

O EAST OREGONIAN PINION

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OUR VIEW

Ensuring public meetings are public

Oregon's Public Meetings Law, which has been in place since 1973, is pretty straightforward as laws go.

And its purpose could hardly be more clear.

Groups of elected or appointed officials who conduct the public's business, and spend the public's money, should do so in venues that are open to the public. The law applies to meetings when a quorum of the body is present.

Public bodies subject to the law include those most people would probably expect — city councils, county commissions, school boards. But the law also applies to many that don't generally get as much attention, or publicity, such as the various boards and commissions, some elected and some appointed, that most cities and counties have.

The law, as laws so often are, is littered with exceptions.

Public bodies can legally meet in private (although journalists, in most instances, can attend) to discuss certain topics such as real estate negotiations or to consult with an attorney.

But during these "executive sessions," public bodies are not allowed to make final decisions.

For instance, a city council could meet in an executive session to discuss buying property. But councilors couldn't actually decide to purchase the parcel until they reconvene in a public session that has been announced so that people who wish to attend can do so.

To reiterate — the law isn't complicated.

Most discussions by a quorum of a public body — and all final decisions — must take place in public.

But inevitably, some public bodies violate the law, some intentionally, some inadvertently.

The problem is that people who believe such violations have happened are on their own in most cases — in terms of money as well as time — in filing a legal challenge. Citizens' main recourse is to file a complaint in circuit court. The exception is in the case of a public official who might have violated the executive session provisions of the public meetings law. In that case a resident can file a complaint with the Oregon Government Ethics Commission, the agency that enforces ethics laws which, among other things, deal with conflicts of interest and instances of public officials using their office for personal gain.

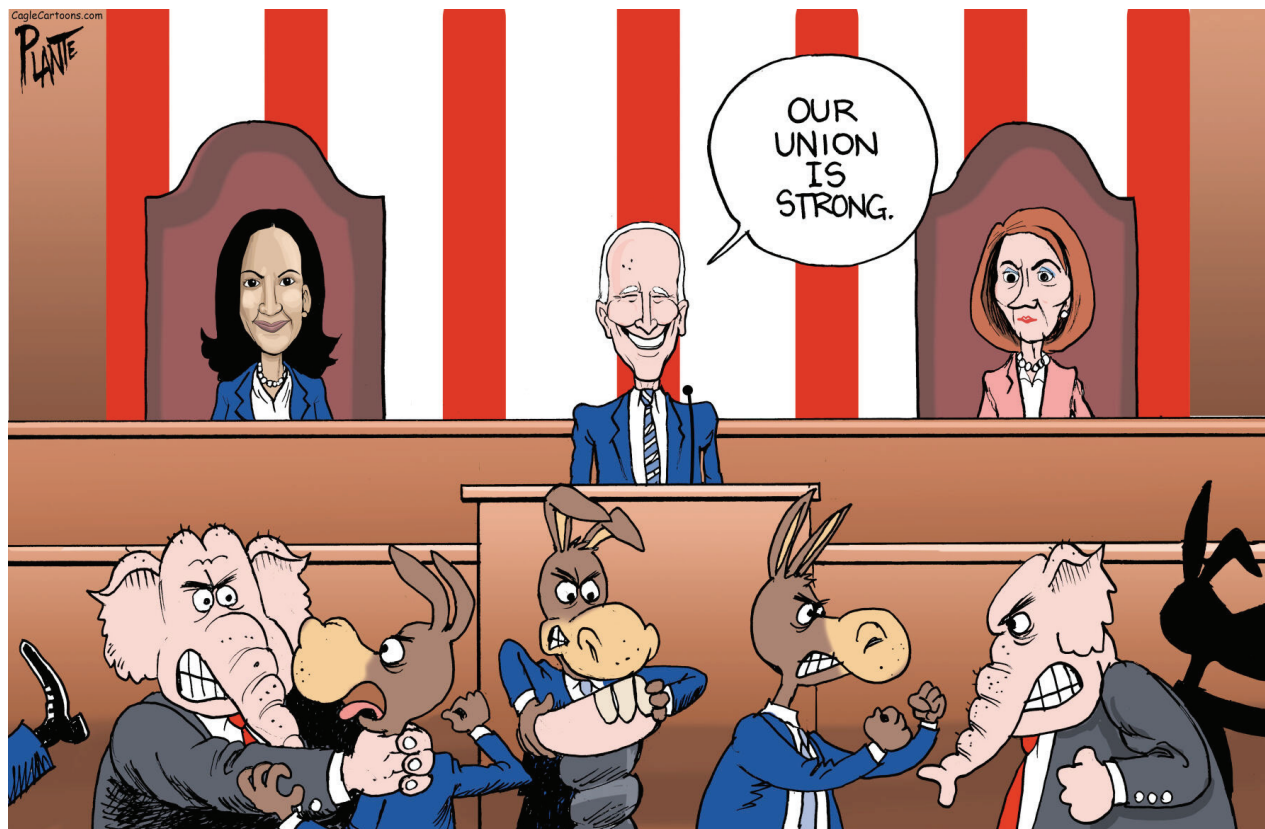
House Bill 4140 would make it much easier for the public to enforce the public meetings law, and create a much more effective deterrent for officials who might violate it.

The bill, which appears unlikely to pass during the current legislative session, would allow the Government Ethics Commission to investigate alleged violations of the law, and to fine each public official involved in a violation up to \$1,000. Importantly, the law would prohibit officials from passing off fines to the agency — a city or school board, for instance — that the officials represent.

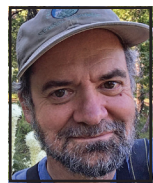
The fines are the stick in the law. Its carrot is a requirement that the Government Ethics Commission offer training to public bodies affected by the public meetings law. This training need not be complex, given how easy it is to understand the requirements of the public meetings law, and how easy it is to comply with them.

If House Bill 4140 doesn't make it out of the current session, legislators need to bring it back in 2023.

It's vital that the public's business be conducted, and its money spent, transparently. That's why Oregon has had a law defining public meetings for almost half a century. But without a reasonable method for ensuring that the law is enforced, its well-intentioned provisions ring hollow.



Spring is coming too soon



PEPPER TRAIL

OTHER VIEWS

Ah, what a beautiful day. The air has that magical quality it sometimes gets in spring, a caressing softness on the skin. The buds on the plum trees are swelling and the robins have ascended to the tops of the trees, where they're singing with abandon.

But ... it is February. Today's high temperature was 72 degrees, almost 20 degrees higher than normal and a new record.

At this time of year, the mountains surrounding my southern Oregon valley should be deep in snow. The high country lakes should be full, but frozen. The sky should be gray and, ideally, snowing.

Winter weather is the price we pay — gladly — for the mountain wildflowers, the lakes full of trout, the water that irrigates our farms, orchards and gardens through the long hot summer and for the lush, green forests that are not on fire.

But as the great naturalist Aldo Leopold remarked, "To be an ecologist is to live in a world of wounds." These days, the same could be said for meteorologists, or for any of us trying to find uncomplicated pleasure in the beauty of a spring day in mid-winter.

For this too-warm day reveals we are in another drought year. Almost all the precipitation in my region of southern Oregon falls from October through

March, and we need as much of that as possible to be in the form of snow. Snow that piles up deep in the mountain forests and slowly melts through spring and early summer, soaking into the soil and filling the streams.

That hasn't happened this year, or last year or the year before that. Since Jan. 1, we have received just 0.61 inches of rain, 2.11 inches less than normal. For the "water year" that started Oct. 1, we are at 8.54 inches, most of which came in a near-blizzard in late December. That storm gave us a nice white Christmas and hope for a wet winter at last — but since then, nothing. Normal for this time of year would be about 12 inches. And the long-term forecast doesn't look good.

The snow has melted except at the highest elevations, and there is no precipitation in the extended forecast. According to the federal Drought Monitor map, we are on the border between Severe Drought and Extreme Drought. Just on the other side of the Cascades to the east, there is a huge dark blob of Exceptional Drought, the highest category. These catastrophic drought conditions are unfortunately shared by Nevada, Utah, Montana, Colorado and New Mexico.

Should we be surprised when scientists tell us the West is the driest it's been in more than a thousand years?

On the Oregon-California border, the drought forced a complete shutdown of water deliveries to farmers in the Klamath Basin this year. The basin's great national wildlife refuges — used by 80% of the migrating ducks, geese and swans on the Pacific Flyway — almost

are completely dry, their lakes nothing but expanses of cracked mud.

The Klamath River, normally fed by mountain snowpack, is running low, and there are great fears of massive die-offs in salmon returning to spawn this summer.

Closer to home, the mountain lakes that feed our streams and supply our irrigation districts are all at less than 10% full, just sad little puddles.

Looming over all this bad news is perhaps the biggest fear of all: Fire. Without snowpack to keep the mountain forest hydrated into the summer, the risk of wildfire is extreme. My town is nestled against conifer forests that come within a few hundred yards of the city limits. Our recent summers have been plagued by weeks of eye-burning smoke, and in 2020 a wind-driven fire devastated the Oregon towns of Talent and Phoenix, even though they're surrounded by orchards.

Back in the moment, I sit on my deck, sip my tea and enjoy this glorious day. Each year, I know, gives us just a few days like this, and when they come — whenever they come — they must be savored with gratitude. Yet this beautiful day carries the knowledge of what it may cost us in the months to come.

So, to whoever this prayer could be addressed, thank you for this day. Now, please, how about a few weeks of gray skies and wet snow?

Pepper Trail is a contributor to Writers on the Range, writersontherange.org, a nonprofit dedicated to spurring lively conversation about the West. He is an ecologist in Oregon.

YOUR VIEWS

Is anyone else upset about their water bill?

Dear Pendleton People,
I wonder if anyone else living in the city of Pendleton is as upset and appalled as I am that my water bill during the winter months is more than my heating bill? This just doesn't seem right. My water bill has been more than \$100 each month during the winter while my heating bill has been under \$90 each month. We are a two person household and are currently not using water outside the house. Actually, my water usage is not much over the base water rate but with the sewer fee, street utility fee and public

safety fee it brings it to over \$100.00 each month. Does anyone else think this is not right?

Kathy Inscore
Pendleton

Bower is best choice for county board

Susan Bower is the best choice for Umatilla County Board of Commissioners Position 1.

Susan's business expertise will be a tremendous asset as Umatilla County prepares for economic recovery. I look forward to future partnerships with the Confederated Tribes of the Umatilla

Indian Reservation in youth career exploration and collaborative entrepreneurship. Umatilla County needs improvements in tribal representation on county commissions and work groups.

Susan's work ethic and experience will benefit everyone in this area. She is an active caring citizen of Umatilla County. She has been on several community steering committees including the Relay for Life of Pendleton and the Children's Museum of Eastern Oregon.

As Umatilla County moves forward post-pandemic, Susan Bower will be the best choice for county commissioner.

Karen Malcolm
Pendleton

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