

HALFWAY

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Olley, who moved to Halfway about six years ago, said she and her husband became interested in cannabis after her husband, who played football at Boise State University from 1998 to 2001, had multiple surgeries for injuries he sustained while playing football.

He had a bad experience with prescription painkillers following one surgery, and Amy Olley said the couple became convinced of marijuana's therapeutic benefits.

She said they moved to Oregon in part because marijuana is legal for personal use in the state, while it remains illegal in Idaho.

"I think it's a fair option for people to have," she said. "It's about helping people have a better quality of life without relying on chemicals. It's a medicine, not a drug."

Olley said that in addition to making marijuana more readily available to local residents — the nearest dispensaries are in Huntington and Sumpter; marijuana businesses are banned in Baker City — she wants to create jobs and benefit the local economy as well as enrich the Halfway city coffers.

Olley pointed out that in 2016, Halfway voters approved a 3-percent city tax on marijuana sales. However, because voters also decided to ban marijuana businesses, the tax was a moot point, and Halfway City Recorder/Manager Salli Hysell said she's checking with the Secretary of State's office to find out whether, should a marijuana dispensary open in the city, the 3-percent city tax could be collected, or whether voters would have to approve a new version of the tax.

Olley contends that Halfway is "missing out" on potential tax revenue by prohibiting dispensaries. She also believes that visitors would pay much of the taxes.

"We are a tourist town," Olley said. "These are going to be the people that support the store."

That potential for tourists to congregate in downtown Halfway is one of the reasons Denise Cairns, a former Halfway City



Lisa Britton/Baker City Herald

Downtown Halfway. The town in eastern Baker County has a population of 300.

Council member, opposes Measure 1-107.

Cairns is a director with the political action committee Committee Against Measure 1-107 ALL Marijuana Businesses in Halfway City Limits, which was formed on April 2, according to the Oregon Secretary of State's Elections Division.

Cairns said the medical benefits of marijuana "is not an issue" in the opposition campaign to Measure 1-107.

Rather, Cairns said she is concerned about how marijuana businesses could affect Halfway and the Pine Valley.

She pointed out that the measure, if approved, would allow not only dispensaries, but all other types of marijuana businesses such as grow operations and processors, and with no limit on the number of businesses.

"That is a real major concern to us," Cairns said. "We're going to have traffic. This is a risk and we're not willing to take that risk as to how it's going to change our town."

Cairns contends the Olleys' proposed dispensary location in downtown Halfway is a bad one that would lead to traffic congestion.

On April 20 — 4/20, a date associated with the celebration of marijuana use — about 30 cars were parked along Main Street, each with a campaign sign in the window, to simulate "what it might be like if there was a dispensary," Cairns said.

"It was an interesting simulation," she said. "I think it got people thinking."

Olley, though, disputes that what she called a "demonstration" was a legitimate depiction. She said the duration of the

event — Cairns confirmed that it was planned from 2 p.m. to 6 p.m. — is not realistic.

"No one shopping at a cannabis store would be there for four hours," Olley said.

She said she would like to have a drive-thru option for a dispensary.

The April 20 parking demonstration isn't the only part of the campaign against Measure 1-107.

The political action committee also mailed a flier to registered voters and has bought ads in the weekly Hells Canyon Journal newspaper.

Both include comments from Baker County Sheriff Travis Ash, who graduated from Pine Eagle High School in Halfway in 1993.

In the flier, Ash writes: "Speaking as the Sheriff of Baker County and a citizen who enjoys living in Baker County, I would not want a marijuana dispensary in my city or neighborhood."

Olley said she's bothered by what she considers "propaganda" from those opposed to Measure 1-107.

She contends that Ash's comments — under the headline "The view from law enforcement in Baker County" on the flier — are intended to frighten people, with references to the sheriff investigating fatal car crashes involving "marijuana-impaired drivers" and "the mental health crisis that can be created by too much marijuana usage."

Given the narrow margin of the 2016 measure, Olley is optimistic about the prospects of the measure in 2021.

"I feel like I'm very confident that it's going to pass," she said.

Former councilor protests when not allowed to speak

By Samantha O'Conner
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Former Baker City Council member Beverly Calder stood in protest Tuesday evening, April 27 when Mayor Kerry McQuisten declined to let Calder speak during a discussion about the pandemic.

Councilors were talking about the possibility of issuing a public statement encouraging residents to take precautions against COVID-19.

Councilor Jason Spriet said he thinks it would be worthwhile, with Baker County moving to the extreme risk category on Friday, April 30, to post a message on the city's website and other social media encouraging residents to take whatever measures they see necessary to protect themselves and their families.

"Whether that means they get vaccinated, whether that means practicing social distancing, masks, whatever they feel is most appropriate for themselves and their families," Spriet said.

Councilor Heather Sells agreed.

"I think the topic is important and it's fitting for the fact that we're going into extreme risk," she said.

McQuisten pointed out that councilors were deviating from the scheduled agenda, and the matter was moved to the council comments section at the end of the meeting.

During that discussion, McQuisten said she doesn't believe it's the council's place to act as "nannies" for residents who are capable of making their own decisions.

Councilor Joanna Dixon said that

after 13 months of the pandemic, she is tired of the issue.

"Basically, don't tell me what to do," Dixon said. "I'll take care of my health, myself. If I'm sick, I stay home, I stay away from other people."

Councilor Johnny Waggoner Sr. suggested the city make a statement wishing for all of Baker City to stay safe.

Perry said she doesn't feel it's appropriate for the council to dictate to citizens how they should live.

"The city council wishes all of our citizens well and to use common sense when it comes to being out and about and live your lives as you see fit," Perry said.

Calder then asked if she could speak to the council on the topic.

McQuisten said no, that councilors were discussing the issue.

"I would like to protest that I am not able to come up as a citizen, as a business owner, as an employer, as a volunteer in this community, as a former city council member, I am not being given just the courtesy of being able to add to a conversation," Calder said.

"It's about courtesy?"

McQuisten asked Calder to sit down.

"We need to continue with our meeting and if we're not allowed to do that, we'll have you escorted out," McQuisten said.

Calder refused to sit down.

Sells asked whether Calder could be given the three minutes the council usually allots for citizens to speak during meetings.

"We've already discussed this, but I've been told that we need to adhere to our rules a little bit firmer and that's what we're doing," McQuisten said.

HARVEY

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Myers confirmed that Harvey requested an extension. She said the matter will be added to the Ethics Commission's June 11 meeting agenda.

Harvey said on Wednesday morning, April 28, that he had not read the investigation report, and that he had meetings scheduled through 7 o'clock that day.

The Ethics Commission voted 6-0 on Nov. 6, 2020, to assign an investigator to look into allegations that Harvey violated ethics laws when the company owned by his son, William S. Harvey, was paid \$1,710 to haul boat docks to a county park near Richland.

Baker County District Attorney Greg Baxter filed a complaint with the Ethics

Commission on Sept. 16, 2020.

Bill Harvey said on Jan. 4, 2021, that his son did help him move the docks to the county park.

That was the least expensive option, Bill Harvey said.

"It's normal procedure for me," he said. "Everything I've ever done for the county was to save the county money and get a job done."

Harvey, who was elected to a four-year term as the only full-time county commissioner in 2014 and reelected in 2018, said he doesn't believe any of his actions violated ethics laws.

In a Sept. 19, 2020, letter to the Ethics Commission, Harvey wrote that he spent many hours during the spring of 2020, and used his own pickup truck and equipment, to prepare Hewitt and Holcomb parks to open to the public.

EXTREME

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The joint letter from the Association of Oregon Counties and the Oregon Restaurant and Lodging Association questions Brown's decision to restrict indoor dining despite a lack of evidence that restaurants and bars are a significant factor in the recent surge in cases.

"Our businesses have proven their ability to adhere to the highest expectations in safety, sanitation, and air quality," the letter reads. "It is no coincidence Oregon has not seen one instance of a super spreader event tied to our hospitality industry."

The letter also mentions the disparity between restrictions on different types of businesses.

For retail stores, including grocery stores, capacity is 50% in both high and extreme risk counties.

"You must know restrictions on specific types of businesses compared to others within our local communities is creating rifts and dividing people rather than bringing Oregonians together," the letter reads. "We can flip the script by removing state mandated business restrictions on our communities while empowering our county health departments to uphold high expectations for ongoing health and safety measures

as recommended by the CDC."

The concept of shifting authority for imposing restrictions from the state to county health departments and public health officials is not new.

Baker County commissioners signed a letter in November urging a similar change.

Bennett has said previously that he believes the Baker County Health Department, working with Dr. Eric Lamb, the county's public health officer, can determine appropriate restrictions based on the source of COVID-19 infections.

Nancy Staten, the health department's director, has said that the main sources of the county's surge in infections over the past month or so are private social gatherings.

The letter also addresses the effects of increasing vaccination rates in Oregon, particularly among older residents who are vastly more likely to die if they're infected.

Of the 2,488 Oregonians who have died after testing positive for the virus, 90% were 60 or older, and 76% were 70 or older.

"We have reached the point where the vast majority of Oregon's population most prone to serious illness has been successfully protected from the virus," the letter reads. "And we must all admit

a documented case today does not carry with it the same weight as a documented case in the Fall when so many of our fellow Oregonians lacked access to vaccine."

Legislators' letter

Findley and Owens eschew any preliminary matters in their letter.

"Respectfully, enough is enough," is the first sentence.

"Our small businesses and communities cannot endure another extreme adjustment of county risk levels and further shutdowns of the magnitude you have announced today, April 27, 2021," the letter goes on. "We have been told to follow the science and this is what we have been doing — the data simply does not support your decision, and our businesses are being unfairly and unreasonably targeted."

Findley and Owens' letter acknowledges that Brown has proposed the Oregon Legislature approve a \$20 million emergency relief package for businesses in extreme risk counties through the state's commercial rent relief program.

But the lawmakers dismiss the proposal.

"The additional \$20 million of support for counties does not adequately address the needs nor does it get to solving the roots of this problem," the letter reads.

Like the letter from the Association of Oregon Counties and Oregon Restaurant and Lodging Association, Findley and Owens contend the extreme risk restrictions will not help to curb the spread of COVID-19.

"There is no evidence to show that our small businesses spread COVID-19 while following the public safety measures that have been put in place, nor is there any evidence to show that keeping our small businesses open would result in higher numbers," the legislators' letter reads. "Your offices need to make the tough calls to meet the virus where it is and where it is spreading, not to simply find the easiest target. "Frankly, our small businesses are not the problem. They should not be penalized again or further; it is not their responsibility to shoulder the burden of COVID-19."

How long at extreme risk?

Brown announced on Tuesday that counties, including Baker, will remain at extreme risk for no more than three weeks.

The governor also said that state officials will review risk levels every week, rather than every two weeks as has been the case since December.

Counties could drop from the extreme risk level starting May 7 if the number of

people being treated for COVID-19 in hospitals statewide drops below 300, or the seven-day hospitalization increase drops below 15%.

As of Tuesday there were 328 COVID-19 patients in hospitals across the state.

But counties can potentially move out of extreme risk starting May 7 if their case counts and positivity rates decline.

According to a press release from Brown's office, "counties that improve their COVID-19 metrics will have the opportunity to move to a lower risk level."

But state officials didn't say how they will measure those metrics, and over what period.

In the past, counties' risk levels were based on data from a two-week measuring period. For Baker County to avoid being in the extreme risk, it would have to have fewer than 61 new cases over the two weeks, and a test positivity rate below 10%.

It's not clear what the metrics will be under the one-week measuring period, including whether the state will simply halve the metrics, which would mean Baker County could potentially drop from extreme risk if it had 30 or fewer cases in one week.

The governor's office said any changes to individual counties' risk levels would be announced on Tuesday, May 4, the changes to take effect May 7.

In the past, the two-week measuring period started on a Sunday and ended on the following Saturday.

If the state continued that schedule, but weekly rather than bi-weekly, Baker County's chance to drop from extreme risk, starting May 7, would be based on its case numbers for the period April 25-May 1.

For the first three days of that week — April 25-27 — the county had nine new cases.

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