

BMCC faculty speak out against cuts

Teachers push back against plan to eliminate jobs and programs

By PHIL WRIGHT
East Oregonian

PENDLETON — Faculty of Blue Mountain Community College, Pendleton, took a unified stance Monday, April 25, against the budget proposal calling for numerous layoffs and program cuts at the college.

The budget committee, though, held off on making any decision after meeting for the better part of three hours.

BMCC instructors gathered at the Pendleton campus before the committee discussed the college administration's proposal to eliminate 10 full-time teaching positions, several part-time positions in multiple disciplines and eliminating criminal justice, college prep and industrial systems technology programs. They had prepared statements to deliver to the committee, the rest of the college board and the administration. The East Oregonian obtained several of the statements.

Just getting into the boardroom took some effort. The college was not going to let instructors into the meeting. BMCC President Mark Browning in the hallway outside the room agreed faculty could go in one at a time to address the board. Math instructor Bob Hillenbrand went first.

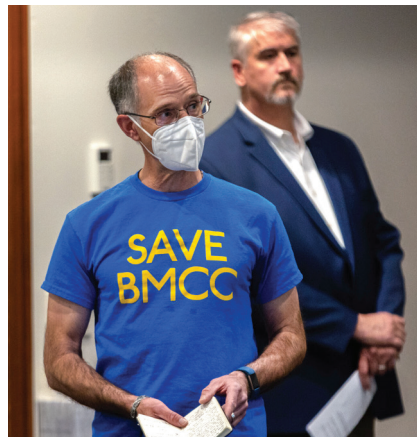
He told the committee and Browning that a similar scenario played out in 2002-03, when Travis Kirkland was president of the college.

"Just like then, we're now hearing claims of the imminent demise of the college," Hillenbrand said, "a false pretext for radical action from someone who just arrived primed with an anti-faculty agenda."

But 20 years later, Blue Mountain continues operating. He warned this fight will end up in arbitration and the outcome will be the same as it was then. The college spent nearly \$500,000 fighting legal challenges during Kirkland's tenure, Hillenbrand said, and lost all of them.

"Don't waste precious college funds on lawyers," he urged.

Hillenbrand also said Browning was deceptive in his use of figures and obscured facts, such as the 39 classified and administration positions the college cut in recent years. Those were "paper people that existed only on the pages of



Kathy Aney/East Oregonian
Gary Parker, who teaches mathematics and computer science at Blue Mountain Community College, Pendleton, speaks Monday, April 25, 2022, to the college budget team and board of education, imploring them not to cut 10 full-time faculty positions. BMCC President Mark Browning stands behind Parker.

the budget," he said, and had no effect on the actual ending fund balance nor on students served.

"Most of the real cuts were classified," he continued. "I know of 14. By grouping classified together with administration he obscures the fact that only a small number of FT administrators were actually relieved of their positions. I know of only two."

Science instructor Sascha McKeon provided the board with a "broad compilation of the beginning year revenues and top five expenditures for the last five years." She said there has been a drastic reduction in faculty wages and questioned why faculty should "shoulder the burden of low enrollment?"

She told the committee the projected revenue for next year is down 6%, yet the administration is seeking to cut 33% of the faculty.

"That does not track, when revenue is projected to be up next year by \$300,000," McKeon said.

Gary Parker, Blue Mountain math and computer science coach, told the board, "Many of the programs scheduled to be cut have low overhead and generate excess revenue," including math, English and adult basic education. And if Blue Mountain doesn't have what students want, they will not come here.

A number of other faculty also spoke, but for the public tuning in via the streaming platform Zoom, this portion of the meeting was difficult to follow. The audio was poor in quality and there was no video. After instructors

made their presentations, the college restarted the Zoom meeting, which then had video showing the boardroom and the rest of the meeting.

For the next two hours the budget committee, the rest of the college board, Browning and several administrators discussed the budget proposal and kicked its tires, including its \$17.2 million general fund.

During the course of the discussion, the board asked about roughly \$627,000 in money from Amazon the college was to receive from Morrow County. The board of commissioners there, however, voted last week not to send the money to Blue Mountain. Board member Chris Brown, who represents Morrow County, asked the administration to explain what happened.

Browning said Morrow County commissioners on a 2-1 vote pulled the plug on providing the funds to the college because they wanted to keep the money in Morrow County.

"I think there was some politics in play with some of this," he said, "and the information in the wind didn't help."

Browning didn't specify what "information," but the East Oregonian in recent weeks has reported the college was closing the industrial systems technology program, and Morrow County Commissioner Melissa Lindsay during the county board's meeting last week said BMCC is not going to fund its part of the Workforce Training Center in Boardman, so the county could direct the money to the center. (For more on that development, see Page A3.)

The college president said he wasn't giving up on receiving the funds, but he wasn't counting on it, either.

Board member Kent Madison said it comes down to the college having too many tools — teachers — in its toolbox for the work it has to do. He said it's important the college remains flexible in its educational mission.

Browning near the end of the meeting said it was his impression the board needed more time to digest all the information they received, and the board agreed, deciding to meet again May 10.

Before that, the college board of education meets May 2 to take action on notifying faculty on May 3 about layoffs.

If the budget committee still needs more time after that, it can meet again May 12 to vote on the budget.

East Oregonian news editor Phil Wright taught part-time for Blue Mountain Community College in the early 2000s.

\$1B timber verdict overturned by court

By MATEUSZ PERKOWSKI
Capital Press

SALEM — The Oregon Court of Appeals has struck down a \$1 billion jury verdict that was intended to compensate 14 county governments for insufficient logging on state forestlands.

A law that requires Oregon to manage the forestland for the "greatest permanent value" does not create an "immutable promise" to maximize revenue for the counties, the appeals court ruled on Wednesday, April 20.

The appellate court said that "historically, 'value' has myriad definitions, some of which could relate to revenue production and others that do not relate to revenue production."

The statute also directs that forests be managed for the "greatest permanent value" to the state, rather than to the counties, which means the text falls short of the "clear and unmistakable intent" of making a contractual promise, the ruling said.

For that reason, a state judge in Linn County wrongly refused to dismiss the class action lawsuit against the state government, the ruling said.

John DiLorenzo, attorney for the counties, vowed to challenge the ruling before the Oregon Supreme Court because it "does not align with the law or the evidence we presented at trial."

The ruling doesn't take into account the economic and social damage that rural communities have suffered after the state government changed its logging policies without input from the counties, he said in an email.

Oregon's leaders have decided the timber economy is inconsistent with their "urban values," but the resulting problems must be addressed to bridge the urban-rural divide, DiLorenzo said.

"The lack of productive employment in these communities has led to substance abuse,

violence, lack of educational opportunity and general hopelessness and despair," he said.

After a month-long trial in 1990, a jury determined the State of Oregon violated a contract requiring it to maximize revenue from forestlands donated by the counties in the 1930s and '40s.

State forests must be managed for the "greatest permanent value" by law, but the 14 counties claimed the Oregon Department of Forestry impermissibly expanded that definition beyond its original intent.

Under language adopted in the late 1990s, the "greatest permanent value" was changed to include environmental and recreational considerations that restricted timber harvests, short-changing the 14 counties and tax districts within them of revenues, the plaintiffs claimed.

Attorneys for Oregon appealed the jury verdict on the grounds that the counties didn't have an enforceable contract that dictated how state forest officials must manage the nearly 700,000 acres of donated property.

The law governing state forestlands pertains to "matters of statewide concern" that cannot be challenged in court by the counties, state attorneys claimed. As political subdivisions of the Oregon government, the counties cannot sue over such state policies.

Federal environmental laws enacted since the property was donated, such as the Endangered Species Act, also effectively limit how much timber can be extracted from state forestlands, according to state attorneys.

The counties claimed that Oregon forestry officials weren't obligated to create habitat for federally-protected species that resulted in logging restrictions. In any case, the counties said the state government can alter forest management policies but must still pay them damages for breaching the contract.

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