

Marijuana growers in southern Oregon prevail in appeals court

By **ANDREW SELSKY**
Associated Press

SALEM — The Oregon Court of Appeals rejected an appeal by county commissioners in a prime marijuana-growing part of the state to put back in place their restrictions on commercial pot production.

The appeals court's dismissal without comment Wednesday of the Josephine County commissioners' case marks the latest step in the struggle between the county's political leaders to tamp down the proliferating marijuana business, and growers trying to protect their businesses and investments.

In December, the county commission passed an ordinance banning commercial pot farming on smaller rural residential lots and reducing larger grow sites.

Ross Day, attorney for the marijuana farmers, said the county's appeal to the court was frivolous.

"Hopefully the county gets the message that it acted illegally when it adopted the ordinance," Day said after the appeals court made its ruling.

The commissioners were appealing a ruling by the state Land Use Board of Appeals,

or LUBA, that put their restrictions on marijuana production on hold. LUBA said the county had failed to properly notify land owners.

Wally Hicks, attorney for the county, said the ruling is a setback for the county's effort to protect property owners.

"Some participants in the marijuana industry have been abundantly clear that they will challenge any meaningful regulation the county introduces. Thus, regardless of which way the Court of Appeals ruled, the matter has always been destined for a return trip to LUBA," Hicks said in an email.

Members of the commission in the southern Oregon county have called pot farms a nuisance. Voters in the state legalized marijuana with a 2014 ballot measure, prompting a "green rush" as pot entrepreneurs set up shop in the fertile, rainy mountainous area.

Pete Gendron, a marijuana grower in Josephine County and president of the Oregon SunGrowers' Guild advocacy group, has pointed out that growers have invested large sums to start operations and said they were shocked when the county tried to restrict them.

One grower had a letter from the county dating back a year or more stating that cannabis cultivation was farm use and was allowed, and he invested a half-million dollars because of those assurances, Gendron said.

In a sign of how bitter the dispute has become, the county commission filed a lawsuit in federal court, contending that the state cannot dictate marijuana regulations over county restrictions because weed remains illegal under the federal Controlled Substances Act.

The pending lawsuit calls on the federal court in Medford to declare that two ballot measures in 1998 and 2014 that legalized medical and recreational marijuana, respectively, are pre-empted by federal law.

Oregon Senior Assistant Attorney General Carla Scott has argued the lawsuit should be dismissed.

"A political subdivision of a state such as Josephine County lacks standing to challenge a state law in federal court on supremacy grounds," Scott recently wrote in a filing in the case, the Daily Courier newspaper of Grants Pass reported.

Vancouver port to pay \$500K to settle open meetings lawsuit

Associated Press

VANCOUVER, Wash. — The Port of Vancouver has agreed to pay \$500,000 to settle a lawsuit over open meetings laws that the port admitted to violating while commissioners debated a lease for an oil terminal.

The Columbian reported Thursday that the payment

will cover court costs and fees incurred by Columbia Riverkeeper, Sierra Club and Northwest Environmental Defense Center.

The groups sued the port district in 2013 after its governing board held closed-door meetings to discuss lease pricing for the then-proposed Vancouver Energy oil terminal.

In March, the parties

agreed the port would admit to violating the Washington Open Public Meetings Act during executive session meetings.

The resolution came after a 2017 state Supreme Court ruling that found the port went too far during executive sessions when discussing the minimum price for a real estate lease.

OBITUARIES

John Parkin Meece Canby

March 28, 1927 — April 30, 2018



John Parkin Meece died April 30, 2018, at Marquis Hope Village in Canby, Oregon. He was 91.

Meece, second son of James Charles and Joyce Parkin Meece, was born March 28, 1927, in Portland. He attended Ainsworth and Lincoln schools.

Jack was active in scouting and was a Sea Scout; when the older boys went to war, he served as an unusually young quartermaster. Graduating early to join the Navy, Jack completed basic training in San Diego, just as the war ended. He attended Oregon State College and was a Delta Tau Delta.

In 1950, Jack married Dorothy Joyce Sharpe; they were married just shy of 60 years when Dorothy died in 2010. With a degree in industrial engineering, Jack spent 35 years with ESCO Corp., mostly in outside sales in the Portland, Denver and Spokane offices.

After retiring, he and Dorothy owned Arch Cape Deli & Grocery on the Oregon Coast in the 1980s, moved to Warrenton in the 1990s, and to Canby in 2003.

An avid outdoorsman, Jack had a passion for swimming, snow skiing, boating, fishing, hunting, clamming, crabbing, golfing and even windsurfing. Outside chores and tend-

ing a vegetable garden were lifelong hobbies, along with being a Beaver, Denver Broncos and Portland Trail Blazers fan. He was a member of the Elks Lodge in Aurora, Colorado, and the Spokane, Multnomah Athletic, and Astoria Golf and Country clubs.

As an active, fit 70-year-old, Jack had a massive stroke which left his right side paralyzed. Proving doctors wrong with months of hard work and Dorothy's support, he walked again with a foot brace and cane. He lived almost independently, tending his garden for another 20 years.

Jack is survived by daughters, Peggy (Dan) Sigler and Judy (Craig) Daufel of Canby; grandchildren, Ben (Tiah) and Nick (Katie) Sigler of Canby, and Ali (Conor) Baranski of Sandpoint, Idaho; and seven great-grandchildren. He was preceded in death by his wife, Dorothy, brother, Jim, and great-granddaughter, Talia.

There will be a family service at Willamette National Cemetery. Our sincere thanks to Canby Adult Center's Meals on Wheels, the Canby Fire Department, and his longtime caregiver, Anna, for the care and support provided to Jack through the years.

Donations may be made in Jack's memory to the Canby Adult Center Meals on Wheels.



John Meece

FIVE-DAY FORECAST FOR ASTORIA



ALMANAC

Astoria through Thursday.

Temperatures
 High/low 63°/50°
 Normal high/low 64°/50°
 Record high 86° in 1914
 Record low 42° in 1949

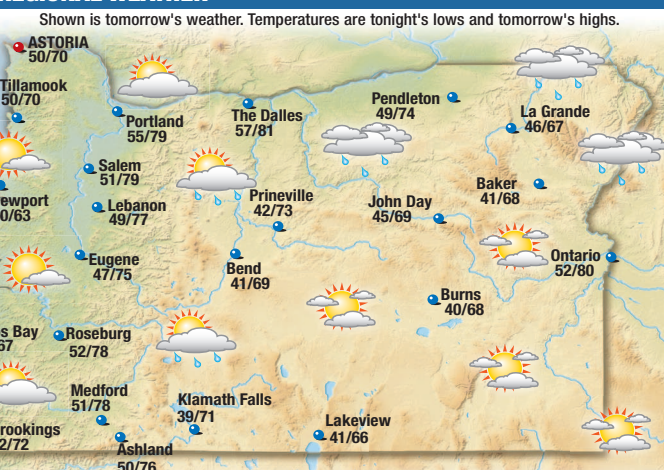
Precipitation
 Thursday 0.04"
 Month to date 2.30"
 Normal month to date 1.40"
 Year to date 35.44"
 Normal year to date 34.76"

SUN AND MOON

Sunset tonight 9:09 p.m.
 Sunrise Saturday 5:23 a.m.
 Moonrise today 7:34 a.m.
 Moonset today 11:10 p.m.

First Full Last New
 June 20 June 27 July 6 July 12

REGIONAL WEATHER



UNDER THE SKY

Tonight's Sky: Vega, of Lyra, is the brightest star of the Summer Triangle, which is in view all night.

Source: Jim Todd, OMS

TOMORROW'S TIDES

Astoria / Port Docks

Time	High	Time	Low
3:19 a.m.	9.7 ft.	10:29 a.m.	-1.7 ft.
5:00 p.m.	8.0 ft.	10:30 p.m.	2.3 ft.

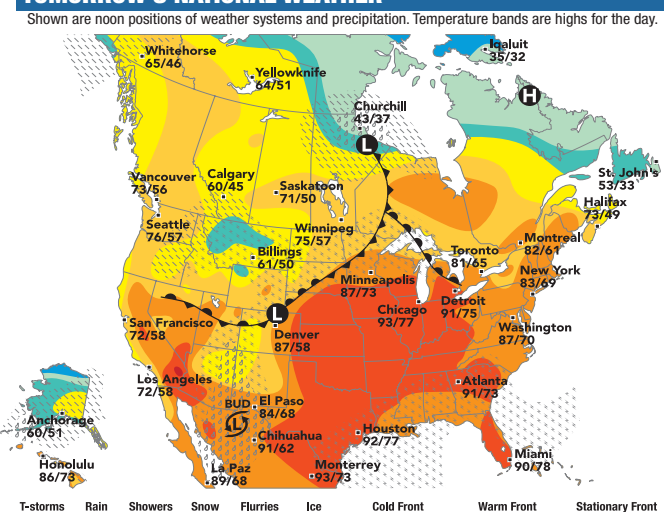
NATIONAL CITIES

City	Hi	Lo	W	Hi	Lo	W
Atlanta	92	73	t	91	73	pc
Boston	65	59	sh	82	66	s
Chicago	88	74	pc	93	77	pc
Denver	92	61	pc	87	58	pc
Des Moines	95	76	pc	95	76	s
Detroit	83	65	pc	91	75	pc
El Paso	98	71	pc	84	68	t
Fairbanks	63	47	pc	60	48	sh
Honolulu	87	74	pc	86	73	pc
Indianapolis	88	68	pc	93	74	pc
Kansas City	94	75	s	93	75	s
Las Vegas	102	78	pc	96	74	pc
Los Angeles	78	60	pc	72	58	pc
Memphis	94	76	pc	95	75	t
Miami	88	76	t	90	78	t
Nashville	94	70	pc	95	74	s
New Orleans	87	73	t	87	75	t
New York	76	62	s	83	69	s
Oklahoma City	92	73	s	91	72	s
Philadelphia	80	61	s	84	66	s
St. Louis	95	77	pc	96	77	s
Salt Lake City	88	62	pc	83	68	pc
San Francisco	69	57	pc	72	58	pc
Seattle	70	54	pc	76	57	pc
Washington, DC	84	65	s	87	70	pc

REGIONAL CITIES

City	Today	Sat.	City	Today	Sat.
Baker City	75 41 pc	68 45 c	Olympia	70 48 pc	77 53 s
Bend	72 41 pc	69 49 pc	Pendleton	79 49 pc	74 53 sh
Brookings	67 51 pc	68 56 pc	Portland	72 55 pc	79 60 pc
Eugene	72 47 pc	75 54 pc	Roseburg	77 52 pc	78 57 pc
Ilwaco	63 51 pc	67 55 s	Salem	73 51 pc	79 58 pc
Klamath Falls	76 39 pc	71 46 pc	Seaside	64 51 pc	69 55 s
Medford	78 51 pc	78 54 pc	Spokane	73 52 sh	71 56 sh
Newberg	72 48 pc	78 56 pc	Springfield	73 49 pc	76 53 pc
Newport	62 50 pc	63 52 s	Vancouver	71 51 pc	77 57 pc
North Bend	65 52 pc	66 54 s	Yakima	78 51 c	77 56 c

TOMORROW'S NATIONAL WEATHER



Kaye Mulvey

Seaview, Washington
Jan. 25, 1926 — May 23, 2018

Katrina Kay "Kaye" Mulvey died peacefully in the presence of her children on May 23, 2018. She was the youngest of four children born and raised in Powers, Oregon.

Kaye graduated from Oregon State College with a business degree, and went to work for Crown Zellerbach in Portland, Oregon. She moved to Kelso, Washington, and had three children with her first husband, James Tregaskis. They divorced in 1969.

Kaye moved to the Long Beach Peninsula in 1971, where she married Charles Mulvey. Together, they raised a blended family in Seaview, Washington. Kaye and Charles successfully ran the Charles Mulvey Gallery (The Sea Chest) for 30 years until Charles' death in 2001.

While on vacation in the Palm Springs area, she met Leslie "Les" Cowan of Seattle, Washington. They were married, and resided in Seaview until Les' death in 2013.

Kaye was a talented lady who was loved by her family and her friends and the peninsula. She loved us all in return, and never knew a stranger. Kaye was a fabulous cook, and a remarkable hostess, who enjoyed planning parties. She was passionate about her flower gardens — it was a common occurrence for strangers to stop at the house to take photographs of the colorful blooms.

Kaye was known in her family as the "Energizer Bunny," always on the go. She was happily involved with many organizations and groups on the peninsula, including St. Peter's Episcopal Church, the Mentor Club, Herbert Zahl Foundation, Columbia Pacific Heritage Museum, and several others, and was a founding organizer of the American Field Service at Ilwaco High School.

A close friend described her as, "Eternally elegant, Kaye with an 'e.'"

Kaye is survived by her three children, Scott (Linda) Tregaskis, Ann (Paul) Norman and Patricia (Tim) Bolen; stepchildren, Mary Mulvey, Jane (Gary) Young, Alice (Steve) Flaherty, Laura (Kent) Bell, Shannon (Doug) Tetz and Matthew Mulvey; 14 grandchildren; and 20 great-grandchildren.

In lieu of flowers, the family suggests a memorial donation to the Columbia Pacific Heritage Museum, St. Peter's Episcopal Church, or a favored charity of your choosing.

Friends and family are welcome to Kaye's memorial service, which will be held at 1 p.m., June 16, 2018, at St. Peter's Episcopal Church (Peninsula Church Center), 5000 N Place, Seaview, Washington. A reception to celebrate her life will be from 3 to 5 p.m. at the Heritage Museum, Ilwaco, Washington.



Kaye Mulvey

DEATH

June 10, 2018

DODGE, Donald A., 62, of Bay City, formerly of Warrenton, died at home. Waud's Funeral Home in Tillamook is in charge of the arrangements.

PUBLIC MEETINGS

MONDAY

Knappa School Board, 6 p.m., Knappa High School library, 41535 Old U.S. Highway 30.
Astoria City Council, 7 p.m., City Hall, 1095 Duane St.

LOTTERIES

OREGON	WASHINGTON
Thursday's Pick 4: 1 p.m.: 9-5-9-6 4 p.m.: 1-7-9-7 7 p.m.: 3-4-8-9 10 p.m.: 1-2-8-8	Thursday's Lucky Lines: 02-08-11-14-FREE-17-23-26-30 Estimated jackpot: \$11,000 Thursday's Daily Game:
	5-2-8 Thursday's Keno: 01-05-10-11-17-22-26-32-33-38-43-52-53-56-66-68-70-71-79-80 Thursday's Match 4: 04-07-11-19

The Daily Astorian

Established July 1, 1873
(USPS 035-000)

Published daily, except Saturday and Sunday, by EO Media Group, 949 Exchange St., PO Box 210, Astoria, OR 97103 Telephone 503-325-3211, 800-781-3211 or Fax 503-325-6573. POSTMASTER: Send address changes to The Daily Astorian, PO Box 210, Astoria, OR 97103-0210

www.dailyastorian.com
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Circulation number: 503-325-3211
Periodicals postage paid at Astoria, OR

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