

JOSEPHINE COUNTY VOTERS' PAMPHLET

Official Primary Election | May 17, 2022

Dear Josephine County Voter,

Your county voters' pamphlet for the **May 17, 2022 Primary Election** has been inserted within the state pamphlet in a cost-savings cooperative effort between Josephine County and the Secretary of State. Each page of your county voters' pamphlet is clearly marked with a gray color bar on the outside edge. Please read through your pamphlet as it will provide you with information regarding the candidates that are printed on your ballot. Your pamphlet contains candidate statements submitted by those who have chosen to pay the required fee for their information to appear in your pamphlet.

Since this is a primary election, the Democratic and Republican parties will use this election to nominate their candidates for the November 8, 2022 General Election. Please remember that your ballot will only contain the candidates and measures for which you are eligible to vote. The content of the ballot you receive is dependent upon your party affiliation and the districts in which you reside.

- If you are registered with a major political party (**Democratic or Republican**), you will receive your party's nominating ballot that will contain the candidates of your party along with any nonpartisan races and measures.
- If you are registered with a minor political party (**Americans Elect, Constitution, Independent, Libertarian, Pacific Green, Progressive, Working Families**) or have listed **Other** as your party selection, you will receive a nonpartisan ballot with only nonpartisan races and measures.
- If you are not registered with any political party (**Not a member of a party**), you will receive a nonpartisan ballot with only nonpartisan races and measures.

If you are a registered voter and have not received your ballot in the mail by Thursday, May 5th, please call your County Clerk's office at (541) 474-5243.

I ENCOURAGE YOU TO EXERCISE YOUR RIGHT TO VOTE: it's your choice and it's your voice!

Sincerely,



RHIANNON HENKELS
Josephine County Clerk & Recorder

Are you registered to vote? The receipt of this voters' pamphlet does not guarantee you are a registered voter. You may check your registration status at www.oregonvotes.gov or by contacting your local elections office at (541) 474-5243. The deadline for new registration and party updates is **April 26, 2022**. Additional voter registration information is available in the state portion of your voters' pamphlet.

Index to Voters' Pamphlet

All candidates were invited to participate in this pamphlet. The following candidates submitted information.

Measures	
17-105	17-4
17-106	17-18

Candidates	
DeLaGrange, Brian.....	17-22
Hicks, Wally	17-23
Jones, Mark F.....	17-21
Richardson, Gary.....	17-20
Seligman, Mark J	17-22
Von Hruska, Neigel.....	17-21
West, John.....	17-20
Voting Instructions	17-2
Precinct Committeepeople	17-3
Drop Site Locations	17-24

ATTENTION: This is the beginning of the Josephine County voters' pamphlet. The county portion of this joint voters' pamphlet is inserted in the center of the state's portion. Each page of the county voters' pamphlet is clearly marked with a gray color bar on the outside edge. All information contained in the county portion of this pamphlet has been assembled and printed at the request of County Clerk Rhiannon Henkels.

HOW TO CAST YOUR VOTE:

1. Complete your ballot

To vote, completely fill in the box next to your choice.

To vote for a person not on the ballot, fill in the oval next to the “write-in” line, then neatly write the name of the person on the line provided.

You do not have to vote on all contests. Those you do vote on will still count.

2. Check for errors

If you vote for more options than are allowed, your vote **will not count** for that contest.

If you think you made a mistake, call the Josephine County Elections Office.

If you would like to change your choice on a contest, draw a solid line through your original choice, then make your next selection.

3. Optional: Use the “secrecy” sleeve

If you use the optional “secrecy” sleeve, put only your voted ballot (not another person’s ballot) inside. Then, put only your secrecy sleeve inside your return envelope.

(If we receive an envelope with more than one ballot inside, all enclosed ballots are rejected and not counted.)

You are not required to use the “secrecy” sleeve.

4. Sign your return envelope

You must sign your return envelope or **your vote will not count.**

We verify every signature on every envelope against the voter files.

5. Return your ballot

- By mail – Stamps are no longer required (ballot return envelopes in Oregon now use prepaid postage)
- At any Official Ballot Drop Site (see list on the back of this pamphlet)
- At the County Clerk’s/Elections Office

WHAT IS A PREPAID POSTAGE ENVELOPE?

You don’t have to find a stamp

With prepaid postage, you no longer have to search for a stamp to mail back your voted ballot.

All ballots in Oregon will be sent to voters with a prepaid postage return envelope.

How does it work?

If you mail back your voted ballot, the Post Office will charge the State of Oregon for each ballot sent back to an Elections Official.

Only those ballots sent back through the mail will be charged to the State.

What about Drop sites?

Using one of Josephine County’s 8 drop sites is faster, cheaper and will reach us before the deadline.

Return your ballot

- By mail (must be postmarked by Election Day)
- At any Official Ballot Drop Site (see list on the back of this pamphlet)
- At the County Clerk’s/Elections Office

WHAT ABOUT POSTMARKS?

Beginning January 1, 2022, **postmarks can count.** However, your ballot must be:

- Signed,
- Postmarked on or before Election Day,
- Received by the County Clerk’s Office within seven days after Election Day.

Josephine County Elections

web: www.co.josephine.or.us
email: clerk@josephinecounty.gov

ph: (541) 474-5243
tty: (800) 735-2900

PRECINCT COMMITTEEPEOPLE

What is a Precinct Committeeperson?

If you are a member of the Democratic or Republican party, you will receive a ballot with “Precinct Committeepersons” on it.

- These are people who represent their political party in each precinct on a countywide “Central Committee”.
- Precinct Committeepople help set the party agenda and party platform.
- They act as directors of the local party Central Committee, attend meetings of the committee, help candidates run for office, and conduct the business of the party.
- Central Committees elect people to represent the county at the state level, and those members select the representatives to the national committees.
- They also help select replacements for vacated state offices (Oregon House or Senate offices).

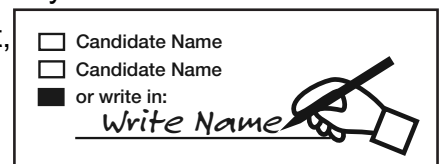
Voting for Precinct Committeepersons (PCPs):

To qualify as a Precinct Committeeperson (PCP), one must have lived in the county and have been registered in their political party for at least 180 days prior to the Primary Election. A person can represent the precinct in which they live, an adjacent precinct (within the same county) or another precinct within the same House District (within the same county). They serve a two-year term.

A Committeeperson is elected in each precinct for every 250 voters (or major part thereof) that are registered in the precinct as of September 8th (251 days prior to the Primary Election). There is a list showing the positions available as well as a list of current position holders from both parties on our website.

Your ballot will indicate how many offices are available in your precinct. For instance, it would say “Vote For Six” if there are six offices available for your precinct. If you are not registered as a Democrat or Republican, Precinct Committeepersons will not appear on your ballot.

- You **do not have to vote** for any PCPs (yes, the rest of your votes will still count).
- You do not have to complete each available position if you do not want to.
- Where a candidate has filed, mark your selection like any other race.
- If you want to write in a name that is not on the ballot, fill the box next to “Write-in”, then neatly write the person’s name of your choice on the line provided.
- To be elected, a “write-in” candidate must:
 - A. receive at least 3 (three) votes from members of their party in that precinct
 - B. and have filed an SEL 105D before election night
 - C. or someone else needs to have filed an SEL 105N before election night
- Only write-in candidates who have the appropriate SEL 105 D or N form filed with the elections office by 8:00 p.m. on Election Night will have their names listed on official results.



Measure 17-105 Josephine County

17-105

Repeal of Josephine County Ordinance 2021-002

QUESTION: Should Josephine County Ordinance 2021-002 be repealed?

SUMMARY: The recently approved Josephine County Ordinance 2021-002 gives County Code Enforcement "Citation Authority" by authorizing Josephine County's Planning Director, Building Official, Public Health Director and designates to issue civil "infraction citations" for violations of Title 19 of the Rural Land Development Code ("RLDC").

The citation authority requires County to continue the notification and compliance process for most violations of the RLDC. Activities involving the unlawful manufacture or possession of cannabis or other controlled substances are subject to immediate citation.

Ordinance 2021-002 outlines the Administrative Search Warrant process under the RLDC as well as establish the right to and process of the hearing in Josephine County Circuit Court.

Ordinance 2021-002 also outlines the fine amounts for civil infractions on either a "per day" or "per violation" amount, requires an "[a]t least once per calendar year" update on the impacts of the ordinance, and has an "automatic sunset" provision absent Board Action of January 18, 2025.

Under Oregon law, the ordinance is only enforceable in the unincorporated areas of Josephine County.

R-2021-1 seeks to repeal this ordinance.

Violations of county ordinances are prosecutable as public nuisances. The present method for enforcing county land use laws starts with investigating complaints provided by citizens. If a property owner does not cure an alleged violation, under current law the county may sue the property owner in Circuit Court to seek compliance and punishment through fines. A "Yes" vote would retain this as the county's method for enforcement. A "No" vote would temporarily add the option of immediately citing violators into court. A "No" vote would also temporarily increase fines and would temporarily change other parts of the county's land use laws.

In summary: a "Yes" vote would keep the land use law as it is; a "No" vote would temporarily change the law.

(This information furnished by M. Wally Hicks, Josephine County Legal Counsel.)

Explanatory Statement

A "Yes" vote would keep local land use laws as they are. A "No" vote would temporarily change land use laws in Josephine County that apply to properties outside of cities and Urban Growth Boundaries.

Counties and cities in Oregon are required to regulate land use by enforcing state and local laws. Josephine County's local land use laws were created by passing a series of county ordinances. The county's land use laws apply to properties that are located outside the city limits of Grants Pass and Cave Junction, and outside the Urban Growth Boundaries for those cities. Ordinance 2021-002 would not apply to properties located inside those cities and inside Urban Growth Boundaries.

The Board of Josephine County Commissioners passed Ordinance 2021-002, which would temporarily change local land use laws. Petitioners then gathered enough signatures to ask voters whether the ordinance should be repealed, which means rejected.

A "Yes" vote would repeal Ordinance 2021-002 and it would not go into effect. The existing county land use laws would not be affected.

A "No" vote would adopt Ordinance 2021-002 and it would be in effect until January 18, 2025. Portions of the law that would go into temporary effect based on a "No" vote are identified with a double underline. Portions of the law that would be suspended based on a "No" vote are identified by a strikethrough line across the words.

After January 18, 2025, the land use laws would return to what was in effect prior to adoption of the ordinance.

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR JOSEPHINE COUNTY
STATE OF OREGON

ORDINANCE No. 2021-002

AN ORDINANCE AMENDING THE COUNTY CODE (ORDINANCE NO. 2018-004) BY AMENDING JOSEPHINE COUNTY CODE TITLE 19: RURAL LAND DEVELOPMENT CODE, CHAPTER 19.19: VIOLATIONS; ADDING NEW SECTIONS TO CHAPTER 19.19, AND AMENDING THE TITLE OF CHAPTER 19.19 TO: VIOLATIONS; ADMINISTRATIVE SEARCH WARRANTS; CITATION AUTHORITY; FINES.

WHEREAS, Title 19 of the Josephine County Code establishes regulations for the management of Rural Land Development Code enforcement violations; and

WHEREAS, the prevalence of code enforcement violations in conjunction with unlawful activity in the county is pervasive and increasing; and

WHEREAS, alternative forms of enforcement are necessary to better address the most egregious code enforcement violations throughout the county while balancing individual property rights and due process under the law; and

WHEREAS, Josephine County is responsible for protecting the health, safety, and welfare of its citizens through state and local laws; now, therefore,

The Board of County Commissioners of Josephine County ordains as follows:

Section 1.00 TEXT AMENDMENTS

Chapter 19.19 of the Josephine County Code (JCC) is amended as follows (language ~~stricken~~ is deleted; double underlined language is new):

Sections:

- 19.19.010 Board findings; purpose.
- 19.19.020 Complaint driven violations; civil actions permissive
- 19.19.030 Penalty: Notification of violation.
- 19.19.040 Notification of violation: Compliance procedures and infraction citations.
- 19.19.050 Compliance procedure: Grounds for Issuance of Administrative Search Warrants.
- 19.19.060 Legal action: Execution of Administrative Search Warrants
- 19.19.070 Other remedies: Issuance of Infraction Citation.
- 19.19.080 Violations subject to immediate citation.
- 19.19.090 Appearance by Defendant.
- 19.19.100 Consent Decree.
- 19.19.110 Hearing.
- 19.19.120 Enforcement.
- 19.19.130 Fines for Infraction Citation
- 19.19.140 Further legal action.
- 19.19.150 Fines upon conviction in civil litigation.
- 19.19.160 Other remedies.

19.19.010 Penalty:

~~Any person violating any of the provisions of this regulation shall be punishable, upon conviction, by a fine of not more than \$500.00 for a non-continuing offense and a fine of not more than \$1,000 for a continuing offense [Ord. 85-1 § 15.237.]~~

19.19.010 Board findings; purpose.

- A. The Board of County Commissioners recognizes that there are severe and pervasive issues relating to the unlawful sale, cultivation, production, processing, wholesaling, and retailing of cannabis in Josephine County, the unlawful delivery and manufacture of controlled substances, as well as various code enforcement violations relating to these unlawful activities, including dangerous unpermitted structures, unsafe and unpermitted dwellings, unsafe and unpermitted excavations and land alterations, and the unlawful

use of water and diversion of waterways. These conditions contribute to criminal activity, create rural blight and community deterioration, and otherwise detrimentally impact County citizens' public health, safety, and welfare.

- B. The purpose of this section is to establish the procedures that Josephine County officials, primarily the Josephine County Planning Department, are required to follow in order to obtain compliance for severe code violations by use of the legal system in Josephine County. This includes procedures for giving notice to property owners for alleged code violations, the means by which property owners can obtain voluntary compliance, obtaining administrative search warrants, issuing infraction citations, and initiating lawsuits if necessary.

19.19.020 Notification of violation.

~~Upon determination of an alleged violation, the Planning Director or his assistants shall notify the property owner. Initial correspondence with the property owner shall:~~

- ~~A. Be in written form and shall be composed in such a manner that no accusations are made;~~
- ~~B. Cite the alleged violation, the section of the ordinance which may be violated, and the remedies which are available to correct the problem;~~
- ~~C. Offer the assistance of the Planning Director or his assistants to work with the property owner to correct a problem. Such correspondence shall state all options available to the land owner and which options are most likely to meet with approval. Correspondence shall specify a period of time, not more than 30 days, to abate the alleged violation. Any extension of time beyond this period shall be granted in writing by the Planning Director or his assistants, with the signature of the property owner. [Ord. 85-1 § 15.238]~~

19.19.020 Complaint driven violations; civil actions permissive.

- A. The code enforcement process in Josephine County is strictly complaint driven. The Planning Department shall not devote resources to independently seek out violations of the Josephine County Code.
- B. Except as outlined in JCC 19.19.080, the discovery of a code violation by the Planning Department shall not result in immediate legal action by way of an infraction citation or a lawsuit.
- C. The initiation of any enforcement actions by Josephine County, including issuing infraction citations and initiating lawsuits, is permissive and not mandatory. Decisions not to initiate any civil actions are discretionary in nature and shall be made upon consideration of the severity of the alleged violation, the property owner's cooperation, and County staff, time, and resources necessary.

19.19.030 Compliance procedure.

- ~~A. If the Planning Director has reasonable cause to believe a violation of this title exists, a site inspection may be conducted on the property by the Planning Director or his assistants with the consent of the property owner. If the property owner refuses access to the property, the Director shall document such refusal and utilize other available legal remedies to gain access to said property.~~
- ~~B. If an alleged violation is not abated within the period authorized by the original notification, the Planning Director or his assistants shall attempt to document the violation with photographs and appropriate field notations. Departmental files shall contain a recording of the time, date and location of any photographs pertaining to the alleged violation, together with the names of any witnesses who, in addition to the enforcement officer, viewed the alleged violation.~~
- ~~C. Prior to submission of the alleged violation for legal remedy, the Planning Director or his assistants shall attempt to recontact the property owner, explain the standards of the ordinance, and seek to obtain voluntary compliance with the law. If an extension of time is necessary, such extension shall be agreed to in writing and shall be limited to no more than 30 days, or a compliance schedule with intermediate program check-ups.~~

- D. ~~If the property owner does not respond to notifications of violation, the Planning Director shall prepare documentation of the alleged violation for submission for appropriate legal remedy. Prior to submission of the violation the Director shall send a certified letter containing the following:

 - 1. ~~Citation of previous compliance request, extensions of time, or commitments;~~
 - 2. ~~Description of alleged violations and necessary corrective actions; and~~
 - 3. ~~Indication of a time limit of 15 days to comply with the ordinance and a statement that if the alleged violation is not corrected within the time limit, formal legal action will begin without further notice.~~~~
- E. ~~The Planning Director or his assistants shall continue to offer to meet with the property owner to discuss any alleged violation and to secure a possible solution other than a court proceeding. Formal correspondence shall include a copy of the applicable sections of the County ordinance and copies of all previous correspondence and agreements related to the matter. [Ord.85-1 § 15.239].~~

19.19.030 Notification of Violation.

Upon determination of an alleged violation, the Planning Director or his or her designates shall promptly notify the property owner in writing, either through personal delivery or both regular first-class mail and certified mail, return receipt requested. Initial correspondence with the property owner shall:

- A. Cite the alleged violation, the section of the ordinance which may be violated, and the remedies which are available to correct the alleged violation;
- B. Offer the assistance of the Planning Director or his or her designates to work with the property owner to correct an alleged violation.
- C. Such correspondence shall state all options available to the property owner to remedy the alleged violation and which options are most likely to meet with approval.
- D. Correspondence shall specify a period of time, not more than (thirty) 30 days, to abate the alleged violation. Any extension of time beyond this period shall be granted in writing by the Planning Director or his or her designates, with the signature of the property owner.

19.19.040 Legal action.

~~Upon determination that voluntary compliance cannot be obtained, the Planning Director shall submit all evidence and documentation of the alleged violation to the District Attorney's Office for prosecution or to the Board of County Commissioners for civil remedy. [Ord. 85-1 § 15.240.]~~

19.19.040 Compliance procedures and infraction citations.

- A. If the Planning Director has reasonable cause to believe a violation of this title exists, a site inspection shall be conducted on the property by the Planning Director or his or her designates with the consent of the property owner. If the property owner refuses access to the property, the Director or his or her designates shall document such refusal and may apply for an administrative search warrant to gain access to said property pursuant to JCC 19.19.050 and JCC 19.19.060.
- B. The Planning Director or his or her designates shall attempt to document the alleged violation with photographs and appropriate field notations. Departmental files shall contain a recording of the time, date and location of any photographs pertaining to the alleged violation, together with the names of any witnesses who viewed the alleged violation.
- C. Prior to submission of the alleged violation for legal remedy, the Planning Director or his or her designates shall notify the property owner of the alleged violations in writing to attempt to obtain voluntary compliance with the law.
- D. Any extension of time to abate the alleged violation as a result of the notice described by subsection C of this Section shall be granted at the sole discretion of the Planning Director. Such extension shall be agreed to in writing and shall be limited to no more than fifteen (15) days, or a compliance schedule with intermediate program check-ups.

- E. If an alleged violation is not abated within the period authorized by the notice described in subsection C of this Section or no response is received from the property owner, the Planning Director, or his or her designates shall be authorized to issue an infraction citation pursuant to the provisions outlined in JCC 19.19.070.
- F. In addition to the remedy provided for in subsection E of this Section, if the property owner does not respond to notifications of violation, the Planning Director shall prepare documentation of the alleged violation for submission for appropriate legal remedy. Prior to submission of the violation the Director shall send a certified letter containing the following:
 - 1. Citation of previous compliance requests, extensions of time, or commitments;
 - 2. Description of alleged violations and necessary corrective actions; and
 - 3. Indication of a time limit of seven (7) days to comply with the ordinance and a statement that if the alleged violation is not corrected within the time limit, formal legal action will begin without further notice from the Planning Department.
- G. The Planning Director or his or her designates may continue to offer to meet with the property owner to discuss any alleged violation and to secure a possible solution other than a court proceeding. Formal correspondence shall include a copy of the applicable sections of the Josephine County Code and copies of all previous correspondence and agreements related to the matter.

19.19.050 Other remedies:

In addition to penalties provided by ORS 203.065, the Board of County Commissioners may utilize such remedies for violations of this title as are authorized by ORS 215.185. [Ord. 85-1 § 15.241.]

19.19.050 Grounds for Issuance of Administrative Search Warrants.

- A. Any judge with jurisdiction in Josephine County is authorized to issue an administrative search warrant upon application by the County Attorney, Building Official, Planning Director, or their designates, acting in the course of their official duties, whenever an inspection or investigation of any place is required or authorized by any ordinance or regulation. The warrant is an order authorizing the inspection or investigation at a designated location.
- B. An administrative search warrant shall be issued only upon cause, supported by affidavit. Such affidavit shall:
 - 1. Particularly describe the applicant's status in applying for the warrant;
 - 2. The ordinance or regulation requiring or authorizing the inspection or investigation;
 - 3. The full address to be inspected or investigated;
 - 4. Background information on the property, including past compliance issues related to the alleged violations present on the property or a refusal by the property owner to give consent to inspect the property;
 - 5. The purpose for which the inspection or investigation is to be made, including the basis upon which cause exists to inspect;
 - 6. A statement that entry has been sought and refused or the facts or circumstances reasonably showing that the purposes of the inspection or investigation might be frustrated if entry were sought without a warrant.
- C. Cause shall be deemed to exist if reasonable legislative or administrative standards for conducting a routine, periodic or area inspection are satisfied with respect to the location, or if there is probable cause to believe that a condition of nonconformity with a health, public protection or safety ordinance, regulation, rule, standard or order exists

with respect to the particular location, or an investigation is reasonably believed to be necessary in order to determine or verify the condition of the location.

D. Before issuing any administrative search warrant, the Judge shall examine the applicant or any other witness under oath and shall be satisfied of the existence of grounds for granting such application.

E. If the Judge is satisfied that cause for the inspection or investigation exists and that the other requirements for granting the warrant are satisfied, the Judge may issue the administrative warrant. An administrative search warrant shall:

1. Specifically identify the actions to be taken by the Planning Director or his or her designates.

2. Specifically identify who is allowed entry onto the property under the warrant, including law enforcement;

3. Specifically indicate the timeframe, manner, and places to be searched, and, if necessary, things to be seized;

4. Contain a direction that the administrative search warrant be executed on any day of the week between the hours of 8:00 a.m. and 5:00 p.m., or at any particular time as ordered by the Court.

19.19.060 Execution of Administrative Search Warrants.

A. Except as provided in subsection B of this Section, the person authorized to execute the administrative search warrant shall, before entry, make a reasonable effort to present credentials, authority and purpose to an occupant or person in possession of the property designated in the warrant and show the warrant or a copy thereof upon request.

B. The person authorized to execute the administrative search warrant need not inform anyone of the person's authority and purpose, as prescribed in subsection A of this Section, but may promptly enter the designated location if it is vacant or not in the possession of any person or at the time reasonably believed to be in such condition.

C. A peace officer may be requested to assist in the execution of the administrative search warrant.

D. The inspection pursuant to the administrative search warrant shall take place in the presence of either the owner of the place or premises to be inspected or of a lawful occupant thereof over the age of eighteen (18) years, unless specified otherwise in the warrant.

E. An administrative search warrant must be executed and returned to the Judge by whom it was issued within (fourteen) 14 days from its date, unless such Judge, before the expiration of such time and on motion of the applicant, extends the time for five (5) days. After the expiration of the time prescribed by this subsection, any administrative search warrant is deemed void unless executed.

F. No person shall hinder, delay, impede or otherwise interfere with any enforcement officer in the course of executing or attempting to execute an administrative search warrant which is apparently valid on its face, or making or attempting to make any inspection authorized by such warrant.

G. An administrative search warrant may not be used as a pretext for entry by law enforcement for the primary purpose of conducting a criminal investigation.

19.19.070 Issuance of infraction citation.

A. Except provided in subsection (E), the Planning Director, Building Official, Public Health Director, their designates within any of the aforementioned departments, or a law

enforcement officer may issue an infraction citation for violations of Title 19 of the JCC. All infraction citations shall conform to the requirements of this section and shall be on a form provided and printed by the County. A signed infraction citation shall be filed with the Josephine County Court charging the responsible person with a civil infraction.

- B. The citation shall consist of a Complaint and Summons. The citation shall include the following:
1. The name of the court and public body on whose behalf the infraction citation is being issued;
 2. The name of the responsible person(s) alleged to have committed the infraction;
 3. The name and title of the individual issuing the citation;
 4. The infraction or code provision which the person is to have allegedly violated;
 5. A brief description of the alleged infraction written so that it can be readily understood by a person making a reasonable effort;
 6. The date, time and place the infraction allegedly occurred;
 7. The amount of the fine for the alleged infraction;
 8. The time and place at which the person is to appear in circuit court;
 9. A statement by the enforcement officer to the effect that he/she has reasonable grounds to believe, and does believe, that the person cited committed the infraction.
- C. Any error in the citation may be corrected at a hearing or prior to the hearing upon notice to the person cited. The citation shall be set aside by the Court due to error only upon a request by the person cited made before the close of the hearing and upon a determination that the error is prejudicial to the person's defense. Failure to make a request of the Court to set aside the citation before the conclusion of the hearing shall constitute a waiver and will be an absolute bar to raising this issue at a later date.
- D. Service of the citation shall be made in the manner prescribed for the service of summonses in Rule 7D of the Oregon Rules of Civil Procedure.
- E. Any open violations listed in JCC 19.19.150.A(1) and JCC 19.19.150.A(2) existing on or prior to January 1, 2016 that do not involve unlawful cannabis activities or unlawful controlled substance activities as described in JCC 19.19.150.B:
1. Shall not be subject to the citation process outlined in JCC 19.19.050 to JCC 19.19.100.
 2. Shall not be subject to further legal action or civil litigation outlined in JCC 19.19.140 to JCC 19.19.160.

19.19.080 Violations subject to immediate citation.

Notwithstanding the notice and compliance procedures outlined in JCC 19.19.030 and JCC 19.19.040, the following violations shall be subject to immediate citation without any prior notice:

- A. Any violation listed in JCC 19.19.150.A associated with, or directly involved in, any unlawful cannabis activity outlined in JCC 19.19.150.B(2).
- B. Any violation listed in JCC 19.19.150.A associated with, or directly involved in, any unlawful activity relating to controlled substances outlined in JCC 19.19.150.B(3).
- C. The unlawful delivery, production, manufacture, or any form of activity associated with or directly derived from of a controlled substance as defined in ORS 475.005(6)(a).
- D. The sale, cultivation, production, processing, wholesaling, retailing, research of cannabis,

or any form of activity associated with or directly derived from a cannabis business in any zoning classification without a valid license to engage in such activities from the Oregon Liquor and Cannabis Commission (OLCC), the Oregon Medical Marijuana Program (OMMP) as administered by the Oregon Health Authority (OHA), the Oregon Department of Agriculture (ODA), and Josephine County.

19.19.090 Appearance by Defendant.

Any defendant who is issued an Infraction Citation must either:

- A. Personally appear at the date, time and place set by the Summons;
- B. Prior to the date and time set by the Summons, enter a plea of guilty or no contest by delivering the completed Summons to the Court as directed by the Summons, with appropriate payment and any written statement; or
- C. Prior to the date and time set by the Summons, enter a plea of not guilty by delivering the completed Summons, as directed by the Summons, with a request for trial or hearing, prior to the date and time set by the Summons.

19.19.100 Consent Decree.

- A. At any time prior to a hearing on an infraction citation, the county and the responsible person(s) may enter into a consent decree. The consent decree shall provide for necessary corrections to bring the property into conformance with appropriate county ordinances, without admission of violation.
- B. The responsible person(s), or attorney(s) if any, and the county counsel or his or her designates shall sign all consent decrees.
- C. The consent decree shall be filed with the court as a final adjudication of the proceedings and shall constitute a dismissal of the action upon agreed performance. Either party may seek a court order dismissing the case upon compliance with the conditions of the consent decree.
- D. Failure to comply with the consent decree will allow the county to seek any additional remedies provided by state or local law.

19.19.110 Hearing.

- A. Every hearing to determine whether an infraction has occurred shall be held before the Circuit Court.
- B. The hearing shall be limited to the production of evidence only on the infraction alleged in the citation.
 - 1. Any relevant evidence shall be admitted.
 - 2. Oral evidence shall be taken only on oath or affirmation.
 - 3. Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence. Hearsay evidence shall not be sufficient alone to support a finding unless such evidence would be admissible over objection in civil actions in courts of competent jurisdiction in this state.
- C. The person cited shall have the right to present evidence and witnesses, to cross-examine witnesses who testify against them, and to submit rebuttal evidence.
- D. The person cited may be represented by counsel, but counsel shall not be provided at public expense. If defense counsel is to appear, written notice shall be provided to the designated court no later than ten (10) business days prior to the hearing date.
- E. The county shall have the burden of proving the infraction by a preponderance of the evidence.

- F. After consideration of the evidence and arguments presented at the hearing, the Court shall determine whether the infraction as alleged in the complaint has been established. If the infraction has not been established, the Court shall enter an order dismissing the complaint. If the infraction has been established, or the fine has been paid by the defendant, the Court shall enter a judgment consistent with its findings.
- G. Unless otherwise provided by ordinance, upon establishment of the commission of an infraction, the Court shall assess a fine pursuant to JCC 19.19.130.
- H. The County shall be entitled to recover all reasonable and necessary costs and disbursements incurred in the successful enforcement of an infraction citation, including attorney fees. Costs shall be assessed by supplemental judgment outlined in Rule 68 of the Oregon Rules of Civil Procedure.
- I. Any appeal of a determination by the Court herein shall only be by writ of review pursuant to ORS Chapter 34.

19.19.120 Enforcement.

- A. If a cited person fails to answer the summons or appear at a scheduled hearing as provided herein, the Court may enter a default judgment for the fine associated with the infraction citation.
- B. Fines assessed for infractions occurring on real property or for improper use of real property or liens for the costs of abatement of a public nuisance are county liens against real property and collectible in the same manner as other such debts owing to the county.
- C. The procedure to abate a nuisance is an additional remedy to the civil infraction citation procedure. Imposition of a fine does not relieve a person of a duty to abate a nuisance. Abatement of the nuisance shall not constitute a defense to the imposition of a fine for an infraction citation.
- D. At the Court's discretion, any fine or cost not paid within sixty (60) days from the date of the Court's order may be assigned to a collection agency for collection.
- E. At the Court's discretion, any fine or cost not paid within sixty (60) days from the date of the Court's order may be recorded as a lien in the county lien record. In addition to any other remedy provided by law, recording an order in the county lien record shall have the same effect and may be enforced as provided in ORS 205.125 and 205.126.

19.19.130 Fines for Infraction Citation.

Fines for infraction citations are as follows:

- A. A fine of \$500 for each violation for:
 - 1. Any violation listed in JCC 19.19.150.A, and not associated with unlawful cannabis activity outlined in JCC 19.19.150.B(2) or unlawful activity relating to controlled substances outlined in JCC 19.19.150.B(3).
- B. A fine of \$500 per day per violation for:
 - 1. Any violation listed in JCC 19.19.150.A which is associated with or directly involved with any unlawful cannabis activity outlined in JCC 19.19.150.B(2).
 - 2. Any violation listed in JCC 19.19.150.A which is associated with or directly involved with any unlawful activity relating to controlled substances outlined in JCC 19.19.150.B(3).
- C. A fine of \$500 per day for:
 - 1. Any violation listed in JCC 19.19.150.B.

D. The penalties enumerated in Subsections A and B herein are in addition to, and not in lieu of, any other remedies provided by federal, state, and local law.

19.19.140 Further legal action.

In addition to or in lieu of the remedies provided in this chapter, upon determination that voluntary compliance cannot be obtained, the Planning Director shall submit all evidence and documentation of the alleged violation to the District Attorney's Office for prosecution or to Legal Counsel for civil remedy.

19.19.150 Fines upon conviction in civil litigation.

Any individual, corporation, or entity that violates any of the provisions of this regulation shall be, upon conviction in a court of competent jurisdiction, assessed a fine as follows:

A. A fine of \$1,000 for each violation for:

1. Erecting or maintaining structures without a development permit required by JCC 19.41.020;
2. Erecting or maintaining multiple structures as dwellings, including, but not limited to sheds, shacks, outbuildings, or garages, and allowing residents or individuals to reside therein;
3. Maintaining recreational vehicles, automobiles, tents, or tarps as dwellings and allowing residents or individuals to reside therein;
4. Establishing, constructing, erecting, moving, reconstructing, replacing, extending, enlarging, altering, or otherwise changing the character of land without a development permit required by JCC 19.41.020;
5. Unpermitted diversion of streams, creeks, rivers, or any other waterways;
6. Any other adjudicated violation of JCC Title 19.

B. A fine of \$1,000 per day for:

1. Any violation listed in JCC 19.19.150.A associated with, or directly involved in, any unlawful cannabis activity or any unlawful activity relating to controlled substances outlined in this section.
2. The sale, cultivation, production, processing, wholesaling, retailing, research of cannabis, or any form of activity associated with or directly derived from a cannabis business in any zoning classification without a valid license to engage in such activities from the Oregon Liquor and Cannabis Commission (OLCC), the Oregon Medical Marijuana Program (OMMP) as administered by the Oregon Health Authority (OHA), the Oregon Department of Agriculture (ODA), and Josephine County.
3. The unlawful delivery, production, manufacture, or any form of activity associated with or directly derived from of a controlled substance as defined in ORS 475.005(6)(a).

C. The penalties enumerated in Subsections A and B herein, are in addition to, and not in lieu of, any other remedies provided by federal, state, and local law.

19.19.160 Other remedies.

In addition to penalties provided by ORS 203.065, the Board of County Commissioners may utilize such remedies for violations of this title as are authorized by ORS 215.185.

Section 2.00 AUTOMATIC SUNSET PROVISION

The amendments from this ordinance shall sunset automatically and without any Board action three years from its effective date on January 18, 2025, at which time the provisions of Chapter 19.19 will revert to what was in effect prior to the adoption of this ordinance.

Section 3.00 EFFECTIVENESS REVIEW

At least once per calendar year beginning in 2022 the Planning Director shall provide to the Board of County Commissioners, in an open meeting, a formal report regarding the impact and effectiveness of this ordinance.

Section 4.00 CODIFICATION

This chapter shall be codified as JCC Chapter 19.19, entitled “Violations; Administrative Search Warrants; Citation Authority; Fines.”

Section 5.00 AFFIRMATION

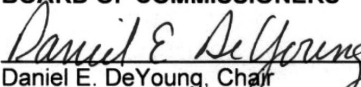
Except as specifically amended by the provisions of this ordinance, the Josephine County Code, as previously adopted and amended, is hereby affirmed.

Section 6.00 EFFECTIVE DATE

First reading by the Board of County Commissioners this 29th day of September, 2021.

Second reading and adoption by the Board of County Commissioners at least thirteen (13) days from the first reading, this 20th day of October, 2021. This ordinance shall take effect ninety (90) days after its adoption by the Board of County Commissioners.

**JOSEPHINE COUNTY
BOARD OF COMMISSIONERS**



Daniel E. DeYoung, Chair

Opposed

Herman Baertschiger, Jr., Vice Chair



Darin J. Fowler, Commissioner

APPROVED AS TO FORM:



M. Wally Hicks, Legal Counsel

Measure 17-105 Arguments

Argument in Favor

Support Private Property Rights! Vote YES to REPEAL ordinance 2021-002 so that it will NOT become law.

The Oregon constitution requires that, to be sworn in as an Oregon Senator, each Senator must take an oath to uphold the Constitutions of the United States and Oregon.

As your Senator, it is my duty to oppose ordinance 2021-002. It not only violates the Constitution, but it clearly erodes the property rights and freedoms of every citizen in this county.

Ordinance 2021-002 would enable the planning department to search your property without probable cause (section 19.19.050C defines cause as almost anything and authorizes administrative search warrants not judicial warrants).

Eight years ago, a similar attempt to allow bureaucrats access to our private property was prevented by a vote of 79% to 21%. Josephine County residents value their property rights and their freedoms and voted accordingly.

Ordinance 2021-002 was forced on us by unelected bureaucrats and two commissioners, who also refused to put it on the ballot for a vote. A petition drive was therefore organized. With 1,619 signatures required, 4,254 were submitted - more than 2 ½ times the number needed. Josephine County citizens are determined to give voters a chance to repeal this ordinance and prevent it from becoming law – despite the effort required in a short time during winter weather.

The bureaucrats tell us that if we allow this ordinance to become law, it will help with illegal marijuana problems in the county. This is not true. It will instead allow bureaucrats to harass and, in many cases, confiscate through fines and foreclosures the property of ANY property owner that violates their demands. Illegal drug operations are a matter for law enforcement. Eroding everyone's property rights will not help with this situation.

Please do not trust bureaucrats with these powers.

Vote YES to REPEAL ordinance 2021-002 and prevent it from taking effect.

Thank you!!

Senator Art Robinson

(This information furnished by Senator Art Robinson.)

Argument in Favor

I encourage voters to vote **YES** on Measure #17-105 to Repeal Ordinance 2021-002. This ordinance was presented as a resource to crack down on illegal grows within the county but does little to accomplish that goal.

Under Oregon law, the ordinance is **only enforceable in the unincorporated areas of Josephine County** which means that it has **zero effect on code violations within the city limits of Grants Pass** or Cave Junction.

The Current Josephine County Code (Prior to the ordinance) Title Chapter 19.19 Allows for:

- 19.19.010 - a fine of not more than \$500.00 for a noncontinuing offense and a fine of not more than \$1,000 for a continuing offense.
- 19.19.030 - If the Planning Director has reasonable cause to believe a violation of this title exists, a site inspection may be conducted. If the property owner refuses access to the property, the Director shall document such refusal and utilize other available legal remedies to gain access to said property.
- 19.19.040 - Legal action. Upon determination that voluntary compliance cannot be obtained, the Planning Director shall submit all evidence and documentation of the alleged violation to the District Attorney's Office for prosecution or to the Board of County Commissioners for civil remedy.

This ordinance ONLY addresses unpermitted structures

This ordinance does not address:

- Stolen water from unauthorized sources (414,000,000 gallons per year)
- Human Trafficking
- Increased traffic volume in our neighborhoods
- The growing of unlawful Cannabis

The difference between the current code and the proposed code are the fines to be assessed. If this ordinance remains, unlawful cannabis activity would be subject to a \$1,000 per day fine **AFTER** being convicted.

The Sheriff's Office currently has the necessary laws to fight the unlawful cannabis crisis

Are you willing to exchange your property rights simply because the county intends to levy a fine on cannabis growers which would likely never be paid, and the property would then be seized by the county?

Vote Yes on Measure 17-105

(This information furnished by Friends of Jon Knapp for Sheriff.)

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

Measure 17-105 Arguments

Argument in Favor

Vote YES on Measure #17-105 to Repeal Ordinance 2021-002.

This ordinance opens the door to property rights violations and adds many costs that will lead to higher taxes or a dependency on fine collection. Commissioner Baertschiger voted to refer the matter to county citizens for our vote; the other two Commissioners unwisely pushed the matter through. Citizens had no option but to file a referendum, then submitted 4254 signatures (only 1619 were required) to insure citizen input.

- The ordinance was an amendment to 2018-004, which already contained the tools necessary to take legal action, which begs the question: Why were these laws not already being enforced?
- Ordinance 2021-002 is dangerous; it causes untrained Code Enforcement staff to follow up on complaints, conduct site inspections and write citations to cartels. Adding Law Enforcement personnel for protection multiplies the cost and amplifies the obvious: this should be a function of Law Enforcement, not Code enforcement. It will have little, if any, effect on cartels.
- The revenue-generating aspect of Ordinance 2021-002 is evident; although it is unlikely that cartels will ever pay a dime. Local citizens, however, will pay fines – up to and including loss of their properties.
- Requests for subpoenas, notices, court appearances, etc. add many additional man-hours and significant delays for which taxpayers will ultimately pick up the tab. Cartels will have planted, harvested and moved on long before these matters are resolved.
- Theft of water, sewage management, human trafficking, illegal sales, etc. should be referred to agencies, such as the OHA, OLCC, The Watermaster, DEQ and ICE, which our tax dollars already support. It makes no sense to add unnecessary costs to the county.

Considering the many unintended consequences, Ordinance 2021-002 needs to be scrapped in favor of one with realistic objectives, budget limitations, safe practices, cartel focus and citizen input.

Vote YES on Measure #17-105 to Repeal Ordinance 2021-002.

(This information furnished by Holli Morton, Josephine County Republican Party, Chair.)

Argument in Favor

Vote YES on Measure #17-105 to Repeal Ordinance 2021-002.

The reasons given for this ordinance do not tell you that there are laws which are currently available with which to prosecute the (Statements appearing in quotation marks come from the Ordinance 2021-002 BCC 10/20/21 meeting) “prevalence of code enforcement violations in conjunction with unlawful activity in the county” which is purported to be “pervasive and increasing”. While this ordinance claims to better “address” these “egregious violations” “while balancing individual property rights and due process under the law”, it appears disingenuous in that it really lowers the level for enforcements to be applied thus not actually protecting property rights.

Where once Law Enforcement was required to seek a search warrant, this ordinance only requires a Code Enforcement Officer, a Building Official, the Planning Director, Public Health Director, “or their designee(s)” to seek an “Administrative Search Warrant”. The “designees” could be anyone working in the department or possibly another department as long as they are “designated”.

So, while the County Board of Commissioners (two of them) voted for this Ordinance, it took over 4,000 signatures to get it put on this ballot for the people to vote on. This ordinance, if read thoroughly, and applied as written, results in a weakening of your constitutional rights. Current laws have easily been used to “bust” the marijuana sites which they mention only once in the Ordinance.

This is a broadening of authority to people who are not in Law Enforcement to issue citations for any number of things and get “Administrative Warrants” to enter your property to execute that warrant. Vote YES on Measure #17-105 in order to REPEAL Ordinance 2021-02.

(This information furnished by Vivian Kirkpatrick-Pilger.)

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

Measure 17-105 Arguments

Argument in Opposition

The status quo is obviously not working. If Ordinance 2021-002 is repealed, illegal cannabis activity will flourish once again this year and beyond in Josephine County. Let's give Ordinance 2021-002 its 3-year trial period and address this crisis **NOW**. **VOTE NO on Measure 17-105.**

Ordinance 2021-002 is the result of thousands of complaints in 2021 demanding something be done about the unlicensed, black-market cannabis operations in Josephine County. These operations commonly pay no taxes, acquire water illegally, deforest riparian areas, and house workers in primitive, unsanitary conditions.

The county listened to our complaints and reacted by adopting this ordinance in October 2021. They considered going to the voters, but alternatively chose to act quickly to address the upcoming 2022 growing season. Measure 17-105 stopped the ordinance before it could demonstrate its effectiveness.

Legal cannabis producers cannot compete with massive black-market, cartel-funded operations. Ordinance 2021-002 will discourage black-market cannabis through fines that fit the crime.

Ordinance 2021-002 contains **oversight provisions** by elected county officials. **Personal property rights are protected by due process.** The Ordinance contains a sunset-clause, with expiration in 2025, and provides **exemptions** for many code violations that existed prior to 2016. **Checks and balances.**

It is a clear and critical choice we the people must now decide. Give code enforcement the tools they need to help eliminate illegal hoop houses, internment-style fences, unapproved water diversion, sub-human housing and sanitation, or accept this environment as the norm for Josephine County.

We need every available resource to stop this problem. It is not a partisan issue. It affects every citizen in Josephine County. Retaining Ordinance 2021-002 will aid law enforcement in beginning the over-whelming task of ridding Josephine County of illicit cannabis activities. **VOTE NO on 17-105.**

(This information furnished by Debbe Lawwill, Friends of Country Living.)

Argument in Opposition

If you wish to retain this Ordinance and give Law Enforcement another tool to combat illegal activity, vote "NO" to keep it.

(This information furnished by Dan DeYoung.)

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

Measure 17-106 Josephine County

17-106

Advisory question on Becoming Part of Idaho.

QUESTION: In your opinion, should Josephine County, along with other rural counties, separate from Oregon and become part of Idaho?

SUMMARY: The outcome of the election on this advisory question will not be binding. It will provide information to the Board of County Commissioners while the Board formulates policy.

Josephine County was created by the territorial legislature in 1856. It then became part of the State of Oregon when the state was formed in 1859. Josephine County has been part of the State of Oregon ever since that time. Josephine County can be part of only one state at a time.

The United States Constitution provides that parts of states may join other states by satisfying two requirements: 1) The state legislature must grant approval, and 2) the United States Congress must grant approval.

Explanatory Statement

The outcome of the election on this advisory question will not be binding. It will provide information to the Board of County Commissioners while the Board formulates policy.

Because Josephine County is located in the State of Oregon, persons in Josephine County must follow laws and rules that are approved by Oregon's government. Idaho is the state that shares Oregon's eastern border. Idaho's laws and rules are, in many cases, different from Oregon's laws and rules. Moving Idaho's border westward to include Josephine County would replace the requirement for persons in Josephine County to follow Oregon's laws and rules with a requirement to follow Idaho's laws and rules.

According to the United States Constitution, a state border can be relocated only after obtaining consent from the states affected and approval from the U.S. Congress. Due to the Constitution's requirement for legislative and Congressional approval, county resolutions have no formal role in the process for relocating state borders.

(This information furnished by Josephine County Board of County Commissioners.)

Argument in Favor

State borders can be moved:

The Oregon/Washington border was moved slightly in 1958. The current location of the Oregon/Idaho border was decided by people who never visited the Pacific Northwest, before the area was settled.

The Greater Idaho movement won elections in 2020 and 2021 in eight counties of eastern Oregon. If Josephine, Douglas and Klamath County approve Greater Idaho measures in this election, they will form an unbroken line of counties that have voted in favor of the idea all the way to the Oregon/Idaho border. A Trafalgar Group poll found Idahoans strongly in favor. The Idaho Legislature held a hearing for the movement in 2021.

Vote YES to send a message to state legislatures to look into the possibility of moving the Oregon/Idaho border to include rural Oregon into Idaho. If the Oregon and Idaho Legislatures eventually sign a deal on the details of how transferring counties to Idaho will be handled, they will most likely give the area affected a chance to approve or veto the deal in another vote. Such a deal would grandfather-in state licenses and PERS, assign certain Oregon state property to Idaho, etc.

Alternatives to Greater Idaho:

We would welcome the creation of a new state, or kicking Portland out of this state, but that would add two Republicans to the US Senate. That means that Democrats in the Oregon Legislature would never allow it. Even if they become a minority sometime, they could still walk out of the Legislature to stop it. As a former Speaker of the House, I'm confident that they are more likely to let us join Idaho. A SurveyUSA poll of northwestern Oregonian voters found support for that in January.

"I do not blame people for saying 'let's go someplace where A) we are listened to, B) we're understood, and C) people aren't trying to take stuff away from us.'" Congressman Cliff Bentz, KTVZ.com, July 10, 2021

(This information furnished by Mark Simmons, Move Oregon's Border.)

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

Measure 17-106 Arguments

Argument in Favor

We'd save money being a part of Idaho:

Oregon has the 33rd smallest tax burden, while Idaho ranks 8th, according to taxfoundation.org/tax-freedom-day-2019. Combining all taxes together, the average Idahoan paid \$1722 LESS in taxes in 2019 than the average Oregonian. That's averaging together every adult or child. On cost of living, Oregon ranks 48th, and Idaho ranks 18th according to MERIC.mo.gov.

Idaho's low taxes and light regulation would cause local industry to boom here. In December, Oregon's unemployment rate ranked 27th lowest; Idaho ranked 4th lowest.

Idaho can provide a safe future for our children. Do you trust politicians in Salem to do that?

Idaho's government respects traditional American values and law & order. Differences in law enforcement caused Oregon's crime rates to rank 35th lowest and Idaho's 3rd in 2019 according to www.usnews.com/news/best-states/rankings/crime-and-corrections/public-safety.

Idaho doesn't have a homelessness problem; Oregon's keeps growing.

Idaho is not a sanctuary state like Oregon, nor does it give driver's licenses, free health care, and financial assistance to illegal aliens. Idahoans vote at the ballot box and must show ID, unlike Oregonians. Your Oregon taxes pay for things that violate some taxpayers' consciences, like abortion.

Oregon spends more per student but gets worse results than Idaho. Oregon schools' test scores rank 33rd in the nation but Idaho's rank 11th, according to www.nationsreportcard.gov/profiles/stateprofile. Oregon's school curriculum contains radical theories on race, gender, sexuality, and anti-Americanism. Oregon limits local control, charter schools, and homeschooling. Idaho banned males in girls' sports.

Idaho's COVID mandates were statewide for a few weeks, not two years.

Idaho's governor said about our movement, "They're looking at Idaho fondly because of our regulatory atmosphere, our values. That doesn't surprise me one bit... I understand the frustration of some of my Oregon friends about the rules, the laws, the regulations that are coming out of Oregon." Governor of Idaho, Fox News, Feb. 19, 2020.

Vote YES to move Oregon's border!

Visit greateridaho.org

(This information furnished by Marcia Boettcher, Move Oregon's Border.)

Argument in Favor

Northwestern Oregon has 79% of Oregon's voters. Oregon's governor and legislature don't need any votes from southern or eastern Oregon to rule Oregon. This has led to a ruling party that ignores this area because it has only two politicians in the legislature from southern and eastern Oregon. That's why Oregon passes laws that damage southern/eastern Oregon industries and values.

But in Idaho, our representatives would be part of the majority. 80% of the Idaho legislature is Republican, and mostly rural. That hasn't changed in decades, because recent arrivals are about as conservative as other Idahoans.

Oregon hasn't elected a Republican governor in 39 years. Oregon gerrymandered legislative districts for 2022-2032 to help Democrats, so Democrats will be in control in 2032 to gerrymander districts for another decade.

Portland politicians are "reinventing" Oregon's society and our economy, but they don't understand how we make a living. In January, state government began restricting the amount of fossil fuels allowed in Oregon, on a schedule to reduce the amount by 90%. Oregon bureaucrats also imposed carbon cap & trade last year, which will increase the cost of energy dramatically in upcoming years. Our businesses won't survive if regulations make them unable to compete with other states' businesses. This will force us to make a living as white-collar workers or as dependents. That's not the Oregon I know. Cato Institute ranked Oregon 46th in regulatory freedom, but Idaho 4th.

Rural Oregon is in a bad relationship with Willamette Valley. Their politicians who won't stand up to the never-ending series of radical social experiments such as defunding the police and letting rioters and arsonists run wild. Thousands of hardened criminals were released early from state prison recently because of Portland politicians' warped morality. But they infringe on your 2nd Amendment right to defend your family.

We're not leaving Oregon; northwestern Oregon left us. Vote YES to preserve rural Oregon as a part of Idaho.

(This information furnished by Becky Lemler, Move Oregon's Border.)

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

"Measure arguments are printed as submitted. The printing of this argument does not constitute an endorsement by Josephine County, nor does the county warrant the accuracy or truth of any statements made in the argument."

Josephine County Commissioner, Position 1



**Gary
Richardson**

Occupation: Senior Embedded Software Engineer/ Manager Grants Pass Operations, FW Murphy Production Controls.

Occupational Background: Vice President of Engineering, Ryeso, Inc.; Senior Engineer,

Murphy Switch; Staff Engineer, E&C Engineering; Project Engineer, Advanced Control Technology; Airman United States Air Force.

Educational Background: Bachelor of Science, Electrical and Computer Engineering, Oregon State University, Graduated with Honors; Associate of Science, Instrumentation Technology, Community College of the Air Force; Grants Pass High School.

Prior Governmental Experience: Grants Pass School District #7 School Board.

Miscellaneous Background: Registered Professional Engineer, State of Oregon. Former Director and past President, Grants Pass Area Habitat for Humanity. Former Director and Past Chairman, Applegate Community Church. Airman of the Month, 366 CRS, Tactical Air Command. Coach for youth sports, basketball and soccer. Club leader AWANA youth clubs. Former President Alpha Kappa Lambda Fraternity, Oregon State University. Member Phi Kappa Phi, College Honorary. Tau Beta Pi, Engineering Honorary. Eta Kappa Nu, Electrical Engineering Honorary.

My family has lived in Josephine County since 1927. I grew up on the Williams Creek near Provolt. My grandfather, father, and children went to Grants Pass High School. Josephine County is a great place to live. I want it to continue to be a great place for our families and children.

My work as an engineer developing products for industry gives me valuable insight into budgeting and controlling costs. During difficult budgetary times with District #7 School Board, I helped keep our programs and community intact.

One of my goals as Josephine County Commissioner will be to help our community get a fully functioning law enforcement system. We must create a system that stops illegal marijuana grows.

Josephine County is full of self-reliant people; we can solve problems we have locally. We will not wait to be rescued by state and federal governments that do not understand or care for our community.

Together we can recognize OUR past and plan OUR future for the safety and peace of Josephine County.

(This information furnished by Gary Richardson.)

Candidate statements are printed as submitted. The above information has not been verified for accuracy by the county.

Josephine County Commissioner, Position 1



**John
West**

Occupation: Owner of Multiple Small Businesses.

Occupational Background: Wildland Firefighter, Rancher, Home Builder, Land Developer & Forester.

Educational Background: Glendale High School Graduate; Umpqua Community College Forestry Technology Graduate.

Prior Governmental Experience: City of Glendale Planning Commission, 2 years; Glendale Planning Commission Chair, 2 years.

EXPERIENCE THAT MATTERS:

Born and raised in Josephine County, John West believes in working hard. As an entrepreneur, John West has successfully built and continues to operate several multi-million-dollar businesses with dozens of people employed.

With over 30 years of wildland firefighting and multiple housing developments, John West has firsthand experience working with various levels of county government. He knows what works, what's broken, and what should be done differently to improve services, reduce government waste and bureaucracy.

Key Strengths John West brings to SERVE YOU, THE PEOPLE:

- Wildland Fire Fighting - to Better Protect Our County
- Expert Forester to Improve County Revenue
- Working Within a Budget
- First-hand Knowledge of County Processes, Planning and Building Codes
- Making Strategic Investments
- Setting and Meeting Goals
- Experience and Knowledge of Public Works
- Hands-on experience dealing with County Department Heads

JOHN WEST will strive to:

- Protect the County from Catastrophic Forest Fires
- Solve the Sheriffs Funding Problem
- Reduce Bureaucratic Planning Processes and Fees
- Reduce the Housing Shortage
- Address the Homeless Problem

- Work to Lower Taxes;
- Work to Reign-in Out-of-Control Spending
- Work to Reinstate O&C Funding
- Work to SUPPORT LOCAL BUSINESSES
- Work to Bring Business, Industry and Jobs into the area

- He will protect your property and constitutional rights
- He will defend your PERSONAL FREEDOMS & LIBERTIES

As County Commissioner, John West will work tirelessly to represent ALL citizens of Josephine County.

Find Out More About John West at:

electjohnwest.com

"I am asking for your vote." --John West

(This information furnished by John West.)

Candidate statements are printed as submitted. The above information has not been verified for accuracy by the county.

**Josephine County
Commissioner, Position 1**



**Neigel
Von Hruska**

Occupation: glassblower, and a soccer coach

Occupational Background: glassblower of twenty years, and soccer coach.

Educational Background: Illinois Valley High School .11

grade completed.GED ,and studied glass at Studio g. In Grantspass Oregon .

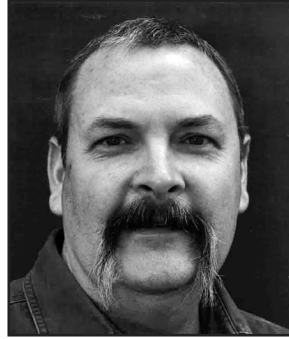
Prior Governmental Experience: Illinois Valley High School head coach varsity soccer.Served three seasons. As your commissioner I will be fearless. I will listen to everyone while getting the whole community involved in the governing of our great county. We must be watchful on the monies we receive from grants.No dealing with non governmental agencies that are supported by people like George Soros.Land rights come first and foremost so lets not make it harder to live lets get back to the basics.

Endorsed by Gill Jacobson

(This information furnished by Neigel Von Hruska.)

Candidate statements are printed as submitted. The above information has not been verified for accuracy by the county.

**Josephine County
Commissioner, Position 1**



**Mark F
Jones**

Occupation: Retired

Occupational Background: Rural Metro Fire; Josephine County Assessor's Office; City of Scottsdale Fire Department

Educational Background:

Hidden Valley High School, 12; Diploma; Maricopa Community Colleges, 14: Associate Degree

Prior Governmental Experience: Elected for Fire Board in 2021

I'm a 1988 graduate from Hidden Valley High School and grew up in the Murphy area. I moved away for almost 20 years, yet Josephine County has always been home. My vacations during that time were often spent here visiting family and friends, which led me to move back when I retired in 2018.

I spent more than 1/2 my life as a Firefighter dedicated to responding to emergencies and helping others in their time of need. This is what has led me to run for County Commissioner. Helping this county get on the right track is my new passion. As Commissioner I will be your voice, and together we can start moving our county in a productive direction. I often hear from politicians how things aren't getting done because government runs slow. While this may be true in some cases, I believe that with someone like myself who will put the needs of the majority above those of the few, we could speed up most of these processes. I am an Independent/nonpartisan who believes the two-party rule is damaging our society. We have seen both sides pull so far apart and it seems as though "We the People" suffer the consequences. It is my belief that unless we come together and find a happy medium, we will continue in an unproductive direction.

A few things I would like to address and solve together will be;

- Promote growth and bring businesses to the county that can boost the local economy.
- Strengthen our Public Safety (Police, Fire, and EMS) while creating a safer environment for all.
- Bring serious attention to the issue of trash and abandoned vehicles littering our forests.

Let's make our amazing county an even better place to be!

(This information furnished by Mark F. Jones.)

Candidate statements are printed as submitted. The above information has not been verified for accuracy by the county.

Josephine County Commissioner, Position 1



**Mark J
Seligman**

Occupation: Landscape Maintenance - Paid

Occupational Background: 40 years Landscaping - Paid; Political Activist - 20 years Unpaid

Educational Background: B.A. Sociology - Queens College

of the City University - New York; Business Degree - Queensborough Community College - New York City University; Graduate Work - Psychology - Sonoma State University - California

Prior Governmental Experience: Involved in Josephine County Politics since 2008 as a County Critic

I have been involved in Josephine County for over 10 years advocating for the rights of homeowners, businesses and the most vulnerable like seniors, youth and those economically repressed.

1. I oppose any future tax or fee increases by County Government
2. I do not support measures to take away private property rights with excessive regulation
3. I support lessening the burden on businesses
4. I strongly support job creation so our youth can stay here with good paying jobs
5. I support broadband internet at a lowered cost resulting in better paying jobs in our advanced technological environment
6. I don't support illegal cannabis grows and realize the law of supply and demand is currently reducing cannabis not county legislation that are an overreach
7. I pride myself on my honesty and integrity with my "Tell it like it is" style
8. I see local government role as limited in nature. However, government must be active in protecting the citizens from all natural disasters, like fires, floods and pandemics
9. As your elected county commissioner I am your public servant with the honored responsibility of serving you in our wonderful county

Voting for Mark Seligman is a vote for independent thinking. I believe in some democratic and some republican values. I would term myself an "Opinionated Moderate" who sees both sides.

VOTE

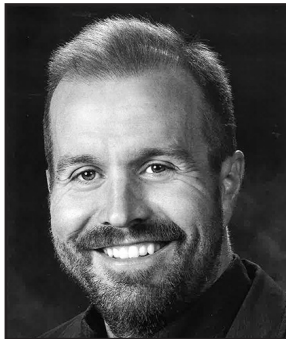
**MARK J. SELIGMAN
COUNTY COMMISSIONER**

Thank you. I look forward to serving Josephine County

(This information furnished by Mark J. Seligman.)

Candidate statements are printed as submitted. The above information has not been verified for accuracy by the county.

Josephine County Commissioner, Position 1



**Brian
DeLaGrange**

Occupation: Lighting Specialist, Backen Consulting

Occupational Background: Property Appraiser, Josephine County; Lighting Specialist, Evergreen Consulting

Educational Background:

University of Oregon, Bachelor of Science - Business Administration; United States Air Force Academy; Grants Pass High School

Prior Governmental Experience: Grants Pass City Council - current; Grants Pass District 7 School Board - current; Grants Pass Parks Committee

Residents of Josephine County,

My family has lived in Josephine County for 4 generations. I was born and raised here, and I raise my daughter here. I love our county, and am invested in the success of our community.

-I am a fiscal conservative. I firmly believe that government can be run effectively and efficiently.

-I will prioritize finding a solution to sustainably fund the Sheriffs Office. The feast-or-famine dynamic has been an issue for too long. I will work with the community to determine the level of service residents support, and act accordingly.

-I share your concerns about illegal marijuana operations. I pledge to make strong, persistent efforts to address water and safety concerns, and advocate for state and federal resources to minimize the burden on local taxpayers

-Wildfire poses a tremendous threat to rural communities. We must plan and take action to protect our communities from the threat of catastrophic wildfires.

My father said, "You have two ears and one mouth, so you can listen twice as much as you speak." I practice this philosophy, and will always be open to hearing your ideas and concerns.

The commissioner position is non-partisan; there is no room for party politics at the local level. Local leaders should be working toward solutions that are best for the community as a whole. That is what I promise to do.

You have the opportunity to elect a courageous leader who brings vision, fresh ideas and optimism for our county's future.

I humbly ask for your vote. I will work, and I will produce results. We will make Josephine County better together.

Thank you,
Brian DeLaGrange

(This information furnished by Brian DeLaGrange.)

Candidate statements are printed as submitted. The above information has not been verified for accuracy by the county.

Josephine County Legal Counsel



Wally Hicks

Occupation: Josephine County
Legal Counsel

Occupational Background:
Private Practice Attorney; State
Representative, Oregon Legis-
lature; Deputy District Attorney,
Josephine County; Captain,
U.S. Marine Corps (Iraq War veteran)

Educational Background: U.S. Naval Academy, Bachelor of
Science; University of Oregon, Doctor of Jurisprudence.

Prior Governmental Experience: Volunteer Income Tax Assistant
Vote Wally Hicks!

As part of Josephine County, you have helped drive history.

- Opioid Epidemic: Your county is suing Big Pharma, and will share in funds received from the second biggest multi-state settlement in America's history with more funds likely to come.
- Trust Lands lawsuit: Your county was one of the successful plaintiffs in the third largest jury verdict in American history (as of 2019). That verdict needs to be protected in the Appellate courts.
- Smart Meters: When your county prohibited charging \$36/month to opt out of Smart Meters, the state sued but then settled for \$9/month, which applied statewide.
- Code: All county ordinances are now easily accessible online through the Josephine County Code.

But times are changing, so it's necessary to shift into higher gear.

- Unlawful Cannabis: Your Legal Counsel Office partners with other public servants to protect the right of law-abiding citizens to enjoy their own homes and property. Law breakers cannot be allowed to ruin our community!
- Charter Review: Wally advises a citizens' committee that was appointed to review the County Charter and make public recommendations.
- County Headquarters: Wally is researching realistic funding options for co-locating county offices in a structurally safe headquarters that is convenient for citizens.

Advising Josephine County about matters of community concern is a huge responsibility.

Vote Wally Hicks!

(This information furnished by Wally Hicks.)

Candidate statements are printed as submitted. The above information has not been verified for accuracy by the county.

BALLOTS MUST BE POSTMARKED BY ELECTION DAY MAY 17, 2022

Josephine County Official Ballot Dropsite Locations

Open from April 27, 2022 until 8 p.m., May 17, 2022

Josephine County Courthouse:

The County Clerk's Office (7:50 a.m.- 5:00 p.m., Monday-Friday.)

Open 7 a.m. until 8 p.m. on election day

Justice Building side, ground floor next to the elevator (24 hours / 7 days)

Next to the "C" Street Entrance (Tax Office Entrance) (24 hours / 7 days)

South Grants Pass:

Washington Federal, 290 Union Avenue, front parking lot (24 hours / 7 days)

Library Drive-up - Grants Pass Branch:

Parking lot behind library. Enter from "C" Street (24 hours / 7 days)

Merlin:

Umpqua Bank, Merlin Rd. & Monument Dr., parking lot (24 hours / 7 days)

Murphy:

Hidden Valley Market, in front, on the left side of the building (24 hours / 7 days)

Cave Junction:

Cave Junction City Hall, near front entrance (24 hours / 7 days)

ORS 254.445 Assistance in Marking Ballot; Allowances and Limitations

Any voter who, due to a disability or inability to read or write, is unable to mark their ballot may receive assistance. The assistance is provided either by two persons of different political parties provided by the county clerk or by some other person chosen by the voter. Any person assisting a voter must follow the direction of the voter as to how to vote the ballot. Also, the person assisting the voter must not afterwards give out any information about how the voter voted. Additionally, a person may not provide such assistance if they are an employer of the voter or an agent of the employer. Also, a person may not provide such assistance if they are an officer or agent of a union of which the voter is a member.