

# Emergency Board help sought for Boardman water crisis

By PHIL WRIGHT  
East Oregonian

**BOARDMAN** — Boardman residents needing better water filters and more well testing due to nitrate contamination could get state help this fall.

The Oregon Health Authority plans to ask the Legislature's Emergency Board in September for \$800,000 to help address the water crisis in northern Morrow County.

Morrow County Commissioner Jim Doherty, however, sought a bigger contribution from the state.

Doherty on Thursday, Aug. 11, sent a letter to Rep. Greg Smith, R-Hepner, to ask the governor and Emergency Board for \$4 million in the Oregon Health Authority or Oregon Department of Environmental Quality budgets to "implement an in-depth and culturally relevant community outreach, education and communications strategy to address immediate, short term and ongoing public health efforts in the Lower Columbia Basin as a result of high and extremely high nitrate levels in domestic wells."

Doherty said since he made that request, Smith reported Gov. Kate Brown requested \$800,000 for well water monitoring and better filters.

### Need for better filters

Erica Heartquist is the communication officer for OHA's Public Health Division. She explained Morrow County and its partners have distributed point-of-use water filters — that is, systems that attach to a drinking water tap in the



Erick Peterson/Hermiston Herald, File

Ana Pineyro, left, Morrow County communicable disease and emergency preparedness coordinator, and Morrow County Commissioner Jim Doherty look at results from a rapid test July 14, 2022, on drinking water in a Boardman home.

home — that don't filter out enough nitrates.

"Post-installation testing of several systems by Morrow County found that all systems reduced nitrates, but some did not reduce levels below the Environmental Protection Agency health advisory level of 10 milligrams per liter of water," according to Heartquist. "Such systems may also reduce other common domestic well water contaminants, such as bacteria and lead. OHA's request to the legislative Emergency Board will be for point-of-use water filtration systems that are specifically certified to reduce nitrates to levels at or below 10 mg/l."

The Oregon Legislature convenes Sept. 21-23 for legislative days. Heartquist said OHA expects the Human Services Subcom-

mittee of the Joint Emergency Board to consider the request on Sept. 21. If the subcommittee gives the OK, it goes before the full Emergency Board for consideration Sept. 23.

Doherty said most of the filters the county has installed are doing the job, with more than 90% of homes testing at below 10 mg/l two weeks after installation. The kinds of filters the state is looking at buying cost \$1,500-\$1,800 each, he said, and he has some concerns if the filters can get to a stricter level of milligrams per liter requirement in the Lower Umatilla Basin Groundwater Management Area in Morrow and Umatilla counties.

"We're worried a little bit because in the LUB-GWMA, the trigger is 7," he said.

Oregon Health Authority

has estimated there are approximately 4,500 domestic wells in the area serving about 12,000 household members.

### Installation weeks away

Republican Sen. Bill Hansell of Athena serves on the Emergency Board as does Rep. Smith. Hansell explained the board does just what its name says — address emergencies state agencies could not have planned for.

"A way to describe it is this is the state of Oregon's contingency fund," he said.

Hansell also said he recently spoke with the governor, and she also is working on allocations for Echo due to the flooding there and for Wallowa County because of the sudden storm Aug. 11 that damaged property, injured

people and killed livestock.

The requests for emergency funds come from the governor's office or state agencies, he said, not from legislators.

"They have to come from a budgeted agency," he said.

Doherty said while the state needs to help, it could be a while before those better filters are in the homes of Boardman residents.

Morrow County Emergency Manager Paul Gray on Aug. 8 sent an email asking about the filters to Curtis Cude, manager of OHA's Environmental Public Health Surveillance Program. Cude in response stated OHA continues "to make progress towards our plan to support delivery of outreach and education, lab testing of domestic wells and point-of-use reverse osmosis treatment systems to households impacted by high domestic water nitrates in the Lower Umatilla Basin Groundwater Management Area in Morrow and Umatilla counties."

He said he and staff were contacting local water professionals potentially interested in installing the filters and developing a contract template for this purpose.

"It will likely be a few weeks before the first con-

tract has passed review and we are ready to start work," he said. "That contract will give local professionals flexibility in terms of what products they use, provided they are NSF-certified to reduce nitrates. That flexibility is important because filters are added or removed from time to time."

But Cude also told Gray he believes there is emergency funding available to bridge the gap from when the first contract is issued and legislative funding becomes available.

### Doherty calls out state

Doherty said he is concerned that state agencies could use the crisis in Morrow County to seek funds from the Emergency Board and then use that money for additional staff outside the county.

Likewise, the state's claims it is working with Morrow County and its partners don't carry much water with him.

"I sure as hell don't know where they've been," he said. "I haven't seen them."

Doherty also said it was time for the state to "get your butts out there and do something, and pay us back."

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## Meetings law accusations lead to recall effort

By JUSTIN DAVIS and STEVEN MITCHELL  
Blue Mountain Eagle

**CANYON CITY** — A petition to recall John Day/Canyon City Parks and Recreation District Director Lisa Weigum has been filed with the Grant County Clerk's Office.

The petition was filed by Charlene Morris and alleges instances of public meetings law violations, public records law violations, a false election publication and budget law violations.

Weigum accused Morris of harassing her and said she has never knowingly or intentionally violated the law.

Morris alleges that Weigum, in her role as a board member of the John Day/Canyon City Parks and Recreation District, violated Oregon revised statutes 192.620 to 192.670 by communicating via email with fellow board members in drafting the language for the pool bond measure that appeared on the May ballot. The statutes cover Oregon meetings law pertaining to regular meetings, executive sessions, public notices, min-

utes, the form of the agenda and meetings conducted via telephone or email.

At a joint meeting of the John Day City Council and the JDCC Parks and Rec District board on Feb. 22, Weigum stated that the board had discussed the ballot measure language via email.

While Oregon law allows for public bodies such as the parks and rec board to meet and deliberate electronically, it also requires that the public be able to monitor that electronic communication as it's happening.

Jack Orchard, a Portland attorney who specializes in public records and public meetings law, said any discussion of the language for the pool bond should have been held in a public meeting that followed all the standard procedures the law requires.

"The discussion of the bond measure in any form was a public meeting matter," he said. "It needed to be (on the) agenda, discussed at an open session with minutes kept. Notice of the meeting was required in the normal course and means."

Orchard added that this is especially true if a quorum of

board members was involved in the email communications that occurred in drafting the ballot measure's language.

Also alleged are violations of ORS 192.314 to ORS 192.335, which cover access to public records and the timely dissemination of public records.

Morris also claims that Weigum prepared an additional notice of ballot title that was published in the Blue Mountain Eagle in violation of ORS 260.532 and ORS 260.537. Morris said Weigum called herself the "elections authority" and that these actions were done to mislead voters and cause confusion.

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