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THURSDAY • May 28, 2020 • \$1.50 Good day to our valued subscriber Marie Moran of La Grande

## Baker County judge declines to vacate injunction

■ Fight to reopen churches goes back to state Supreme Court

By Jayson Jacoby  
EO Media Group

BAKER CITY — Baker County Circuit Court Judge Matt Shirtcliff is standing by his May 18 opinion that Oregon Gov. Kate Brown exceeded her legal

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authority in issuing executive orders related to the coronavirus pandemic.

In a letter dated Tuesday, Shirtcliff wrote that "I have elected to stand by my original ruling."

The Oregon Supreme Court had given Shirtcliff a deadline of 5 p.m. Tuesday to respond to the alternative writ of mandamus the Court issued on Saturday.

That legal document asked Shirtcliff to either vacate his May 18 ruling, which temporarily prevented the state from enforcing the governor's executive orders, or to issue a written opinion defending his decision. The Supreme Court issued a stay

on May 18, which put a halt to the preliminary injunction and allowed the state to enforce the governor's executive orders. The state continues to have that authority.

Shirtcliff's third option is the one he chose — not to vacate his decision but not issue a supplemental written opinion.

The issue now returns to the Oregon Supreme Court. Attorneys representing the

governor have until Thursday to file briefs related to the preliminary injunction. The plaintiffs' attorneys have until June 2 to file responding briefs.

The current legal issue is the preliminary injunction, not the lawsuit that led to Shirtcliff's May 18 injunction.

Whether or not the Supreme Court decides to reinstate the

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Staff photo by Dick Mason

Andrea Konopacky, a volunteer leader of Harvest Share examines produce Tuesday for food boxes she was preparing to give away at the Union County Senior Center, La Grande.

## Virus changes Harvest Share operations

■ More food is being provided, but no public access is allowed

By Dick Mason  
The Observer

LA GRANDE — No writing is displayed on these cardboard boxes, but gratitude is written all over the faces of those who receive them.

The boxes are those Andrea Konopacky, a volunteer leader of

the Harvest Share food distribution program, hands to more than 70 people each weekday at the Union County Senior Center, La Grande. Each is filled with 20 to 25 pounds of free donated food Konopacky has packed.

Anyone who comes to the senior center can receive a Harvest Share food box. Smiles and expressions of thanks are not required, but Konopacky finds herself awash in gestures of goodwill each day. This despite the fact Harvest Share, a

decade-old program, has tighter rules than it did three months ago because of the COVID-19 pandemic.

Previously anyone could walk inside the Harvest Share station at the Union County Senior Center on weekdays and choose from a wide assortment of food, including baked goods and fresh fruit and vegetables. All one had to do was sign in and follow rules limiting how many items could be picked up each day.

That version of Harvest Share,

like much of life as we once knew it, has disappeared, at least temporarily.

Today the Harvest Share station inside the Union County Senior Center is closed to the public because of the state's COVID-19 social distancing rules. Instead the Harvest Share station in the east corner of the senior center serves as a site where Konopacky packs boxes of food early each weekday

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## COVID-19 daily averages decline in Oregon

By Ronald Bond  
The Observer

LA GRANDE — Statewide data indicates Oregon may be past the worst of the coronavirus pandemic.

The number of overall COVID-19 cases in Oregon did pass 4,000 Wednesday, but the number of new daily cases is at its lowest rate since late March, when the virus took off in Oregon.

The rolling seven- and 14-day averages for new COVID-19 cases are at or near their lowest

in two months, according to data The Observer compiled from OregonLive and the Oregon Health Authority.

The seven-day average of new cases in the state was at 33.9 as of Wednesday — even with the addition of 71 cases Wednesday, the highest total in more than a week. It was the fourth time in five days the average number of new cases was less than 40, and the lowest since March 26, when the average was 32 cases per day. That was right at the precipice of when Oregon saw its spike in

cases.

The average count of new daily cases was in the 60s and 70s for the majority of April, but May 10 was the peak. That day, the state had 68 new cases but moved the weeklong average to 78, according to OregonLive, as it was on the heels of a six-day stretch with at least 73 cases — the worst period during the pandemic.

The average has been on a steady decline since then, dipping back below 70 on May 15, below 60 just two days later and

below 50 on May 21. On May 23, the average broke below 40, and after a brief jump back up to 43 on Sunday, it again dropped below 40, reaching 37, and fell even lower on Tuesday to 34.4, when just 18 new cases were added.

It's the latest encouraging number as the state looks to make moves toward a sense of normalcy after shutdown measures aimed at slowing the spread of the coronavirus ravaged the

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## Oregon preps for worst-case scenario as fire season approaches

■ Summer requires fighting virus and wildfires amid steep state budget cuts

By Gary A. Warner  
For the Oregon Capital Bureau

SALEM — Oregon has to prepare for a possible second spike of COVID-19 in the fall, fight wildfires while not spreading the infection to crews, and do it with budgets slashed by the state's dire finances, lawmakers were told Wednesday.

The hearing by the House Interim Committee on Veterans and Emergency Preparedness was cast as a timeout for state agencies to tell legislators how they have dealt with the coronavirus pandemic and what they plan to do going forward.

What specific equipment, training and planning do state agencies need as "we find the time to put Humpty Dumpty back together again?" said Rep. Paul Evans, D-Monmouth, chair of the committee.

The committee cannot work on bills during the interim between sessions, but it can take testimony to help shape future legislation. Though the 2021 session doesn't start until January, Gov. Kate Brown is expected to call a special session within the next few months to deal with a projected shortfall of nearly \$3 billion due to cratering state revenues caused by thousands of closed businesses and mass layoffs that resulted from shutting the state down to try and suppress the spread of the deadly virus that has killed more than 100,000 people in the United States since February.

Brown has asked state agencies to come up with a plan to

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## What you need to know about returning to the workplace

By Aimee Green  
The Oregonian/OregonLive via AP StoryShare

PORTLAND — The Oregonian/OregonLive asked experts about the safety of going out in Oregon as all but one county — Multnomah — have applied to reopen or are reopening. Here's what they — and the latest body of scientific studies — report about returning to the workplace:

Many Oregonians have

### Online

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been working from home since late March if their jobs have allowed it. The governor has urged residents to continue to do so, until at least Phase 2, which counties could enter in June if public health officials don't detect a resur-

gence in infections.

Workplaces have, however, proven to be a problem because of open office plans where many employees share one space, as well as break rooms, kitchens and bathrooms.

In March, more than 80 employees on the 11th floor of a call center in Seoul, South Korea, fell ill with the disease. A CDC study concluded that because few people on other floors got sick despite interactions on

elevators and in the lobby, the 11th-floor employees probably became infected because of extended time spent in the shared space with sick co-workers. But employers can reduce the risks their workers face.

In a paper published in March by the American Society for Microbiology, researchers from the University of Oregon recommended employers fight the spread of COVID-19 by decreasing the number

of employees in a space, adjusting ventilation systems to allow more outside air flow and increasing humidity to 40% to 60% in dry environments. That's a level believed to better inhibit the spread of the virus but not encourage mold growth.

The direction of the air flow can be determined by holding up a thin sheet of tissue and watching if it blows into the building or out.

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### WEATHER Full forecast on the back of B section

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### CONTACT US

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