

Local

Drug lab site

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The hospital was put on alert in order to enact the specialized protocol they have established for treating potential methamphetamine-affected patients.

Street was transported to the hospital to be treated for exposure to the gases.

Neighbors were temporarily evacuated from their homes while the source of the gaseous cloud was investigated. No one else, including the Bork family, required medical attention.

The scene was immediately secured and locked down. Police quickly worked to obtain a search warrant for the property.

Members of OSP's Drug Enforcement Section responded to the scene, from Central Oregon, to assist

with the investigation.

Then, over the next year and a half, a lengthy process ensued regarding the property.

On February 6, 2015, Lohner sent a letter to property owner, David Baggerly, advising him that the house had been determined to be an illegal drug manufacturing site, and that due to the health risks associated with that contamination, would need to be barred from entry and vacated. Possessions located inside, also considered contaminated, were not to be removed until assessed.

Under State law, Baggerly had 180 days to have the property assessed and cleaned as necessary to become fit for use.

In what later appeared to be an unrelated incident, Street, after being released from custody, was reported by his wife as a missing person. Weeks later, Street reappeared.

Meanwhile, the assessment and cleanup of the Second Street house never happened.

Said Lohner, "We got an order to abate the property, which started with the City having to get the property-



Kerry McQuisten / The Baker County Press

Police made the meth-related arrest at 301 2nd Street last year while nearby neighbors were temporarily evacuated.

tested."

Tester, Karl Kunkle, an authorized Clandestine Drug Lab testing professional in the State of Oregon, performed a methamphetamine contamination test of this property, including multiple rooms and a van.

Samples were sent via UPS to Analytical Chemistry, Inc. in Tukwila, Washington.

According to the final report, twelve four-point composite samples were taken, representing forty-eight sample points.

"Levels in this house rank as one of the highest that contractor has seen in our 15 years' experience. Based on these levels property should be mitigated by a licensed drug lab cleanup

contractor before being placed back into use."

Lohner said the site, as he understands it, is not a health danger to surrounding neighbors who would naturally not be in direct contact with the property.

The assessment cost the City \$1,450 to complete.

The matter then passed from the Police Department to the City's Building Department.

In a letter dated October 25, building official Ken Hall explained to Baggerly that the house is in violation of the Baker City Code of Ordinances 97.42, Unsafe Buildings.

The letter further reads, "Due to the above violation, the Building Official is classifying this property as an 'imminent hazard.'

I am requiring immediate action, Ordinance 97.43. When a structure or portion thereof is determined to be an imminent hazard to life, health, property or public welfare, the Building Official may order or cause immediate emergency abatement of the condition causing the imminent hazard.

"This may include boarding-up of openings in order to render such structure temporarily safe. After such abatement, the Building Official shall notify the owner of the property within 20 working days of the abatement that the abatement action took place, the cost of the abatement. Due to this classification, a Notice of Unsafe Occupancy

has been posted on the property as of October 20, 2016, Ordinance 97.45.

"You are being issued this Notice of Violation in conformance to Ordinance 97.44. This notice will be mailed via Certified Mail, regular mail, and posted on the property as of October 25, 2016.

"The Building Official requires that you make arrangements to abate this issue within the next 14 days.

"This can be achieved only two ways. The first option is to hire a licensed drug lab cleanup contractor to mitigate the contamination. The second option is to demolish the structure."

There is no word yet as to the steps the owner plans to take.

Sumpter holds third marijuana workshop

BY MEGHAN ANDERSCH
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Sumpter City Council held a third workshop to discuss proposed marijuana Ordinance 2016-3 on October 21st. Mayor Cary Clarke and Council members Samantha Rowan and Greg Lucas attended.

Clarke stated he had been inundated with calls and visits regarding this issue and requested several additions and amendments based on concerns shared by citizens. Updated copies of the draft ordinance and changes to be reviewed were available.

LeAnne Woolf asked if city attorney Dan Van Thiel reviewed each of the additions and Clarke replied that he had and said they sounded good.

Fees

The draft ordinance states the permit application fee to be \$50. Clarke said other municipalities have various fees in place, some up to \$1800 for the initial application, and that he is good with the \$50.

Consumption

The draft ordinance states marijuana products are not to be used in public. It was asked who will monitor this, for example in the state park. Clarke stated honest citizens will police themselves, as with alcohol, and he is sure there will plenty of signage.

Operating Hours

There was much discussion of the wording that, "Three days prior to the Flea Markets, during the Flea Markets and three days after the Flea Markets, dispensaries will be closed to the public."

One concern cited was parking during events. Lucas explained that if parking is already an issue, marijuana business customers will add to the logistics and that will be a concern if it affects residents negatively. It was pointed out that liquor store parking goes elsewhere during the markets.

Rowan stated it would be unfair to require a business be closed for potentially ten days. Others com-

mented on the fact that there would probably be more business on those days as well.

Clarke stated wording can be removed, and if it becomes a future problem, it can be taken to a vote of the people. City Recorder Julie McKinney pointed out that Council can always go back and amend the ordinance if necessary.

The draft ordinance states that hours must be no earlier than 9 a.m. or later than 5 p.m. Monday through Sunday. There were questions about whether marijuana businesses would be open seven days a week. Rowan clarified that the business owner would have the option to decide which day to be closed. Clarke suggested the wording be that the business be open six days a week, with the owner to choose which day to close.

Grow Sites

Clarke stated grow sites was one of the number one concerns brought to him, with water use so restricted in the summer. Woolf said that according to a document sent to the planning commission, a typical grow uses less water than a four-person family home without a lawn. Rowan said that there are less people and less impact for a grow site than a marijuana retail site. McKinney stated she believes any grow sites would be hydroponic and not sucking down water. Clarke said that before the Council decides anything on grow sites, they should get legal clarification.

Accounting System and Record Keeping

These sections of the draft ordinance stated that "any and all costs incurred by the permittee" associated with the required accounting or record-keeping practices must be paid by the permittee. Karen Peters asked if this section should not read "costs incurred by the City" as a business has to pay its own bills anyway. McKinney noted this change for both sections.

Business Location

Woolf asked if Van Thiel commented on whether an implicit ban is the same as an effective ban. The draft ordinance states "a dispensary or retail sales outlet must not be located within 1,000 feet of the real property comprising a public state, county, or city park." Woolf pointed out that 1,000 feet from the Dredge State Park goes to Bonanza Street and the highway, eliminating the whole "CR zone." Because the businesses cannot by state law be located in a residential district, the City would effectively ban marijuana business.

Lucas stated that he can see this issue is headed for general referendum. He said that if the negative impact is so big that it goes to referendum anyway, it would not be fair to let businesses invest and then "pull the rug out." He said on the other hand, the Council has to consider what the people who live in town want yet.

Lucas said that whether he is for or against marijuana doesn't matter. "I sit at this table because I represent who lives in this town." He said Council does not have the privilege to bring their own bias. He said if the people want the marijuana businesses to operate, Council needs to expedite the process, and enable businesses to be successful, while allowing individuals to be impacted in a minimal way. He said if the majority doesn't want it, Council will have to ban the businesses.

Peters stated that due to being run out, laughed at, embarrassed, or attacked, there are elderly people who attended Council meetings and shared their opinions who will not be back. Lucas stated that will be addressed in upcoming months.

Dennis Farnsworth said he heard citizens in Halfway got together a petition against marijuana businesses and lost because the State said they'd lost their turn to opt out. He said he could see Oregon saying, "You've already opted in because you didn't opt

out."

Lucas stated a special election cannot be held. It must be addressed in a general election.

Several people mentioned the length of the process to date. Lucas said

in the interest of expediency, the Council needs to get the ordinance written up and approved as legally right, and get the approval or disapproval of citizens. If they send the ordinance in to OLCC and OHA and

tell them they're referring this to referendum, it puts a moratorium on the issue until then. Clarke stated his feeling is it has to go to a vote of the people. Lucas will also arrange a meeting with Van Thiel.

VAL'S VEGGIES'

Corn Maze and Pumpkin Patch

Midnight in the maze!

Come out and see if you can find your way through the corn maze and solve the scavenger hunt on the way. Then head over to the pumpkin patch and pick the perfect pumpkin for carving. Pumpkins are priced by the pound.

Admission: \$8/person, ages 12 and under are \$5/person
Kiddie Maze available for ages 6 and under for \$3/person
Group rates available for 15 or more upon request.

Sunday 10 a.m. to 6 p.m.
Monday-Thursday 10 a.m. to 4 p.m. by appointment only
Friday 10 a.m. to 4 p.m.
Saturday 7 p.m. to 9 p.m. only

OCT 29 ~ MIDNIGHT IN THE MAZE, 7 PM - MIDNIGHT. FEATURING THE BAND STEVE K AND THE BOUNTY HUNTERS PLAYING FROM 7 TO 9 PM.

OCT 30 ~ FAMILY DAY... DISCOUNTED TICKETS AND GAMES.

OCT 31 ~ OPEN 5 PM TO MIDNIGHT FOR HALLOWEEN.

Directions: Take Hwy. 203 to Medical Springs. At mile marker 26, turn on Blue Mt. Ridge Road, go a half-mile and turn right on Houghton Creek Rd. Go 2 miles. Maze is on left.

Call 541-853-2358 or go to www.valsveggies.com for more information.