

County marijuana regulations adopted by court

Pro tem justices of the peace selected

By Richard Hanners
Blue Mountain Eagle

The Grant County Court approved amendments to the Grant County Land Development Code at their Oct. 17 meeting to implement rules and regulations for marijuana businesses. Fifty-three percent of Grant County voters supported overturning a ban on recreational marijuana businesses in the May election.

A hearing on the amendments was continued from a previous court meeting. Grant County Planning Director Hilary McNary said all references to federal regulations had been removed, and changes were made to proposed ventilation regulations to accommodate growers who open up greenhouses to ambient environment and growers in isolated rural areas.

A producer who had grown medical marijuana for a number of years in a rural area near Kimberly had objected to the proposed regulations, saying she faced financial burdens in order to conform with the proposed ventilation rules.

McNary said she would waive the application fee for a nonconforming use permit so the grower could continue in business. The court thanked McNary for addressing these concerns and getting the amendments drafted.

In other court news:

• Following a department update by Grant County Justice of the Peace Kathy Stinnett, the court agreed to appoint three justices of the peace from nearby counties as justice of the peace pro tem for Grant County: Robin Ordway, Wheeler County; Vicky Clemens, Harney County; and Cris Patnode, Gilliam County.

Stinnett said she had been without a justice of the peace pro tem for 30 days. With three nephews in law enforcement in Grant County, Stinnett said conflicts of interest occasionally arise. She estimated that, on average, she needs a pro tem justice of the peace for about half a day per month.

Grant County Justice Court handled 1,350 charges over the past year, including about 150 misdemeanor charges and 150 small claims cases, Stinnett said. In addition to fish and game cases,



Eagle photos/Richard Hanners

Grant County Justice of the Peace Kathy Stinnett explains her request for a pro tem justice of the peace during the county court's Oct. 17 meeting.



Grant County Roadmaster Alan Hickerson updated the county court about the department's projects at the Oct. 17 court meeting.

the court handles trespassing, shoplifting and other misdemeanor cases.

Small claims cases typically range from \$2,500-10,000, Stinnett said. The justice court's new part-time assistant began working Oct. 15, allowing the court to be open half-day on Fridays, Stinnett said.

• Grant County Roadmaster Alan Hickerson updated the court on his department's work over the past year. Brush clearing along county roads took place through the winter, and 20 miles of the Lake Magone Road was chip sealed, along with several roads in Long Creek.

Flash floods hit Mt. Vernon once and the Izee area twice, Hickerson said. The events are short-lived, and the damage was relatively easy to address, he said. His crews also handled a lot of patchwork around the county.

Cooperative exchanges of crews and machinery with the Oregon Department of Transportation were commonplace, Hickerson said, with both sides benefiting. The county road department also assisted John Day with its Canton Street cul-de-sac

project. He noted that Long Creek and Granite also benefited from county cooperation with road projects.

• Commissioner Rob Raschio raised the matter of reestablishing a water committee to advise the court. Commissioner Jim Hamsher said he'd like to see a list of qualifications accompany applications, but Judge Scott Myers noted that volunteers for other committees were not asked to provide qualifications. The court should be careful with such a request, Myers said.

Raschio said the court should welcome people with special interests or experience, while Hamsher noted that the county should be aware of individuals who had "an ax to grind." The court agreed to tweak the committee's mission and bring it back at a future meeting.

• The court reappointed Clair Kehrberg and Robert Quinton to the Grant County Board of Property Tax Appeal. Myers will remain on the board as the court representative.

• The court's next regularly scheduled meeting is Oct. 24.

County considers paid deputy district attorney position

Carpenter proposal addresses grant funding loss

By Richard Hanners
Blue Mountain Eagle

With the anticipated retirement of Grant County Counsel Ron Yockim coinciding with the loss of federal grant funding that supported a deputy district attorney position, District Attorney Jim Carpenter presented the county court with a combined proposal aimed at addressing both issues.

The proposal, estimated to cost about \$50,000 for the remaining half of the fiscal year, calls for Carpenter taking on the role of county counsel and the county paying for a deputy district attorney rather than relying on grant funding.

The court tabled a vote on Carpenter's proposal Oct. 17 until a job description can be drafted for the deputy district attorney position and more information can be presented about how nearby counties fund their district attorney's office.

Grant loss

Carpenter learned about the loss of \$167,000 per year in federal Violence Against Women Act grant funding on Sept. 10. Two days later, he warned the court he may need to triage cases with the loss of a deputy district attorney. If he had to choose between prosecuting a trespass case or a domestic violence case, he would choose the latter, he told the court.

Deputy District Attorney Mara Houck, who left for a position with the Deschutes County District Attorney's Office, had prosecuted all cases involving sex abuse, child abuse and domestic violence. The VAWA funding also supported a victim intervention specialist and



The Eagle/Richard Hanners

Grant County District Attorney Jim Carpenter exchanges comments with the county court during their Oct. 17 meeting.

special investigator.

Grant County had received the grant funding for four consecutive cycles, and remaining grant funds could last until next March, Carpenter told the court at the time. The court approved Carpenter's request to contract with local attorney Riccola Voigt to resolve Houck's remaining cases.

Commissioner Rob Raschio told the court Oct. 17 he believed the district attorney's victim assistance program should be funded with grants but not the deputy district attorney position. He noted that Harney, Baker and Malheur counties pay for their deputy district attorneys.

Carpenter said it was unlikely the deputy district attorney position could be funded with grants once Grant County made it a regular paid position.

DA's proposal

According to Carpenter's proposal, he would take on the duties of county counsel in advising county officers, addressing legal questions of a civil nature, prosecuting violations of county law and representing the county in litigation to the extent possible. Outside counsel would be needed if the workload exceeded his resources, Carpenter said.

One of his current legal assistants would be designated to

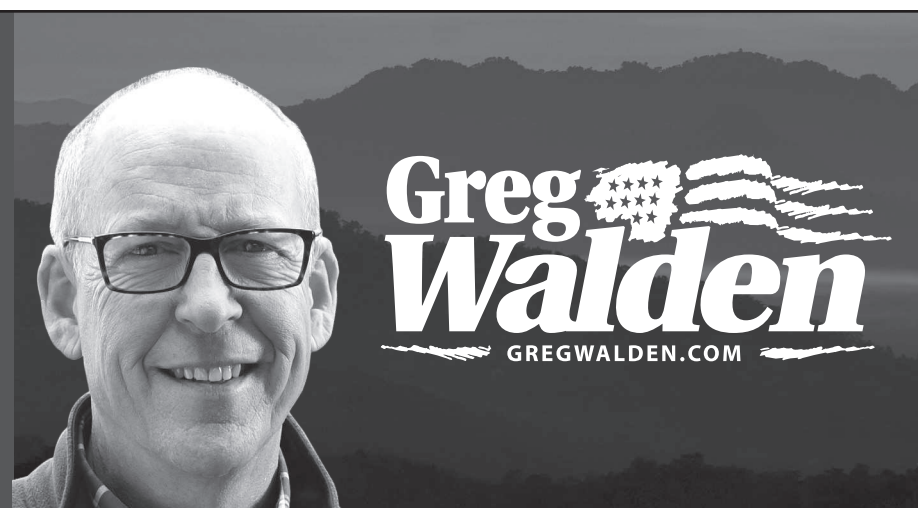
work on county counsel tasks, including keeping records, drafting correspondence and pleadings and tracking appointments. Carpenter said he didn't anticipate any conflicts preventing him from handling the county counsel position.

Carpenter also requested that \$5,000 be made available in the current fiscal year as a match for any future grant application, with \$10,000 made available in subsequent fiscal year budgets. The money will not be used unless a grant is awarded, he noted.

Raschio took issue with Carpenter's suggested salary for the deputy district attorney position. Raschio noted that the position was prized by law school graduates on a career track and didn't need to be paid at the scale proposed by Carpenter.

On the other hand, Grant County could benefit from having a skilled attorney at the deputy district attorney position, Raschio said. He suggested offering the pay scale in Carpenter's proposal dependent on experience. Carpenter agreed with Raschio's suggestion.

When Judge Scott Myers questioned how long the county could sustain the cost of the new position, Carpenter noted that all county employees face the same condition — if funding dries up, their jobs could end.



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