

School: Open enrollment for academy could start by March 1

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the academy's board can move forward and begin finalizing financial details, apply for grants, plan for enrollment, prepare the school building and start hiring staff, according to board President Kelly Dewey and board member Barb Knop.

In October 2015, the district's board approved the charter school's application with a set of conditions, such as the school would serve at least 44 kindergarten and first-grade students in its first year.

In March, the district withdrew conditional approval, stating the academy fell short on funding, enrollment and a state-approved English Language Development program for English language learners.

"The bulk of their application was very well done and thorough, but there were a few things that needed to be addressed," Superintendent Sheila Roley said.

Roley, her staff, the district's attorney and the academy's board members worked during the past six months to address the issues that led to

the conditional approval being revoked.

The academy's board met with the district's Finance Committee before the regular district meeting Tuesday and presented the strides the organization has made to meet the requirements for a successful application.

For example, the academy decided to use the same English Language Development program as the district, as it already is state-approved. The academy clarified certain aspects of its financial plan, with revenue to be gener-

ated primarily through district funding, pledges, fundraising and grants, Knop and Dewey said. Other details of the financial plan will be determined during negotiations over the charter contract, Roley said.

Board member Tom Maltman, who is on the finance committee, said the cohesion between the two groups has solidified during the past few months, allowing the process to move forward efficiently with clear communication.

"They understand where we're at, we understand where they're at," he said.

Fellow committee members Lynn Ulbricht and Patrick Nofield agreed.

The steps accomplished in the process to this point are "a testament to their board and the people in Cannon Beach that are sustaining this after all the obstacles" they've encountered, as well as the problem-solving efforts of Roley and her staff, Nofield said.

The board unanimously voted in favor of establishing the charter and giving Roley and her staff the authority to negotiate the contract.

Moving forward, the acade-

my's board will continue working with the district, with the goal "to have a contract in place by the end of the year," Knop said. Open enrollment could start by March 1, in preparation for the academy to be operational for the 2017-18 school year. The academy also now can apply for Oregon Department of Education charter school implementation grants that will be available in the spring.

Dewey said she is "extremely excited to move forward with the district" and continue growing "a great relationship."

Dam: City Commission, water district could meet in work session

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Blitz, who has threatened a lawsuit against the water district or the city's seizure of the dam, urged the water district to voluntarily give up any ownership claim so the city would have control and could work as the local partner with the federal or state governments.

"What I have put in front of you is a no risk, no liability way to wash your hands of all of this and go back to whatever other ways you'd all be spending your time," Blitz said at a meeting of the water district's board at the Pacific Grange.

The water district's board voted to seek legal counsel for advice on how to respond to the city. The board also sought a work session with the City Commission to discuss options going forward.

The water district has conceded that it holds no title to the dam. But the federal government said in a 2014 letter — after the dam's 50-year useful life had expired — that the water district was the owner and was free to operate or remove the dam at its discretion. Ownership, however, was based on the city easement to use the property as a dam.

The board also voted to relock a barricade on a gravel road over the dam that had been unlocked by the city as a precaution for last weekend's storms. The water district had barricaded the road earlier this year for liability reasons.

we've provided a nifty little service to operate these things carefully."

Transferring the dam to the city for \$1, as Francis has suggested in the past, is problematic since the water district has no proof of ownership.

"The conclusion I've come to is that nobody has a title or deed to the structure. So I don't think that's a point we should even discuss any further," Francis said. "I think that now what we need to do is concentrate on each of us putting forward what they would like to see happen with the structure."

Francis, the board's vice chairman, said he wants an agreement with the city to remove the dam and clarify the water district's boundaries. He said the city should receive any wetlands mitigation credits for taking out the aging structure.

He said it "seems to me that the structure has outlived its



Joshua Bessex/The Daily Astorian

The Skipanon Water Control District wants to remove the Eighth Street Dam as obsolete and a hazard. Warrenton, however, wants to take control of the structure over the Skipanon River.

usefulness and that the system needs to be decommissioned."

Charles Switzer, another water district board member, said he is disappointed with Warrenton. He said the water district was blindsided by the city's about-face on the dam and the legal threats "and, to me, it's almost a form of bul-

lying. And no transparency in the city government. And those things sort of bother me."

Levee system

Blitz said his understanding now is that the Eighth Street Dam is part of Warrenton's levee system — an idea disputed by the water district

and, at one point, Kurt Fritsch, who resigned as city manager in June amid questions over the dam. Removing the tide gates or taking out the structure, Blitz argues, should fall under a more stringent U.S. Army Corps of Engineers permitting process. The changes, he said, would also require approval from the city as the local sponsor of the levee system.

Blitz, in a draft agreement offered to the water district Tuesday, claims the city has "superior interest" in the dam because of the levees. The language is softer than a September letter where the attorney asserted that the record demonstrated the city owns the dam.

The attorney has said the city, if it takes control of the dam, could install tide gates and operate the dam for flood control. The city could also preserve the dam as an asset and

seek to remove it later in return for wetlands mitigation credits on a development project.

The City Commission could justify taking control of the dam as potentially necessary for levee certification, which has been a contentious issue with the federal government. But the city might also have to explain the public-policy rationale for assuming legal responsibility for a dam that could be obsolete and a safety hazard. If the dam were to fail, or if a driver were to crash off the gravel road into the river, the city could be liable.

The city could also have to pay to remove the dam in the future. The federal Bonneville Power Administration had previously agreed to finance the \$1.2 million deal to remove the dam and install a single-lane bridge as part of its commitment to improve salmon habitat.

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"We don't own anything, never have owned any land," Strickland said of the dam and two other flood-control structures on the river built with the federal government. "It hasn't been our function. For 50 years,