

**COUNTY OF PLACER
NEWCASTLE/OPHIR MUNICIPAL ADVISORY COUNCIL**

175 Fulweiler Avenue

Auburn, CA 95603

County Contact: Administrative Aide (530) 889-4010



**MINUTES OF FEBRUARY 18, 2016 MEETING
OF THE NEWCASTLE/OPHIR MUNICIPAL ADVISORY COUNCIL
Ophir Elementary School, 1373 Lozano Rd., Newcastle, CA**

Members Present

SAM MOORE
KAREN GREEN
ED SANDERS
JOE IRVIN
STEVE PALMER
ELLIOTT ROSE
TINA BAKKEN

Members Absent

County Staff Present

SUPERVISOR HOLMES
LEAH ROSASCO

1. CALL TO ORDER

The regular meeting of the Council was called to order at 7:05 p.m.

2. PLEDGE OF ALLEGIANCE

3. THE MINUTES OF THE NOVEMBER 19, 2015 MEETING WERE APPROVED WITH CORRECTION

Motion made by Joe Irvin to approve the November 19, 2015 Minutes with correction, 2nd by Karen Green, Motion carried.

4. The February 18, 2016 AGENDA WAS APPROVED

Motion made by Joe Irvin to approve the February 18, 2016 Agenda, 2nd by Karen Green, Motion carried.

5. COUNCIL ACTION TO BE TAKEN – SELECTION OF 2016 CHAIR AND VICE CHAIR

Karen Green nominated Sam Moore for Chair. Ed Sander 2nd. Motion carried 7-0

Elliott Rose nominated Karen Green for Vice Chair. Ed Sanders 2nd. Motion carried 7-0

6. PUBLIC SAFETY REPORTS:

- a) California Highway Patrol: No one in attendance
- b) Newcastle Fire Department: No one in attendance
- c) Placer County Sheriff's Office: No one in attendance
- d) Placer County Fire Department: No one in attendance

7. Public Comments:

Karen Green wanted to know if Cal Trans was going to be giving an update on bridge closure. Newsletters went out to the businesses.

8. Reports:

- a) **Local Government** Supervisor Holmes reported he attended last month's Penryn MAC meeting. There were approximately 150 people in attendance. One of the items is that the fire department is running on financial reserves. He stated that he would be attending the Penryn Fire Board meeting on 2/22/16.

Auburn has a homeless problem and the County is looking for participating from the cities of Roseville, Rocklin and Lincoln as it is a regional issue.

- b) **Public Safety:** No report
- c) **MAC Member Reports and Correspondence:** No report

9. Action Item: Medical Marijuana ordinance

Josh Huntsinger, George Rosasco and Bekki Riggins from Placer County provided an update on the proposed medical marijuana ordinance. State law went into effective January 1, 2016. The Board of Supervisors on January 5, 2016 directed staff to develop an ordinance regulating medical marijuana. The County plans to have an ordinance in place by June 1, 2016.

Goals

- a) promote public health and safety
- b) reduce size of illicit market for cultivation
- c) prevent non-medical access and use by youth
- d) reduce environmental harm to water, habitat and wildlife
- e) provide clear criteria for business and patients who wish to operate responsibly
- f) develop a fair system of regulation and taxation that supports public purpose
- g) provide flexibility and authority for modification or adoption of additional measures into the regulatory process to ensure effective implementation

Accountability

Annual permits

Annual inspection

Swift and certain enforcement

There are two options for the regulation of medical marijuana cultivation and sales – 1) Ban and 2) allow but controlled with regulations.

BAN

1. Supply and demand satisfied through black market trade
2. Illegal diversion of medical marijuana into the recreational market and increased criminal activity
3. Serious harm to the environment including diversion of scarce water resources, use of toxic chemicals that will pollute land and waterways, harm wildlife and erosion.

REGULATE

- 1) Outdoor cultivation including greenhouse
- 2) Indoor cultivation
- 3) Dispensary

State and County licenses will also be required within the ordinance.

Fees – cannot legally go beyond cost of program

Taxes – go to vote of the people for general use for public

Fines – commonly revert to commercial fund.

MAC's questions and comments:

Elliott – What is the cost to fund this ordinance? Answer – Unsure at this time.

Elliott – What is the Federal Government's approach? Answer – Responding to the will of the people.

Karen – Under MRRSA, if County does not do anything does the State take over? Answer – Yes.

Karen – Who has the County contacted to see how things are working out for them? Answer – Humboldt County is one county that already has a plan in place.

Steve – Is the County looking for the MAC to ban or regulate. Answer: They are just looking for general direction.

Elliott – What type of fines will be levied if not in compliance? Answer: Plants could be confiscated, a 5-7 day window period will go into effect for compliance and if still not compliant then an administrative hearing will be held.

The MAC was being asked to provide their recommendations as follows:

1. Should the County have zoning and land use relations to control the location, amount and distribution of medical marijuana consistent with the State regulatory framework?

Joe Irvin motioned to recommend language as written for the ordinance.

Steve Palmer 2nd and motion carried 7-0

2. Should the industry bear the cost of regulation through fees and taxes?

Steve Palmer motioned to recommend the regulations through fees and taxes adding language that the general tax is for medical marijuana only. Karen Green 2nd motion. Motion carried 7-0

3. Does the MAC support a comprehensive framework for regulation of medical marijuana including:

1. Allow and regulate outdoor cultivation
2. Allow and regulate indoor cultivation
3. Allow and regulate dispensaries

Elliott Rose motioned to recommend language as written. Tina Bakken 2nd motion. Motion carried 7-0.

10. Informational Non-Action Items: NONE

11. Next Regular Meeting: March 17, 2016

12. Adjournment: 9:03