

MALHEUR COUNTY COURT SPECIAL MEETING MINUTES

Pursuant to Initiative Measure No. 23-64

January 9, 2023

The Special Meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. The Special Meeting was held pursuant to Initiative Measure 23-64 to discuss how to promote the interests of Malheur County in any negotiations regarding the relocation of the Oregon-Idaho border. Present in the meeting room were public members Bob Doughty, Sue Owen, Ron Owen, Pat Barfield, Bob Wheatley, and Charles Pike. Present electronically were Brent Grasty, Greater Idaho Spokesperson Matt McCaw, James (last name unknown), Mitch (last name unknown), and Leslie Thompson of the Argus Observer. Notice of the meeting was emailed to the Argus Observer and Malheur Enterprise and posted on the Courthouse bulletin board and County website. The meeting was audio recorded. The agenda is recorded as instrument # 2023-0073

Judge Joyce asked for comments from those present.

Matt McCaw: My name is Matt McCaw, I'm the spokesperson for Greater Idaho. I wanted to give you all an update on what's going on with the movement and where we're at, and just be here to answer any questions that you might have or anybody else in the meeting.

Judge Joyce: You're on deck. Go ahead.

Matt McCaw: As you guys know, or maybe not everybody does, our movement has been for the last two years, going county by county, asking voters if they want their elected leaders to look into moving the border. So, we are proposing moving 15 Eastern Oregon counties, state governance, into Idaho instead of Oregon. So, of those 15 counties, 11 counties have already voted on our measures, saying, yes, we do want our elected leaders to look into moving the border, and Malheur county is one of those counties. We have a 12th, Wallowa county is going to be voting on it in May. So, that's what we've been doing for the last two years is we've been going county by county and saying, is this a solution that the people in these counties want to have their elected leaders pursue? So, what we've been hearing from voters is: yes. They've been passing our measures, asking their elected leaders to meet and talk about what would be best for their county as far as any future border relocation. So, the next step in this process, and just so everybody knows, the process for moving state borders, is actually a relatively simple one. It's through something called an interstate compact, so a border is an imaginary line, it's a line that's placed to better communities where it makes sense to group similar peoples to better communities. And the border between Idaho and Oregon was set almost 200 years ago at the time that may have made sense, but almost 200 years later, we don't feel that the border makes sense where it is currently, and it can be moved. It's not permanent set in stone for all eternity; it's there as a tool to make our lives better. So, the process for moving a border is that the two states, any two states, can come together that share a border and the two state legislatures decide that where the border currently is doesn't make sense and it needs to be moved to someplace where it does make sense. This has happened multiple times in the history of the United States. It happened between Oregon and Washington in 1958 where

they solidified where the border would be on the Columbia River. This is not something that's unheard of, or never been done; and there's a process. And so, the process is for the two state legislatures to agree to where it makes sense to put a border, create an interstate compact, and then that goes to the US Congress to get signed off on. So, where we're at in the process of this is we stated by saying, we had this idea, we thought a good solution to the urban rural divide in Oregon and the West side East side political tension that's been going on for decades, we thought that a good solution to that would be to move the border so that people in Eastern Oregon could get their state level governance from Idaho. We've gone to the people in 11 counties now, and about to be a 12th in Wallowa, and they have said that yes, they like this solution. We proposed this solution, they want their elected leaders to look into the solution, so our next step is at the state legislative level. We have a representative in Idaho who is ready to present a memorial in the next session, and that memorial basically is the Idaho legislature inviting the Oregon legislature to begin talks about where it makes sense to put the border. So, we have that ready to go in Idaho and it's ready to be introduced and it's got lead sponsors and co- sponsors, it's ready to go. We also have a mirror image memorial in the state of Oregon ready to be introduced in the Oregon Senate. It has a lead sponsor, it has co-sponsors and does just the opposite. It invites the Idaho legislature to begin talks with the Oregon legislature to start talking about where it actually makes sense to put the border. So that's where we're at, that legislation is going to be introduced in both states in this upcoming session. And so, what we need is, we need, the people that voted for this are voters to contact those, their state representatives and state senators, and let them know that they still want to look into this and to look into moving the border. And specifically, what we would ask of county courts and county commissioners, is we've asked that they would write a letter of, it doesn't even have to necessarily be support, but just encouraging our state senators and state representatives to look at moving the border. Because at the county level, you don't actually have a say, as far as moving that border, but you do have input, and you do, you can advocate for your constituents, and you can advocate specifically for the needs of Malheur county. The best way to do that is through your state representative or senator.

Commissioner Jacobs: You mentioned that when the sessions are taken up; the Oregon legislators are in session right now. So, is that going to be introduced this session? And if so, when is the Idaho session meeting? And when will they introduce that?

Matt McCaw: I don't have firm dates yet, but the legislation will be introduced in these sessions. We already have a legislative number for the bills, they will be introduced, we're thinking sometime mid to late January in Oregon, possibly sooner in Idaho. But that's up to factors out of our control, when the sessions, you know, various sessions start and they have their own process for doing things. But it will be, to answer your question, it will be this session, yes.

Commissioner Jacobs: You know, there's been a proposed boundary of the area that would be, I guess, introduced, to change. Is that subject to change, depending on what the legislators propose or submit?

Matt McCaw: Yes. The border can go wherever the two states decide it makes sense for the border to go. So, everything that we've, you know, if you go to our website, we have a proposal and we have a line, and that line has changed. We originally thought that Southern Oregon would want to

be part of this, because when you look at voting patterns in their rural versus urban population, we thought they would want to be part of this. When we went to a vote of the people in Southern Oregon we lost, we lost narrowly, but we lost and so we said these, the folks in Southern Oregon do not want to continue to pursue this. So, we changed our proposal and changed where we have the border going. But that's part of the beauty of a border. Like I said, these things aren't set in stone. They go where it makes the most sense for communities, for those borders to go. The two state legislatures will get together and they will hash these things out and say, here's where we think it makes sense, here's where people have indicated they want it to go. What we would perceive as the process, it would not have to go back to a vote of the people. The two state legislatures could do this without ever going back to the people and asking them again. What we would perceive as the process though is that the two state legislatures talk, they come up with an interstate compact proposal and that they would kick it back to the counties that are affected and ask the folks involved, now that we have a hard proposal, here's exactly where the border is going to go, do you still want to move forward with this? And that's what we would push for and support.

Pat Barfield: I have a question Matt. I'm just here for information, this is the first meeting I've been to. I've been a resident of Malheur county for about 40 years. I moved from North Carolina. This is all new to me, does it require all 11 counties to have consensus on where the border is going to be? That's one question. Number two: Will it go before the voters in Oregon and Idaho to implement prior to implementation?

Matt McCaw: So that's kind of what I was just referencing. So technically, no, they don't have to, the legislatures can meet and create an interstate compact as representatives of the people and put the border wherever they want. It wouldn't have to go back to a vote of the people. We would push as an organization, you know, our whole core principle as an organization is self-determination and matching people to government that they want and that matches their values. So, we don't want, we're trying to get people matched up to government they want; we're not trying to force anybody into government that they don't want. So, we would push for, and we would perceive that once an interstate compact was created, that it would go back to those people, and they'd say, okay, do you still want to be part of this? Do you still want to move forward with this? And if people said yes, once they saw the final details, then it's as simple as that, that interstate compact goes back to the US Congress and if they sign off on it the border moves. And like I mentioned, borders have moved multiple times throughout the history of the United States, this is not something that's new or has never been done. It has not been done in a very long time, and it has not been done to the scale that we're asking for it to be done for a very long time, but there is a process. It is legal and it is doable.

Brent Grasty: So, I just want to point out some folks have been to these and had a chance to look at the proposal and maybe participated in the vote. But Matt, what you just described as, well one, it's an oversimplification. What the experience in other states is an adjustment, for example, between Oregon and Washington was to use the center of the river and then formalized it. So yeah, there's a process, but something like this, as you said, it's never been done at this kind of scale. And I want to be clear on one thing, this is the first time that I know of you being at a meeting in Malheur County, but the consistent question that has been raised is, where's the effect of a move?

And you guys are not providing that. It's not on your website. If you go back through the notes of the minutes of the, this is the fourth meeting if I remember right, fifth meeting, and every time we've said, address what the impacts of a change like this would be; I don't think it's the Court's responsibility to do that. I don't think it's the legislature's responsibility to do that, to initiate, what is the effect on roads, what's the effect on taxes, because we've got different taxes, what's the effect on the prison, what's the effect on the college. Just run through the whole list. You have a state university in this area, not just community colleges, but there's a big deal here that it's really been, it's drifting away from what the ballot measure that you all used, and I think you've been consistent on this among the counties, it's to discuss it. What Mike has always said is, we just want to discuss it. Well fine, we're discussing it. But it's incumbent on you and how you move forward to gain any headway on this to answer these fundamental questions that nobody else is addressing. And that list, if you go back through those notes, there's probably at least 15 starters and it's as simple as, you know, road maintenance and how do we deal with PILT (Payment in Lieu of Taxes) taxes, I mean, it's extensive. It's really, I think disingenuous to say this is going to be a simple, maybe you didn't say that, but that it'd be a simple process. And I need an answer to two things: who's the Idaho sponsor and who's the Oregon sponsor?

Matt McCaw: Sure, so to address, I'll answer your last question first, because those are very simple answers – there's a name attached. Barbara Ehardt, Representative Barbara Ehardt in Idaho is our lead sponsor in Idaho and Senator Linthicum is our lead sponsor in Oregon. As far as the details, so, Brent, we hear you loud and clear and we understand, there are going to be big changes, there are going to be ripple effects. We are not able to precisely tell people exactly what's going to happen. And part of the reason for that is that, because everything is going to be negotiated; everything is going to be a negotiation between Oregon and Idaho. So, we don't know how Oregon and Idaho are going to negotiate a prison, or how they're going to negotiate what happens with a state university. We can give you some ideas of what we think might make sense. So, there's this question about like state assets. What we're asking to do by moving 9% of Oregon's population, there's assets that go with that, right? Like 9% of our population has paid for 9% of the state's assets. So, we would suggest that a starting point for negotiations would be that 9% of the state's assets go with the people that helped pay 9% of it. But that's, you know, that's just a starting point, that's just a recommendation from us. All of those answers that you want are going to come when the negotiation process begins. And that's part of why we're having these meetings, Brent, is to address, have those concerns brought up. So, people want to know, if Malheur county became part of Idaho, what do we do to ensure that our roads continue to get the same level of funding. And that's all in the negotiation process, and that's all something that the two state legislatures would hammer out and say, what are we grandfathering in? What is Oregon going to send with these people? What debt of any, if any, is going to go with these people when they move? There are a ton of questions and a ton of details, but we can't tell you those answers because we don't know how those negotiations are going to be sorted out.

Brent Grasty: I think that's fair and that makes sense to me, but how about just putting together the list that we keep providing of those questions? I mean, it's going to be voluminous right? It's going to be extensive. The thing that I'm struggling with the most I think is, I'm not sure exactly how you said this Matt, but the purpose of a state boundary is not to align like-minded people. The

purpose of the state boundary is administrative and yeah, there's loads of history. We could still be back to State of Oregon territory and have Washington, Western Montana and Idaho as one territory, but that's not how our history developed. And what I struggle with, with a comment that you made like that is, how are you thinking about, how is your organization thinking about the, well in Malheur county's case, the 46% of people that voted on this ballot that voted against it? I mean, it's kind of like you're saying that everybody thinks the same way in Eastern Oregon, and this is an old issue, right? Rural - urban, as soon as we, if this was to go into place, what are you going to do with the Ada county transition to a more metropolitan area? Sure, as heck it's going to become more left leaning as that population increases; it always does in an urban area. I just want to make sure that we're being realistic on this, this is not a simple thing, it's very involved. But you guys are not stepping up with at least the list of the questions.

Matt McCaw: Well Brent, I'm not entirely sure what list of questions you're talking about; if you have a list of questions that you want to send me, or email me at MattGreaterIdaho, I'd be happy to try to address whatever your concerns are.

Brent Grasty: I think you just go through the notes, go through the minutes Matt, you've got five meetings worth of minutes, you know, taxes, all the infrastructure that we've talked about already, but you know, city government, county government, you guys know, my big picture perspective on this is, there are better ways to work out the differences between urban and rural communities not being represented as equally, than to take the time that we're taking on you guys not making headway on responding to our questions, and, you know, I think it's you, Ron, that has said a couple of times in the past meetings that it's not the responsibility of the Court to either promote or reject this proposal or to develop some kind of working committee. But that has come up a couple of times that maybe each county needs to put a committee together, but there are other solutions too, you know, I'm a proud Oregonian, born and raised, and there are load of efforts that we've made in our path. Some of you guys might remember the old NOVA (Nyssa, Ontario, Vale and Agencies) project right, Nyssa, Ontario, Vale and Adrian. I mean, why wouldn't we have the kind of relationship with Payette and Canyon counties. We share a river, we share a border. And for sure some really important points have been raised in past meetings about the challenges of minimum wage being so much higher in Oregon and how it impacts farm and ranch industries. There's big ticket stuff that we need to continue to address, but if we're spending a great deal of time on this, with such a longshot opportunity for it to happen, we're missing the opportunity to develop some of those other more realistic solutions. I don't mean to dominate this Judge and Court, but I just think we're locked in this, apparently, given the first meeting, Kim did some research with the County Clerk, and these meetings will go on without end, until as far as I can tell from the Attorney General's Office with no resolution. And so, even if it passed, there's no termination to this, to that ballot measure until it's over so, or until it's voted again I guess. So, I'm just thinking, you know, let's have some balance here on how do we address these with our representatives and not just lock ourselves into this is the only conversation we should be happy. Sorry, I'll shut up, but that list Matt is in the minutes, I'm not going to send you a list of questions that we've already discussed.

Bob Wheatley: Just a couple of things, several comments I can make, but right off the bat to help everybody kind of (staff interrupted asking for the speakers to announce their names) I'm Bob Wheatley from Ontario. I think before we get to much farther into this discussion today let's think about how and why did this start in the first place? Let's take a look at a map of Oregon. This is the results of the last election, okay. The counties that are in red are those that voted primarily Republican. Those in blue are the counties that voted Democratic. If you were just to look at this map, where's the dominance? It looks like it'd be Republican wouldn't it? No folks.

Unknown: Except for population.

Bob Wheatley: It's based on population. Most of the population lives in the northwest corner of this state and it's been that way for years; this is nothing new. But what is happening is, finally, people throughout the rest of the state of Oregon, those who live in rural areas, those who are farmers and ranchers, small businessmen, are starting to say, you guys are killing us over there. You're passing legislation that is making it harder and harder for us to survive. People have suggested that one of those answers to that would be, why don't you move? Well I'll tell you what, if you look at Ontario, a lot of people and businesses have moved. They've gone across the border into Idaho, because they got tired of waiting for these changes that never come, for the people in the legislature to sit down and talk about the problems we have and why we're unhappy. They don't want to do it, they don't have to do it, and they won't do it. I think in this last election we've seen some impact from this movement in the election for governor. When was the last time you can remember that a Republican candidate for governor in the state of Oregon came as close as they did this time of winning that election? It's not because she was the prettiest. It's not because she had the best message. But it was because people in Oregon are tired of the way things have been. Okay.

Pat Barfield: Bob, can I comment on one of the things you said; this is Pat Barfield. The same people that don't like the politic in Oregon who moved to Idaho are happy to drive across the bridge to not pay taxes. That's going to be a really thorny issue and resolution of this.

Bob Wheatley: I think Matt, that your organization has addressed that to a certain extent. Do you want to comment on that?

Matt McCaw: As far as, what's your question exactly Bob?

Bob Wheatley: About the taxes, it has come up about the taxes and the sales tax in Idaho as opposed to Oregon not having a sales tax. But I think there is a, there are some set offs to that as I understand it.

Matt McCaw: Well, I'm not entirely sure what you're referencing. Here's what I can say about taxes, are taxes going to change, just like a lot of things in a state governance change, there's going to be changes of all sorts of things. What we're seeing though, what Bob said I think is what's true, people understand there's going to be big changes, there's going to be new tax systems, there's going to be different minimum wages. People know, they understand all these things. And when asked, do you want to pursue doing this? They're still saying, knowing all the changes in all the ways, things will be different, and there will be some plus and there will be some minuses,

when we're asking voters, do you want your leaders to look into doing this? They're still saying, yes, we do, because there's that much, not only frustration with the current state level governance that they're getting, but they also see this as a solution. It makes sense. Most people in Eastern Oregon would prefer to have this, the state level governance and all that comes with it from Idaho than they would from Oregon. And so, again, like when it comes to taxes, are there going to be people that hate sales tax? Yes. People in Oregon have always disliked sales taxes, it's been voted down a million times. But, in totality, when people say, would you rather have what the state of Idaho has got going, state governance wise, or the state of Oregon, people in Eastern Oregon are saying, we want it. We want to look into getting Idaho instead.

Bob Wheatley: Just to kind of add to that. I know I've looked on the GreaterIdaho.org website and there have been studies shown and I'm sure, I don't know how current they are, but an original study showed that the offset in the taxation, personal and property taxes that Oregonians pay, the savings that would be received from becoming a part of Idaho would greatly offset paying what they would be paying out in sales tax. So, there are offsets in all of these things. I don't want to dominate this either. I am a lifetime Oregonian myself, I was born and raised in Ontario. I have lived in other areas, but been back in Ontario for probably the last 40 years. My family grew up there, I had a business there. I love being an Oregonian. And if what Brent said, if there are other proposals that would address problems that we're having, I don't think any of us would be opposed to looking at those proposals. And I think that would be part of the discussion if you would, between the two legislatures, that ultimately seems to be where the question needs to go to. I would also like to address the question that came up about as far as answering, or putting together a list of topics that need to be addressed as this goes. Again, as Matt said, we can't go very far with that because there's no way for us to have the answers. But I think part of the problem we've had, and I've been involved in these meetings from the beginning, and my partner over here, Chuck Pike and I, helped to get the petitions signed that were needed to get the measure on the ballot in Malheur county in the first place. But the thing that we need to do, I mean, we don't, this is a grassroots movement in Malheur county at least. We don't have a formal organization. We don't have a leader that you can go to and ask questions, and do those type of things. So, from that standpoint, I think it would be beneficial if the Court thinks that is something that would be helpful and would consider appointing a committee to look at. And you would, you know the people in Malheur county, throughout the county, and would know people, I'm sure, that you think would be good and wise enough to serve on such a committee. That could be done. I've volunteered in the past. I don't think we'd have any problem. One of the things that's been pointed out about these meetings is the poor turnout, that only 15 or 20 people that show up for these meetings. Well, first of all, I'm not sure where you'd put them. But if that's a real issue and a point that you would like to have addressed, just give us a little more lead time so that we know the exact dates of the next meeting. I can have 50 people here if you want. If you want numbers, that's not a problem. But I don't think that's going to get us anywhere. But I think if we had a group of people who live in Malheur county, both pro and con, because this is just a discussion. Some of the questions that are being asked, maybe we could answer those in that way. Maybe we could find out that, hey, we don't have an answer, and we probably never will. We need to follow the format that's been said by the Greater Idaho organization, and this needs to be moved to the legislatures. That's where they're moving to. It looks like they've got a good first step set up for this legislative session; I'm

glad to hear that. The thing that I would ask of this Court, this commission, is that you do listen, listen to the people of Malheur county. This article that was in the Argus Observer last Friday had a number of issues that I would argue with or at least like to address. First of all, it addresses a questionnaire that was sent out to, and this was northwestern Oregon voters. On the map, that's that blue section of the map. And it says, 3% of respondents think keeping Eastern and Southern Oregon in the state is worth the cost. So those people over there, on that side of the state are not sure they really want us anyway. Okay, let's talk about that. Other questions include whether the government should look into the causes of discontent in Eastern and Southern Oregon and then consider how to respond. 81% said yes, and I don't think you'd have any problem of getting that percentage of respondents in Malheur county that we would like to have it addressed. That's what this has been all about. And now that group in northwestern Oregon, when asked if they should allow the county, our counties, to become part of Idaho, and only 22% responded definitely to that question. So obviously there's some missed feelings there. One questions they answered heavily, 81%, that they'd be glad to let us go and only 22% said that they would definitely go for that. So, there are questions, and there are questions that as a small county in Oregon, Malheur county is not going to be able to address and answer all those questions. And the legislative move seems to me to make sense. In the past, we've had very little support for doing such a thing from our local legislators. I think that perhaps this group here, you commissioners, could not necessarily pressure them – I'm not asking for that, but in representing your constituency, which voted 54% in favor of the ballot measure to discuss this issue, I think it would be good to see you step up and talk to our local legislators, and ask them to join that movement, to look at it from a legislative standpoint and try and get answers to these questions. The questions that Brent is asking; they're legitimate questions, there's no doubt about it. And this is not an easy process, certainly nothing that's going to happen overnight. But I think the people, not only in Malheur county, but in most of the counties in Eastern Oregon, who have voted and passed this measure, are saying the same thing, and they want some answers, and they want some action.

Judge Joyce: So, before you leave, I have a question for you. On your map, go back to your red and blue, and this is for you Matt too, so what would happen on that map there if every bill that came out of Salem had to pass county by county?

Bob Wheatley: No, I'm not asking for that.

Judge Joyce: No, I'm asking you.

Charles Pike: May I be addressed? My name is Charles Pike; I was born and raised here in Malheur county and Bob has asked me to, well he asked me to present this petition (inaudible) to this vote. I was born and raised here and I know a lot of people, I even know Dan's family; I don't know if it's his uncle or his father, but my father come to this country in 1929 and he homesteaded and these farmers here generate an awful lot of tax. I don't know if it's more than all of those people in the big cities over there, but they deserve better legislation. Everything's getting harder and harder for them to produce; price of fuel and everything else. It's not just the state but it's the federal government also. I passed this petition around to these people and these farmers and what have you in Juntura, Vale, Harper, Jordan Valley, and Ontario. I explained what it was, laid it on the table, and these people signed it. I didn't do a lot of selling on it. I didn't force anybody. I just

put it there and if anybody's interested please sign it and your voting district, whatever it was. Bob asked me to help him with this and I support Bob, I really do, and I support these farmers in Eastern Oregon. They think (inaudible) and they think people on the other side of the state also and they deserve better legislation or better representation anyway. But this map, this map shows the difference between the Democrat and the Republican; that leaves all of these people here that's producing all this food for the world paying the bill for nothing. They just keep including taxes and making it harder for them. I feel like we'd be better off with Idaho, I didn't even get any return off the election from Oregon; everything come from Idaho. There's another one, that's another point. I come here to support Bob and I think he's correct. I think his interest is what is best for the people of the state of Oregon. Those people over there (inaudible) they might be the majority of population but they're a minority in the area. We need better legislation. And again, I say, I circulated this petition and I had no trouble getting signatures. These people don't like what's going on here. I even set down with a table, a group of women, and set that down and explained to them what it was, I set it down and I had a man from Baker City, an attorney, come and sign it. So that's a plus in Baker City too for the same reason. Bob asked me to present this and I support him; and if I've offended anybody that wasn't, I didn't mean it that way. I'll bow out, Bob's got all the details and everything.

Commissioner Mendiola: Matt, this is Jim Mendiola, one of the few people here that this is the first meeting. Could you repeat the representatives in Oregon and Idaho that are doing the proposal?

Matt McCaw: Representative Ehardt in Idaho is introducing the memorial and Senator Linthicum in Oregon.

Commissioner Mendiola: And to follow that up, if this is passed between Idaho and Oregon, is there a federal process there too?

Matt McCaw: Yes. Once the two states have created an interstate compact; Idaho and Oregon sat down and said here's where we want to move the border, and here's all the pieces that go along with that, that would go to the US Congress and US Congress would have to give its okay, essentially. And in the past, that's typically happened; most interstate compacts in the past have typically, you know, the federal government says, if these two states want to do this, and they're good with the details, we're not going to get involved. And typically, that's been something that's been approved.

Brent Grasty: This is really kind of following up on Bob and Mr. Pike. Oregon's land use planning is pretty old, pretty well developed, and while it can be really limiting for rural communities, for sure, in particular, part of the reason it was there was to preserve farmland. Bob, you and I have driven to Boise all our lives here, and we've watched those back roads and the freeway for that matter go from farmland to little subdivisions, some of them not so little. And the water use is changing from ag (Agriculture) use to residential; that's not happening in Malheur county. Malheur county's, the thing that keeps us together, by and large, is agriculture, and Idaho doesn't see, doesn't protect ag interests like we do in this state. I mean, think back to Boardman to Hemingway, right, the first proposal was to fund a 500KV line on one side of our county symbol

or the other, the Butte. And we stepped up and one of the things that kept that from happening was Oregon's priorities for maintaining agricultural land. This is what I'm saying Matt with, even if those questions cannot be answered clearly until further study happens at some level, and I don't know where that happens, that list of questions is revealing, right. What happens with land use planning? Well it's not going to be to protect the farmland we've got in the Treasure Valley. It's going to be, how do we, it's going to encourage people to sell off and subdivide. So that last of questions would be so helpful and what would be really cool is if your organization kind of kept a record of how these meetings have gone. You could post each of these meetings. People could research that, they could see what other questions are being raised. You've got 11 counties, share that stuff out.

Matt McCaw: Sure. And you know, I completely hear what you're saying Brent. And what you just brought up is a perfect example of what, you know, we can lay out there what currently happens in Idaho, I can tell you how Idaho currently has their land use laws and what currently the road structure is. But when we get to the negotiating table talking about actually moving the border, these are exactly the sorts of things that these meetings are for, is to say, if people in Oregon want to be part of Idaho but they want their land use laws to stay the same, then that's something that they need to address. That's something that the voters of Malheur county, through this Court, through this process, need to say, we've identified, we want this to be grandfathered in when the border moves. And so that's a great example of why this meeting and what happens here is important, is to find out what issues specifically are important to the people in Malheur county that they want to make sure, when we get to the negotiating table, that they make sure, hey, we want to make sure that this is addressed, and this stays the same, or this changes. But again, as an organization, I can't tell you what the people of Malheur county want the land use laws to be. I can tell you that a majority of voters in Malheur county, when they voted said that they wanted to look into moving the border, but I can't specify all of these other issues for you.

Commissioner Jacobs: I would like to address Bob about the committee that you mentioned. I guess I don't feel like it's the Court's responsibility to appoint a committee, but I did mention earlier that I would like to see a committee get together with people on that committee, with both sides, the views of both sides, so that you can bring all these issues, they're going to have to be discussed and come to a resolution of how we would like to see, or your committee would like to see those resolved. And have that list that Brent has suggested, and the only way to have complete list is to have people from both sides on that committee. Personally, I would like to see a committee brought together in the county.

Bob Wheatley: In answer to Ron's point there, I'm an old retired guy, but I would definitely put my name out there, and I'll bring my partner Chuck along with me, and we would be willing to try and put together a committee. I know Chuck would be really helpful because he knows a lot of people in Malheur county. But it would be helpful to us, and I'll be glad to give the Court my contact information, I can understand your hesitancy about being a committee appointed by the Court, by the commissioners as such, but certainly we would want to have your input, suggestions, or people that you think would be of help in answering these questions. And as you mentioned, both pro and con. I would also ask Matt if the Greater Idaho organization has names of people in

Malheur county that you've worked with in the past that supported getting the initiation on the ballot, any names that you would suggest. We would volunteer to step up and try to put together a committee and try and by, I think the next meeting is in May, and so, see if we couldn't have something to report back to you by that time. So, I put that out there.

Pat Barfield: I would just advocate that if a committee is established that it represent both pro and con in the same sort of distribution that was voted, 46 -54, so that's five and four, so just like basically the Supreme Court, we need to hear from everyone because certainly there's plenty of people who are satisfied that they would rather keep Oregon's borders where they're at, who voted perhaps on the 46 side, and obviously it's a slight majority of those in favor of moving the border. But as I say, this is a very thorny issue and is going to require a lot of discussion and issue resolution moving forward, right.

Brent Grasty: I think that's a great idea. And I wonder if maybe you guys at the next meeting, and for all the counties, as I assume you attend their Court meetings, I wonder if you could maybe also summarize what the other counties are doing. Having a committee here that has, in Malheur county, that raises the questions and tries to identify some of the solutions that are specific to Malheur county, I mean, great, there are some for sure. When we're right on the border with Idaho, it's always been a pain in the tail to have to get another license to hunt across the border, you know, a half a mile away from my house. So, there's always been down sides, but how about at each of these meetings let us know what the other counties are doing. And maybe we can get an 11 county, or I don't know, all Eastern Oregon counties, because some of them did vote against it. What was that argument? What were the questions? How are they proceeding? How about putting together, I mean right now it feels like all you guys are doing is getting it on the ballot. We don't know what else you're doing. You're not answering questions. Catch us up, that'd be cool on your guy's end.

Commissioner Jacobs: I'm not sure that, what this committee would have to do is come up with a list of those concerns that you have, for and against moving the border, but you're not going to be able to, you can voice your opinion and let us know how you feel about that, but as far as any decisions that are going to be made, they're going to be made by the legislators. And so, you could contact your legislators and let them know what came from organizing this committee and let them know that list of concerns that everyone has and those things that need to be addressed. So, I think that's the main thing that this committee would need to do. You're not going to be making any decisions; the legislators are going to make the decisions.

Brent Grasty: That's a good point Ron. I was just suggesting that if we have a local committee, that makes sense, but maybe, you know, an Eastern Oregon committee that is, I guess, are you saying there wouldn't be a regional committee until the legislature started, if they decided to bring it up on the floor and decided to carry it forward, are you saying that we couldn't have a, because the questions are largely going to be the same is all I'm saying. There will be some differences for each county and we could isolate those, but, are you saying we can't, I mean, Matt's group could encourage a regional committee somehow and get some representation. That's all I'm saying. You're right, the final answers can't be done until it really gets some momentum if it does.

Commissioner Jacobs: To answer your question, no, I'm not against having some type of organization between the committees of the counties so that they know what other counties are thinking, so I'm not against that at all if that's something that we feel like would be beneficial.

Matt McCaw: Brent, to that end, I talk to commissioners from all over the state and the Eastern Oregon Counties Association – I'd be more than happy to talk to them and sit down with all the county commissioners and talk about something like this because I do believe you're right and a lot of the issues are going to be similar and having a working committee to say when these negotiations start, what do we want to make sure we get in moving forward. That's definitely valuable and important.

Leslie Thompson: This question is for Matt. I did ask in the chat about recreational marijuana businesses being grandfathered in and I know you guys keep saying that will be up for negotiation. And you're quick to say what people have been saying that are for the measure, which makes me believe you've also heard plenty against it. What have the people said in places where medical and recreational marijuana are legal, what have been some of the drawbacks they have mentioned to you and organizers about the concerns about going to Idaho where it is not legal?

Matt McCaw: So, Leslie, to answer your question, we have not specifically asked our voters about the marijuana issue; we haven't done any polling, we haven't done any specific questioning of people, and I can tell you personally, I have not had, people ask about it, I've not had anybody personally say, we'll have to keep XYZ or we have to do away with XYZ. It's more of just people, it's a question, it's one of those other questions that's out there. It's a difference between Idaho and Oregon and if I could point you to what do we think most people feel about it, I would point you back towards what the votes were when we were having votes about legalized marijuana in the first place and look at what the people who voted on that issue said, because I don't specifically have any insight or knowledge about what people are feeling about that.

Commissioner Jacobs: I think that's really indicative of some of the questions that are going to have to be brought up and talked about, discussed in these committees. And then once the committees have produced a list and discussed these things, you can go, and I would be willing to go to the legislators and discuss, our personal legislators, and discuss these things with them. But I think we need to get to that point.

Judge Joyce: Any other comments or questions? Bob, I'd like to go back to that question and see if Matt's got an answer for us on that one, on your map. How many counties are red? 26, 27, 30? How many is not?

Bob Wheatley: If this is accurate and I believe it is, there are seven blue counties and the rest of the state is red.

Judge Joyce: 29. Okay. So, Matt, what would happen if every law that you bring out of Salem has to pass county by county?

Matt McCaw: Not very many laws would pass. I think we all know the answer to that. Unfortunately, that's not the way it works. This is why our solution, I think this is why people are latching on to our solution is because they understand that Western Oregon, especially in

Northwestern Oregon, is a completely different culture than Eastern Oregon. They have the population numbers to dictate government and policy to us at the state level, but they're completely different than us, and the policies that they dictate to Eastern Oregon don't make sense for Eastern Oregon, they don't make sense for our communities. People of Eastern Oregon would be much better served by getting state level government from a culture that is much more similar to theirs, and that's Idaho's. And this is a solution, it solves that problem, it solves this longstanding urban-rural divide, and it gets people in Eastern Oregon government that understands them, that represents them, and that shares their values.

Judge Joyce: Other comments.

Brent Grasty: So, I can't pass this up you guys, I know we've only got a minute. But the bottom line for me is, when did we get to a place where the minority is so dismissed? I mean, that's really what we're talking about here. If we want a solution that has better representation for Eastern Oregon, I mean, it is a problem – there's no question this is a challenge and every state has it. But gosh, somebody, I can't remember, I think he's a legislator from the South, just proposed representation by each county. That's what you asked Judge. That's a proposal out there; or maybe the regions are divided up so there's more, a greater likelihood that there's a bigger balance between rural and urban. But gosh Matt, I just completely disagree that we don't share similar values with the west side. Those folks have been coming over here and giving us business, pheasant hunting, deer hunting, traveling through and staying in our motels, going down the Owyhee, going down the Deschutes, the Wallowa, the Grand Ronde, we do share a lot. And this, to me, is just another moment where we're pushing ourselves apart instead of finding solutions to bring us together. That's really my message here, and I'll continue to participate, but I'm just standing here saying, there's no problem here. But 46% of this county voted against it, and so to just ignore that, it's over simplistic.

Judge Joyce: I've got a follow up for Brent on that one. You had another senator in Oregon that said what we really need to do here is to make sure that our red map has a senator per county, and that would change the demographics just a little bit. So, on the same page, I don't know who the senator was in the South, I'd love to hear what his name is, but with that we'll get together later.

There were no further comments; Judge Joyce adjourned the meeting. The next meeting is May 8, 2023

Written comments were submitted by Bob Doughty encouraging the Court to ask Senator Findley and Representative Owens to cosponsor a bill to introduce the proposal to the State Legislature. See instrument # 2023-0074 for the written comments.