

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
COMMISSIONERS AUDITORIUM
SPECIAL MEETING**

TUESDAY

1:30 P.M.

AUGUST 9, 2011

Board members present: Commissioner Paul Jewell, Commissioner Alan Crankovich and Commissioner Obie O'Brien.

Others: Julie Kjorsvik, Clerk of the Board; Maria Canfield, Public Health Administrator; Suzanne Becker, Deputy Prosecutor; Neil Caulkins, Deputy Prosecutor; Marsha Weyand, Assessor; Clayton Myers, Undersheriff, and 7 members of the public.

SPECIAL MEETING COMMUNITY CANNABIS GARDENS COMMISSIONERS

At 1:30 p.m. Chairman Jewell opened a Special Meeting at the request of Brian Grimmer to discuss recent legislation regarding Community Cannabis Garden's within Kittitas County.

Brian Grimmer, reviewed legislation which allows groups of 3-10 people to produce cannabis medicine for treatment in accordance with their physician. He would like the County to enact this legislation for those who are outside of the City of Ellensburg. Mr. Grimmer explained the City's requirements including a \$25.00 application fee; permission from the landowner; it must be grown indoors and cannot be visible from the outside; 300 feet away from a daycare or a school (the City let CWU develop their own policy which is already in place) and unless a church has a daycare, they are not included.

Neil Caulkins, Deputy Prosecutor cautioned the Board in engaging into a type of regulation that the State said could be joined in with a battle with the Federal government. He felt it puts municipalities and their employees at risk, on something that is federally prohibited. He said he cannot give the City of Ellensburg advice, but the County could essentially be "permitting" and leaving Kittitas County legally vulnerable. He suggested declining the offer from the State and let them fight it with the Federal government.

Maria Canfield, Public Health Administrator, said she is concerned with potential impacts to their budget and what kind of training they would be looking at for their employees. Larry Nickel said he was in favor of the County regulating it to a certain area. He said it was the largest cash crop in America and felt it would bring green jobs (dispensaries). He felt the

City would be amending their Ordinance. He felt if the Board was not in favor of it, put it up for a vote before the citizens and let them decide. Commissioner Crankovich said there is still a battle between what the State allows and the Feds allow. Trish (a member of the public), said without regulation, it is disorganized chaos. Tim (a member of the public), said the patients realize it's new and when they do an application, they know they will be under scrutiny. They want to be up front with the County and agreed with law enforcement stating it does need to be further regulated. He said he could afford it if it was grown collectively and they will also assist with enforcing it on their own as well. Commissioner Crankovich said the Board of County Commissioners were sworn to uphold the law when they took their oath and asked if they would be willing to take the time to weigh the options and clearly define the regulations. Brian (a member of the public) said physicians do not use the word "prescription" but the word "recommendation" for cannabis. Reverend Sandoval said they realize State and Federal laws may be different and since the Federal law trumps State law, by giving a license for it, it could put people in jeopardy. He said he would like to see the FDA come with a recommendation. He felt it may put the safety of their community members in jeopardy and could be dangerous. Eric Johnson, Executive Director of the Washington State Association of Counties, said the Governor vetoed a lot of it, and said they would be waiting for more information. He said there has only been one County who has put a six-month moratorium on it, and another decided to not take any action on it. There is no ability to completely opt out. Clay Myers, Undersheriff, said there is no clear definition or consistency of how to respond if one of the growers wants a remedy for law enforcement to assist since it's too new. They are not asking the County to clarify, but rather if the Board chooses to, make sure they have clarity. Trish felt the County should do what Seattle has done, and regulate it. Brian said by regulating it, it would provide rules and responsibility for patients and add clarification to enforce the law. Chairman Jewell said medical marijuana patients are already allowed by State law.

Commissioner Crankovich said he would not consider anything without adequate preparation and there are too many unanswered questions remaining in his mind. Commissioner O'Brien felt none of the medical marijuana patients need the County's approval, because the State has already given it to them. He would be in favor of stringent rules and would rather seek advice from legal counsel and members of law enforcement. Chairman Jewell asked for this item to be under the CDS Study Session on September 12th

at 1:30 p.m. in the Commissioners Auditorium for further discussion.

Meeting adjourned 2:35 p.m.

CLERK OF THE BOARD


Julie Kjorsvik

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON


Paul Jewell, Commissioner