

Park City wins legal round involving Vail Resorts

By Christopher Smart, Salt Lake Tribune

Park City Mountain Resort won the latest round in its legal fight with Talisker Land Holdings LLC Wednesday and can argue that it had “first right of refusal” to buy ski terrain adjacent to the historic mining town that is now the subject of a lease dispute.

Summit County’s 3rd District Judge Ryan Harris ruled in favor of PCMR’s motion to broaden its 2011 complaint against Talisker. PCMR now can contend in court hearings that, according to its lease with Talisker, it had the “first right of refusal” to buy the land that is now being sought by Vail Resorts Inc.

The ruling is the latest development in the lawsuit PCMR filed in March 2012 against Talisker after the Canadian-based company informed PCMR that it had failed to meet an April 30, 2011, lease extension deadline on the ski terrain.

According to PCMR’s attorney Alan Sullivan, Talisker’s agreement with Vail that allows the Colorado-based resort corporation to seek control of 3,700 acres of ski terrain adjacent to Park City violates the 1971 lease agreement between PCMR and United Park City Mines, which was purchased by Talisker.

Read the whole story

College grads working where a degree not required

By Alana Semuels, New York Times

In a packed pub in midtown Manhattan, Ryan Flagherty is surrounded on three sides by people clamoring for his attention.

He spins one way and pours a shot of vodka into a glass, then turns around and wedges a lime into a bottle of Corona, pushing it across the counter. Ignoring the annoyed gaze of a bulky man on his right, he turns again to a touch-screen register to ring up the sales.

It's just a minute out of the grueling, physically demanding eight-hour shift that will last long into the night. But Flagherty, 28, isn't complaining.

With the generous tips of New Yorkers and his pick of shifts, he pulls in around \$80,000 a year as a bartender. It's more than he was offered for various office jobs he considered when he arrived in the city, even though he's highly educated.

"I have a master's in economics and I'm bartending in New York," he said with a shrug. "It's a good way to make money."

A college degree once all but guaranteed a well-paying job and higher earnings than high school graduates. But fewer of these good jobs are now available because of both long-term economic changes and the lingering effects of the Great Recession.

Read the whole story

Calif. expands rights to noncitizens

By Jennifer Medina, New York Times

LOS ANGELES — California is challenging the historic status of American citizenship with measures to permit noncitizens to sit on juries and monitor polls for elections in which they cannot vote and to open the practice of law even to those here illegally. It is the leading edge of a national trend that includes granting drivers' licenses and in-state tuition to illegal immigrants in some states and that suggests legal residency could evolve into an appealing option should immigration legislation fail to produce a path to citizenship.

With 3.5 million noncitizens who are legal permanent residents in California, some view the changes as an acknowledgment of who is living here and the need to require some public service of them. But the new laws raise profound questions about which rights and responsibilities rightly belong to citizens over residents.

"What is more basic to our society than being able to judge your fellow citizens?" asked Jessica A. Levinson, a professor at Loyola Law School, referring to jury service. "We're absolutely going to the bedrock of things here and stretching what we used to think of as limits."

Read the whole story

Census: Median income, poverty rate unchanged

By Annie Lowrey, New York Times

WASHINGTON — For the first time in half a decade, median household income did not decrease and poverty did not increase in 2012, the Census Bureau said in the release of a major annual report on poverty, insurance and earnings.

The report depicts an economy that has so far failed to improve the lot of most households, with growth failing to lift incomes and leaving about 46.5 million Americans in poverty.

Median household income, adjusted for inflation, halted its fall at \$51,017, about where it was the previous year. That is down about 9 percent from an inflation-adjusted peak of \$56,080 in 1999, though the real economy has grown about 28 percent since then. Income is also down about 8.3 percent since 2007, when the economy started to contract.

[Read the whole story](#)

Farmers question what weed killers do to soil

By Stephanie Strom, New York Times

ALTON, Iowa — The puny, yellow corn stalks stand like weary sentries on one boundary of Dennis Von Arb's field here.

On a windy day this spring, his neighbor sprayed glyphosate on his fields, and some of the herbicide blew onto Mr. Von Arb's conventionally grown corn, killing the first few rows.

He's more concerned, though, about the soil. During heavy rains in the summer, the runoff from his neighbor's farm soaked his fields with glyphosate-laden water.

"Anything you put on the land affects the chemistry and biology of the land, and that's a powerful pesticide," Von Arb said.

But 20 miles down the road, Brad Vermeer brushes aside such concerns.

He grows "traited," or biotech, corn and soy on some 1,500 acres and estimates that his yield would fall by 20 percent if he switched to conventional crops and stopped using glyphosate, known by brand names like Roundup and Buccaneer.

In short, it is just too profitable to give up.

"Local agronomists are starting to say we have to get away from Roundup," Vermeer said. "But they're going to have to show me that conventional genetics can produce the same income."

The local differences over glyphosate are feeding the long-running debate over biotech crops, which currently account for roughly 90 percent of the corn, soybeans and sugar beets grown in the United States.

While regulators and many scientists say biotech crops are no different from their conventional cousins, others worry that they are damaging the environment and human health. The battle is being waged at the polls, with ballot initiatives to require labeling of genetically modified foods; in courtrooms, where lawyers want to undo patents on biotech seeds; and on supermarket shelves containing products promoting

conventionally grown ingredients.

Now, some farmers are taking a closer look at their soil.

Read the whole story

LTCC engages locals to pave future path

By Kathryn Reed

Build dorms. Be a cultural center. Become a destination college. Be an economic engine for the community. Provide students with the skills local businesses need. Keep classes for lifelong learners.

Those are some of the overriding themes that emerged from a daylong visioning session at Lake Tahoe Community College.

More than 90 people spent the better part of Sept. 20 addressing six main issues. Nearly half in attendance work at the college, with the remainder being community members, K-12 representatives from both sides of the state line, agency folks, and businesspeople. The emphasis was to find out what they want the South Lake Tahoe institution to look like in 2020. The attendees were divided into groups and then reconvened in the afternoon to go over what each had come up with.

First the participants individually answered questions and then discussed them as a group before presenting responses to everyone.

college to make this vision a reality?

“Overall it was very rewarding to see all the energy in the small group sessions. People truly have a vision of what they believe Lake Tahoe Community College should look like in 2020,” LTCC President Kindred Murillo told *Lake Tahoe News* after the day was over. “We accomplished what we set out to do which was to learn how people see the college in the future. The faculty, staff, and board of trustees will work very hard to make Lake Tahoe Community College that ‘center of the arts, cultural, and educational activity’ for the south Tahoe basin.”

Friday’s community message will be massaged in the coming months, with the plan for a more defined vision to be unveiled June 7 when the college celebrates its 40th anniversary.

Murillo started the day by saying the reason for the visioning was primarily for the students. Then she added, “If we don’t know where we are going, how do we get there?”

She went into detail about the changing demographics of the college – a good thing, she said, because it’s starting to better mirror what the community looks like.

Murillo touched on how the state funds community colleges and how many of the classes people like to take – arts and physical education – aren’t reimbursable by the state so they can’t be offered in the way people have been used to. The lifelong learners are not part of the state’s plan anymore – in many ways Sacramento has removed the community part of community college.

But LTCC is striving to find a way to retain that community element.

Certificate, associate of arts or even bachelor degrees in disciplines that lead to jobs in Tahoe was an overriding theme in groups. Expanding the fire academy into an AA and

incorporating it into a larger public safety program has been talked about on campus. Creating programs involving environmental sciences, snowsports, hotel and restaurant management, and forestry were broached in the visioning workshop.

Some people foresee the bulk of classes being offered online in the future, while others aren't sure the traditional teacher-classroom will go away.

LTCC staff members are in different places when it comes to what the future will look like. Some were shocked to learn how technologically evolved K-12 is on the South Shore.

"Some of the best teaching I see is a teacher going from an interactive white board to YouTube to slides to a child's presentation," Lisa Noonan, superintendent of Douglas County School District, said. "They've used six or seven different devices by the end of class."

Lake Tahoe Unified Superintendent Jim Tarwater said how students in second grade are learning how to do PowerPoints.

In a different group, it was agreed that standing at the front of a classroom lecturing ad nauseam is not going to work with the students entering college today. Simple things like having round tables instead of traditional individual desks was suggested.

More than once it was suggested that any new building should meet LEED certification to be environmentally the best it can be.

Student safety, improved parking, providing technical language classes for English learners, allowing corporations to have naming rights to buildings or facilities to raise money, being the thread that binds the community – those were just a few of the suggestions or areas to focus on that came out of the visioning session.

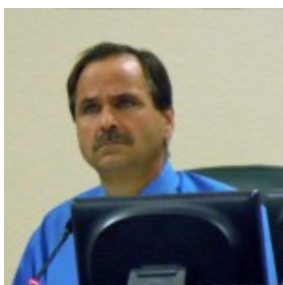
Nutting pleads not guilty; trial set for Feb.

By Kathryn Reed

El Dorado County Supervisor Ray Nutting pleaded not guilty to all charges Friday in El Dorado County Superior Court in South Lake Tahoe.

Nutting, 53, faces four felony counts regarding more than \$70,000 he received from the state to clear brush from his 350-acre ranch in Somerset. (His brother owns an adjacent 350 acres.) He is accused of not reporting the income, voting on contracts that affected him financially and perjury. After those felony charges were leveled in May, the district and state attorneys general offices filed seven misdemeanor charges against Nutting regarding how he got his \$55,000 in bail money. He is accused of taking loans from county employees.

On Sept. 20, Judge Tim Buckley denied the motions to dismiss the charges, as Nutting's attorney David Weiner had requested.



Ray Nutting

"No surprises here," Nutting told *Lake Tahoe News* as he left the courtroom. He directed further questions to his attorney.

“(The judge) said the standard was reasonable suspicion. It’s the lowest of all standards. Anything lower is a mere guess,” Weiner told *Lake Tahoe News* after the hearing.

Weiner has a matter of days to file an appeal to Buckley’s decision regarding the felony counts. He would not say if he intends to go that route.

After the judge rendered his decisions on the motions to dismiss he asked Nutting to enter a plea to all charges. To which Nutting pleaded not guilty.

Buckley had no trouble concluding three of the four counts should proceed to trial, but count two troubled him. This involves the nearly \$72,000 Nutting received from the Sierra Coordinated Resource Management Council in 2009 that he attempted to report 4½ years after the fact.

Buckley said the grand jury that leveled the indictment against Nutting was not properly instructed and that because those 18 people had been disbanded without being told not to talk about the case it would be impossible to reconvene them to reconsider that specific count.

Assistant District Attorney James Clinchard said he would not issue any comment about the case. He is trying the case with Deputy Attorney General Peter Williams.

Nutting represents the southern part of El Dorado County, including parts of El Dorado Hills and Cameron Park, Pleasant Valley, Somerset and Grizzly Flat. In the courtroom were his wife, family members, friends and constituents.

Weiner believes the accusations are politically motivated and that the grand jury was “misled by inaccurate, incomplete and prejudiced information.”

“We are looking forward to a jury trial to present the truth,” Weiner said.

The trial is slated to begin Feb. 4 in Placerville. Jury selection could take a week and the trial two weeks.

T.J. Maxx selling goods online

By Taryn Luna, Boston Globe

T.J. Maxx is finally back online.

Eight years after the off-price retailer's first Internet store fizzled – costing the Framingham company \$15 million – its new website went live Tuesday, selling women's clothing, accessories, shoes, and handbags.

“Last time, the website was kind of an afterthought,” said Jennifer Davis, a senior retail analyst with Lazard Capital Markets. “They didn't put the A-team they have now working on the site. This is a much more legitimate effort.”

But for all the company has at stake with Tjmaxx.com, the online store made a low-key debut, without any fanfare. Parent TJX Cos. – which has been working on the project for two years – previously said the site would be up by late fall. T.J. Maxx officials declined to provide any details prior to the site's launch.

Read the whole story

Economic recovery bypassing most Americans

By John McCormick, Bloomberg

More Americans continued to take on roommates or boarders than before the recession, women had fewer children, and people were still flocking to college or graduate school as a way to postpone their entry into the job market.

Those are just some measures of a tepid U.S. economy recorded last year in new Census Bureau reports that offer a portrait of a nation struggling to fully rebound from the worst downturn since the Great Depression. The data show a geographically uneven recovery in which the middle class is slipping and, on the basis of median household income, no better off than it was in 1989.

Unless there's significant progress in the next few years, that reversal could be a watershed in American history.

"There is a remarkable disconnect between overall macroeconomic growth and the prosperity of middle- and low-income Americans," said Jared Bernstein, a onetime chief economist for Vice President Joe Biden who's now a senior fellow at the Center for Budget and Policy Priorities in Washington. "We're not just talking about a fringe group being left behind. We are talking about the broad middle class."

Amid the still shaky economy, demographers say they see a few positive trends – including an uptick in people moving – even if they appear to reflect a bottoming-out of measures collected last year, three years into the recovery.

Read the whole story

Companies cutting spouses from health care

By Julie Rovner, NPR

When UPS told workers that it would no longer offer health coverage for spouses who had their own job-based insurance, it caused a big stir. But the shipping giant has plenty of company.

So many employers are trying to cut back on health coverage for spouses that it has become a trend. The practice began well before the Affordable Care Act passed, and the connection to the law, in some cases, isn't that direct.

About 12 percent of employers have this provision in their policies, says Tracy Watts, who heads the health care reform team at Mercer, a benefits consulting firm.

Mercer surveyed employers who have some sort of restriction on health coverage of spouses, and found that about half of those employers, or 6 percent, have imposed a surcharge for spouses who could get coverage at their own jobs.

"The other 6 percent exclude spouses who have coverage elsewhere," Watts says. That's the approach UPS is taking.

So is the University of Virginia. Susan Carkeek, the university's head of human resources, says the decision was mostly about simple arithmetic.

Read the whole story