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Oregon Supreme Court: Shutdown orders stand despite Baker County ruling

Grant County sheriff, county commissioner file as intervenors in church lawsuit



Judge Matt Shirtcliff

“Following swift action by the Oregon Supreme Court, my emergency orders to protect the health and safety of Oregonians will remain in effect statewide while the court hears arguments in this lawsuit,” Brown said in a statement Monday night about the court’s emergency ruling.

Baker County Circuit Court Judge Matthew B. Shirtcliff had earlier in the day ruled Brown had exceeded her authority by restricting activities, including church services and businesses, for longer than the 28 days

the governor is authorized under a state law.

The judge granted a preliminary injunction blocking enforcement of the more than 10 executive orders the governor has issued since March 8.

Shirtcliff’s decision would apply to the entire state. He ruled on the motions because the lawsuit challenging the duration of the governor’s legal authority was filed May 6 in Baker County Circuit Court.

Elkhorn Baptist Church of Baker City is the lead plaintiff in the lawsuit, which was filed by Salem attorney Ray Hacke of the Pacific Justice Institute, a nonprofit that defends religious liberty.

Bill Harvey, chairman of the

Baker County Board of Commissioners, filed as an intervenor-plaintiff in the case as an individual rather than in his capacity as an elected official.

Grant County Commissioner Sam Palmer and Grant County Sheriff Glenn Palmer also signed on as intervenors in the case with eight others from Baker, Deschutes, Josephine and Willowa counties.

In an affidavit, Sheriff Palmer said the shutdown orders have caused an 80% reduction in sheriff’s office revenue and required changes at the jail.

“The executive orders of the governor have severely affected businesses in my county, which are unable to operate because they have been ordered closed or placed under

considerable restriction” despite only one positive case of COVID-19 in the county, Sheriff Palmer said in the affidavit.

Sam Palmer told the Eagle his faith is what led him to sign on to the lawsuit. He said he did not go out of his way to use politics and signed on as an individual, rather than an elected official.

In an affidavit, he said Grant County has had one of the worst unemployment rates in the state for 30 to 40 years and the shutdown orders have had an extraordinary impact that may cause businesses to close.

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Open for business

Grant County establishments welcome back customers with restrictions

By Rudy Diaz
Blue Mountain Eagle

May 15 marked a day of peak sunshine and anticipated work as many businesses participated in Phase 1 of reopening.

Business owners shared their excitement of being able to go back to work, but many were also cautious and mindful when it came to the safety of their employees and customers.

“Today, Main Street is way busier than it has been since March, and the sunshine doesn’t hurt either,” said Heather Rookstool, the manager of Java Jungle.

Sherrie Rininger, owner of “etc. A Unique Boutique,” said she was very excited to reopen. She said she is doing everything at the shop to protect guests while adhering to the guidelines in Phase 1.

Rininger has prepared her shop by having a sign-in log at the entrance of the store, arrows 6 feet apart to direct the flow of traffic, hand sanitizer and gloves for customers to use if they want to touch an item.

Rininger, who has no employees, said she was limited on what financial assistance programs she qualified for.



Sherrie Rininger, owner of ‘etc. A Unique Boutique,’ opens for business May 15.

“I’ve been shipping out a lot of stuff, but it will be nice to have my store back,” Rininger said. “I’ve missed it, and we couldn’t hold out much longer financially. It was killing us.”

While the shop has been closed, she continued to pay for expenses such as rent and utilities.

She said she hopes to get enough business to cover the rising expenses as she opens, because if not, she’ll remain in the same financial predicament

she is currently in.

Rookstool said that the barber and tanning booths at Java Jungle have reopened and customers have been understanding when it comes to the personal protective equipment required in Phase 1.

Rookstool said hand sanitizer can be found at each check-in point, and employees are asking customers to sanitize before they come in.

Within hours of reopening, Joe Radinovich, the barber at Java Jungle, was booked through

the weekend and into this week.

“That shows that people needed and wanted it to be open,” Rookstool said. “The two biggest things I noticed is how fast he is booking and how Main Street is already filling up.”

While many businesses are reopening, The Ugly Truth Bar & Grill will continue to serve takeout but will not fully reopen, according to owner Ali Lenz.

Lenz said her business runs a

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Grant County Phase 1 reopening plan approved

Retail stores, restaurants, bars and personal service providers allowed to reopen with restrictions

Blue Mountain Eagle

Grant County began to reopen Friday after the state approved its plan.

The plan will allow Phase 1 reopening of retail stores, restaurants, bars, personal service providers such as salons and some other businesses May 15 with certain restrictions.

“It is Grant County’s intent to open businesses in a measured and phased approach in line with the state’s guidance using an adaptive management plan in order to incorporate guidance from the local, state and federal entities as well as the Grant County Health Department and Grant County Emergency Operations Center Core Medical Work Group that are providing daily updates and requirements,” the county’s plan states.

The governor’s office directed the county to remove all reference to specific business sectors “in order to uniformly apply guidance from the state of Oregon,” according to the plan.

The governor’s office has released Phase 1 reopening guidance for each of the sectors allowed to open that detail specific requirements for businesses within these sectors.

County Commissioner Jim Hamsher said the only piece of the plan the county had to prove to the state was that they had a bilingual contact tracer for the Hispanic community, which the county then incorporated into the plan.

“We are ready to help our small business owners open back up,” Hamsher said.

The county, in its first step back to normal, will be permitted to hold social gatherings of up to 25 people.

County Judge Scott Myers said, like Gov. Kate Brown said in her approval letter, that reopening does not come without risks.

Amid the looming uncertainty, businesses allowed to reopen under Phase 1 will need to ensure strict social distancing measures and operate under restrictive guidelines that will unlikely feel like business as normal.

Under Brown’s guidelines, all businesses allowed to open under Phase 1 must require employees to wear cloth, paper or disposable face coverings, frequently disinfect and maintain 6 feet of social distancing.

Businesses like barbers and hairdressers can open again — but with restrictions, such as accepting business by appointment only and keeping client contact information for health investigators in case of a surge in positive cases.

Retail stores can open but must limit the number of customers to maintain 6 feet of social distance.

Bars and restaurants, previously restricted to takeout only, can now serve customers inside, but will be required to close by 10 p.m., limit parties to 10 or fewer and space dining room tables far enough apart that patrons can maintain a 6-foot distance between one another.

County Commissioner Sam Palmer said he has heard concerns from restaurant owners about having a limited capacity and the impact it will have on business.

Palmer said the Forest Service’s Repel Academy will be coming into the county next week for a training and that would bring business to the restaurants. He said, even if they order to go, it is still new business to the area.

Palmer said he is encouraging people to patronize local businesses as much as they can.

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Coronavirus causes closures, cancellations

Summer events upended by pandemic

By Steven Mitchell
Blue Mountain Eagle

Summer 2020 in Grant County will be like no other.

Gov. Kate Brown has canceled large events statewide. Still, organizers of century-old

events that commemorate the heritage and culture of the county are trying to reimagine how to hold events that require large group gatherings, but while staying within the governor’s guidelines.

While the governor approved the county’s Phase 1 request to reopen hair salons, barbers and gyms, gatherings are capped at 25 people. Brown’s directive is much more strict on concerts, festivals, fairs and large events through at least September, until the state has access to a treatment or vaccine for COVID-19.

Grant County Fair Manager Mindy Winegar said the Fair Board and the Emergency Operations Center are working on finding a way to hold the event through modifications that would comply with the state’s guidelines.

“We are still planning the 111th Grant County Fair, even though it will look different than our traditional fair,” Winegar said.

Winegar said staff, members of the Fair Board, 4-H and FFA are working on a plan for youth livestock shows and auctions.

“The fair staff and fair board



Eagle file photo

Grant County Fairgrounds Manager Mindy Winegar addresses county court in February. Winegar said the Fair Board, staff and Emergency Operations Center are coming up with ways to use the county’s facility to hold the fair while staying within the governor’s guidelines.

will support them,” Winegar said. “The priority is the kids.”

EOC Incident Commander Dave Dobler said May 8 that his staff is researching a “phased approach” to holding large events to keep within state’s guidelines.

Dobler said the fair, scheduled Aug. 7-15, will be during the second phase of the governor’s reopening plan, and no one knows what the cap on social gatherings will be.

He said it is worth it to spend

the time to see if the county can come up with a modified plan to hold 4-H and FFA activities at the fairgrounds — especially for the youth who would not be able to bring their livestock to the fair this year.

Dobler said the kids, many of them juniors and seniors, have put in countless hours on their projects and invest time into their livestock, and to have those

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