

# Forestland: State manages about 654,000 acres of Forest Trust Lands

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## Jumping in

Clatsop County Counsel Heather Reynolds informed the Board of Commissioners Wednesday about Linn County's intent to file the lawsuit.

"How they word that, whether the rest of the Forest Trust Land counties support that is still something your board needs to jump on fairly quickly," Reynolds said.

Scott Lee, the chairman of the Board of Commissioners, said he received a call from Linn County Commissioner Roger Nyquist, and encouraged the other Clatsop County commissioners to reach out to Nyquist.

Lee said the board will need to have a work session to clarify its position concerning the development of the forest management plans.

The 15 counties have contracted with the state since the 1930s to manage forestlands for the land's "greatest permanent value." Linn County and the state are at odds over the meaning of that term. The county claims that the term means greatest economic value allowable under state and federal regulations and that returns ought to match what a private land manager could glean off the land. The state in 1998 defined the term to mean economic, ecological, recreational and aesthetic returns and implemented a management plan based on that definition starting in 2000, DiLorenzo said.

The state manages about 654,000 acres of Forest Trust Lands it purchased from the counties several decades ago.



Linn County Board of Commissioners Chairman Roger Nyquist, left, and Commissioners John Lindsey and Will Tucker adjourn their morning meeting, Jan. 13, at the Linn County Court House in Albany, after voting to pursue a class action lawsuit against the state of Oregon.

Mark Ylen/Albany Democrat-Herald

Linn County estimates that the 150 local districts in the 15 counties have missed out on \$35 million per year in revenue in the past 15 years from the state's management of the forestland. That number is based on forest modeling, much of which was borrowed from the Department of Forestry, DiLorenzo said. "We believe over time a delta has developed: the difference between

what these lands could produce ... versus the production that is occurring."

"All of those local districts in need of funding especially in the area of public safety," he said. "Lives would be vastly improved if these monies were distributed to these districts."

Josh Laughlin, executive director of Cascadia Wildlands in Eugene, said the county's claims lack merit and called the arrange-

ment of clear-cutting forests to fund essential services archaic.

"It appears the counties missed the memo that the state is not required to log to infinity in these state lands," Laughlin said. "They also have a duty to protect clean water, fish and wildlife habitat, recreational opportunities and other values held closely by Oregonians."

DiLorenzo and Linn County Commissioner Nyquist

declined to specify whether the county first approached DiLorenzo's law firm, Davis Wright Tremaine, or whether the law firm approached the county to propose the class-action suit.

DiLorenzo said the class-action suit was "one of those perfect storms when everything came together." He said he had been watching how the state had been managing the

forestland. Meanwhile, timber counties had expressed growing contention over the state's performance.

The governor's office was not immediately available to comment.

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*The Associated Press contributed to this story.*



Randy Roden, right, walks out following a hearing in the Clatsop County Circuit Court in February.

Joshua Bessex/The Daily Astorian

## Roden: Next court hearing in April is the last scheduled before trial

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Roden was indicted on 15 charges related to the girl's murder and the abuse of her two brothers. He is accused of intentional maiming or torture of the toddler and having a pattern and practice of assault.

He is serving a 100-month sentence at Two Rivers Correctional Facility near Umatilla for a probation violation from a previous domestic violence conviction.

He violated his probation by possessing marijuana, oxycodone, and methadone and failing to report that he moved in with Wing. The

drugs were discovered during a search warrant of the couple's Seaside residence Dec. 20, 2014, the day the toddler was found dead.

Judge Paula Brownhill said September is as far as she would set over the trial date.

"I'm very concerned about the two little boys who may be witnesses at the trial," Brownhill said. "On the other hand, I don't think it's fair to make (the defense) go to trial when their witnesses are unavailable."

The defense needed more time to work around the schedule of their expert witnesses, particularly their key witness, Dr. Janice Ophoven.

The pediatric forensic pathologist will testify that the reported result of torture is actually a dangerous flesh-eating virus known as methicillin-resistant *Staphylococcus aureus*. She will claim the toddler likely died from complications due to a MRSA, rather than from blunt-force trauma.

Huseby said it is difficult to find a pediatric forensic pathologist. He is unable to subpoena Dr. Ophoven to appear sooner because she is already scheduled to testify in other trials.

The next court hearing is in April, the last scheduled before trial.

## Fire board: Explanations for Balzer's firing were not readily forthcoming

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A volunteer for 30 years before becoming chief and a decadelong member of the Cannon Beach Police Department, Balzer was locked out of his office, met with a police escort while he gathered his belongings and sent home walking in the rain, Neuwirth said.

A brief, uniform letter, signed separately by seven volunteer firefighters and emergency medical technicians, calls the board's handling of Balzer's termination "disrespectful, cold and calculating."

"I can no longer respect or trust this board to represent our fire district or fire department," the letter continues. "It would be best for the fire department and community if certain board members would resign from the board before it becomes a recall situation."

Ten more current and former volunteers shared their concerns in personalized letters.

"During every call I have ever been on or with Mike (Balzer), his leadership, knowledge and skills were top notch," wrote volunteer firefighter Trevor Mount.

After explaining the shock of the firing, Mount asked, "Why did you not share with us the board's concerns? Because let's be really clear here ... Without volunteer firefighters, there is no need for you, the board."

In a letter addressed to Balzer, retired Cannon Beach Fire Marshal Mike Graham wrote: "A fire chief must have the full trust of his or her firefighters, and I feel you have achieved that trust. I remain in total support of you, and hope the board of directors will reconsider their action."

Public confusion and emotions were further inflamed as

**'I don't like going up against people who are donating time and effort to the community. But it's time for new leadership.'**

Susan Neuwirth

She is seeking changes on the Cannon Beach Rural Fire Protection Board.

the board's explanations for Balzer's firing were not readily forthcoming.

Last month a public records request by the Gazette revealed that Balzer's firing, according to board member Smith, was "strictly business, not personal." Particularly, the board took issue with Balzer's perceived clerical and administrative shortcomings.

Many community members remain unsatisfied by that rationale, as evidenced in the letters Neuwirth collected from local residents.

"I doubt that the alleged lack of administrative skill was sufficient to merit termination," wrote Cannon Beach resident Eric Reiter, a retired Portland Police Bureau sergeant. "Until the board can demonstrate that it was, Chief Balzer should be reinstated."

In a three-page letter, former board President Alfred A. Aya Jr. detailed a tenuous working relationship between Balzer and the board. Aya wrote that members of the board were engaged in "determined micromanagement," which he deemed an overreach.

"In my opinion, from what I've observed, those three directors cannot keep themselves from intensively 'managing' the fire chief and his responsibilities," Aya wrote. "Seeing no way to correct this effectively, I resigned from the board where I'd served

as vice president for 12 years and president for 18."

Upstairs at the firehouse, where the board meets, Neuwirth made reference to a plaque titled: "Cannon Beach Fire and Rescue: Our Values." She pointed to one line in particular. It reads: "Open communications at all levels."

"The board isn't operating with that kind of transparency," Neuwirth said. "Mike Balzer was the impetus of this, but he is not the sole reason. As I've observed the meetings, they are so unprofessionally run."

Board members subject to Neuwirth's recall, Clyde, Beck-Sweeney and Smith, declined requests to comment on the petition.

Jim Stearns, of Hermiston, was named interim fire chief until a replacement for Balzer is chosen.

After registering the recall with Clatsop County, Neuwirth is collecting signatures. She said she needs to get a minimum of 125, and 150 to be safe, and believes she will gather them with ease. Should she succeed, the board members will need to decide whether to contest the recall or resign.

"This isn't something I enjoy doing," Neuwirth said. "I don't like going up against people who are donating time and effort to the community. But it's time for new leadership."

## Manager: The Board of Commissioners will select, hire county manager

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depth and breadth of work experience from many of the applicants.

Applicants needed to have at least a bachelor's degree in local government disciplines or a related field from an accredited university or college. A graduate degree in business or public administration was

highly desirable, according to the county.

In addition, applicants needed seven or more years of experience with public or private work. The Board of Commissioners will select and hire the county manager.

The new manager will likely earn a similar salary as Somers, who was paid \$137,000 a year.

Somers, who had served as county manager since July 2012, resigned in September to become the city manager of College Park, Maryland, a Washington, D.C., suburb and home to the University of Maryland.

Former Cannon Beach City Manager Rich Mays is serving as interim county manager.

In other business Wednesday night:

• Commissioner Scott Lee was voted to serve as chairman of the board and Commissioner Dirk Rohne was voted to serve as vice-chairman.

• The Board of Commissioners renewed its federal Victims of Crime Act grant funding that awards \$58,771

to the county this year and next. The funding will help with education and training, establish a victim services fund and assist victims with costs associated with traveling to the county for court hearings and trials.

• The Board of Commissioners approved a 2015-17 Justice Reinvestment Grant from the Oregon Criminal

Justice Commission. The county adjusted its budget to increase the justice reinvestment grant revenue to \$231,032 and justice reinvestment programs to \$175,972. The funds must be used on community-based sanctions, services and programs. Ten percent must be used to support community-based victim services.