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Eastern Oregon county representatives fed up with governor's COVID-19 reopening plan

Lake County commissioner: 'We're oppressed by our state'

By Steven Mitchell
Blue Mountain Eagle

A group of Eastern Oregon county commissioners met unannounced Thursday in Prairie City to share common frustrations over Gov. Kate Brown's closures amid the COVID-19 pandemic.

Fed up with Brown's unilateral authority to reopen the state and con-

trol of how federal aid money will be disbursed, representatives from seven Eastern Oregon counties strategized about getting their voices heard in Salem and discussed what the consequences of standing up to the governor might be.

Commissioners from Grant, Lake, Deschutes, Willowa, Harney, Union and Jefferson counties agreed county health departments should determine when counties are able to open and establish local guidelines.

Dubbed an "information seminar," organized by Lake County Commissioner Mark Albertson, the event was



The Eagle/Steven Mitchell
Grant County Commissioner Sam Palmer, left, listens as Lake County Commissioner Mark Albertson discusses the impacts of Gov. Kate Brown's reopening plans to his community Thursday in Prairie City. The meeting, which was not announced to the public, was organized by Albertson.

not announced to the public or the media. The Eagle and Oregon Pub-

lic Broadcasting negotiated their way into the event as some of the represen-

tatives were reluctant to enter the Prairie City Visitors Center.

"We did not know the press was showing up," Albertson said. "It's spooky, and it's, to be honest with you, it's spooky because all of us have been burned."

Grant County Commissioner Sam Palmer said after the meeting he believes rural people and viewpoints are often mocked in the press and not taken seriously, much like he believes state leaders in Salem ignore rural sentiments.

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Oregon Supreme Court sides with Gov. Brown

Judge Matt Shirlcliff ordered to vacate preliminary injunction

EO Media Group

The Oregon Supreme Court has decided Baker County Circuit Court Judge Matt Shirlcliff erred in his ruling last month that Gov. Kate Brown exceeded her legal authority in issuing executive orders related to the coronavirus pandemic.

The state's highest court on Friday issued a ruling ordering Shirlcliff to vacate his May 18 decision granting a preliminary injunction to a group of plaintiffs, including Elkhorn Baptist Church in Baker City, who sued the governor May 6.

The Supreme Court issued a temporary stay on Shirlcliff's ruling later on the day he made that decision, so the governor's executive orders, which limit business activity and the size of public gatherings, among other things, have remained in effect over the past few weeks pending the Supreme Court's ruling.

The lawsuit remains in effect, as the Supreme Court's ruling was limited to Shirlcliff's granting of a preliminary injunction.

Shirlcliff agreed with the plaintiffs' contention that because Brown, in issuing several executive orders since March, invoked the state's public health emergency law, chapter 433 of the Oregon Revised Statutes, those orders were constrained by the 28-day limit prescribed in that law.

The governor's lawyers argued the executive orders were not subject to the 28-day limit because Brown, in her initial March 8 declaration of an emergency related to the coronavirus, cited a different law, Oregon Revised Statutes chapter 401, which has no time limit.

Oregon Supreme Court Justice Christopher L. Garrett filed an opinion, which Justice Thomas A. Balmer joined, concurring with the governor's lawyers' argument that Brown's executive orders are not limited to 28 days.

That wasn't the only reason Garrett cited in determining that Shirlcliff must vacate his May 18 decision.

Garrett also wrote in his opinion that Shirlcliff exceeded his range of discretion by failing to properly consider the governor's authority during emergencies to determine what is in the public's interest.



Judge Matt Shirlcliff

Commissioners disagree over EOC budget, public meeting laws

EOC gets word it will be reimbursed as budget transfers needed to shore up shortfall

By Steven Mitchell
Blue Mountain Eagle

Grant County Court members approved a \$37,000 budget transfer to cover the COVID-19 Emergency Operations Center's \$75,000 budget shortfall to make payroll, pay bills and continue functioning.

County Commissioners Jim Hamsher, the EOC liaison, and Sam Palmer, the EOC public information officer, fended off criticism and touted both the accomplishments and fiscal responsibility of the EOC during a contentious Grant County Court session June 10.

In March, the county court approved \$125,000 — half of the initial \$250,000 former Incident Commander Dave Dobler requested — with the plan to reassign in 45 days.

During a May 27 update of the EOC's finances, Dobler presented a document that appeared to be working from the \$250,000 amount, a figure not approved by the court.

Grant County Treasurer Julie Ellison said during Dobler's presentation to the court that the EOC would need a budget transfer to make payroll and pay bills.

Documents presented to the court by Dobler show the EOC obligated nearly \$200,000 in payments for personnel services and supply procurements.

The court, when it approved Dobler's procurement request, added the direction that "any future purchases over \$200



The Eagle/Steven Mitchell
Grant County Commissioner Sam Palmer, left, and County Judge Scott Myers go through county budget resolutions during Wednesday's County Court session. The court approved a \$37,000 infusion from the General Fund to fix the Emergency Operation Center's budget shortfall.

would need to be approved by the county court," according to the approved meeting minutes.

Despite the court's direction and unanimous vote, Hamsher said the rule was something Grant County Judge Scott Myers wanted. He said Oregon law gives counties additional flexibility with expenditures after declaring an emergency.

"I think (the \$200 limit) was in the motion, but it doesn't make it, you know, make it so," Hamsher said Thursday. "It's just like we can approve anything."

Oregon law allows counties to "enter into contracts and incur obligations necessary to mitigate, prepare for, respond to or recover from an emergency or major disaster," but the section about county emergencies does not mention superseding other state laws, such as requirements for meetings to be open to the public, prohibitions on members of a governing body meeting in private to deliberate and



The Eagle/Steven Mitchell
Grant County Regional Airport Manager Haley Walker asked the County Court Wednesday what the Emergency Operation Center's long-term plan will be now that county offices have reopened.

requirements for public notice and written minutes.

Myers said the motion for court approval of purchases over \$200 was a motion approved by the court.

"It's not a written resolu-

tion. It's a motion by the court and passed unanimously by the court — moved, seconded and passed," he said. "It is not variable."

Hamsher said the direction to get approval by the court for purchases of over \$200 would not work during an emergency.

"You can't bring (expenditures of) 200 bucks to a court meeting during an emergency," he said. "Especially when you can't have meetings (because of social distancing guidelines), so that's why they have (Oregon Revised Statutes) that allow you to do that kind of stuff."

Gov. Kate Brown's executive orders allow for in-person meetings with appropriate social distancing.

Hamsher said, with the courthouse shut down under Brown's social distancing guidelines, the court could not meet until Brown passed her April 15 executive order "authorizing

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Petition to recall Oregon governor circulating in rural counties

By Ellen Morris Bishop
EO Media Group

Oregon Republican chairman Bill Currier is trying to unseat Oregon Gov. Kate Brown again with his "Stop the Abuse: Recall Kate Brown" petition, and Willowa County volunteers are providing opportunities to sign it here before time runs out Aug. 31.

"We have only had the petitions in the county for about a week," said Annette Lathrop, a Willowa County Republican chairwoman who is spearheading the drive in Willowa County.

The petition was approved by the Oregon Secretary of State's Elections Division June 3. On June 4, the first signature sheets were personally delivered to Lathrop by special courier. Lathrop is leading the drive as



EO Media Group/Ellen Morris Bishop
Karen and David Wurdinger of Enterprise sign both the Gov. Brown recall and Greater Idaho Politics petition booth in Lostine Friday.

an independent volunteer rather than an official function of the Willowa County Republican Party, she said.

"The Republican Party is supporting this petition, but is not the driving force behind it," she said. "Technically, it's a non-partisan petition drive."

"In a week we've gotten between 400 and 500 signatures," she said on June 12. "Given what I know today, it looks like in the first two weeks of this petition drive, we will surpass the numbers that we got in all of last year in Willowa County."

Statewide, the petition needs 280,050 valid signatures to make the November ballot. Lathrop said the group's goal is 300,000.

"Last time the petition was kind of a quick reaction to the egregious legislation (cap and trade and gun rights restrictions) that was rushed through. Currier and the group that were the skeletal designers of that petition last year have worked since that time

to put together a well thought-out, well-structured petition drive. Immediately out of the gate it had a thousand volunteers on the ground, ready to go to work. There are coordinators in just about every county," Lathrop said.

According to the effort's website, katebrownrecall.com, Frances Preston is the point of contact for weekly signing opportunities from 1-7 p.m. Saturdays through Sept. 25 at Mountain View Mini-Mart in Prairie City. The phone number listed is 907-723-7613.

This time, Currier's recall petition is sponsored not only by the Oregon Republican Party, but by a group of "coalition partners" and advisers that are part of a political action committee.

"Contributors include Timber Unity, Slavic Vote, and a number of west-side

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