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City council dazed and confused

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Monday night's city council meeting ended in an uproar when the council nearly voted to back out of the marijuana lawsuit that the city has been involved in for over two years. The meeting was about to come to a close when Councilor Dan Bosch made a motion to take the city of Cave Junction's name off the declaratory judgment that is seeking an answer as to whether the city should follow state law, and issue business licenses to marijuana businesses, or if they should follow federal law, which still considers marijuana illegal.

"When I got elected two years ago, I was told that this lawsuit would be quick and easy," said Bosch, before making the motion. Councilors Daniel Dalegowski and John Gardiner agreed with Bosch. "I've waited two years for this moment," said Gardiner.

The city originally brought the lawsuit because they worried they could lose vital federal loans and grants if they were perceived as breaking federal law. Dalegowski brought up a recent conversation he'd had with a representative from the U.S. Department of Agriculture Rural Development, a federal organization that provides loans and grants to rural communities. This representative assured him that as long as the city can demonstrate that it is not paying back loans using money raised from cannabis sales, it should not be an issue. Dalegowski said, "I support not pursuing this lawsuit any further."

Councilor Margaret Miller and Mayor Carl Jacobsen both disagreed. Miller argued that they should heed the advice of legal counsel because "the question needs to be answered for Cave Junction and for the nation." She also cautioned that backing out now would be a waste of money. Mayor Jacobson concurred. "Why would you want to go this far and then back out," he asked.

The issue came to a vote, with three councilors voting to leave the lawsuit and one councilor and the mayor voting to stay the course. The motion was about to officially be passed when a member of the audience protested that the council had not followed proper procedure and, therefore, the vote should not be recognized. Although Roberts Rules of Order allows such an action, the council deliberated, members of the public loudly weighed in. Bosch eventually rescinded his motion, but requested to have the issue added to the agenda of the next meeting, so the council can observe proper procedure. A second monthly meeting will be held to discuss the issue Monday, Oct. 24.

Previously in the meeting, the council had voted to change the wording in the city code to allow CJ Patrol to get back on the streets without being in violation of city law. CJ Patrol had suspended its operations after learning that it was in violation of city code for not having a business license, which is required of security patrol businesses. According to the city code, "'Security Patrol' also means any organization, firm or corporation engaged in patrolling, watching, guarding or protecting any premises, property or person(s) without receiving compensation." The volunteer-run organization falls into this category.

SEE CITY ON A-5

WANTED



(Photo courtesy of the Oregon Liquor Control Commission for the Illinois Valley News)

Three cannabis rustlers caught on camera stealing more than 10 pounds of cannabis flower from an Oregon Liquor Control Commission approved recreation grow-site in rural Cave Junction. Anyone with information is asked to contact the Josephine County Sheriff's Office at 541-474-5123, Ext No. 3.

Between a Rock'N a hard place

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"It's like trying to capture a mountain lion by the tail," County Commissioner Keith Heck said when describing the turmoil brewing over a property on the edge of town that is zoned rural industrial. The property, owned by Rock'N Soil which sells gardening and landscaping supplies, has been the subject of complaints to the city and county, as well as a negative campaign on Facebook.

Neighbors of the property, which does not lie within city limits, have attended multiple city council meetings to complain about noise, dust, offensive smells and concerns about increased truck traffic on Old Stage Road. The council, though sympathetic to the neighbors, directed them to the county, which actually has jurisdiction over the property.

Commissioner Heck has had many conversations with distraught neighbors of Rock'N Soil. "I've had calls from folks who are in tears because of the obnoxious noise," said Heck, in reference to the backup

beepers that are mandated by federal law. Heck, however, can do very little to placate these complainants, because Rock'N Soil isn't breaking any laws. "There are existing codes and zoning laws on the books," said Heck. "They (Rock'N Soil) have used that property for what they are allowed to use it for."

In a recent letter to the editor, Alicia Fuson, who with her husband, Ronnie, owns and operates Rock'N Soil, reiterated this fact. "We have done our due diligence in purchasing this property," wrote Fuson. "We have been accepted by the Planning Department to legally do everything we do here." She also expressed concern about the negative tone of her neighbors' complaints. "There is slander, vindictiveness, lies and even trespassing involved," she wrote.

The property, which has been industrially zoned for years, used to be occupied by a cement plant and a rock-crushing plant. In the event that Rock'N Soil were to sell the property, it would still be zoned industrial and any new occupant could take part in industrial activities. So, it seems that very little

can be done to ease the discomfort of the neighboring residents. Fuson, for her part, is open to a dialogue with her neighbors. "If you have concerns or questions please come talk to us, we would love to talk to you," she wrote.

One of the major complaints, aside from the noise from the Occupational Safety and Health Administration regulated backup beepers, is the increased truck traffic on Old Stage Road. The fact that the road lacks sidewalks makes neighbors worry there will be a tragic encounter between a soil delivery truck and a pedestrian. Fuson agreed that the situation was problematic. "If anything positive for the community comes out of this, I would hope that the county would look over Old Stage Road and finally fix the road that is not only used by us, but by many people, including my children," she wrote.

As of now, Rock'N Soil and its neighbors remain at an impasse. "It is troubling," said Commissioner Heck. "I wish there was something that I could do. I don't have the wherewithal to mandate a solution because everyone is in compliance."

Pain management turns to addiction

Judy Hoyle
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Vicki Walker, the U.S. Department of Agriculture (USDA) Rural Development state director convened a roundtable discussion on the opioid epidemic in Oregon Sept. 26 at the Grants Pass City Council Chambers.

At the urging of the Obama administration, USDA secretary Tom Vilsack, who is the chair of the White House Rural Council, has created a broad outreach program to address the nationwide problem.

Part of the problem has been created by national guidelines that rate doctors and hospitals on how well they address pain.

A June 15, 2015, article in *Time Magazine*, titled "The Price of Relief," points out over 100 million Americans suffer from chronic pain.

Doctors so frequently prescribe opioids, like OxyContin, Percocet, Fentanyl and Vicodin for arthritis, migraine headaches and lower back injuries, there are enough pills prescribed annually to keep every American adult medicated around the clock for a month.

In 1994, the Federal Drug Administration (FDA) allowed OxyContin to be prescribed for extended periods and over the next 20 years, approved over two dozen new opioid products.

The longer patients stay on these drugs, which are chemically related to heroin and trigger a similar biological response, the greater the chance users will become addicted.

Often, when access to the pills is reduced, patients buy them on the black market or start using heroin.

Users resort to stealing in order to support their habit. Society must also deal with child neglect and family disintegration.

For middle-aged Americans, who are most at risk, a prescription-opioid overdose is a more likely cause of death than auto accident or violent crime.

During the roundtable discussion, it was announced there were 29,000 deaths nationwide from opioid abuse in 2015.

A handout from the Oregon Health Authority stated Oregon is the fourth worst state nationwide for abuse and misuse. One factor is the 293 million opioid pills prescribed in the state in 2015 alone.

Josephine County clocked twice the state average at 12.7 million pills, the equivalent of 150 per year for every resident.

Some addicts resort to "doctor shopping."

Josephine County Parole/Probation program supervisor Lily Morgan, related

that one of her clients was prescribed 597 hydrocodone-acetaminophen pills per month from three different doctors.

SEE PAIN ON A-8



(Photo by Judy Hoyle, Illinois Valley News)

County Commissioner Keith Heck testifies at the opioid roundtable while Three Rivers School District Administrator Casey Alderson and Sheriff Dave Daniel listen.