

Local

School Board: McKim resigns

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McKim's term expires June 30, 2017. The school district next begins the process of filling the vacant position.

The school district plans to post in local newspapers a notice of the vacancy and a request for letters of interest. (See this week's Classifieds section.) Letters of interest should be submitted to school district executive secretary Norma Nemecek by Sept. 7. Those who've submitted letters of interest to fill the position should expect to be interviewed by the remaining board members of Sept. 15.

Student Resource Office hired.

Lance Woodward has been sworn in as a member of the Baker City Police Dept. and begins working the hallways of the Baker schools this Fall. In discussing what was referred to as the continuing partnership with the Baker City Police Dept., the board and administration explained an expanding role for the Student Resource Police Office.

Woodward's new role includes time spent in the classroom to provide students with "safety and criminal justice information," said Baker High School principal Ben Merrill.

Merrill explained that Woodward would be informed of a weekly plan during scheduled weekly meetings.

Woodward comes to the position with a Master's degree in English and a background in college and city policing, according to Merrill. "He's a unique and talented guy for our community," Merrill said.

Heating boiler replacement at high school.

The district faces the expensive replacement of the natural gas heating boiler at Baker High School this fall, several years earlier than originally expected, said Doug Dalton, school

district finance director. It was expected that the existing boiler would be used for another five to seven years yet a recent required look at the system by Oregon state inspectors pushed that replacement need to an immediate priority.

The boiler currently operating has been in place since 1974 and has been diagnosed with leaks within two of the hundred small tubes.

The location of the leaks indicate the probability that more leaks could develop causing concern that the entire system would need to be shut down for repairs during the cold season, according to Dalton.

To re-tube the existing boiler would run about \$100,00 while a complete replacement of the boiler with a new natural gas burning boiler is expected to cost between \$200,000 and \$300,000, according to Dalton. The decision has been made to replace rather than repair the old boiler.

"This is why we have contingency funds," Dalton said.

Plans are being set in place to begin the boiler replacement this Fall. Before sending out an official Request for Proposal (RFP), the district plans to send out public notice of a "pre-RFP" meeting to prospective heating system installation firms in order to assess the project.

Once a contractor has been selected, the work of installing the boiler begins this Fall, said Dalton. The old boiler will continue to operate during the replacement project, during Oct., Nov., and Dec., and the cost to repair the old boiler to Oregon state statute standards for the approximate four month replacement period runs about \$10,000, according to Dalton.

During the discussion the fact surfaced that the district spends about \$11,000 per month to heat the high

school during the winter months.

When asked by members of the school board about other expensive maintenance issues looming, Dalton explained the greatest expenses for school building included roofs and heating systems.

Dalton said that South Baker and Brooklyn each have had roof replacements and that the roof at North Baker had recently been patched.

He added that the need for a replacement of the North Baker roof was coming and gave a cost prediction of about \$250,000 for that project.

Busy summer for district maintenance crews The summer of 2015 kept school district maintenance crews hopping as several major construction projects near completion.

Brooklyn Elementary has undergone a major upgrade with a new bus loading zone, sidewalks, installation of a new underground irrigation system, and installation of yet another modular building to accommodate a new full-day schedule for Kindergarten students.

Grass and trees have been ordered for the grounds, according to Dalton. It was estimated by the school district late last school year that Brooklyn Elementary would house approximately 400 Kindergarten through third grade students during this school year.

Haines Elementary was the site of another modular building installation project and the playground has been replaced this summer.

Baker Technical Institute, housed at Baker High School, has a newly constructed lab with a remodel of the welding site planned.

The district reports continual technological upgrades as well. Technological hardware was installed this summer as well as new sound systems in the elementary schools.

The sound systems provide level hearing for every area of the classrooms.

Lighthouse Project

The board passed a unanimous decision to enroll in a professional development program for administration, educators, and board members referred to as the Lighthouse Project.

The Lighthouse Project is described to the board and administration as, "an intensive in-district fully customized board professional development program to help you fulfill your leadership role around student achievement."

The program comes with a price tag of \$10,000 and offers up to 72-hours over two years of professional training curriculum.

Superintendent Mark Witty voiced concern about time constraints placed on participants of the program.

"The program can be structured into whatever is needed," said program administrator Renee Sessler.

SJ board members nominated for statewide board of directors.

Chairperson for the SJ board of Directors Kevin Cassidy was nominated by the SJ board for a position as the Eastern Region representative on the Oregon School Board Association Board of Directors. The Eastern Region includes school districts in Malheur, Baker, Grant, Harney, Wasco, Wallowa, and Union counties. Mike Cosgrove from Grant County was the previous Eastern Region representative.

The position provides a voice for the region with legislators to help establish policy directions, said Cassidy.

Cassidy currently serves on the Oregon School Board Association Legislative Policy Committee and his term on that board expires soon. Andrew Bryan was nominated to fill the position on the Legislative Policy Committee being vacated by the expiration of Cassidy's term.

Haggen files suit against Albertsons

Haggen, the West Coast regional grocer, today announced that the company has filed a lawsuit against Albertsons LLC and Albertsons Holdings LLC ("Albertsons") seeking more than \$1 billion in damages.

The complaint, which was filed today in United States District Court for the District of Delaware, alleged that following Haggen's December 2014 purchase of 146 Albertsons and Safeway stores, Albertsons engaged in "coordinated and systematic efforts to eliminate competition and Haggen as a viable competitor in over 130 local grocery markets in five states," and "made false representations to both Haggen and the FTC about Albertsons' commitment to a seamless transformation of the stores into viable competitors under the Haggen banner."

Albertsons sought out Haggen in order to convince the Federal Trade Commission ("FTC") that Haggen would be a new competitor in local markets, which enabled Albertsons to gain the FTC's approval of a merger between Albertsons and Safeway—a merger that created "one of the largest food retailers in the United States, with over 2,200 stores and \$61 billion in combined sales," according to the complaint. Despite the FTC's orders and Albertsons' agreement to abide by all conditions of the sale, the complaint alleges, Albertsons engaged in an illegal campaign against Haggen including "premeditated acts of unfair and anti-competitive conduct that were calculated to circumvent Albertsons obligations under federal antitrust laws, FTC orders, and contractual commitments to Haggen, all of which were intended to prevent and delay the successful entry of Haggen (or any other viable competitor) into local grocery markets that Albertsons now dominates."

"During the transfer process, Albertsons launched its plan to gain market power and/or monopoly power, acting in a manner that was designed to (and did) hamstring Haggen's ability to successfully operate the Stores after taking ownership," according to the complaint. As a result, despite Haggen's plans to successfully operate and expand upon the acquired stores, Haggen was "forced to close 26 of the Stores that it newly acquired as a part of the Albertsons' divestiture, and faces the potential closure of additional stores," the complaint said. "Albertson's anti-competitive actions critically damaged the operations, customer service, brand goodwill and profitability of the divested stores from the outset," the complaint alleged, "[and] have caused significant harm to competition, local communities, employees and consumers," throughout California, Oregon, Washington, Nevada and Arizona. Instead of focusing on succeeding in the new markets, according to the complaint, "Haggen has had to focus on strategies to recover from Albertsons' wrongful acts, which include, sadly, Haggen's efforts to find new jobs for displaced employees who too are victims of Albertsons' actions."

In particular, Haggen alleged in its complaint that Albertsons, in violation of numerous laws, the FTC order and the purchase agreement, intentionally and deliberately undertook a number of "malicious and unfair actions" that "strained Haggen's resources" and "created substantial distraction and diverted the attention of store-level and senior Haggen management" during the store conversion process, such as:

Using proprietary and confidential conversion scheduling information to plan and execute aggressive marketing campaigns intended to undermine Haggen grand openings;

Providing Haggen with false, misleading and incomplete retail pricing data, causing Haggen stores to unknowingly inflate prices

Cutting off Haggen-acquired store advertising in order to decrease customer traffic

Timing the remodeling and rebranding of its retained stores to impair Haggen's entry into the relevant markets; Diverting customers by illegally accessing Haggen's confidential data to gain an unfair competitive advantage Deliberately understocking certain inventory at Haggen-acquired stores below levels consistent with the ordinary course of business just prior to conversion, resulting in out of stocks which negatively impacted the shopping experience upon Haggen grand openings;

Deliberately overstocking perishable inventory at Haggen-acquired stores beyond levels consistent with the ordinary course of business just prior to conversion such that Haggen had to throw away significant amounts of inventory it paid for;

Removing store fixtures and inventory from Haggen acquired stores that Haggen paid for;

Diverting Haggen inventory to Albertsons stores; and Failing to perform routine maintenance on stores and equipment.

"Albertson's anti-competitive conduct caused significant damage to Haggen's image, brand, and ability to build goodwill during its grand openings to the public," according to the complaint. The complaint continued, "Albertson's unlawful acts destroyed or substantially lessened the economic viability, marketability and competitiveness of the [Haggen] Stores, depriving consumers in each of the Relevant Markets the benefits of substantial competition from a new market entrant."

Sumpter City Council

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Wolf, as senior member of Council, conducted the meeting.

The City attorney suggested this course of action, as Sumpter just voted to recall its mayor, Melissa Findley, and the previous Head of Council, Toni Thompson, resigned earlier in August.

Wolf explained the City also contacted the Head Council of League of Oregon Cities (LOC) and referred to the LOC Model Charter for Oregon Cities Footnote 19 which reads:

"A majority is more than half the Council. For a seven member council, the quorum is four or more. If there is one vacancy, the quorum is still four. If there are two vacancies, the quorum is three, the same as for a five member council. If through resignation or other events,

the number of councilors is reduced to two or one, the quorum is also reduced to two or one."

Wolf explained Sumpter has three active council members, so the majority will be two.

Councilperson Armbruster was out of town, but with Wolf and Oakley present, there was a large enough Council to conduct business.

The first item of business was to review Letters of Intent for serving on the Council.

Approved new members would be able to participate immediately. One letter had been received by Council and Wolf asked those present if there were any others, which there were not.

The Letter of Intent was turned in by Carey Clarke.

It stated he has lived and enjoyed volunteering in Sumpter for several years.

He recently tendered his resignation as president of the Planning Commission. Oakley made a motion to accept his resignation from the Planning Commission and accept him to Council. Motion carried unanimously.

Clarke was not present at the meeting due to hunting season. He will be sworn in at the September 8th meeting.

Resolution 317 to remove previous Council members from all City accounts and add new signers was read.

The Council discussed who should be added as signers and talked about asking Armbruster, in case Wolf or Oakley, who are both facing recall, were to lose their positions.

Commissioner Harvey offered that those present should be added as signers for the time being to allow City business, including

imminent payroll, to be conducted.

This can be modified at the next regular session. Council voted to remove Toni Thompson and Melissa Findley as signers from all accounts and add Wolf, Oakley, and McKinney.

Oakley motioned that Wolf become President of Council.

Motion passed unanimously.

Wolf clarified that all Council members get a vote, even if voting by themselves.

Wolf explained by discussion with LOC and the City attorney, no additions would be made to the agenda and there was no public input at the meeting.

The meeting adjourned after fifteen minutes. Sumpter's next regular Council meeting will be September 8th at 7 p.m.

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