

Josephine County Commissioners

July 27 2022

Josephine County Commissioners had their minds made up before they walked to the dais to convene public hearings Wednesday July 21 where after a long meeting they voted to put just one choice for funding the Sheriff's Department on the ballot: the seasonal sales tax.

During a "sausage making" session the day before in the conference room, Commissioners Dan DeYoung and Darin Fowler met with the legal counsels for both the county and the City of Grants Pass to iron out some ordinance language for the seasonal sales tax DeYoung says he's been working on for the last three years as a way to get voters to approve a stable source of funding for the sheriff. They also discussed the law enforcement district ordinance which, if approved, would create a taxing district to fund the sheriff's department. However, they set the tax rate at \$1.87 per thousand which they knew voters would never approve.

Commissioners also got the news, during the Tuesday workshop, that giving the Sportsman Park away may jeopardize future grants from the federal government. County Counsel Wally Hicks said he finally heard from the Department of Interior and "they aren't happy." That sent DeYoung off on an incoherent rant about how dare the Department of the Interior compare the Sportsman Park to a National Park. His indignation was dampened after Interim Parks Director Tamra Martin said she would research the matter and get back to Commissioners with more information, so they postponed further discussion until they hear from her.

Commission Chair Herman Baertschiger gaveled the hearing on the law enforcement district open first. A roomful of people, alerted by an email from Richard Emmons of The Eagle, a right-wing monthly newspaper, crowded into Ann Basker Hall to make their voices heard, vociferously heard, on the sheriff funding measures and the psilocybin ballot measure.

Commissioners, with the help of Counsel Wally Hicks, explained how the law enforcement district would work. Liberty Watch's Joseph Rice and Commission candidate John West sat in chairs against the back wall, spoke briefly, then listened. Comments concerning the district were all opposed. Speakers cited the high tax rate, more bureaucracy, that inflation isn't the time to impose more taxes, that districts always come back on you asking for more money, funding the sheriff won't do any good as long as there are liberal courts and lobbyists who let all the criminals out of jail and that our system in Oregon is broken. One speaker suggested Josephine County look at how former New York Mayor Rudy Giuliani reduced crime there. People don't complain about paying for law enforcement if it works, another speaker said.

DeYoung hauled out a huge yellow tablet and said he was ready to take notes from people's comments. "Just a little humor there." Few laughed. DeYoung said he wasn't supporting the idea of a district at this time because it means a "huge property tax increase."

Commissioner Fowler said "It's a huge ask on property owners' backs so I want to go on to a discussion about something that might actually work."

Commission Chair Herman Baertschiger didn't comment and called for a vote. All three Commissioners voted against it so that idea died a quick death and will not appear on the ballot. Another idea, for a straight levy, apparently died in a Commission workshop somewhere.

The second public hearing of the day involved an ordinance required to put a measure on the ballot asking, "do you want psilocybin, or magic mushrooms, to be legal to be used medicinally in Josephine County?" About 14 people got up to have their say on this matter, some apparently not understanding that the Commission wasn't debating legalizing it during this meeting. Speakers, including Sheriff Dave Daniel, used the illegal marijuana situation in the county to say allowing psilocybin would result in more headaches battling illegal mushrooms. Others related three minute stories about loved ones lost to drug addiction, bums accosting them on the street and the increase in the number of drug-addled "zombies" wandering around. One speaker accused the liberals in Oregon of wanting to keep voters "dizzied" so they'd vote for Democrats. Various speakers from the Republican Women's Luncheon group got up to say research on psilocybin shows it's about people just wanting to make money. One man said his research showed that people are dying off earlier now and we don't need anything more to contribute to that. Some speakers complained about the Grants Pass City Council's vote to allow treatment centers and they argued over whether they meant "treatment" or "service" centers, with one apparently more ominous than the other in their minds. One lady got up and spoke for her three minutes about how much fun drugs were in her youth but she doesn't think they're useful for curing anything. Baertschiger thanked her for her "expertise." Comments also included how "decent" people like those present had to be the community watchdogs to keep things like psilocybin out of their town. One man said it's time to bring back "men" and put families back in their hands. Another told the board he'd like to see a resolution making Josephine County a "dry" county for all drugs.

One younger man in a baseball cap was the only one who defended the use of psilocybin for medical use. He said the state of Oregon has not legalized psilocybin for recreational use, only for use under highly supervised conditions for people who feel nothing else has helped their anxiety or depression. No one was impressed. He wasn't jeered but some speakers got up to argue his points.

Hicks got up a few times to explain how the state can legalize something that is still a federal crime, and how the county does not have power over the city after people complained about the City Council's decision to allow the medical use of psilocybin in the city limits but not the manufacture of it.

"The default that Oregon takes toward county ordinances is that typically they don't apply within city limits unless the city council or city voters expressly consent. That's the language of the statute. And so expressed consent is required. This would be an exercise of police power as opposed to taxation. You (the county) can impose a tax within city limits but you can't exercise police power as a county. Measure 109 is consistent with that," he said.

During the comment portion of this hearing Commissioners waived their standing rule that says all public speakers have to finish before comment from them or county officials is offered.

After an exhausting comment period, Commissioners voted in favor of the measure asking voters to approve or disapprove the use of psilocybin in the county in November.

When everyone in the room was weary after the first two long and emotional public hearings, the Commission began the third hearing on the seasonal sales tax which already had their mumbled support. Those present looked a little dazed by then and that may have been by Commissioners' design.

The seasonal sales tax, if passed, would be imposed in 2023 from April to October and would tax most goods and some services with a long list of exceptions. Josephine County would make history and national headlines if it becomes the first county to impose a sales tax in the sales tax averse State of Oregon. Commissioners know what they're up against with this proposal since a try at a sales tax failed miserably a few years ago. This time they're trying to sell it as a way to get tourists to pay for the privilege of visiting Josephine County.

DeYoung tried to explain the ordinance in a way that seemed to imply the people in the room weren't smart enough to figure it out for themselves. He said it had to be written in a way that judges and lawyers could understand and promised a simpler explanatory statement for the voter's pamphlet in the fall. After the public hearing opened, Josephine County Republican Party Chair Holli Morton said she hadn't made up her mind on the seasonal sales tax but did say this is a tax paid for "by the people who have the money."

With that said, Commissioners DeYoung and Fowler seemed to be speaking to an audience of one with a sales pitch for the seasonal tax before they even took a vote on it. Morton was instrumental in the failure of their code enforcement ordinance.

"It's no deep dark secret I'm a heavy proponent of this and I know the street language of it better than the legal language...If we don't fund the sheriff's department can you imagine people wanting to come here with zero law enforcement?" he said.

DeYoung went on to tout the sales tax as a great effort between the cities of Cave Junction, Grants Pass and the county, as something that will sit better with voters than yet another property tax, and that it would help Grants Pass get out of its \$2 million law enforcement hole. (That was later debunked by city officials. They have no \$2 million hole)

Fowler said he likes the tax because it "doesn't hit anybody particularly hard." He said he thinks this is the only way this community will vote to fund the sheriff because it gets the tax off people's property.

There were four or five comments. One from a business woman who said she is afraid of raising prices right now in this inflationary time and others resigned to saying "we gotta come up with the money somehow." Some compared it to other states where each county has a different level of local sales tax. Questions concerned whether rental income, annuities and investments would be taxed. Hicks said "no." One person asked if Amazon orders would be taxed.

"Definitions on page 206 defines retail activity to include conversions delivered to consumers regardless of source," said Hicks. So yes, internet shopping will be taxed. Hicks explained that

violations of the seasonal sales tax ordinance would be a misdemeanor subject to a fine based on what is owed the county but he was vague on who would enforce the ordinance if it passes.

When it was determined that no more people wanted to comment, all three Commissioners quickly voted to leave the fate of the seasonal sales tax idea up to the voters, relieved to finally get the weighty matter of keeping the sheriff's department funded off their hands. They were thanked profusely by Sheriff Daniels, who has supported the seasonal sales tax idea over levy proposals.

They weren't done with the meeting yet, however. They moved to the Public Comment portion with some weariness. Perpetual commenter Judy Ahrens, who got up for the fourth time during this meeting, couldn't let a Public Comment time go without adding her three minutes. She complained that the meeting went on too long. Guenter Ambron also Zoomed in, saying they have Neighborhood Watches in place if the seasonal tax doesn't pass.

The Bill and Herman Show with Mr. X and later Holli Morton.

7-26-22

The Oregon Department of Forestry's map of wildfire risk areas has created another subject to fire up indignation in Republican souls. Without explaining exactly what the fire map does, they nevertheless bashed "pointy-headed university students (blamed for making up the map), Rep. Pam Marsh, Sen. Jeff Golden, Republicans in the statehouse who voted for SB 762 authorizing the map, Zoom meetings and of course Gov. Brown. Somehow they never got around to bashing President Biden. A clear understanding of what the map is wasn't the point of this conversation. The point was to rile up Republicans with the usual accusations about government incompetence, evil plotting Democrats and how they must be "vanquished." Herman gets into some Agenda 21 conspiracy theory nonsense and says he's calling for a Board of Inquiry into the ODF.

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Bill opens the phone dialogue with Josephine County Commission Chair Herman Baertschiger by asking him if the fire map meeting is still on. This was Tuesday morning before the meeting was canceled.

Herman – Yeah, to the best of my knowledge no, however it's at 7 o'clock, it's for one hour and I anticipate they'll give a 50 minute presentation with ten minutest to comment and then say, and then tell us that concludes their meeting for the night.

Bill – Why do you think then that Pam Marsh announces that they turned this into a Zoom meeting (in Jackson County for Wednesday)? What does your gut tell you having worked with the agencies before?

Herman – They're trying to pour cold water on this issue and just...so they want to out-wait people, they wanna just out-wait them and not let em have any input and just let the clock tick.

More water under the bridge and just move forward with this crazy scheme that they've come up with.

Bill – How crazy is this scheme in your view too? This is all based on SB 762, which by the way, Sen. Jeff Golden and state Representative Pam Marsh were very much in favor of from what I understand.

Herman – Yeah and it was bipartisan and there are some Republicans that voted for this. I worked really hard on the phone trying to talk em out of it but I was unsuccessful because my ability to talk em out of it was outweighed by all the money that was floating around in the legislature, let's put it that way.

Bill – Oh, so all the Democrats have to do to have their way with Republicans is to offer a few million in grant stream funding and then, uh, you'll vote for their stuff. OK, that's great. It's good to know. It's great to have an opposition party isn't it?

Herman – Ummmm...you know it's very frustrating for somebody like me who fought very, very hard and never participated in being a transactional politician.

Bill – So, let us talk then about why SB762 is so dangerous because I understand why so many property owners around here were in pitchfork and torch mode about this, when it came to the public meetings. This tells me why they didn't want to have a real public meeting. What do you think here?

Herman – Well, yeah, it is. They know there's a lot of opposition. So let's...so what is the scheme? I'll tell you what the scheme is...they're using the crisis of wildfire which they're trying to convince the public is all due because of climate change. They've never had fires before which is absolutely false. As long as you have forests we have fires and you and I have had that conversation multiple times.

Bill – And a forest, if it is not managed, will disappear one way or the other. You'll either disappear it through harvesting and cleaning up whatever it is or it will burn at some point. Which is life, right?

Herman – That's just life and maybe it'll be 50 years or 100 years but it will happen. It's just how it is. So, um, you know they have a list of goal setting and one of them is, it goes clear back to the 70s, and that's everybody live in a city and nobody live in the rural areas, and SB 100 was hijacked...SB 100 back in the 70s was actually not a bad bill. It was to protect high-value resource land but the Democrats hijacked it, the Thousand Friends of Oregon and all those groups and they've utilized that to make it extremely difficult for people to develop on their rural properties and this is another tool now that they're going to...you wait until they unfold the building restrictions, and the new building codes and how much money it's gonna cost and all the things you gotta do. So they're achieving that goal and then after they solidify this map and finalize it after the appeal process and this and that whatever and they finalize the map then the legislature will crank into gear and they will implement an assessment for every one that falls within that map area.

Bill – So is it in your opinion there will be an assessment for everything that is in high or extreme...I notice even in my neighborhood they said that I have a moderate chance of wildfire in my neighborhood.

Herman – Yeah, it'll be based on that. What it exactly looks like I don't know. You know, there'll be haggling but there will be an assessment, trust me, it is coming because I'll tell you why. Funding Oregon Department of Forestry's wildlands fire program has been extremely expensive and a lot of money comes out of the general fund and they would love not to put any money from the general fund into there because if they can replace general fund money then they can go use that general fund money to give out free needles to the homeless. So that is the scheme. Of what's going on. It's twofold: one to continue with their program of not allowing people to develop their rural properties and two, to generate funding to replace general fund into the Oregon Department of Forestry's fire program.

Bill – Do you believe that the goal will be to raise those assessments so high that people will give up their land? At some point. Is there any evidence that that might happen? I'm just curious because sustainable development, in other words, land communism is official state policy. Supposed to be volunteer but you know when you have a bunch of leftists like A Thousand Communist Friends of Oregon...or Enemies of Oregon is actually what I think they should be called...um...They're happy to volunteer as long as they're volunteering someone else's land. I'm sure their own land is probably fine. But how do you see this playing out?

Herman – Umm, yeah, I mean if they could accomplish that that's a pretty big bite but let's just say they're headed in that direction. Ok? It's obvious. And you know I just hope the people of Jackson County hold Rep. Marsh and Sen. Golden accountable because I guarantee you all that Mr. Golden has to do is pick up the phone and they will change that venue and they'll accommodate those people. But, um, I highly doubt that he'll do that. He wants to push this thing through and I'll just be flat out if the people of Jackson County, if they're Ok with that type of representation then I can't help em, I mean if they're really upset with it, then they need to replace these people.

Bill – Ok. Sighs. Now what about Josephine County? Your meeting is tonight. It's still going to be actually in person. Are you going to attend that? Just curious.

Herman – I will be there. And I've also ordered a Board of Inquiry by the Josephine County Commissioners, um, with ODF. A Board of Inquiry is where representatives from ODF show up in our conference room and the three commissioners have the ability to have a conversation with them. Unfortunately my staff has been unable to contact anybody at ODF to set up that Board of Inquiry.

Bill – Why does ODF seem to be stalling on this? Because it seems to me ODF is just doing what they're told to in SB 762. I don't look at ODF as the bad guys. Necessarily. Or should I?

Herman – No....You know, they have to...they have their marching orders. And they have to march to those orders. Um, but uhh, we're putting on the pressure but we're gonna have a Board of Inquiry and they're gonna answer and then I've already contacted some of the people in the

legislature and I'm gonna put some pressure and if they don't...you know...I can't do this by myself. Bill, it takes an upheaval of citizens to help me. So I hope they see that.

Bill – Well, I'm hoping that for tonight's Josephine County meeting, which is actually a real public meeting, not the fake on-line Zoom meeting which they're trying to condition us to accept as proper public meeting. So tonight, 7 o'clock, Ann Basker Auditorium. I'm hoping that you in Josephine County, you folks in Josephine County fill that place to the brim. I want people having to wait outside because there are so many people waiting to get a space and actually show true public input and real citizen resistance to what's going on because apparently, like I say, the announcement from Rep. Pam Marsh is that they've cut public input off at the knees by going to a Zoom meeting in Jackson County. They probably couldn't do it in time for Jo County tonight. I think that's the only thing that's going to help you on this line of inquiry. Wouldn't you think Herman?

Herman – Yeah, I'm gonna push, I'm gonna push, it's a Board of Inquiry and it's called by the Chair which I am the Chair. And, you know, it's not gonna look good if they don't do it. I'm gonna put a lot of pressure on em and I know how to do that and I'm going to continue to do it and let's see what happens!

Bill takes a call – And I know who's here on line one and I'm gonna pick him up here right now. Hello Mr. X. You want to weigh in on this situation? What are you thinking. What are your thoughts here when you hear us talk about Pam Marsh and Jeff Golden apparently announce that tomorrow's meeting in Jackson County is a Zoom meeting? So what are ya thinkin?

Mr. X – So the typical thing that you have to understand, in my mind, the ODF is not the bad guy in this thing, Ok?

Bill – Agree.

Mr. X – The bad guy is the Oregon State University program and the people in the background that say we have to learn to adapt to live with wildfires.

Bill – And by the way, learning to adapt to wildfire, and Herman I think you would agree with me when I say this, learning to live with wildfire means burning the forest. Right Ed?

Ed – That's exactly right. It's restoration of the forest land by burning. And the opportunity with lightning strikes to burn for land management. This is the crucial aspect that people have to understand. And these idiots that sit up and guiding this program of this mapping saying...and you see the essence of the power of this thought process, at what they're doing in using this program and the representatives that we have that'll allow this to happen. Herman is right. These people have to be voted out. We have to literally have some accountability here. They are setting you up for a program of literal arson. And the idea that fire is something that we can live with and adapt to, especially when we have the fuel loads brought up by what? Mismanagement of our forested lands. And I look at this and it's just so ridiculous...that...what do they want us...well now. Phoenix and Talent are fire...

Bill interrupts – Oh hey, Phoenix and Talent are fire adaptive. Hey, did you hear about that Herman? That the Alameda fire? That's a fire adapted community now. Did you hear that?

Herman – Oh yeah, well who's district is that in I wonder? Hmmm...

Bill – I think it's Pam Marsh's district. So that's fire adapted now. Now we know.

Ed – What we have to do is learn to focus to the responsible parties for this. This entire program of doing this from a distance...let's pipe some smoke into the offices of these professors, these people who are promoting this. Let's put a constant stream of smoke so that they can't breathe and let them adapt to it.

Bill – Alright, I appreciate the take on that.

Ed continues – And they'll have a different attitude.

Bill – But I think the first thing though is that the politicians in favor of this Herman, must, must be vanquished. They must be removed. And by the way if they're Republicans they need removed too. I hate to say that.

Herman – Yeah you know I know Sen. Hansell (State Sen. Bill Hansell, R-Eastern Oregon). I tried to convince him not to vote for it. And he voted for it. Now I see all the wheat fields in his district are part of this so I hope those farmers thank Sen. Hansel for all the great work he's done.

Bill – As he ends up selling out. The bulk of his constituents. With the wildfire map program. Alright. So maybe I could grab you tomorrow for a recap of what happened to your meeting in Josephine County? Would that be Ok? Would you have time to do that?

Herman – Sure. Yeah, just gimme a call. Long as it's before 9 o'clock.

Herman signs off and after a couple of ads Bill goes into an insane monologue about pointy head university students, climate change, and underlying Agenda 21 conspiracy theory nonsense.

Wednesday Morning...

Josephine County Republican Party Chair Holli Morton calls in to say the fire map meeting scheduled Tuesday night got canceled. She said people who hadn't gotten the news ended up meeting across the street in the Republican Party Headquarters.

Holli – Well, what happened was they canceled, and we knew a lot of people wouldn't realize they canceled because the word was put out on your program and so forth, so we had people over there saying if people showed up and they wanted to meet they could come over. So about 60 people showed up. That'll give you an idea of what a hotbed issue this is. About 60 people showed up. So the reason they said they were going to cancel the meeting. They had a couple of different reasons. One they said it was too hot to have a meeting even though Ann Basker Hall is air conditioned and pretty comfortable. No, they couldn't do that. But the other reason I heard was that they were afraid for their own safety. And I think that's probably more like it because people are not real pleased about this.

Bill asks about the threat made. He says people are angry about SB 762.

Holli – Well you're absolutely right. The fact of the matter is, the abysmal forest management has resulted in a lot of these problems.

Holli repeated Herman's claims that the map is just an excuse to get the public to pick up the tab for the state's poor forest management but didn't explain how that would work. She and Bill got into the anti-logging lobby, bashing Rep. Pam Marsh several times and general state government incompetence.

Holli – I'm really happy citizens are waking up. She signs off, then Herman comes on the line continuing the Marsh and Golden bashing, urging people to appeal if they are designated living in an extreme or high fire risk area, and predicting insurance companies will stop coverage for people living in risky fire areas and the state will impose some kind of special assessments on people in high risk areas to help pay for fire protection. He said the Josephine meeting was called off because of a threat that made ODF people fear for their safety but they hoped ODF will reschedule it for sometime in the near future.