

Morrow County commissioner nitrate meeting

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 for water consultation services but only received one proposal from GSI Water Solutions, Inc. A committee interviewed GSI representatives Nov. 21. Mabbott said they were "Very capable. A lot of depth in terms of their skills."

Mabbott said it was a very exciting project and that the company would address issues of water quantity, water quality and domestic well issues. The projected work start date would be in January, and the cost for a two-year contract would be approximately \$140,000.

"A lot of water issues, obviously, happening in our county, which is why the board wanted to have someone that helps us navigate that, what the county's role might be in terms of policy or lobbying or funding one of their first proposed work orders," she said.



Commissioner Don Russell

Commissioner Don Russell moved to authorize the planner to announce the intent to award and proceed with drafting a contract with GSI for further review by the board, though he expressed disappointment that the county had not received more proposals.

"I was always thinking that it would be one person, and individual, who could become staff, and I was disappointed when all we heard from was corporations or entities," Lindsay said. "But I was quickly convinced that this could potentially lead us to that, that this is the better opportunity because it's going to bring the broader knowledge of the basin, and an organization that really understands and has touched many of these areas already."

Mabbott said she thought GSI brought a neutrality that would bring different stakeholders to the table. She also said they made it clear that it is the 12,000-plus constituents in the county, not just the government, who they viewed as their customer.

"The Committee tasked them with some really tough questions, and they came back with some really great answers," she said.

Also at the meeting, Commissioners heard from Morrow County Emergency Management Director Paul Gray, who presented a breakdown of the nitrate fund expenditures so far. He said the total was \$125,002.41 up to Oct. 10. The largest portion of that went to filter purchases and installations at \$57,309.75. Water delivery totaled \$24,436.15, but Gray said that will be reimbursed completely through an Oregon Dept. of Human Services (DHS) grant, which allows up to \$55,000 to be reimbursed if spent on water deliveries.

Gray said he is still working with the business coalition to see if funds for the filters and installation can be covered. He "guessed" that they're looking at just under \$80,000 total, including the upcoming installations, but he's hoping to get all of the

money back.

"That will help us to at least cover some of these expenditures and it won't be a big shock to the county's funds," he said.

Russell said he knew the business coalition had set aside funds for that purpose and wondered what the holdup was on either getting reimbursed or having the coalition pay directly for the filters and installation. Gray said they were originally going to pay for the testing but then decided to deal with filters and installations. He added that they have actually paid a couple of filter invoices Gray sent out. He informed the commission



Debbie Radie Boardman Foods

that Debbie Radie, Vice President of Operations at Boardman Foods, met with the business coalition and Gray was waiting to hear if they needed invoices. The coalition had been asking for invoices to make sure the filters are going to the people who need them.

"They just want to have two sets of eyes on it," Gray said.

Russell asked Morrow County Counsel Justin Nelson if the information Radie was requesting was protected in some way. Nelson said they were looking into it, but the county's concern was giving out too much personal information about names and addresses of people who received filters. Doherty agreed and referenced an article in the Gazette on Aug. 3 in which a homeowner was displeased over his data getting out.

"That is a real concern," said Doherty.

Russell said he had already seen information like that in various publications through statements from public officials.

"So, the county's already putting that information out there for picking and choosing. Why not make it easy on the business coalition to reimburse us, especially if the business coalition is primarily responsible over time for the problem?" he asked. "They want to help, but we're making it difficult for them to help."



Commissioner Jim Doherty

Doherty said he would again lean on county counsel to determine the legality of releasing names and if that information was a matter of public record.

"Again, I would say if county counsel looks at it and says this is absolutely public record, and goes back and reviews some of the discussion in the Gazette, if he's comfortable, I'm comfortable."

Nelson added that if the information was to be released, it would have to

be considered information that could be release to anybody, not just the business coalition. He also pointed out that, with the press aspect, there was a difference between having a person aware that their information was out there and being okay with it versus having it released when they thought it would be confidential.

"I just worry about the individual who says, 'Hey, I thought I was getting some help here, the county helped me, I really appreciate it, but I didn't realize there's a list online that has all the nitrate levels, my house,'" he said, adding that there was a line between giving away the information freely and giving it out per public records law, at least in the liability aspect.

Gray added that since Boardman Foods had originally helped with testing, they probably had around three quarters of the information already.

"The person did not pick it up from public health. They did not pick it up from the government offices, so they were not necessarily under the assumption the county was doing anything," he said. "I don't know what privacy concerns those individuals had if they were taking the tests back to Boardman Foods."

Boardman Foods was having test results sent to them until September, when the county requested all information be sent to them. Gray said the information is now only being reported to public health and certain individuals in the county.

"I'm not even getting the results," he said.

Gray said that, within the last month, Gray and public health started certifying invoices for well with nitrate levels higher than 10 parts per million (ppm). He said Radie had previously gone to public health and verified that filters the

coalition paid for had been installed at addresses with more than 10 ppm but had received no other information and nothing had been written down.

"I don't know legally or otherwise, but I feel a moral obligation to protect these people and protect their information," said Commission Vice-Chair Melissa Lindsay. "To protect their property values, to protect them from repercussions from people who don't like them making a stink over nitrate levels.

"I don't understand why names and addresses, when we have county staff who have certified them properly," she added. "I'd rather just pay for it than put these people's livelihoods and their property values on the line. 'The county's emergency manager, PIO, and public health certifying that information is not enough?'"

Gray said he was waiting to hear back on how the



Commissioner Melissa Lindsay

meeting with Radie went and whether he and another county official could just sign off on it.

"I'm trying to make it so there's just me and Ana signing off, so there's two pairs of eyes, and if they're getting an invoice, it's not the copy of the invoice from the vendor, but it's an invoice we're creating," Gray said. "As long as we can sign off on that, hopefully the business coalition will agree and we can continue."

Lindsay asked if the

county could redact certain parts of the invoices. Nelson said that would be possible if the business coalition agreed.

The Commission also agreed to sign off on an Oregon Department of Human Services grant agreement for nitrate emergency water deliveries. The agreement reimburses the county for all water deliveries from July 1, 2022, till March 30, 2023, up to a maximum of \$55,000. Doherty said originally the state had wanted to begin reimbursements from October and set a limit of \$36,000 but had been convinced to go higher. He also said if the state got fully on board with taking care of things, the \$55,000 would be sufficient, but if the county continued to have to bear the brunt of the cost, it would need more than that.

Before ending the discussion, Lindsay added that she wanted to thank Debbie Radie and the various entities in the coalition for stepping up and helping find solutions.

"I don't want my concerns to shadow over my sincerest thank you for the work that's being done and those coalition members that are coming forward and doing some great work," she said.

Irrigon man arrested for rape

An Irrigon man is still in Umatilla County Jail on charges of rape.

Hermiston police arrested 20-year-old Gerardo Aguilar on Nov. 17 on one count of rape in the first degree, as well as several other charges. He is still in jail, awaiting a pretrial conference on Dec. 12 in Hermiston before Judge Daniel Hill. Bail is set at 250,000.

According to state court records, a Umatilla County grand jury on Aug. 30 accused Aguilar of the assault and rape of one woman on Aug. 23. The grand jury indicted Aguilar on seven counts in all. Aside from the charge of rape, Aguilar was indicted on one count of reckless endangering, one of misdemeanor fourth-degree assault, two counts of felony fourth-degree assault constituting domestic violence and two of felony strangulation constituting domestic violence. The rape was also listed as domestic violence.

Police also arrested Aguilar for violating probation. According to the Hermiston Herald, he began serving a five-year term of probation in May 2021 after he pled guilty to an attempted armed robbery outside Hermiston.

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