

## **Commissioner Report for week of April 28-May 4 2022**

### **April 28 Administrative Workshop**

Josephine County Commission Chair Herman Baertschiger's concern about what the Grants Pass Daily Courier might write about him put door-to-door transit service for senior citizens and the disabled in jeopardy. During Commissioners' April 28 Administrative Workshop Transit Director Scott Chancey asked Commissioners to approve \$65,000 in one-time bonus money for his transit workers as a thank you for sticking with the county through COVID and to retain good bus drivers who are being lured away by school districts and private business offering more money. The funds would come out of a CARES Act grant already earmarked for the Transit Department.

Baertschiger said he had a problem with the transit bonuses because every other department head would be in asking to give raises to their employees as well.

"And the other thing I'm deeply disturbed about is we're in a budget process and we keep saying we got a \$5.4 million shortfall in the sheriff's budget and the Courier's gonna say "Commissioners give bonuses when there's a \$5.4 million dollar shortfall" and that's what they're gonna say," he said.

This was after Chancey reported he's had to cut routes and people used to going to a bus stop and having a bus come by every half hour can no longer count on that because he just doesn't have enough drivers, especially if one of them gets sick or is on vacation. Come July, Chancey said he may have to make some "severe cuts" including late evening commuter routes to Medford and Cave Junction and eliminate door-to-door services for the elderly and disabled unless he can keep some of the drivers who have talked to him about leaving for a more lucrative jobs elsewhere.

Commissioners Dan DeYoung and Darin Fowler came to understand the money Chancey was asking for was already part of the \$2.1 million CARES Act funding allocated to Transit which can't be used anywhere else. Baertschiger made note of that as well but wouldn't vote to allow Chancey to use some of his own money for employee retention pay, a one time bonus that Human Resources Director JJ Scofield said was a good idea because it wouldn't obligate the department's budget permanently.

"This is a one-time decision so I like that. With the challenges of recruitment this will avoid some turnover and the best way to get employees is not to lose employees," he said.

And to address Baertschiger's concern that every other employee will be standing in line for bonuses Scofield added, "I would say Transit is different from every department with the possible exception of Public Health in the sense that mask mandates went away for all of us but it's not over for them," Scofield said. Public transit systems employees are still required to wear masks, he said.

Chancey added his employees must have a CDL (Commercial Driver's license), be screened for criminal activity and pass a physical which isn't required by employees in other departments. Once someone gets a CDL they can find jobs that pay better than the county. "I've lost people to the sanitation department, I've lost people to Pepsi and the wages in the private sector are accelerating because they're trying to recruit employees," he said.

Scofield pointed out the private sector may have higher salaries but it's hard to beat the county's health benefits and retirement package "but many don't see that. They see just see the higher salary," he added.

Transit employees will get their bonuses since DeYoung and Fowler voted to allow the expenditure but Baertschiger said he wasn't in favor of it "because of the optics and the other employees, so I'm a no."

### **Budget Meeting April 28**

Once again, the county budget meeting provided an education in how the county works, who pays for county services and what the upcoming year looks like financially. Finance Director Sandy Novak walked Budget Committee members and all three Commissioners through a report on how the General Fund works and where the money comes from that feeds it. It's the fund of last resort to be used by county departments that don't have other or sufficient funding to cover all their budgets, she told them. One department that is totally paid for out of the General Fund is the Board of County Commissioners. To maintain their office and pay salaries of the three Commissioners plus two administrative assistants and provide an expense account for Commissioners, mostly for travel, the total comes to \$651,600. Novak said they did cut the budget by \$140,000 by eliminating two positions and some of the travel fund. Commissioners were getting \$6,000 each for travel expenses but since COVID they have mostly attended outside meetings by Zoom so "we still have \$15,000 in the travel fund because we never took it out," said Novak.

Other departments reporting during this budget hearing were Community Development/Planning, Assessor, Treasurer, Surveyor, Emergency Management, Veterans' Services and Human Resources. Each department gives a short presentation on what they do,

where they get funding and what they've budgeted for the coming year. The next hearing, set for May 10, will be Sheriff Dave Daniel's turn to share his bad financial news with the public.

### **Weekly Business Session May 4**

This session, held in the evening, was the third public hearing technically concerning the redesignation of a 39 acre piece of property in the 245 acre spread encompassing the Sportsman Park shooting range. The property needed a different status so it could be lumped in with the rest of the Park property to make it easier to shed as one piece. Commissioners have been jumpy about the county-owned land on which the shooting range sits since they discovered a few weeks ago no one ever bothered to inform their insurer during the 50-plus years this has been going on that people with guns were shooting them in a county park. Their insurer kindly informed them if they want this potentially libelous activity to go on they would have to pay a higher premium.

However, most of those attending the hearing were not concerned with the technicality of making a piece of property's status match its surrounding acreage. They were concerned with Commissioners' tentative plan to unload their liability onto the Josephine County Sportsman Association and wanted to make sure their comments were put in the record. Although the first hearing was crowded with people opposed to the plan, the second and third hearings had lone voices speaking up against a roomful of JCSA members eagerly anticipating a gift of public property.

After the hearing Commissioners unanimously approved redesignating the property as the first step toward turning it over to the Association which has run the park for more than 50 years.

Those speaking during this hearing said they backed the transfer of the county property to the Association. Some cited a fear, started at last week's hearing, that homeless people will find out the Sportsman Park is public property and start camping out there. Others wondered what would happen if Josephine County ran out of money to pay for liability insurance or if future Commissioners may someday close it because they are against guns. Bill Hunker of Merlin gave an emotional, rambling "what-if" appeal eventually warning a "devious, scheming progressive agenda" could someday take over and close the gun range.

"As Commissioners you are charged with protecting the Second Amendment for current and future generations. I suggest before you turn over the gun range to any association that you carefully craft a strong protection clause insuring as far into the future as possible the protection of our Constitution's amendment rights. However, such a clause can be a two-edged sword, if stipulations are too specific, future anti-gun commissioners are provided more opportunities to shut down or legally entangle the future of the range. If the stipulations are too broad it invites

misuse of the intent of the law vs the letter of the law which opens the door to power-hungry and deceptive individuals to dominate the Association for their own agendas. You've stated there are three foundational elements that must be included in any transfer to the Association: operate the gun range in perpetuity, to the general public and keep it open to law enforcement. Does this mean the Association is granted the sole power to decide what firearms are permitted? What fees are charged and control over the days and hours of operation? Will all groups, individuals and shooting clubs be eligible to use the range? Do these shooting clubs have to meet certain criteria? Are clubs like the United Nazi Gun Owners or illegal aliens permitted to use the range? What about law enforcement? Do they make up their own rules about days and times and use and what caliber of guns they allow? What about the what-ifs? What if the Association ruled the public and all clubs could only shoot 22 caliber pistols? What if the range were only open every other Friday from 1 to 4? What if the range charged members \$10,000 per year and perhaps \$250 for a day use permit? Exactly what abuses would cause the Association to be out of compliance and trigger the county to repossess the range? What about state law that trumps gun range policy? Would that cause non-compliance? Does the public have the right to sue the county for not repossessing the range if misuses were ever instigated? Of course. Many may reply that undoubtedly such abuses would render any gun range venture unprofitable and therefore would never happen. But what if that is the intent? Never underestimate the devious, scheming progressive agenda that knows America's only free because we have and uphold the Second Amendment. The political good guys of today are entrusted with insuring that tomorrow's bad elements are hindered as much as possible. You three Commissioners do not administer solely for today. You also protect tomorrow's citizens who are depending on you to see into their future as best you can. I ask you to deliberate patiently and choose wisely," he said.

Mark Moen, retired CPA who said he's a Republican who supports the Second Amendment said those who actually own the park, Josephine County citizens, should decide whether or not to hand it over to the Association.

"I also don't want the park to close but I also don't want to give it away. Your latest reasons to give away the park are poor excuses that relate to some of the things that may or may not happen in the future such as homelessness, things that may happen in Salem, or even new commissioners that may be against the park. None of these are good reasons to give away a valuable county asset. The people that are associated with the Association are of course in favor of the park being given to them. But I wonder how many of them would be in favor of the transfer if they actually had to pay the \$1.25 million dollar value for it? I think it is a huge conflict of interest to have Commissioners who are members of the Sportsman Association give away this valuable asset. The Commissioners should recuse themselves from voting on this issue. It really should be something on the ballot so the entire county could decide. Bottom line is this is a self-sustaining

property. You could keep it as is, or even sell it, but to give it away is just plain ridiculous,” he said.

Baertschiger said he got the County Assessor’s report on the shooting range property and it says the land value is \$728,000 while improvements are worth \$538,000. He called the notion he should recuse himself because he’s a JCSA member “ridiculous.”

“So the improvements belong to the Association so the only part the county’s giving up is \$728,000 not \$1.25 million,” Baertschiger said. “I just want to make sure you get the facts right.”

Baertschiger also claimed the position of the county is they are not relinquishing the property because the homeless might take it over, but because their insurance company recommended it which “was not reported by the Daily Courier.” Commissioners, he said, had a duty to protect the county from liability and reduce costs and they are taking the advice of their legal team, risk manager and insurance company.

DeYoung asked for a copy of JCSA’s bylaws. He said he wants the county’s legal team to look it over. He said he too was concerned about the homeless taking over the park like they’ve done to “a little park on my corner.” (Note: DeYoung lives in the City of Grants Pass). Fowler said when he started thinking about the Sportsman Park situation it “was all about the liability.” Then he was reminded of the political landscape and how rural Oregon has to “beat its head to be heard.”

“They could come after a municipality that owns a gun range. Oregon could change laws and so Portland, Salem and Eugene could come after our guns so that puts another weight on the scale. I’m trying to look at the advantage of keeping it and so I’m starting to lean towards transferring the property,” said Fowler.

Baertschiger told those present “in my successful career I’ve learned you don’t know everything so you depend on other people” so he’s depending on the county’s legal team, risk management and insurance carriers for what to do about the shooting range. They have all recommended getting rid of it, he said.

“I have got to listen to the experts. People who understand what liability is. This county doesn’t have a lot of money. We’re going through big budget issues. You’ll read about it in the paper I’m sure,” he said.

This won’t be the last public hearing. The next step will be to present the draft agreement for transferring the property, during which public comment will be taken, and the third step will be voting on the actual transfer. After their comments, Baertschiger declared a short recess, during which several people milled around the dais and conversed with Commissioners.

When they reconvened Commissioners took general comments. First up was a man asking Commissioners to consider changing the use of the old swimming pool property in Cave Junction so his group could use it for transitional housing for people who lost their living arrangements. Next, the usual callers from Illinois Valley were back. Guenter Ambron reported on his various community activities including a candidates' forum in Cave Junction. Judy Hinkel didn't mention vaccines this time but railed about the danger of cell phones. Craig Hinkel called to say he was trying to decide between John West and Mark Jones for county commissioner.

After public comments were closed, DeYoung jumped in saying it was always good to hear from the Hinkels, then complained about cell phones being given to homeless people. Fowler commented that the old swimming pool property, being across the street from the high school, may not be the best place for a transitional housing facility. Baertschiger said the swimming pool land could be involved in another "quagmire of legal gymnastics" to find out what can be done with it since grants were involved in building the swimming pool.

Several high school students were observing the meeting so DeYoung advised them to get into local politics, saying it's "ugly but rewarding." Baertschiger reminded everyone the next day would be National Pray for America Day and there would be a gathering at noon on the steps out front.

### **The Bill and Herman Show**

KMED host Bill Meyer opened his conversation with Josephine County Commission Chair and Chair of the Republican Party of Oregon, Herman Baertschiger, with a trumpet fanfare, after which they began a round of criticism of solar and wind power. Then they got down to Josephine County matters which concluded with Herman's shameless endorsement of John West for Commissioner.

Herman – Let's talk about this code a Josephine county. I've heard a lot of people say this Code...if it's working don't fix it. The Code is not implemented right now so we haven't even had an opportunity to use this code to see if it works or not.

Bill – Oh really? Ok. I did not realize that. Alright.

Herman – As soon as they gathered the signatures then that thing gets put on hold and so it hasn't been implemented. Now let me tell you somethin', I was one of the architects of this code even though I voted no, people have to remember I didn't vote no because I thought the code was a horrible code, I voted no because I believed it should go to the vote of the people.

Bill – OK. Alright.

Herman – Now the second thing is the Code, nowhere in this Code is the word marijuana used. We could not architect, we could not draft a code that really is specific to marijuana because the legislature has pre-empted that. They have reserved all the powers for enforcing and taxing marijuana with the legislature. The counties have no ability. So what we did is we designed a code that went after illegal structures and solid waste issues that seem to pop up in these marijuana situations. OK? So it is not specific to marijuana at all because it cannot by statute. So I don't know...is it a tool...yes. Do we know how effective it's gonna be? No. So let's clear the air on that Code.

Bill – Alright, thank you and duly noted. So we don't know if the Code works or does not because it hasn't been implemented. Alright.

Herman – Exactly. And it's not specific to marijuana so the Code could be implemented on a piece of property that has nothing to do with marijuana. So that's just....hey, abortion...so you look at this document leak on the Supreme Court...who does it help most? In my opinion, the Democrats. So the Democrats are rollin' into election season and I'm a good Democrat, what excites me? Well, I'm not too excited about the Ukraine war.

Bill – Certainly not excited about the economy but they love abortion more than anything. As a party. Isn't that it?

Herman – Well it's what we call a wedge issue and it is isn't it? It is really, really interesting how that all works. You know, I mean, you know....I was just looking at some statistics since the other day on abortion and of course I'm anti-abortion cause I don't believe in killing babies, I just don't, but I was looking at some statistics...let's see where is it, here...in 2015 thirty-five percent of all pregnancies in New York City ended in abortion, so it's even more than that...there are more African Americans who have abortions in New York City than African American births. Now I just think that's sad. I really do.

Bill – Yeah, that is the reality. I guess when it comes to politics though this situation certainly sets the Democrats on fire. I really do. I think it gives them something to run on because nothing...but of course you kind of figure this was a decision that was going to be happening and even Alito, assuming this is legit and it certainly looks legit. If not a legit opinion there it was one of the most elaborate forgeries I think that's ever been dropped on the people. OK?

Herman – Back to my statement, I think it's going to energize the Democrat voter. They found something that's going to energize. They're worried about Democrats stayin' at home, not voting, kinda upset with things and so hopefully this'll kinda energize em.

Bill – Now on the state issue though doesn't that essentially empower or energize Betsy Johnson's campaign, being the Independent who is not crazy like Kotek but has some sensible things in some ways, but is pro-choice? I'm curious.

Herman – Yeah, you know that's a...it's gonna be interesting as I've said before this summer's gonna be very dynamic here in the state of Oregon. Betsy Johnson's definitely a spoiler and the question is who she's gonna spoil?

Bill – Yeah, who she's gonna spoil for because the Republican candidate will most likely, given the field that we've been talking about the last few weeks, will most likely be a pro-life candidate. That's usually who gets nominated from the base of the party here. And say what you will, it's just me talking, Jessica Gomez I think has some interesting ideas but I think that the one position she takes of being pro-choice knocks her out of contention in many people in the Republican Party who will be voting in the primary. I'm just saying that. Realistically.

Herman – I would say that the base of the Oregon Republican Party in Oregon is very pro-life and you're not gonna move em off of that position.

Bill – No, you're not. But on a statewide issue, on a statewide vote, then when you see what the Supreme Court is planning on doing, that kind of monkey-wrenches the fall election somewhat. Wouldn't you think? It makes it more dynamic, even more important of an issue.

Herman – I think the conversation energizes the Democrats more than it does Republicans.

Bill – You think so?

Herman – Yes, I do.

Bill – OK. Alright. Well, we'll set that aside, let's talk then about if whoever is nominated for the Republican Party and now you're putting on your Oregon Republican Party Chair hat, Ok? Have you switched it off yet? Got your hat on? There we go...

Herman – I got so many hats around here I gotta make sure I get the...it's the red one. Ok, I got it.

Bill – Ok. Now I ask you about the gubernatorial race. You were there at the event last Friday. It was a good time. I thought it was good seeing those people. There were a couple of the top tier people who did not make it down or chose not to attend. I think that was bad for them, in my opinion. But be that as it may, a lot of good conversation going on there. What I'm wondering though, Herman do you think that your typical Republican running for governor has an understanding of what the job entails? What's your overall take on this?

Herman – Well, you know, I don't know. I haven't had long conversations with all of them but what I do know from my years serving in the legislature is that in the event a Republican gets elected or when a Republican gets elected, they're going to be challenged with unwinding almost 40 years of absolute Democrat control. So all the departments are 12 rows deep, so you're going to have to go in there as soon as the election is certified in November, from that day until January you're sworn in office, you're probably gonna have to think about firing about a thousand people right off the bat and then hiring about a thousand people to take their place and that's just the beginning. That's just the beginning. And so that is going to be very challenging to do those things...

Bill – How does that process work? And let me just ask you having been Senate president, Senate Republican leader there, is there a system within the State of Oregon that when you become governor and when you start hiring and firing, is there a system there to help you with headhunting as it were, or is this something that you have to know? How to do?

Herman – You're going to have to develop it. You're gonna have to have connections. It's gonna be a monumental task. And then after you get the department heads, the first two layers probably replaced, then you'll have to have all the people under them that are going to be protesting and they're going to be taking the attitude all's we gotta do is live this out for four years and so they'll start dragging your feet. And you gotta accomplish all of this at the same time it's not interrupting the services to the public. So it's a monumental task Bill.

Bill – Boy.

Herman – And we seen Trump run into that, you know? And that's why he talked about draining the swamp and things.

Bill – Except our swamp is, say, even more solidly leftist than the D.C. swamp is. Would that be fair?

Herman – Yeah. You know I had a little experience at that when Trump was in office and Zinke was in charge of the Department of Interior which was a huge, huge department. If you ever visit the building in D.C. for the Department of the Interior, you're in its own city, it's so big. And, ah, so I had some friends at very high level working directly under Zinke and I worked on some issues with them and I seen first-hand how somebody can give directives and then the troops don't take the orders.

Bill – Yeah, you may be the general, but screw you cause we don't agree with you, right?

Herman – Exactly. It is unbelievable how that works, you know? And so whichever Republican becomes governor is gonna be challenged with those same type a dynamics.

Bill – I think it's something to keep in mind. I mean people are asking me. I can't tell you how many emails, text messages and people are asking me "well, what do you think about this candidate or what do you think about this candidate or what do you think about that candidate, etcetera and I don't endorse but I talk about strengths and weaknesses. You know? And....

Herman – Yeah.

Bill – The way I'm looking at things, probably the number one strength that voters need to consider is the ability on the hiring...in other words consider that. It can't be the only consideration you make, but you have to think about how will this person operate in the hiring and firing arena? Would that be fair in looking at this? To remind people what the job really is all about?

Herman – Yeah. That's part of it, but now you've got the legislatures, you know, how's the legislature...if you've got a Democrat House and a Democrat Senate...whoa...boy...does that change the dynamics even with hiring and firing because the legislature controls the purse strings. OK? So now you're gonna be in a constant compromise on every single decision you make. If you want to change the carpet in the governor's office you're gonna have to get a note from the legislature. So, um, these things, are, you know, there's gonna be so much compromise. Every decision will have compromise because that's just how it is. There's gonna be haggle, haggle, haggle. Now, if the Republicans take one chamber and the governor, now that starts to change some things quite a bit.

Bill – Got it. Then there has to be some compromising on the budget where it's not just the supermajority Democrat deciding, oh, Ok, you fire the head of the OHA, let's say, now we're gonna get even. We're gonna cut your budget so you can't hire anybody. Right? That sort of thing?

Herman – Yeah. So I'll give you an example. So say the governor and the legislature not getting along, so the governor gets out their veto pen, veto, veto, veto, veto, veto and so now all of a sudden we come to the budget and...what's the governor gonna do? If you veto the budget then the State of Oregon stops running. Democrats will do that. They will force you into that corner to compromise....

Bill – But does not the governor, whoever the governor is, he or she is, have the ability to prioritize the spending of what is there?

Herman – Exactly. But the legislature will push em in the corner and say "look, you don't start doin' things our way, we're gonna stop all funding, shut the state down, stop services and blame it all on you."

Bill – Hmmm. Gosh, you know shutting the whole state down and shutting the services down...that might actually be...ah, sorry, I'm just thinking it's a wonderful fantasy.

Herman – That's popular because it will paint the governor as an obstructionist. So It's so dynamic you really gotta have a...member what I've always said, politics is like playin' five games of chess at the same time.

Bill – Yeah. You've said that. Yeah.

Herman – Now, if...the perfect scenario is the scenario the Democrats have right now. You control both chambers and you're the governor and away you go. And that's what they've done for almost 40 years.

Bill – Alright. So something to keep in mind as you're ready to make a choice and I implore that people do not vote right away Herman. I really do cause there are times that I voted right away as soon as I got my ballot in thinking that I knew and...cause I talk to these people for a living. I talk to many of them and then something happens in the final couple of weeks. Someone says something and "wait a minute. I was wrong about you." And so then I regret having voted early. You ever had that happen with you?

Herman – Ummmm...yeah I probably have. I can't point to it, you know? I'm pretty good...you know...and that's how I got into politics...I'm pretty good at trying to do my homework and investigate as much as I possibly can.

Bill – Yeah but when you have 19 running....for the governor's office as example, it's really dynamic and there's a lot of give...and there's a lot of new still coming out, even right now.

Herman – You know I think it's almost overwhelming for the average person out there. They don't know what to do.

Bill – That's why they ask me well "who should I vote for" and I said "I'm not quite sure myself and I'm still going to be continuing candidate interviews and Marc Thielman, for example, is going to join me tomorrow morning. I haven't had much of a chance to talk with him recently but I have some ideas where I'm leaning. But once again, think of someone...you almost have to think of someone who's very nimble, right? And a wheeler and dealer to an extent. Is that also a personality trait that would be helpful in this gubernatorial selection?

Herman – I think those are traits that'll be helpful and you know I have people ask me all the time but being the chair of the ORP I have to stay pretty neutral. I'm just proud of all those candidates that are working very, very hard to promote Republican ideas.

Bill – So thinking about people with connections would be helpful and wheeling and dealing would be connected because otherwise Salem will help you with replacements and the replacements that Salem people would suggest you hire are probably not the good ones that a Republican governor would want. Fair enough? Would that be a fair assessment of that?

Herman – yes.

Bill – Anything else you want to add?

Herman – Commissioners really quick. Over here in Josephine County I went to the Commissioners...it's non-partisan so I can weigh in on this pretty good. All the candidates, none of them really have in-depth government experience. Brian DeLaGrange has served on a school board and he has served with the city council, However, if you look at all his talking points they come directly off the Josephine County Democrat Party website so I'm a little nervous there. Um, a couple of the others are kind of way out there and not really knowing what they're talking about. Another candidate has really, really bad trouble communicating their position. Very, very poor communication skills. And in this business you have to have good communication skills because a lotta times you're in a position to persuade and you've gotta be able to talk to the public and you gotta be able to think on your feet. Um...John West has no government experience but he's a pretty smart guy, pretty successful and you know, I'm gonna say I'm kinda leaning to the John West side and I can say that because it's a non-partisan race. Um...I think he's the kinda guy that...he's very smart, you look how successful he's been in multiple businesses and I think he's the kinda guy that can learn as you go along but none of em have any real experience in that level of government. (Note: to watch a candidate forum go here [\(93\) Grants Pass & Josephine County Chamber of Commerce and Daily Courier Commissioner Candidate Forum - YouTube](#) )

Bill – The one thing that I would say...now I'm not a Josephine County resident, alright, so I'll be the first to admit this but I can weigh in a little bit on this. My hope is that it not be a Grants Pass resident who ends up becoming a Josephine County Commissioner. I'm kinda down with Bill Hunkle (how Bill pronounces Bill Hunker's name) on his recent take. I'll probably talk with him about that too. And I get concerned that so often Josephine County has had the Grants Pass City Council essentially become the Commissioners. You know, cycling in and out. That's just my take on it Herman. I'll say that. OK?

Herman – Yeah, you know you gotta be able to work with people and I know you hear a lot of things in the Courier about me but you gotta set that aside. I work with a heck of a lot of people, comin' to agreements all the time and I never get any credit in the Courier. Never will so you just leave that alone. That's politics. They're still mad at me for stopping Cap and Trade so that's just how it is.

Bill – Well, keep your broad shoulders, OK?

Herman – I think what I'm lookin for of those candidates is somebody that's smart, who can learn, and understand and go forward and I think, I think West is probably that person. And his performance. You look at a person's performance. What have they done? What achievements have they done? And what skills have they derived in their life experiences? And so, yeah, that's probably where I'm settling on.

Bill – Alright, we will talk next week.



