

Oregon orders woman spoon-fed despite advance directive

Husband claims state is ignoring wife's wishes

Associated Press

ASHLAND — Oregon officials are requiring a nursing facility to spoon-feed a woman despite her making clear that measures should not be taken to prolong her life.

When former librarian Nora Harris was diagnosed with early onset Alzheimer's disease in 2009, she and her husband hired an attorney to create an advance directive, a legal document used to guide medical care in case someone becomes incapacitated. Harris' advance directive specifically addressed "tube" or intravenous feeding.

She is now unable to communicate, and a judge says the facility must help her eat.

Her husband says the state is ignoring his wife's wishes, the Mail Tribune reported. He went to court after he found out Fern Gardens, a memory care facility designed for patients with Alzheimer's, had been spoon-feeding his wife.

Jackson County Circuit Judge Patricia Crain said she could not order the nursing home to stop spoon-feeding Nora because the state

ombudsman's office said not helping her eat would violate state law. An attorney who represented the office noted that Oregon law does not allow guardians to give directions to withhold food — only artificial nutrition and hydration.

"It's not a happy decision for me," Crain told Bill Harris and his daughter during a court hearing. "From what you describe of your wife and your mom, she would hate this."

Bill Harris lost July 13 but declined to challenge the judge's decision. Harris doesn't think his wife will live the 18 months to three years the court battle could take.

Oregon was the first U.S. state to allow doctors to help terminally ill patients end their lives. But people with dementia or Alzheimer's disease are ineligible to request medication to end their lives because the illnesses impair decision-making.

Eric Foster, an attorney appointed by the court to represent Nora Harris, said in court documents that the advanced directive did not explicitly say she did not want help eating.

"The best evidence of whether Mrs. Harris should be provided with food assistance is her current desire to eat," Foster wrote.

Nonprofit appeals Cannon Beach dune-grading permit

Public hearing will be Thursday

By LYRA FONTAINE
The Daily Astorian

CANNON BEACH — Cannon Beach was "sloppy" and "vague" when it issued a dune-grading permit to the Breakers Point Homeowners Association, according to Oregon Coast Alliance director Cameron La Follette.

In August, the alliance filed an administrative appeal to the city's decision to issue the permit, which was designed to remove windblown sand.

A public hearing on the appeal will be heard Thursday before the Planning Commission.

In July, the city approved an application for remedial dune grading to remove sand building up on lawns and the irrigation system.

In filing her appeal to the city's approval, La Follette said she would like the Planning Commission to "get answers from the city and direct the city to make the permit more specific."

"Because the shoreline is always moving, changing and is utterly dynamic, it's important that permits be specific and



The Daily Astorian/File Photo

A dune-grading permit issued to Breakers Point is being challenged.

sensitive to community values," La Follette said.

Though Oregon Coast Alliance does not oppose remedial dune grading, the group is concerned that the sand removal permit could be construed as an "open-ended permit allowing for a great deal of sand removal."

The nonprofit stated that the application did not include a time frame, proof of sand inundation as required by zoning ordinance, an estimate of amounts to be graded and the project's potential impact on the Ecola Creek estuary.

"It is incumbent on the appli-

cant to be direct and specific, and incumbent on city administration to be specific," La Follette said. "It is not appropriate for Cannon Beach or any other city to issue a permit that is vague in so many ways."

According to the permit approval, the sand will be disposed on an eroding section of the Ecola Creek shoreline near the southwest corner of the property. Conditions include that all areas left bare of vegetation should be stabilized and revegetated. The proposal is not expected to negatively affect adjacent properties.

Remedial dune grading is

permitted to clear sand inundating houses, commercial buildings and associated improvements. Sand may be graded up to 35 feet from the building's foundation, subject to conditions.

Earlier this month, the City Council approved a separate conditional use dune-grading permit for Breakers Point. The association's permit allows for grading 1.42 acres of about 13,700 cubic yards of sand from dunes west of the condominiums. Before grading starts, the permit must be approved by the Oregon Parks and Recreation Department.

Astoria has emergency plan to protect water line

Temporary step until larger project approved

By DERRICK DePLEDGE

The Daily Astorian

The city will stockpile riprap near the main water line off Pipeline Road as an emergency precaution against damage from another winter storm that

could threaten the water supply.

A washout happened near the water line during winter storms last December. The severe weather prompted Gov. Kate Brown to declare a state of emergency in several counties and President Barack Obama to issue a federal disaster declaration.

Federal and state money will finance a bank stabilization project off Pipeline Road near the water line that moves drinking water from the Bear Creek reservoir to Astoria.

The U.S. Army Corps of Engineers did not sign off on the design for the project, however, citing concerns from the National Marine Fisheries Service about protecting habitat at a creek.

The city is working with federal authorities on alternatives, but the project will not be completed for several months, potentially leaving the water line vulnerable during the winter.

The city will stockpile riprap off Pipeline Road and

monitor the water line after heavy rains to determine if emergency repairs are necessary. Any riprap placed at the creek in an emergency would be removed during the final project.

Jeff Harrington, the city engineer, said the stockpile would allow crews to "be prepared to save our water line."

The City Council voted 3-0 Monday night to award a \$44,837 contract to Big River Construction to handle the work.

THE FAMILY OF HUGH J. MASON SR. wishes to express their heart-felt gratitude for all of the love and support received during Hugh's brief illness and subsequent passing. We very much appreciate how CMH medical professionals, friends, and extended family coordinated to honor Hugh's final wishes. The celebration of life was such a beautiful tribute to him and each of you a blessing to all of us.

God Bless,
Bonnie Mason and Family



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