

MERA

Continued from Page A1

to allow for public feedback, the county and ReedCo decided to break the time line up into multiple sections — this will allow for full usage of the recreation area in the spring and summer months. Chambers noted that after this past month's work, the Red Apple project is approximately one third of the way through to completion.

The project, which started in the northern segment of the Red Apple area, involved a moderate amount of mastication in the first phase. Both Chambers and Chuck Sarrett, a forester contracted by Union County, emphasized in a January advisory board meeting that the project is not a "corner-to-corner" mastication plan.

"The winter conditions were such that there was not deep snow and the ground was frozen, so they had good visibility and were able to do mastication of the area they treated," Chambers said.



Alex Wittwer/EO Media Group, File

Sean Chambers, the Union County parks director, listens as residents express their concerns about a proposed logging project at the Owsley Canyon Trailhead at the Mount Emily Recreation Area on Wednesday, Nov. 10, 2021.

"There shouldn't be any need to re-enter the area they treated this winter."

Upon the completion of the first section of the project, further mastication is set to take place in other areas of MERA.

ReedCo contractors origi-

nally intended to use the Owsley Canyon Trailhead as an entrance for the project, but winter conditions in January were not favorable. Instead, much of the work was conducted via rock roads on Igo Lane and Archer Lane. Several in the community opposed to

the project voiced concerns about the possible traffic and danger caused by large logging trucks using the slick roadways. Chambers noted before the project that the Union County Public Works department was able to expand the lanes, put up proper signage and alert truck drivers of precautions well in advance.

"No issues that I'm aware of," Chambers said. "They signed it well and the road was well maintained by public works. I think being up front and getting the word out was good. I thought it went smoothly."

Chambers did not yet have an estimate on how many trees were logged or how much profit the county will acquire, but he noted that those numbers will be available from ReedCo after the project. Logging trucks hauled the timber to La Grande, Elgin, Pilot Rock and Lewiston, Idaho.

Chambers noted that the county will work with ReedCo in handling the aftercare of the project.

"Trail wise, if there's damage we'll identify that. ReedCo will get out there and clear trails," he said. "What needs done should be very minimal. They were very aware of the trail locations and tried to give them a wide berth and stay back. They're very aware of that."

Chambers noted that the county will handle any additional trail cleanup, but that he does not anticipate any major work being required.

If all goes to plan, the closed-off sections of MERA will reopen by this weekend. Chambers also noted that follow-up projects may include vegetation management and weed management — the Oregon Department of Fish and Wildlife is donating grass seeding for the vegetation management.

"If there's any major impacts, we'll look at getting those taken care of," Chambers said. "I don't anticipate a lot of work that way other than throwing some sticks off the trail, hopefully."

MASKS

Continued from Page A1

tioned Thursday that her decision to lift it now was not a sign Oregon is in the clear.

"Lifting Oregon's COVID-19 emergency declaration today does not mean that the pandemic is over, or that COVID-19 is no longer a significant concern," Brown said in a written statement. "But, as we have shown through the delta and omicron surges, as we learn to live with this virus, and with so many Oregonians protected by safe and effective vaccines, we can now protect ourselves, our friends, and our families without invoking the extraordinary emergency authorities that were necessary at the beginning of the pandemic."

Oregon's current masking requirements are not authorized under Brown's emergency order. They are public health rules put into place by the OHA. The agency said in a statement of its own Feb. 24 that modeling suggests Oregon will see pre-omicron levels of the virus by March 20. The OHA is still recommending that people at high-risk from the coronavirus continue to wear masks in public settings.

"We are able to take this important step, earlier than anticipated, because of the collective

diligence and the shared sacrifice that people in Oregon have demonstrated in getting vaccinated, wearing masks and limiting their gatherings," state epidemiologist Dr. Dean Sidelinger said in a statement.

In the last month, new reported COVID infections have dropped by more than 80%, according to the state health agency. More important for Oregon's overtaxed health care system, hospitalizations are down nearly 50% since peaking last month, the agency said.

In Union County, the average rate of COVID-19 cases per day stood at just under 15 through from the start of the month to Feb. 23. Case numbers in January reached upwards of 85 in one single day.

"Nobody knows what tomorrow brings, but watching the numbers go down is really good," Beverage said. "We're excited and hopeful."

Beverage noted that the recent COVID-19 trends and lifted mask restrictions will help struggling local businesses get back on their feet.

Local educators buoyed by the news

Earl Pettit, superintendent of the Cove School District, is more than happy that the mandate will be lifted earlier than initially announced.

"March 19 is better than March 31, better sooner than later," he said.

Mark Mulvihill, superintendent of the InterMountain Education Service District, whose service area includes Union County, also expressed pleasure at the earlier date.

"I am very excited. It has been a very, very difficult period. Many are exhausted from the pandemic. Now we can return to a sense of optimism," he said.

Mulvihill said it is fitting that the mandate will be lifted when many students are beginning their spring break, one they will be able to enter with a sense of renewal because of the Feb. 24 announcement.

"Rebirth is what spring is all about," he said.

Imbler School District Interim Superintendent Doug Hislop said many people in his school district will be very happy when the mandate is lifted.

"There will be a huge sigh of relief," he said.

Hislop said that students will still be able to still wear masks if they want to once the mandate expires. He said the school district will no longer be buying masks for students to use, but students who want to wear masks will not be out of luck if they don't have one.

"If there are any students who

want to wear a mask and don't have one I will find one for them," Hislop said.

At Eastern Oregon University, it is unknown when the mask mandate will be lifted.

EOU Vice President of Student Affairs Lacy Karpilo said last week that the university will make its decision on mask mandates from within campus leadership.

The university has continued to consult with the Oregon Health Authority and the Center for Human Development when making decisions related to COVID-19. Karpilo noted that the university relies on evidence-based processing to keep the campus as safe and productive of an in-person experience as possible during the pandemic.

Oregon in step with what is happening nationally

Many of the same trends are playing out nationwide, and a growing list of state and local governments have announced an end to masking rules in recent days. A mask requirement in Washington state is scheduled to lapse on March 21.

In Oregon, restrictions put in place by Brown and health officials have been among the strictest in the nation, but have also helped Oregon record fewer deaths per capita than many other states. Nev-

ertheless, the restrictions have been deeply controversial in many more rural parts of the state.

Union County Sheriff Cody Bowen previously wrote a letter addressed to Oregon governor Kate Brown on Aug. 13, opposing mask mandates in schools statewide.

"I'm glad common sense has prevailed," he said. "I'm excited to see it, especially for our kids."

In a videotaped message released Feb. 24, Colt Gill, director of the Oregon Department of Education and deputy superintendent of public instruction, said schools would be included in the move based on feedback from school districts.

"Based on the feedback from local leaders and communities, OHA and ODE are partnering to develop practical updates to safety protocols for quarantine, contact tracing, and testing that meet the current conditions of the pandemic," he said. "These guidelines will continue to support our North Star goal of providing in-person learning for every student, all day, every school day and will focus on specific supports for students, staff, and families that may be at more risk from COVID-19 than others in the school population."

— The Observer reporters
Davis Carbaugh and Dick Mason
contributed to this report.

VERDICTS

Continued from Page A1

at the time of those previous convictions, and it's hard to say whether those juries would have pushed for a unanimous verdict if the laws had been different.

"No one can say what the juries would have done if they had been required to be unanimous," Baxter stated in an email. "No one knows if the jury would have worked just a little harder and longer to obtain a unanimous verdict. It is likely that once the required unanimity was obtained, they stopped."

The broadness of the bill is beset by its relative succinctness — only about a single page of amendments to existing law would take the bill far beyond the Supreme Court's ruling.

And it's happening during Oregon's legislative session that will last for only 35 days.

"I feel it's been rushed. We're in the short session. This is supposed to be for certain matters, fiscal aspects, things like that," said Justin Nelson, district attorney for Morrow County, "and this is a very complicated and, possibly, very costly bill that goes far beyond what the Supreme Court said needed to be done. Is that something we need to be doing for the short session? Is this something we push through in 35 days?"

The Oregon District Attorney Association raised numerous issues with the bill, including what would happen for verdicts that included multiple charges.

"Let's say you have a 10-count case," Nelson said. "And the persons found guilty of all counts. Maybe count one is rape in the first degree, and then count 10 is false information to a police

officer — a misdemeanor of some sort and ends up being a non-unanimous verdict. The concern I have is that it actually overturns the entire judgment, not just that count."

Other issues the ODAA raised include how the court would determine whether a jury was unanimous or not, given that records of jury polls were not always well kept, according to the ODAA's testimony.

The testimony also considers the possibility that the new law could be used in conjunction with the Sixth Amendment to dismiss a conviction due to an untimely trial.

Foremost, the ODAA raised an issue with the cost of the legislation, which provides no resources for victim assistance programs for resulting trauma from having a decided case

returned to trial.

"Oregon's victims of some of the most serious crimes we see are going to be facing new trauma as thousands of cases are returned and potentially re-litigated," testified Rosemary W. Brewer, executive director of Oregon Crime Victims Law Center. "Yet as drafted, SB 1511 has no provisions for increased victim services. There is going to be an enormous need for trauma-informed services, and we must ensure that victims have easy access to these services as they learn that a part of their lives they considered to be closed is reopened."

The OCVLC testimony also noted the bill does not provide any notification for victims of crimes, or allow for their participation in the justice system.

"It is unfortunately all too common that victims' voices are left out of the criminal justice process. Without specific provisions for victim notification and

participation," the testimony continued, "SB 1511 unwinds the progress that has been made in acknowledging the critical role victims play and in Oregon's commitment to ensuring victims are treated with the dignity and respect that the Constitution demands."

Aliza Kaplan, professor and director of the Criminal Justice Reform Clinic at Portland's Lewis and Clark Law School, testified in support of SB 1511 and cited statistics that show that the non-unanimous jury law had a disproportionate impact on communities of color.

The Lewis & Clark Law School testimony also showed that of the 244 cases that raised concerns in Ramos vs. Louisiana, only six originate from Eastern Oregon — all of which are in Umatilla County. However, these are simply the number of cases with issues raised about the constitutionality of a non-unanimous jury — cases in which

the issue of non-unanimous juries wasn't raised at court likely exist, and there is no way of knowing how many such cases would be brought to court once again.

"Due to the spread of underlying convictions across Oregon counties, mostly clustered in Oregon's most populous counties with the largest district attorney offices, we do not believe district attorneys would be severely overwhelmed by the proposed remands," Kaplan testified.

The Oregon 2022 short legislative session runs from Feb. 1 to March 8.

"The new parts are one page on this bill. The amount of change that it will do to our judicial system is staggering. The cost that it could incur is staggering," Nelson said. "Rushing this through a special session — something like this that is one page — could have a dire effect on victims and I'm not sure that's what we want to go forward with."

SCHOOLS

Continued from Page A1

The money would also fund the demolition of the Annex and the school district's shop building, which is just north of the Annex. The school district's shop facilities would then be moved to the Adams Professional Plaza.

The La Grande School District is now renting the space at Adams Professional Plaza and may later purchase it if the bond request is approved by voters, according to Joseph Waite, the La Grande School District's facilities director.

One of the pluses of moving the shop facilities off campus is that it would reduce vehicle traffic in

the vicinity of the middle school. Presently, middle school staff and the shop for maintenance and ground work share the parking lot.

"The move would prevent us from interfering with school traffic and keep them from interfering with our traffic," Waite said.

He does not know of any accidents ever occurring in the parking lot, but said the potential is there for one.

The shop building is in poor condition because of its age and a lack of maintenance work done on it. Waite said for many decades the school district has focused on spending money maintaining buildings students use and the shop building has been a low priority in terms of upkeep.

"There has been a lot of

deferred maintenance," he said.

Much of the shop department's supplies and equipment are stored in rooms in the Annex building.

The proposed building that would replace the Annex would have two full-sized gyms, locker rooms and two classrooms, but no storage space. That means supplies and equipment would be kept at the Adams Professional Plaza building. The structure the school district would rent has thousands of square feet of floor space but less than what the shop department has access to now for storage. The difference would be made up by making good use of the large amount of ceiling space the building has, Waite said.

Waite said moving supplies and equipment to the Adams Avenue site would be easier because it will be spacious enough to operate forklifts on its concrete floor. The present shop and Annex building site do not have enough room for the operation of forklifts indoors, which means employees have to carry items in and out.

Joe Justice, a member of the bond's political action committee, Citizens for School Renovation, said the La Grande School District is fortunate to have a building like the one at Adams Professional Plaza available.

"Spaces of this nature rarely come on the market," he said.

Justice said the school

district had more options with regard to where it could move the shop facility because it does not have to be on school district property.

"We had more flexibility," he said. "We were trying to be creative."

Justice said that if the bond passes it would be the hope of the school district that it would later be able to purchase the building at the Adams Professional Plaza. Renting or purchasing an existing building would cost the school district much less than if it built a new shop structure.

Passage of the \$4.485 million bond that would trigger the shop department's move would not raise the total school taxes paid by property owners

because of the recent refinancing of the 20-year \$31.5 million bond voters approved in 2014 for capital construction and maintenance.

The school district is facing a deadline because in December 2021 it was awarded a \$4 million Oregon School Capital Improvement Matching grant from the state for the building of the academic and athletic center.

The school district will receive the \$4 million matching grant only if voters approve the new \$4.845 million bond. Voters would have to approve the bond in May because this was the election date specified by the school district in its application for the grant.