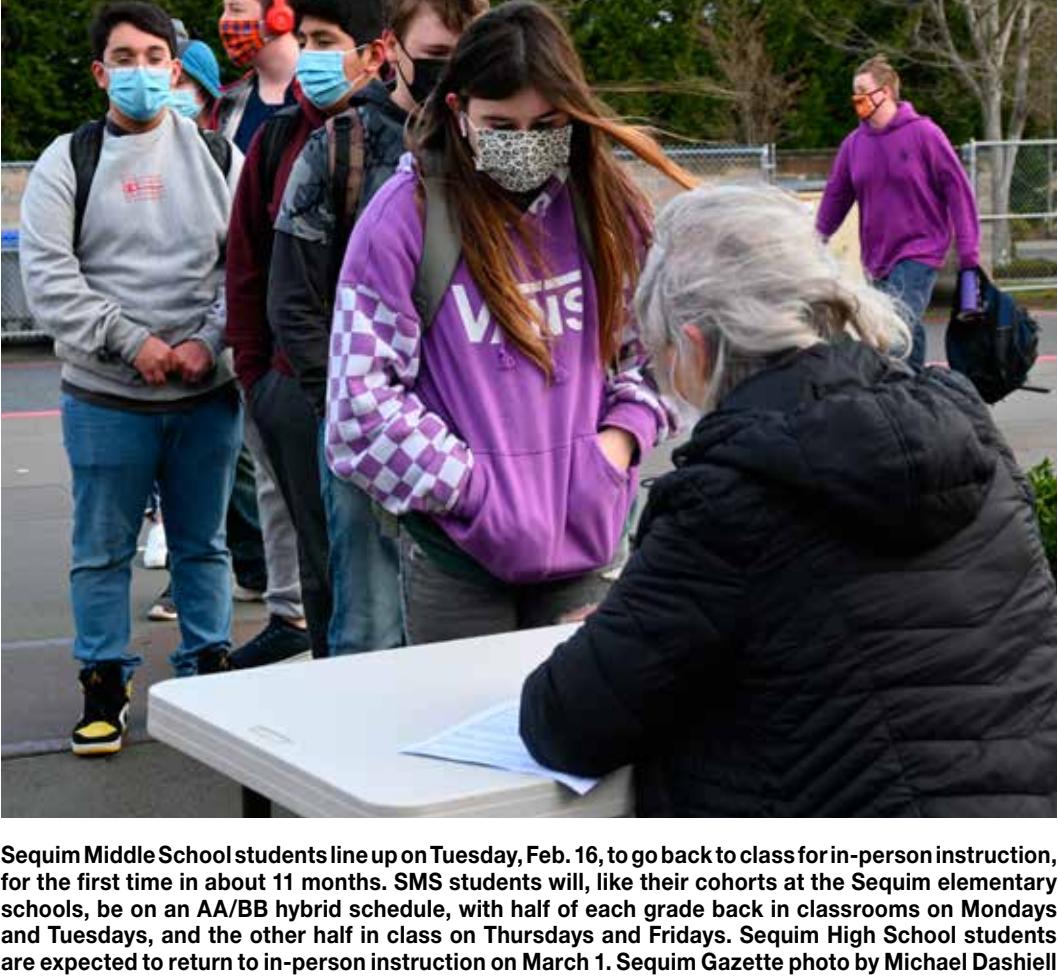
"We're feeling very good and relieved," said Brent Simcosky, the tribe's health services director, in

See RULING, A-9



Groups and agency leaders for and against the location of the Jamestown S'Klallam Tribe's MAT clinic off South Ninth Avenue call for unity and to come together after more than a year of divisiveness. Judge Brent Basden dismissed the final appeal against the clinic in Clallam County Superior Court on Feb. 10. Sequim Gazette photo by Matthew Nash

WELCOME BACK, TIMBERWOLVES!



Sequim Middle School students line up on Tuesday, Feb. 16, to go back to class for in-person instruction, for the first time in about 11 months. SMS students will, like their cohorts at the Sequim elementary schools, be on an AA/BB hybrid schedule, with half of each grade back in classrooms on Mondays and Tuesdays, and the other half in class on Thursdays and Fridays. Sequim High School students are expected to return to in-person instruction on March 1. Sequim Gazette photo by Michael Dashiell

Voters OK both Sequim School District levies

4-year plans bolster maintenance projects, basic education

BY MICHAEL DASHIELL

Sequim Gazette

issues at each school campus and provides an overhaul of the district's technology infrastructure.

"We want to thank the community for A, getting out to vote, and B, voting in favor for both (levies)," interim superintendent Jane Pryne said.

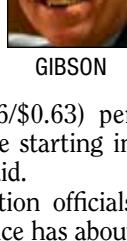
Taxpayers in the district would pay between \$1.87 (\$1.24 for the EP&O levy, \$0.63 for the capital projects levy) and \$1.89 (\$1.26/\$0.63) per \$1,000 of assessed value starting in 2022, district officials said.

Clallam County election officials estimate the county office has about 900 ballots to count.

"I didn't have a doubt that we would pass," Sequim School Board president Brandino Gibson said. "I didn't think we'd blow this out of the water (but) the numbers were kind of about what I expected."

The EP&O renewal levy accounts for about 17 percent of the district's

See LEVY, A-5



River Center expansion takes shape

Fundraising still key as building cost increases create shortfall

BY MICHAEL DASHIELL

Sequim Gazette

The most significant expansion to the Dungeness River Audubon Center since it opened in 2001 continues to take shape, with a series of 3,000-pound trusses that echo the nearby historic railroad bridge set in place last week.

With an eye on a fall 2021 opening, the multi-million dollar project continues to transform the community park into what partners from the center

and Jamestown S'Klallam Tribe hope will become a destination location and tourist draw.

"(It's) lot of hard work to see come through in a physical form," center director Powell Jones said last week. He said he's had a number of conversations with fellow Sequim natives who are local contractors working on the project, as they help construct "a building that interprets a river they grew up with and knew and love."

While Sequim's relatively mild winter

weather hasn't much slowed the expansion's progress, the unexpected rise in buildings costs and scarcity of materials during the COVID-19 pandemic has created a bit of a funding gap, said Annette Hanson, chair of the "Inspire Wonder" capital campaign.

"We thought we are at our goal a year ago and then COVID hit," she said last week. Delays in shipping coupled with large increases in lumber and other

See RIVER CENTER, A-8



Crew workers with T&D Contracting last week set in place massive trusses as part of the expansion of the Dungeness River Audubon Center. Construction site superintendent Pete Nesse said the project is still on target for a fall 2021 opening date. "Just a matter of putting the pieces of the puzzle together," he said last week. Sequim Gazette photo by Michael Dashiell

Clallam, Jefferson counties move into Phase 2

BY ZACH JABLONSKI

Olympic Peninsula News Group

Clallam and Jefferson counties moved into Phase 2 of the state's Roadmap for Recovery this week.

That means indoor dining is allowed at 25 percent capacity with a maximum of six people per table; gyms and indoor fitness centers can open at 25 percent

capacity; outdoor sporting competitions can resume with limited spectators; and weddings and funerals can increase capacities.

Retail stores are limited to 25 percent capacity, according to the Roadmap plan.

County health officials,

however, urge restraint and caution to avoid the reopening being only for the short term. All but six of Washington state's 39 counties are in Phase 2 of the state's economic reopening plan as of Monday, with five new regions meeting the requirements necessary to join two other regions that already had seen a loosening of COVID-19 restrictions, including limited indoor dining.

Clallam and Jefferson counties are included in the North-

See PHASE 2, A-13

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Ruling

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phone interview about Basden's decision.

"We feel that everything was done properly by Jamestown and Sequim city staff. The hearing examiner said this and the judge reaffirmed that."

City of Sequim staff issued in a statement following last week's decision, noting, "We appreciate the judge's decision and hope this will put the matter behind us."

Olbrechts dismissed five of six appeals against the MAT application, including SOS's appeals, for a "lack of standing."

The only appeal Olbrechts heard was the tribe's challenge of the Mitigated Determination of Nonsignificance, in which the tribe challenged the city's imposed conditions, saying they were not necessary or lawful. However, the city and tribe later agreed upon conditions such as a shuttle service to and from the facility and establishment of a Community Advisory Committee. Olbrechts approved the conditions on Dec. 21, 2020, along with adding a monitoring program for the clinic.

Standing

Basden recognized SOS's 2,600 members writing that, "there is no doubt that a large number of individuals in the Sequim community support and advocate for the position that (the) Tribe's clinic should not be located as planned."

He added that "they do not oppose placement in another location, although much of the public comments as to why the current placement is inappropriate would not be alleviated by a different placement within the Sequim community."

According to testimony and briefs, Basden felt there was "no competent evidence ... by an individual who attests to be a member of SOS and claims some particularized prejudice which would qualify him or her to be considered an aggrieved or

adversely affected party."

Basden wrote, "(SOS must show) that there is a genuine issue of fact for trial. Bare assertions are not sufficient — there must be actual evidence."

To do so, he said they must've shown a specific injury, a unique right or interest that is being violated in a manner special and different from the rights of other taxpayers.

He said evidence of prejudice or being adversely affected was not shown during calls for the tribe/city attorneys' call for summary judgments, and when Olbrechts asked it to be presented.

Basden wrote that SOS relies upon generalized comments and concerns such as loitering, drug use and littering and more as a result of the facility going in, and that "unsworn testimony in a public hearing, or arguments or statements contained in news reports, about hypothetical or conjectural harm, is not competent testimony."

Reaction

In weeks and months prior to COVID-19 restrictions, residents packed and overflowed city council and planning commission meetings at the Sequim Civic Center and two forums at the Guy Cole Event Center before any decision on the MAT application was made by city staff.

Following Basden's decision, community groups and leaders expressed an interest in coming together after months of online and public debate.

SOS chair Jodi Wilke said in a phone interview, "We really want to see our community pull back together."

We want to encapsulate that we want to be a positive influence on the community."

In a press release, SOS's board of directors said they are disappointed in the court ruling but respect the rule of law.

"If nothing else SOS has played a role in bringing to light certain ambiguities in our land use codes, and the importance of a transpar-



Barry Berezowsky, Sequim's director of community development, addresses a crowd of more than 150 people on July 8, 2019 during a Sequim city council meeting, saying that there's no proposal before city staff about the much talked about medication-assisted addiction treatment (MAT) facility.

Sequim Gazette file photo by Matthew Nash

ent, accessible process," they wrote.

"It is now up to our city leaders to remedy these concerns."

SOS leaders continued, "Despite the disagreement between factions of the Sequim community for or against this project, it is our hope that we can embrace this common ground and make a concerted effort to bind the wounds that divide us. It is clear that we are not indivisible as long as factions work to separate our beloved community and marginalize those who simply wish to express their voice."

"SOS renounces any ongoing effort to further divide us — whether socially, politically, or philosophically."

SOS leaders encouraged residents to embrace the city's proclamation of 2021 as a "Year of Kindness."

Simcosky said he welcomes the opportunity to unify and be kind to one another because it's "been a departure from what it's been the last year."

He said there's been a lot of name calling and anger toward the tribe and city staff.

"People have to understand that there's been a lot of pain put under some people," Simcosky said.

"I do welcome healing. I'm a person who doesn't look in the past and hold a grudge."

Simcosky said to unify, he's willing to listen but people

all must be able to trust one another.

"If I tell someone that the sheriff said our facility is going to be safe, they can't reply asking, 'How much did you pay him to say that?' Not everything is a conspiracy," he said.

After more than a year of engaging with the public, Simcosky said tribal staff understand people's fears.

"The city did a good job of negotiating," he said. "They got us to agree to a lot of things ... and I think they did a good job serving the citizens."

League's view

The Sequim Good Governance League, a new group that formed in part to retain outgoing city manager Charlie Bush, sent out a press release on the court's decision that it "welcomes the end of divisiveness."

League leaders, some of whom publicly supported the clinic, wrote that they believe Basden's decision showed

city staff "followed the law and regulations" and was transparent.

"The Tribe's medication-assisted-treatment (MAT) facility is based on solid medical science, treating Opioid Use Disorder (OUD) as a brain disorder," they wrote. "It is state-of-the-art health care on par with Johns Hopkins Medical Center. That kind of health care normally does not find its way to rural communities."

League leaders wrote that it was unfortunate the facility became so divisive.

"Vulnerable groups of people were stigmatized. The Tribe was attacked as being greedy and insensitive to the well-being of Sequim," they wrote.

"It is our neighbors, members of our community, who struggle with drug addiction, housing insecurity, income insecurity, and mental fragility. Those problems are neither new nor unique to Sequim. They are human struggles."

"It is time to put aside the divisiveness. A state-of-the-art medical facility will not ruin Sequim. Divisiveness and stigmatization of others will."

Simcosky said coming together is important, particularly in the health of the community, such as with the tribe helping with COVID-19 vaccinations.

"We couldn't do that by ourselves," he said. "We've got the fire department and the city, Community Emergency Response Team, 60-plus volunteers, the Methodist church and more. It's been a wonderful collaboration."

He said he hopes "people keep an open mind and trust."

"The most disappointing thing to the tribe is that in all the good things they've done in health care, why would it do anything to hurt the lands?" Simcosky said.

Going forward

Completion of the MAT clinic is tentatively set for January 2022, Simcosky said.

The project is about six months behind on construction because of the pandemic and court appeals, he said.

"Six months is not the end of the world," he said. "We're looking at the long picture."

"People forget that opioid use has gone up and overdoses have gone up and suicides have gone up nationally and locally."

Simcosky said interest in the tribe's opioid treatment has gone up significantly in the last six months.

As for SOS's future, Wilke said board members are considering their next options but it's "too early to tell" what that entails.

"Every community out there has to figure out how to deal with homelessness and addiction," she said.

"We need to get our arms around it in a proactive manner. We need to look around at communities that have adopted it better, like Burien and Bellevue opposed to Seattle or Tacoma."

Sequim's policies could be derived from those more successful cities, she said, but it's unclear if SOS will participate in that role.

Simcosky said community members must find things they agree on if they're to sit down together.

"There's plenty of things that's common ground to work on in our community," he said.

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