

MALHEUR COUNTY COURT SPECIAL MEETING MINUTES

September 13, 2021

A Special Meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. with Commissioner Don Hodge and Commissioner Ron Jacobs present. The meeting was held electronically. The Special Meeting was held pursuant to Initiative Measure No. 23-64 to discuss how to promote the interests of Malheur County in any negotiations regarding the relocation of the Oregon-Idaho border. 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 # 2021-4704 Various individuals were present for the meeting including: Administrative Officer Lorinda DuBois, Brent Grasty, Ruth Rubelt, Mike McCarter from Citizens for Greater Idaho, Nyssa City Manager Jim Maret, SREDA (Snake River Economic Development Alliance) Executive Director Kristen Nieskens, Paul Skeen, Abbey McDonald from the Malheur Enterprise, and Larry Meyer from the Argus Observer.

Mike McCarter from Citizens for Greater Idaho: Thank you very much and good morning Judge Joyce and Commissioners Jacobs and Hodge. As you know, in May of this year Measure 23-64, an initiative ballot measure was passed by the citizens of Malheur County requiring the County Court to meet regarding relocation of the Oregon Idaho border and/or promoting the issue. A lot has happened since May and Move Oregon's Border or Greater Idaho is moving forward. We've got seven counties that have passed similar measures. And we are working with both the Idaho Legislature and the Oregon Legislature to bring this into a discussion mode at their level. In the meantime, we feel that a measure like this is extremely important at the county level, because it gives an opportunity to the counties to kind of get a head start, that when negotiations start, and I believe that they will at some point, as to how in-depth they'll be I'm not sure. But when they do start, I think it's important that the counties have an idea of the important issues that affect their county that want to be brought up in these negotiations. Now you as a County Court, you guys I'm sure have your hands full with all the things that are changing around from a state level, from a COVID level, from a county level. And of course, the citizens hold you guys accountable to run the operation, to run the county's operation, and make sure that their best interests are looked out for. So, I'm not going to propose what I think that you might be looking at as important issues. Looking at it from somebody who lives over in Deschutes County, I'm not over in the Ontario-Vale area that often. Looking over at the Ontario area, I know that water is always a big issue that's going on. The marijuana issue is a big deal. I would think probably the prison issue because you have a very large prison in your county over there, and how all these things take place. But that's the importance issue that we think about with the County Commissioners, to take and look at these issues or even have a list of these issues. Crook County has started a committee to delve into the comparisons and some of the problems. If and when a border change takes place, it's going to be a complicated process; there's going to be a lot of steps involved; a lot of things are going to be talked about. I don't know, or I don't think we know of everything that's going to need to be talked about because it's setting some groundbreaking issues there. Borders have been changed in the past, but not to the extent that we're talking about right now. Where you can help with this

particular issue is really in your particular comments up to your state representatives and your state senator. To make sure that it's taking place in the legislature, because we know that even if every one of the counties voted in favor, it has no leverage on the legislature, because that's where it has to take place. So, our push is to get people talking about it, to get the discussions going. And hopefully at that point then we roll in, or you roll in those particular issues that are important to the County. Can I answer any questions for you about where we are going? And we're continuing with more counties - we've got Klamath County coming up in an election next Spring, Harney County's voting in November of this year. It looks like Douglas County will be voting next Spring on it, and potentially Josephine County, and we're continuing to move forward. We also have initiated a very expensive project on our side to put together a, we've potentially set up a contract with a company to do an economic impact study of what a move like this would do for both Oregon, rural Oregon counties and Idaho. And that's the meat and potatoes, that's where the bottom line sits there, and so, that's how we're working forward.

Judge Joyce asked if there was an estimated timeline. Mr. McCarter said the timeline was pretty flexible as it depends upon the legislatures taking it up and talking about it, and any legal procedures that need to be done either in Idaho to accept land or Oregon to release land to Idaho. Citizens for Greater Idaho would like to see some action take place within the next three years.

Commissioner Jacobs asked if Douglas County had previously voted on the matter and what other counties have previously voted on the matter. Mr. McCarter explained that last Spring they were 30 signatures short of qualifying the measure for the November 2020 ballot; as such, Douglas County Commissioner's put it on the ballot as an advisory vote. Enough signatures have now been gathered to place the proposed measure before the voters. Of the rural Oregon counties, other than Jackson County, Douglas County is the largest county out there so it required over 3300 signatures just to get it on the ballot. An advisory vote was done in November 2020 and 61,000 people voted on the issue; the advisory vote was 35,000 No and 26,000 Yes. The effort is not corporate or politically supported; it is Rural Oregonians financially supporting this issue and now the message is out there and the people are starting to respond. This is not a succession vote, it is a vote to start looking into the process, to start delving into it ahead of time. The decision was made in the beginning to take it county-by-county because if the county citizens weren't interested in looking into an issue like this then why even work at it. The May 2021 vote on average was 62% of the people across the five counties that were up for election on this measure voted positively on it.

Brent Grasty: Good morning, my name is Brent Grasty, I'm a local, I was born here, I just want to go on the record in opposition to the action, and I completely support and respect the results of the election in May, that question was - carry on the discussion. I think we should go forward with working through that, taking comments, but I want to see an end point to this, where we reach that point without belaboring the investments and the time of our elected officials and our public with developing a proposal that has an inordinate number of challenges and reflects more of splitting up the state than it does about working together to solve problems. I don't know if the Court can address this, or if you can Mike, but help me, check me where I'm wrong on this. This would take a majority of each of the state's legislatures, so Idaho and Oregon would have to support it in a

majority, or is that a super majority - that's the first question. Then, if there's a majority in both states, then it would go to Congress for both houses and then signed by the President. Am I off on either of those?

Mike McCarter explained that yes it does require both the Oregon and Idaho legislatures to come together to form a compact or an agreement. Once the agreement is processed and/or any potential money exchanged, then it goes to the government to approve that agreement; in this particular case Oregon and Idaho agreeing to a compact like this and then it goes to the US Congress to be approved. It doesn't add new senators, it doesn't change the mix necessarily in either the House of the Senate at the US level.

Brent Grasty asked if it was a majority or a super majority, a two-thirds majority in each of the legislatures and congress. Mr. McCarter said it is just a majority vote in both the US House and the Senate.

Mr. Grasty commented that previous boundary adjustments in history we're not politically motivated, rather they were managerial or administrative. Mr. Grasty also suggested the County keep track of how much investment it makes in this matter.

Written comments were also submitted by Brent Grasty, see instrument # 2021-4706

Commissioner Jacobs commented that this is a process set up so that people can voice their opinion and discussions can take place to determine what people want to do.

Jim Maret: The only comment that I would make is that the voters of Malheur County voted to do this and I think as a County Court you're doing a great job, we're doing what the voters have asked. I'd just like to see this through to see what happens. I think it's a great idea. I think that your 100% spot on Mr. McCarter, when you say that the Oregon legislature does not listen to this side of the State, we don't have enough representatives there, we have some great representatives within our State that are from this side, but it's a minority, and so we kind of get ran over on this side of the State and so even if it's just a matter where the State actually starts to listen to us we've accomplished some goals and I think that's the key. Whether this works or not we're going to have these meetings and continue to try and go forward. I think that's a very important point here and hopefully the State will take it seriously. Hopefully our votes will start to count a little bit more than what they do right now. So anyway, that's all I have, thank you. I appreciate everyone that's in the audience and all the comments.

Paul Skeen: Thanks for having us and I hope I can keep all my thoughts together. Everything people have said is probably all true. I do worry that we're trying to bite the whole elephant at one bite, and there is a lot of people, especially in the farming sector of the Treasure Valley that is working their way into Idaho. Some of my partners in packing facilities have had to move and I will have to move if we don't get something done. I own about 1000 acres, and on the record, if you'll look it up, Oregon has the highest death tax in the nation, tied with Massachusetts and it's a

million for me and a million for my wife and after that it's 16%. So when you take farmland that you're trying to keep in the family, it just doesn't work and so I've done a lot of talking through the years, I'm the onion president for Malheur County and we need to do something and I don't think it's going to get done in Salem, I'd love to say it is, but I don't think it's going to get done in Salem. In talking with some of my friends over on the Idaho side that are the majority leader in the House, the assistant majority leader, and Chuck Winder on the Senate side, they're ready and raring to take on, whether it be the Treasure Valley or maybe even Malheur County, but I worry that we're just trying to bite off more than we can chew to begin with. And the Treasure Valley, if you went back into the 1800's and bridges weren't a problem, the Treasure Valley would be in Idaho, or the same time zone or the same shopping centers. Our beliefs in Malheur county are very similar to those of Idaho; so, I was talking to one of them just this last week and he said, so do we need to give a situation together where we approve you before you even get approved? And I said, no, I don't think that's how it works. But they seem excited to do something. I worry that we're trying to bite off too much at one time. Again, I guess I've said that about three times. I wish things would change in Oregon. Some of you are all old enough that you remember when we used to have two Republican senators, a Republican governor, and life was a little better as far as rules and regulations. We absolutely have no voting power here whatsoever, and they know that and they treat us accordingly. And that's what's sad. Anybody got any questions for me on what we're doing? One of the things that we struggle with a little bit is the onion industry in this valley is divided by the Snake River, and so we have the Idaho Onion Growers Association, and the Malheur County Onion Growers Association. We have to have two separate boards; my board fights on defense constantly trying to stop things that are getting shoved down our throat from Salem; and Idaho meets once or twice a year. And so I see, the joke is, I see the good-looking gal over on the other side of the river and I've got...well, I'll leave that, I'll let you guys figure out what I was going to say. It's a fight for us non-stop. I never play offense, all I do is play defense in this situation with Salem.

Jim Maret: If I can comment, I'm going to tell you the city, that's all we do is play defense with the State all the time.

Paul Skeen: I know you all personally and I appreciate everything that you guys do. You know, it has nothing to do with this, but the deal at Cairo, that's getting shoved down our throats and when we can't find truck drivers, we're going to have tipped over trucks, that's what's going to happen when you put somebody in that doesn't know what they're doing. It's not like we've got CDL's (Commercial Drivers License) around here. You can go 150 miles without having a CDL, but that's another story, that's just an example of how we can't stop anything.

Mr. McCarter commented that 78% of Oregon's population is in northwest Oregon - in the Willamette Valley, and for the most part they're dealing with their issues over there and they don't even stop and consider what's going on in rural Oregon and how that's affecting us over there.

Mr. Skeen reiterated that he thinks we need to bite off a little bit to begin with and see how it works, and then move on. Mr. Skeen believes Idaho will support it if it's not too big. Mr. McCarter

explained that the reason the rural Oregon counties were chosen is that there needs to be enough people speaking out and enough state representatives trying to move it forward in the legislature.

Written comments were submitted by Ruth Rubelt: I want to encourage our Commissioners to take this seriously and with open minds. I do not want to move from Oregon, but as we are not represented well by our Governor or many of the other politicians, we find there are not many other options, but moving or changing the state lines and becoming a part of Idaho, which does a better job of representing all of their constituents. We have tried and tried, and continue to do so, to get our politicians to realize that we do not all live one way. Rules/laws/regulations for some areas, make no sense in other areas. We have a right to be represented properly. See instrument # 2021-4705

The next meeting will be the second Monday of January 2022.

ADJOURNMENT

Judge Joyce adjourned the meeting.