

State buys pot tracking system, despite lawsuit

By HILLARY BORRUD
Capital Bureau

SALEM — The Oregon Liquor Control Commission continues to move ahead with implementing its seed-to-sale tracking system for recreational marijuana, despite a lawsuit filed by an unsuccessful bidder.

The agency recently signed a \$1.7 million contract awarded to the Lakeland, Fla.-based company Franwell, which was among approximately 25 firms that responded during the bidding process. Franwell provides the tracking system used by Colorado marijuana regulators while BioTrackTHC, also based in Florida, provides the pot tracking system used in Washington state.

BioTrackTHC filed a lawsuit against Oregon in May, alleging the state incorrectly awarded points to Franwell due to a transcription error and improperly deducted points from BioTrackTHC for various reasons.

Franwell filed a countersuit in July, alleging that BioTrackTHC was unqualified to bid on the Oregon contract because the company has a financial interest in the marijuana industry. Oregon's request for proposals required companies to attest they had no connection to the marijuana industry through a vendor, their employees or subcontractors. According to Franwell's lawyers, "the principals of BioTrackTHC have direct economic interests in the production and user consumption of marijuana through their involvement and ownership of companies such as IKush, Inc. and the National Cannabis Chamber of Commerce..."

Franwell cited records from a federal lawsuit in Florida, which revealed BioTrackTHC executives also head up IKush — which provides a search application for consumers to find in-stock legal marijuana — and the National Cannabis Chamber of Commerce, which has the stated goal of "aggressive economic development" of the pot industry.

Franwell asked the court to find that BioTrackTHC made false assertions during the bidding process and was not a qualified bidder.

Operational by January

Mark Pettinger, a spokesman for the Oregon Liquor Control Commission, said the agency wants the tracking system to be operational by January so that employees can organize a statewide tour to introduce it to marijuana growers, processors and retailers.

"My expectation would be that we would do a technical tour in early January that would focus on the seed-to-sale system," Pettinger said. "I do know that our system won't replicate Colorado's. There are going to be things that are unique to this one."

The commission also plans to conduct a statewide tour in December to introduce the marijuana industry to the on-line application system recreational pot businesses must use to obtain state licenses, which the state obtained from a different vendor.

Measure 91, which legalized marijuana for all adults age 21 and older in Oregon, requires the commission to begin accepting applications for licenses from retailers and other businesses by January 2016.

Nearly the same score

The seven-person team that evaluated Franwell and BioTrackTHC's bid proposals gave them nearly the same score. According to court documents, Franwell received an average of 93.15 out of 100 possible points, and BioTrackTHC received an average of 92.57 points. BioTrackTHC asked the court to prevent the state from signing a contract with Franwell and require the Oregon Liquor Control Commission to reconsider the proposals.

In court documents filed in July, lawyers for the state and Franwell said that the issues cited by BioTrackTHC do not constitute grounds for protesting the bid award, or for judicial review, under Oregon law. A hearing on the state and Franwell's motion to dismiss BioTrackTHC's lawsuit is currently scheduled for October in Marion County Circuit Court.

The Capital Bureau is a collaboration between EO Media Group and Pamplin Media Group.



Pamplin Media Group

The Oregon Liquor Control Commission has gone forward with a contract to buy marijuana tracking technology despite a lawsuit brought by a competing vendor.

Coast Guard suspends search for missing boaters

The Daily Astorian

GRAYS HARBOR, Wash. — The U.S. Coast Guard has suspended the search for two people missing after their boat capsized Thursday night.

Thomas Miller, 68, and Tina Pittman, 41, both from Olympia, Wash., were on a fishing trip when their 20-foot Boston Whaler capsized in the surf off of the North Jetty of Grays Harbor, Wash..

The Coast Guard, after being tipped off by a beach walker, searched the area with an MH-60 Jayhawk from Air Station Astoria, a 47-foot motor lifeboat from Station Grays Harbor, and the 87-foot patrol boat Adelle from Port Angeles,

Wash. By Friday morning, the boat had washed up near Ocean Shores, Wash. The Coast Guard suspended the search Friday night, after covering 555 square miles in 24 hours.

"The decision to suspend a search is extremely difficult," said Capt. Daniel Travers, commander of Coast Guard Sector Columbia River, in a release Friday. "Our thoughts and prayers are with the missing boaters and their families."

The Coast Guard suspends a search after a probable search area is saturated and a person is not located. It can resume the search if credible information is received about the missing person's whereabouts.

Cruisin' at Wheels and Waves



Jeff Ter Har/For The Daily Astorian

Downtown becomes sea of classic cars for weekend

By KATHERINE LACAZE
EO Media Group

SEASIDE — Seaside's downtown was transformed into a large-scale display of quality classic cars for the

annual Wheels and Waves car show.

The Seaside Downtown Development Association's event, held last Thursday through Sunday, featured about 300 cars, up from 268 in 2014. As always, a big hit was Thursday's Senior Cruise, when dozens of early birds toured Seaside's three assisted-living facilities — Avamere at Suzanne Elise, Avamere at Seaside and Neawanna By the Sea — and finally stopped at Thousand Trails' Seaside RV

Resort for a barbecue, courtesy of Thousand Trails.

On Saturday, the cars took to the streets for a cruise through downtown Seaside. Attendees lined the streets on the tour route to get a glimpse of the cars in action.

From Friday to Sunday, the cars were parked along Broadway, from its intersection with Holladay Drive to the Turnaround, and a few side streets for the Show and Shine. The area was blocked off, so pe-

destrians could freely roam the streets, look at the cars and talk to owners.

That's what car shows are all about, "appreciation for the cars," according to John Osborn, of Kennewick, Wash., who attended the show with his two-tone 1955 Chevrolet Bel Air.

He has come to Seaside for Wheels and Waves almost every year since 2004.

"This little community here is one of the hardest ones not to come to," he said.

Man involved in hammer attack gets over 5 years

By KYLE SPURR
The Daily Astorian

A Seaside man involved in a hammer attack against another man was sentenced Friday in Clatsop County Circuit Court to more than five years in prison.

Joshua Lee Fitch, 23, pleaded no contest to a lesser charge of second-degree assault.

He was originally charged with attempted murder, robbery, criminal conspiracy and theft. The charges were dropped through a plea agreement.

In February, Seaside Police responded to Providence Seaside Hospital after receiving a report of a man who had suffered a serious head injury.

The man reported being assaulted with hammers by two

other men, later identified as Fitch and Kevin Michael Burnham.

Fitch and Burnham were arrested a week later in Seaside after a police investigation.

Prosecutor Dave Goldthorpe said the two men tried to rob or steal from the victim in what appeared to be a drug deal situation. The two went after the victim and fractured his skull, which required expensive medical treatments to save his life.

"It's due to the extreme measures taken by medical staff that (Fitch) was not facing a murder conviction on this," Goldthorpe said.



Joshua Lee Fitch

In court Friday, Fitch's defense lawyer James Lee von Boeckmann said further investigation showed the two men did go after the victim, but it was Burnham who had the hammer and began waving on the victim. Burnham stopped hitting the man only because Fitch intervened.

"I saved his life. I really did. I didn't take the steps to call police to go get him, but I do believe I saved his life," Fitch said. "I told the truth and gave evidence and it doesn't matter. I'm still getting five years."

Fitch said he had never met Burnham until the day of the attack.

"He was just in my car and he asked me to give him a ride somewhere and that's how it started," Fitch said.

Judge Cindee Matyas explained to Fitch how he should not have been in that situation. She ordered him to have no contact with Burnham or the victim, as part of the 70-month sentence.

"Consequences are huge," she said.

Fitch also pleaded no contest Friday to possession of methamphetamine from an earlier case.

Last month, Burnham, 25, pleaded guilty to second-degree robbery from the hammer attack. He also pleaded guilty to first-degree attempted escape from Clatsop County Jail and to possession of methamphetamine from a previous case.

A sentencing hearing for Burnham is scheduled Sept. 25 in Clatsop County Circuit Court.

Riverwalk Inn tops Port Commission agenda

The Daily Astorian

The Port of Astoria Commission meets Tuesday, with the bidding for a long-term operator of the Astoria Riverwalk Inn the first advisory item.

The Port Commission recently voted to install Astoria Hospitality Ventures in the hotel. The group is led by William Orr, a native Astorian, businessman and lawyer from Seattle, and Chester Trabucco, former developer of the Hotel Elliott.

Next is a discussion of Connect Oregon VI, the next round of infrastructure grants from the Oregon Department of Transportation. Applications become available Oct. 5 and are due by Nov. 20. The Port used Connect IV to refurbish a dock on the east side of Pier 2.

Connect V is helping pay the local match on a \$5 million grant from the Federal Aviation Administration for runway overlay at the Astoria Regional Airport. The Port Commission went out for bids on the project, and came back with one from K & E Excavating in Salem, which commissioner James Campbell said was more than \$1 million over the Port's budget. The Port Commission voted unanimously to reject the proposal and go back out for more bids.

As an action item, the Port will present a design for its central waterfront stormwater treatment system. In August 2014, the Oregon Department of Environmental Quality notified the Port it would have to adhere to Tier II Corrective Action requirements after two years of sampling revealed unacceptable

levels of copper coming from its stormwater drains near Piers 1 and 3. It mandated that by June 30, the Port must have operational a system that meets the heightened requirements.

The Port Commission on Tuesday will also hear a proposal from Brim Aviation, which wants to become the private operator of the Astoria Regional Airport.

The meeting takes place 6 p.m. Tuesday at the old Port offices, 422 Gateway Ave., Suite 100.

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