

In order to avoid people accusing them of “playing doctor” Josephine County Commissioners will let voters play doctor instead. During their informal and loquacious Legal Advisory meeting in the courthouse conference room Commissioners decided to let voters decide if the medical use of psilocybin in a clinical setting should be allowed in the county. Legal Counsel Wally Hicks was asked to draw up two possible ballot measures, one for the use of psilocybin and one for the growing of it. When voters approved Ballot Measure 109 making psilocybin legal for clinical use in 2020, it allowed counties to opt out of legalizing it through an ordinance or by putting it on the ballot. According to the Oregon Health Authority a new division has been created, Oregon Psilocybin Services, which will begin taking applications for licensing clinics in January of 2023. OHA has been tasked with regulating the manufacturing, transportation, delivery, sale, purchase and services relating to the clinical use of psilocybin.

Public Health Director Michael Weber put together a presentation to enlighten Commissioners about psilocybin, its uses and why it offers promise to people with mental health problems resistant to regular therapy. AllCare Health’s Dr. Kelly Burnett said although psilocybin hasn’t been approved by the FDA yet, clinical trials have shown it can be life-changing for veterans with severe PTSD and others with depression, anxiety, obsessive compulsive disorder, anxiety due to a terminal illness, tobacco and alcohol use disorders and hard-to-treat headaches.

“Some of these people are at high risk of suicide, unable to work and make frequent visits to the ER which costs us all money,” she said. “For people like this psilocybin can be a game changer.”

Dr. Burnett made a point of saying psilocybin hasn’t been legalized for recreational use and will be carefully controlled for clinical use only by OHA.

Still, Commissioners were skeptical. Commissioner Dan DeYoung worried veterans would be used as a “proving ground” for psilocybin. Commission Chair Herman Baertschiger couldn’t figure out why counties got saddled with deciding to legalize it or not within their boundaries. Commissioner Darin Fowler said he’d like to see how other counties do before it gets legalized in Josephine.

“I’m going to be some kind of no on this one because it feels like a nose under the tent and I want Jackson County to be the guinea pig and everybody else and then we’ll take our shot at it,” said Fowler.

Baertschiger said “politically-wise in Josephine County if the citizens know we have the option of putting it on the ballot and we don’t we’re gonna get in hot water so I think the safest thing to do is put it on the ballot.”

Last week during a discussion, Commissioners, Sheriff Dave Daniel and Community Development Director Mark Stevenson expressed concern that the legalization of psilocybin, which comes from mushrooms, would result in another illegal grow boom. Stevenson said if voters approve the use of psilocybin here they can at least try to control it by determining time, place and manner of growing it.

The next discussion about a permanent funding source for the sheriff’s department involved a seasonal 3 percent sales tax being championed by DeYoung, a law enforcement district with the

ability to tax, and a levy. Because Commissioners couldn't decide which option to support yet so they wanted to "bookmark" a place on the ballot for all three by meeting notice and hearing requirements. After consulting with County Clerk Rhiannon Hinkles they learned they may have to do a special election next March for the district since some deadlines for getting that on the ballot have already passed. After a round of palaverous talk Hicks was given the chore of finding out how to get their proposals ready for the ballot...some ballot anyway.

The Juneteenth holiday was brought up by Personnel Director JJ Scofield who asked if Commissioners wanted to make it a county holiday. It's already a federal and state holiday, he said.

DeYoung and Fowler had no idea what Juneteenth celebrated. Baertschiger, who has proclaimed himself a historian, explained "Juneteen celebrates the end of slavery....and we hope the 19<sup>th</sup> falls on a Saturday for the next few years," he said, chortling.

DeYoung asked if the holiday meant people got a whole week off. Baertschiger told him "No, it's just one day."

Scofield said the board, by order, can add Juneteenth to the list of recognized county holidays "like all the other holidays."

"Now wait a minute," said DeYoung. "That means the Board of County Commissioners just gave themselves another paid day off."

Fowler asked if the courthouse would be closed. Scofield said it's already closed for Juneteenth because it's a state holiday.

Fowler said he didn't like making a decision on a holiday "that there's not a definition for what it is."

Baertschiger added that June 19 was the day the last place for slavery ended.

"I guess it was in Texas and that's what it is," he said, slapping the table.

Scofield explained that after the Emancipation Proclamation ended slavery, it remained in Texas for two years until people were finally freed.

"And that was June nineteenth?" asked DeYoung.

"Yes," said Scofield.

"It was in Texas," added Baertschiger.

Hicks pointed out that the holiday was coming up that weekend and it might be wise, if they were to add Juneteenth to the county's list of paid holidays, they might make it effective next year, since it was short notice for people to rearrange their Monday schedules.

After they all talked at once for a few minutes, Commissioners decided to go ahead with adding Juneteenth to the county's list of holidays but make it effective next Juneteenth, not this one.

“With all the chatter about inflation and so on and so forth to have the government decide there’s another paid day off, paid holiday when everybody else is losing their jobs and losing their stuff to inflation...that’s not right,” said DeYoung after his reluctant vote for the holiday.

“There’s two sides of the political ledger on this...no matter what you do,” said Baertschiger.

Scofield showed Commissioners the list of all the counties that have already adopted Juneteenth as a holiday, including Jackson. He said all but about three counties have adopted the holiday and the remaining may not have gotten to it yet.

The next item on the agenda was a discussion of possibly implementing an absentee owner tax on properties owned by people who live outside the county. Stevenson said such a tax would be justified and provided law-enforcement statistics concerning properties owned by outsiders. “Thirty-three percent of our code enforcement issues are with absentee owners. Thirty percent of solid waste problems are on such properties. Six percent of sheriff’s calls regarding thefts, burglaries, noise, shots fired and such are on those places, 28 percent of stolen vehicle recoveries are on them and 50 percent of search warrants were served on absentee property owners,” he said.

Baertschiger said it may be a problem identifying absentee owners and what do you do about corporations that own forest property that are headquartered elsewhere?

Fowler, who was enthusiastic about this proposal, said “we can send them a bill and they can prove they don’t have to pay it, but many will pay it. That’s not part of my concern.”

Stevenson said Curry County has been charging an absentee owner tax for a couple of years now. He said they exempt property managed by a professional management company licensed in Oregon. He said Curry nets about \$400,000 from its tax. He estimated Josephine could rake in \$750 to \$950 thousand based on 5,040 properties owned by out of county people.

DeYoung said he thought it is something to consider and would like more information from Curry County about how they manage the program. Stevenson reminded him that he brought this funding option to the Commission about a year ago.

DeYoung asked if Commissioners could do this kind of tax without going to the ballot.

“Subject to referendum of course,” said Hicks.

“But that’s not a reason not to look into it,” said DeYoung. “There’s all the what-ifs. There’s a million different reason why nothing can happen. And I’m not interested in why nothing can happen.”

Baertschiger put a damper on DeYoung’s optimism.

“Dan, I’m gonna tell you why I am interested in why it can’t happen cause I’ve seen too many things get implemented and then get shut down and then you’re back to square one. I don’t want to be there either,” he said.

After agreeing to sell a strip of property in another matter, the Board went into Executive Session, emerging later to adjourn the meeting.

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

Herman was back on KMED's Bill Meyer Show Tuesday morning where they discussed the next steps in the Sportsman Park giveaway, how to kick Rep. Liz Cheney out of the Republican Party, the effect the January 6 hearings may have and the Republican malaise surrounding their gubernatorial candidate Christine Drazan.

Herman on the Sportsman Park – So we approved the contract so the third part of it is the Association signs the contract then the Board of County Commissioners will sign the contract. So they got 30 days to sign that contract.

Bill – Is it a total transfer or like a dollar type thing where a dollar changes hands? What's the deal?

Herman – No, there's no monetary consideration. It's just the liability and the expenses, they're going to absorb all of that. The county will be out from that. You know, we're gonna have...I just love it when people come in and play attorney in our meetings and say awww, you can never get away from the environmental problems, never can do that and yet we get legal advice that you may never get 100 percent away from it but you get a long ways away from it if you don't own it, OK? So, you know, we get all this legal advice and then we'll have somebody step up to the microphone and play attorney. I just love it. Bah! Drives me crazy!

Bill – Ahhhh, those pesky people Herman, what can I say.

Herman - Well, you know, I love, I love to dig down and find the facts and that goes back to my years in the senate and that's what you do and I'm kinda committee driven and I love to dig down and get the facts but when somebody just spouts out something and says 'Hey this is what I believe' and you should take it as a fact,' I don't go there Bill.

Bill – Herman, I had a listener call in a little earlier this hour in the show, or I think it was last hour actually, who called and I promised I would ask the question to you. Now I'm going to have you put on your Oregon Republican Party Chair hat...

Herman – Ok.

Bill – Is there any way that a Party structure can actually just say you're not in the Party any longer. You are not a Republican let's say? And they were bringing this up I think with regard to Liz Cheney. They were really upset about Liz Cheney and the January 6<sup>th</sup> Committee and what she's been doing. Is there a possibility that the Republican Party could do this to a Party member, kinda like the Catholic Church, excommunicating someone who they feel is outside of the faith. You know, the Democrats, could they do that too? You know, a fellow party member saying 'you're no longer a Democrat.' Can the Republicans say you're no longer a Republican? I'm

curious, is there anything in the bylaws or rules about that or is this just kind of a something theoretical...be nice but no actual rule about it.

Herman – You know, I can't fully answer that question, cause, you know, I don't recall seeing anywhere in our bylaws. However, a Party, you know, like the Oregon Republican Central Committee, they can vote and say, 'we don't like this person.' But as far as like, taking their Republican license away I don't know of any way of doing that but the Central Committee they can vote no confidence or anything but I don't think you can just literally throw em out of the Party.

Bill – Ok. I was wondering about that. It's kind of interesting, and you know, I'm not a fan of Liz Cheney and even less a fan of Liz Cheney now, of course. How do you think the politics of this January 6 Committee is playing out. It does feel a little desperate from the Democrats, but that's me. It's my opinion. You're a Republican Party Chair in the state here. Is it moving the needle at all in your view?

Herman – No, I think the only people plotting are the far left Democrat supporters. I even think the moderate Democrats are rolling their eyes. So, they're basically just placating to their base and hoping, hoping that something can come out of it, you know, that they can make stick. But I don't think so. You know, it's more of a dog and pony show. And you know, I don't know, keep an eye on Liz Cheney. Somethin', somethin's gonna happen. She's gonna fall into somethin' because in politics, a politician's driven by a few things and a one is power and the other is money. So when somebody gets way outta their wheelhouse like this, you gotta say Ok, what's in it for them? So somethin's in it for Liz Cheney and we will find that out down the road.

Bill – Cause the way the polling's looking she's going to lose. She's gonna lose her seat from the looks of it right now.

Herman – I have a lot of friends in Wyoming and of course they're pretty conservative folks. Wyoming's a pretty conservative state. They are livid. I don't even know if she could live in Wyoming anymore after this.

Bill – Huh. Well there's no love lost between President Trump and Liz Cheney. Sort of mutual hatred. Maybe hatred's too strong of a word but animosity certainly. They did not see eye to eye on a lot of things.

Herman – Well, if you look at Dick Cheney, you know he dabbled in the private sector quite a bit and made tons and tons of money runnin' Haliburton which is a big defense contractor. They make billions of dollars so...

Bill – Ahhhh. I think that kind of explains where the animosity came from because, let's face it, nothin' against Haliburton but Haliburton, Haliburton, if you're working for Haliburton, if you're working for Boeing, working for General Dynamics, if you've been part of that military industrial complex you want a lot of little foreign wars doncha? That's good for business!

Herman – Yeah and if you read some of Eisenhower's work, you know, I gotta give a lot of credit to President Eisenhower, I mean my God he was a five star general and for him to step up

and say 'hey, look at these companies, beware, be careful they make their money on war.' That's basically what he was saying Bill. And, uh, he gave us a good warning. You don't hear people talk about that much. I think that took a lotta guts back in the fifties for him to do that.

Bill – And I think it's only gotten worse since when he talked about it because we really haven't heeded the warnings about this. Essentially I think Eisenhower not only talked about military industrial complex but also the rise of the administrative state which is that whole system with which we're struggling against right now that doesn't care who ends up being elected because, because, hey, the administrative state, the administrators are there forever. For the most part.

Herman – And we have that at the state level, you know, um, in the event Drazan gets elected that is going to be her absolute biggest struggle cause you got almost 40 years of Democrat control in Oregon and every department is just, you know, rows and rows deep and you're going to have to replace a lot of those people and it is going to be a monumental, absolute monumental effort to do that. It's gonna take....

Bill interrupts – I remember I would talk frequently with Bob Tiernan, another candidate for governor and he was figuring he would probably have to fire, if he won which he didn't, that he would have to fire probably at least a thousand, maybe more...

Herman – Right

Bill – More than a thousand people.

Herman – And the firing's easy, it's who you gonna get to replace em?

Bill – Yep.

Herman – You know? And I talked to Christine Drazan yesterday and we touched on that a little bit and her and I are going to have to have that conversation some more because it needs to be a deeper...I need to know what's the plan here Christine?

Bill – Gonna have to prep. I mean this is something....that I think was one of the biggest weaknesses of the Trump Administration, of not having a plan of replacing administrators when coming in. And I think that hurt him in his term in office. And I would hate to see something like that happen when a Republican becomes governor of Oregon again. And be that as it may, you know I've had my problems with Christine. You know that. I've talked with you about this before. Has she spoken to you about the votes? You know, the voting record that conservatives were bringing up and having problems with. Is she going to address that? Or is it just because, 'hey, I'm the Republican standard bearer and you just better vote for me or else. You know that kind of thing. You getting any impression from her? Have you talked with her I'd like to invite her back on. Sorry to be asking for hearsay or gossip...

Herman – I've talked to her about it. I've told her you're gonna have to have that conversation because the only way she's gonna get elected is getting Republicans out to vote. That's just how the numbers are. You know, you let Johnson and Kotek slug it out over Democrat votes and you know, there's enough Republican votes to get her elected if we can get em out. But if they're pissed off at her and they're not satisfied with her as a candidate they won't show up to vote...

Bill – Exactly. You end up depressing voter turnout. That’s what I’ve been kinda concerned about. And I’d love to hear some addressing of the...well I mean you and I were talking and shaking our heads about the Republicans in the House that were voting in lockstep for all of these woke Democratic Party agenda ideals, such as the tampons in the boys’ room. They all voted for it Herman. Right?

Herman – I know and the explanation was well then we wouldn’t pass the budget for the schools and then they’d be mad at us for not passing the school budget...

Bill – So what! (Laughs) That’s where I am. So what! What! We’re angry? We’re worried about Democrats being angry with us? I mean that’s almost Stockholm Syndrome, almost cartoonish to me.

Herman – I have to point out though, if we let Kotek become governor she’s gonna be ten times worse than Brown. And I always have to remind people of that when they’re bashing on the Republican. I said OK, if you’re trying to get to perfect, forget it but the alternative is a nightmare.

Bill – Oh, I perfectly agree with you and then it appears that Betsy Johnson Independent or supposed Independent, it appears she’s set herself on fire these last couple of weeks. It’s astounding, you know, to see what’s been going on there.

Herman – You know, Christine and I are going to have some more conversations. Trust me. Because the stars are aligning to give her this race. And we gotta get campaigning, we gotta start raising money and we gotta get Republicans to warm up to her and that’s basically the message I gave her yesterday.

Bill – Do you think if I were to invite her on, because like I said, I haven’t been a fan, and I don’t like being that way because we got, like one choice yet I’m concerned this one choice is not going to drive voter turnout here. And will she address the vote? The votes that were taken there? I think she has to because otherwise the Republican base is kinda like goin ‘what’s the point?’ Yeah Kotex is worse, alright. I think they’re tired of voting for, well, not quite as bad as the Democrat. You know that Herman? This is the challenge in the Fall election as I see it.

Herman – Well, it’s not just this Democrat, Tina Kotek, Bill she is ten times worse than Brown. You know when the Democrats got rid of Kitzhaber and they tried to git Republicans to go along with it, I said ‘oh no that’s your family fight.’ But I said at that point, I said, we’re gonna wish we had Kitzhaber back. Well, if Tina Kotek becomes governor we’re gonna wish we had Brown back.

Bill – So essentially you’re telling Republicans don’t cut your nose off to spite your face on these sort of things right now.

Herman – Exactly.

Bill – All right. Well, I will invite her back on though. I will invite her on and see if we can talk about these things because there are just so many people in the emails I get who are just so irritated that when you vote for Republicans you expect people to behave like Republicans and

they haven't got the impression that the Republicans in the last couple of sessions have behaved like Republicans and it really depresses them. I don't want them to be depressed. I want them to be able to move forward. It's like gosh, this is the one year, you're right, this is the one year in fact at this point I would say Betsy's probably going to take more from Tina than the Republicans at this point because I think she set herself on fire over guns. What would you say?

Herman – Yeah, I think she really stepped in it on that. And do you remember what I said a few months ago when we talked about this election? It's all about raising money, getting your name and message out there and staying out of trouble. Those were the three things. And you gotta stay outta trouble. This is gonna be a long summer and I reiterated that with Drazan yesterday...make sure you stay outta trouble. And I don't know if I totally 100 percent agree with some of the strategies but we're gonna have those conversations. That's the only thing that's gonna save us...Tina will not be a governor. She will be a dictator. Trust me.

Bill – Well, she was a dictator in the House so there we go.

Herman – There's no love between the senate president and Tina Kotex.

Bill – No doubt about that.

Herman – Peter is a Democrat and you will not get him to come out in the public and say anything but I watched them two fight like cats, you know.

Bill – Alright.

Herman – Anyway Bill, that's what we got. Also tonight we have our Wildfire Symposium at Ann Basker at six o'clock and that'll be pretty interesting and gives the opportunity for citizens to interact with fire agencies and ask questions. So it's a conversation and I hope people show up.

Bill – Is it looking like a milder fire season you think? So far?

Herman – Here's the problem. You know, if you don't have rain then you have a longer fire season, Ok? You have more days that fuels can be ignited and sustain ignition. When you have rains through spring and summer you're gonna have a shorter fire season. However, the fuel loading will be higher because everything's growing.

Bill – Yeah...well all the grass and the weeds. That's what we're seeing right now.

Herman – And those type of fuels have the highest rate of spread. So, you know we've always said that you know you're damned if you do, you're damned if you don't in the fire season. And we're gonna talk about some of those things cause I think one of the biggest problems is people don't understand how it works. And I'll tell you what, Southern Oregon, all's you gotta do is look at every mountain, every, ha ha, we have some of the highest fuel loading that I have ever seen. But I'm...but you know, I take that back. I was in Idaho and Montana last year and I was lookin' at a lot of the forests there as I was driving through and they got high, high fuel loading too. So you know, with the absence of fire in the last 100 years because of fire suppression we've made it worse. To be honest with you.

Bill – Is there enough money in the federal till to hand remove this because I don't think you could do enough prescribed burn on this. Would you agree?

Herman – You know, my statement is we can do some, it helps, but is that in the grand scheme of things to prevent wildland fires. No. So remember what I've always said, as long as you have forests, you're gonna have fires.

Bill – So just deal with it.