

# THE OBSERVER

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Good day to our valued subscribers Kirk & Mikki End of La Grande

# Rock quarry application withdrawn

Quarry proponent says team is working on better application

By **DICK MASON**  
 The Observer

UNION COUNTY — James Smejkal of Banks withdrew his application for a rock quarry off Robbs Hill Road before Union County commissioners could vote on Wednesday morning, April 7.

The Union County Planning Commission on March 22 voted to recommend the county commissioners reject Smejkal's application, citing the staff report that found numerous deficiencies in the 400-plus pages of the document. The county board had scheduled a public hearing to consider the application for the rock quarry about a mile from Perry. The quarry would have been at least 250 acres. But Bill Kloos, legal

counsel representing Smejkal, formally withdrew the application, according to information from Union County. Commissioner Matt Scarfo would not say how he would have voted on the application, and Commissioner Donna Beverage said she was uncertain if she could address that. The Observer was not able to confirm an answer from Commissioner Paul Anderes, chairman of the county board, before dead-

line Wednesday. Steve West of La Grande, a member of the application team for the Robbs Hill Rock Quarry project, said the withdrawal is only temporary. He said the team wants to regroup and submit a better application. "This project is not dead, and I want to thank the incredible number of people locally who support the project," West said in a statement to The Observer. West said one of his per-

sonal goals is to get out fact-based information to the public to offset what he said is disinformation from a small number of people who oppose the project. "They truly represent a small percentage of the county's population, but they are loud and get heard," he said. He said he believes a detailed public information campaign that outlines the facts will change public opinion and silence critics. West said the rock quarry

project will be approved in the near future if such a public information campaign is undertaken. But the real work would have to be a better application. County Planning Director Scott Hartell for the March 22 planning commission hearing delivered a 17-page report that went through the Smejkal application and found it lacking throughout, beginning with proving a public need for the rock quarry.

# Road paving projects planned

La Grande upgrades Second Street, ODOT improves part of Interstate 84

By **DICK MASON**  
 The Observer

UNION COUNTY — Road paving crews will be hard at work this spring and summer in the La Grande and Meacham areas.

Major road restoration projects are set to be conducted on Second Street in La Grande and on Interstate 84 from Meacham east for 3.5 miles.

The Second Street work will run from Spring Street to Adams Avenue, a total of 1,100 feet, according to La Grande Public Works Director Kyle Carpenter. This stretch of Second Street will be torn out and replaced with new asphalt. Carpenter said this portion of the road has not had major repair work for decades and is badly in need of an upgrade.

"It is in good condition for its age, but it is time," he said.

The Second Street project will involve more than replacing roadway. The city also will remove and replace an old water main as part of the project. The 18-inch diameter steel water pipe, an integral part of La Grande's water supply system, is old

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Kathy Aney/East Oregonian

Retired Weston Middle School teacher John Bartron gives 17-year-old Bailey Munck some calming advice before the pair testified remotely for Senate Bill 649, known as Bailey's Bill, which increases penalties for criminal sexual contact with an underage victim when the defendant is the victim's teacher. Munck and Bartron testified from Pendleton on March 25, 2021.

# Bailey's Bill

Sen. Bill Hansell names bill after Athena teen abused by teacher

By **KATHY ANEY**  
 East Oregonian

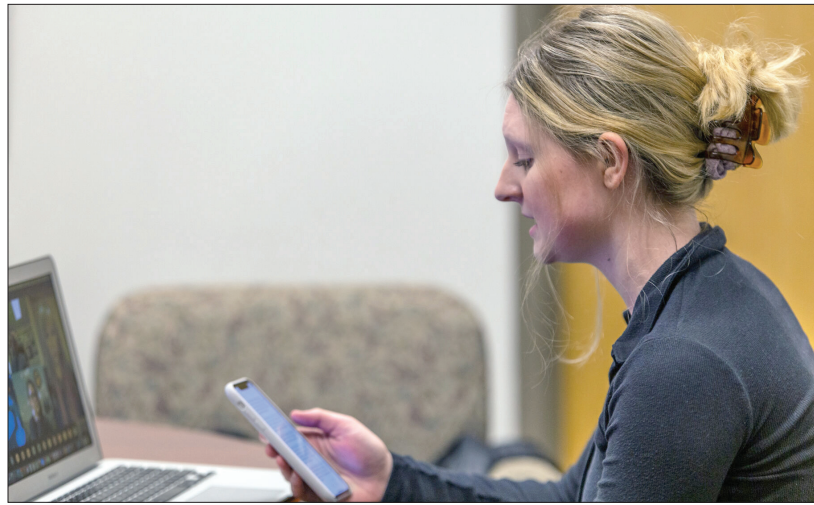
ATHENA — Bailey Munck steeled herself.

In a few short minutes, the 17-year-old Weston-McEwen High School student would testify to the Senate judiciary committee of the Oregon Legislature via video chat. Munck fought her nerves as she thought about the intensely personal information she was about to share with total strangers.

The testimony on March 25 would be in support of "Bailey's Bill," named after her. Sponsored by Sen. Bill Hansell, R-Athena, and Sen. Kathleen Taylor, D-Milwaukie, the proposed legislation would increase penalties for criminal sexual contact with an underage victim if the defendant is the victim's teacher. Currently, a coach convicted of sexual abuse (in the third degree) receives harsher penalties than a teacher who commits the exact same crime.

When committee chairman Sen. Floyd Prozanski in Salem invited Munck to speak, she un-muted the laptop and began.

"Good morning, Chairman Prozanski and Vice-Chairman (Kim) Thatcher and committee members," she began. "For the record, my name is Bailey Munck and I'm a senior at Weston-McEwen High School. In November of 2019 after the first state volleyball playoff game, I was sexually harassed by my English teacher."



Kathy Aney/East Oregonian

Seventeen-year-old Weston-McEwen senior Bailey Munck testifies remotely for Senate Bill 649, known as Bailey's Bill, which increases penalties for criminal sexual contact with an underage victim when the defendant is the victim's teacher. Munck testified from Pendleton on March 25, 2021.

## Enduring a teacher's inappropriate behavior

Munck's appearance at the hearing came after some difficult months. Now 17, she likely wishes she could go back in time and give her 16-year-old self some heart-felt advice, preferably before her teacher inched closer and closer to student-teacher boundaries and finally stepped over them on Nov. 2, 2019, the day Munck and the other Weston-McEwen volleyball players shut out Coquille 3-0 in a first-round state playoff match on a road trip.

That night in their Roseburg hotel, popular teacher and score-keeper Andrew DeYoe crossed

that line. The next day on the bus, teammates pried the story from the obviously distressed Munck and persuaded her to tell an adult.

She did, but it would take six months for DeYoe, who taught freshman and sophomore English at the school, to be put on administrative leave.

In the meantime, inappropriate behavior continued. It would be almost a year before DeYoe pled guilty to harassment that included sexual touching. DeYoe, 31, in the plea deal, forfeited his teaching license, terminated his housing lease in Athena and agreed to have no contact with minors who are not

See, **Bailey/Page 5A**

# Oregon to open vaccine eligibility to all on April 19

Union County stays at moderate risk but death toll adds one

By **GARY A. WARNER**  
 Oregon Capital Bureau

SALEM — Facing a "fourth wave" of COVID-19, Oregon will drop eligibility restrictions for COVID-19 vaccinations April 19, up to two weeks earlier than planned.

The change comes as the disease claimed another life in Union County.

President Joe Biden directed Tuesday morning, April 6, that states should open inoculation appointments to everyone age 16 and older.

Oregon previously planned to drop all eligibility restrictions by May 1, with some counties possibly offering appointments as early as April 26.

Gov. Kate Brown said Oregon would drop limits on April 19, but until then, it would continue to prioritize vaccinations for people with underlying medical conditions, essential workers and communities underserved during the pandemic.

"We are locked in a race between vaccine distribution and the rapid spread of COVID-19 variants," Brown said.

The move comes as infections and hospitalizations have started to rise after a long decline since January.

The state has reported more than 400 cases per day in the past week and has seen rising numbers of hospitalizations, despite having fully vaccinated more than 784,000 of the state's estimated 2.8 million adult residents.

An Oregon Health & Science University forecast released last week estimated the current spike will lead to an average of 1,000 cases per day by next month.

Evidence of the virus rebound also was found in the latest infection risk

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## WEATHER

Full forecast on the back of B section

	<b>Tonight</b> 24 LOW Clear and colder		<b>Friday</b> 65/32 Warmer
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