

**SOUTH COUNTY ADVISORY COUNCIL  
MINUTES FOR THE FEBRUARY 23, 2015 MEETING**

The meeting was called to order at 6:30 p.m. by Vice-Chairman Harry Walls who led the Pledge of Allegiance. The roll was called by Secretary Elaine Thomas with the following members present:

Susan Cholakian	Bill Dorland
El-Jay Hansson	Art Herbon
Vince McCarthy	Gary Spelbring
Elaine Thomas	Harry Walls
Dan Woodson NCSD	Richard Wright
Vern Dahl, LMUSD	Istar Holiday, LAND USE

The following members were absent:

Sandra Caughell	Pat Duron, AGRI
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A quorum was declared.

**Approval of Minutes for the January 26, 2015 meeting.** Art Herbon moved, seconded by Gary Spelbring that the minutes be approved. Motion carried.

**Treasurer's Report: Gary Spelbring, Treasurer,** reported the following:

Grant Funds	\$1,278.00	Dump Fees	\$ 895.76
Library	\$ 952.42	Total	\$3,12618

El-Jay Hansson moved, seconded by Pat Duron that the Treasurer's report be accepted and filed. Motion passed.

**Comments from the Chair: Vice Chairman Harry Walls** asked all those who wish to speak at this meeting to fill out a form. They will be allowed 3 minutes to speak on their agendized topic.

**Community Presentations**

**SLO County Supervisor, District 4, Lynn Compton** said that she will speak later in this meeting.

**Cal-Fire Battalion Chief Paul VanGerwen** not present

**SLO Sheriff's Office Commander Jay Donovan** reported 71 total calls in the last four weeks:

13 thefts	14 arrests	9 valdalism
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Two scams are on-going:

1. A telephone call to a resident telling them they have not shown up for jury duty and now owe \$650.00 fine.

Commander Donovan said there is never a phone call to a resident who has supposedly missed jury duty and the fine would not be levied.

2. Mail box thefts. Two people were arrested on their way to Oceano. They had been observed by a resident and called the 911 dispatch. Over 108 victims had experienced mail box thefts and possibly as high as 200. The items were found in the couple's car and they were arrested for theft, forgery, fraud and child endangerment. The children with them were placed in Child Protective Services.

**California Highway Patrol Captain Mike Bueno** reported 40 traffic collisions. Two of these resulted in fatalities, 7 injuries and 4 were DUI related. An accident on the Santa Maria Bridge caused massive traffic back-ups and alternate routes were also backed up. Captain Bueno also said they are checking for illegally parked cars.

**Nipomo Community Services District: Dan Woodson** reported that the Supplemental Water Project Phase 1:

Contract cost North of the River	\$5.0 million
Completed to date	\$2.7 million

Contract Cost South of the River	\$1.6 million
Completed to Date	\$1.5 million

**SLO County Planning Staff: Brian Pedrotti** - not present. **Airlin Singewald, Project Manager - Planning** will speak later in this meeting.

**Lucis Mar United School District: Vern Dahl** reported the teachers of the district are picketing for a higher wage than has been offered. The District has received 10% more State money this year and the teachers believe they should receive a higher share. Mr. Dahl said the teachers salaries are as follows:

High \$76 - \$81K per year

Mid \$58 - \$61K per year

Low \$40 - 42K per year

Meetings are being held to come to an agreement.

**Nipomo Chamber of Commerce President Richard Malvarose** was pleased to announced that there are 8 new businesses in Nipomo and the Chamber membership has increased to 208. The Keep Nipomo Clean Committee is working in conjunction with the Rotary to keep trash picked up, tending the hanging baskets of flowers on Tefft and the median in front of Vons groomed.

**Public Comment: The public is invited to speak on any issue that is not on the agenda.**

**Istar Holliday**, resident of Nipomo, said she is a teacher and said we have heard from the District about the raises for the teacher, but have not heard the discussion from the teacher's side of the issue. She said we need to hear from the teachers and the Teacher's Union.

**Mike Berry**, resident of Nipomo, discussed the Viva Farms Plant Source Distribution Center traffic. The numerous large trucks are still travelling on Los Caballos at all hours.

### **New Business**

**Blacklake Golf Course** proposed amendment to the Blacklake Specific Plan. Mr. Rob Rossi, developer, spoke about the proposal for a hotel, revamped golf course and additional housing at Blacklake. No specific plan has been issued, but Mr. Rossi is seeking approval to proceed with a plan to study the proposal. Several Blacklake residents spoke for and against the proposal. Mr. Rossi pointed out that the Golf Course is barely solvent at this time and believed that a hotel on the present site of the Club House could provide a needed service to out-of-town golfers. He believes the added housing would also benefit the Club.

The course was built 38 years ago with 555 homes and is now showing it's age and needs to be refurbished. There have been three Town Hall meetings for the residents, but only about 10% of the residents attended since there is nothing at this point to discuss as far as completed plans

After further discussion, Art Herbon moved, seconded by Dick Wright to send a letter to the Board of Supervisors: "expressing SCAC's support for allowing the County to start the review process for modifying the Blacklake Specific Plan. The SCAC, however, does not endorse any proposed changes that has seen so far." Discussion followed. Motion carried with one member opposed.

**People's Care Facility DCR2014-00076** is seeking a Minor Use Permit for an Adult Day Care Center on Mary Ave.. The location had been an antique store and is adjacent to a Spa and Beauty Salon. **Cristin Nicolette** reported said they would receive approximately 45 patients who would be delivered by van to the facility and cared for during the day. The patients would sometimes be taken on field trips to other locations and returned to the facility to be taken home by van. There are 6 vans to provide transportation for the patients and there are presently 28 parking spaces. Any cars would be off the premises during the day so only a few parking spaces are needed for the vans.

Dick Wright moved, seconded by Art Herbon that the recommendation for the Minor Use Permit be approved. Motion carried.

**Ethnobotanical Proposed Minor Use Permit for a Medical Marijuana Dispensary at 2122 Hutton Rd., Nipomo** **Stephanie Kiel** spoke on behalf of the Ethnobotanical Company and said the dispensary was not for profit, that the marijuana was lab tested and organic. The marijuana is grown in Watsonville and would be transported to the facility. They will offer a "compassionate discount" for those who are sick and cannot pay. The discount would be from 15% to 100% depending on the circumstances of the client. There would be 26 employees who would undergo rigorous training and 50% of their health care insurance would be provided by the company. The employees would be trained in ethics, patient care and security. The application for the Minor Use Permit is 114 pages in length and Ms. Kiel is summarizing the core of the proposal.

Security was discussed and indicated the steps taken to insure safety of the client:

1. Client arrives at the store
2. First door is locked
3. Security checks to see age of client and see permit from doctor.
4. Client added to date base
5. Shown rules for membership
6. Second locked door
7. Into retail area/purchase

8. No on-site consumption
9. Purchase is sealed
10. Client leaves premises
11. No loitering or sitting in cars

The different areas of the dispensary are observable from other areas through windows. The Security Guard is unarmed.

The inventory of marijuana is stored in locked cabinets and is shown to the client one at a time. Ms. Kiel said there are presently about 40 mobile delivery services in San Luis Obispo County delivering marijuana to people. She pointed out that the County is not receiving any tax benefit from these mobile units.

The facility plans to make available an acupuncture service as well as massage service. They will continue to delivery their product to homes and offer a wide variety of the marijuana. The customer can buy 1 oz. of marijuana per week. The store would be open 365 days per year from 11:00 a.m. to 6:00 p.m. and there would be 5 employees on duty at all times.

**Justin Sherbon, Security Company** that designed the security for the facility showed two plans that show all the safety features including locked doors, cameras with high resolution quality, alarm system built in, hand held alarm system, all doors buzzed in and out, panic buttons and security glass.

Dick Wrigh,SCAC, asked how the safety of transporting the marijuana from Watsonville as handled. **Mr. Lou Koory, Atty**, said that is proprietary information. Mr. Koory is local, lives in Shell Beach. He said they plan to install an ATM service and also the use of debit cards is planned.

**Mitzi Navaro, Bomar Security Co.** spoke about the safety of the building and said they would be monitoring the facility by lap-top from all cameras for 24 hours per day. She said the Security Guard on duty is not armed but would dispatch the law enforcement agencies, both San Luis Obispo County and Santa Barbara County.

Art Herbon..SCAC, asked about the membership aspect of the dispensary since they are calling the client members. Ms. Kiel said the members must be a California residents and the doctor issuing the permit must be licensed in California. Art pointed out there could be a lag time for law enforcement

to arrive at this remote area of the County since we have only two sheriffs who patrol from Oceano, parts of Arroyo Grande and South County to the Santa Maria River.

Dan Woodson, SCAC, asked that was there a possibility of an added sales tax above the regular sales tax that would be charged. The facility is talking about using a 5% additional sales tax that may go to the County or perhaps to the Nipomo area.

It was pointed out that this intersection of Hutton Rd., Highway 101 and Highway 166 is extremely busy and sometimes causes back-ups. Also there are two taverns next to the proposed site which may cause additional traffic problems. The amount of traffic was discussed.

Ms. Kiel was asked how this location was provided and she said Ethnobotanical Marijuana Co. did not seek this store, that they were found. When asked by whom, She said Mr. Kooey, the Attorney approached them with the location in mind.

Vice Chairman Harry Walls turned the discussion over to the public. A number of residents spoke both for and against the facility in reference to: safety, traffic, location in proximity to homes, Federal and State law conflicts, quality control, potential gang members from both Nipomo and Santa Barbara Counties causing problems, lag time of law enforcement being able to arrive and possibility of thefts since the access to the freeway is quickly available.

Sheriff Captain Jay Donovan spoke in reference to the location of this store. He said it could be 10 minutes to over 30 minutes to respond to a safety issue. Since the two officers have to cover such a large geographic area there could be a delay in arriving to a security problem. It would depend upon the location of the officers and what they were involved with at the time of the dispatch.

Dick Wright, SCAC, a retired policeman pointed out several security guards who had been murdered at marijuana facilities in California. Some of these guard were armed, others were not. He also pointed out the location of this facility would be very appealing to criminals for several reasons. There would be easy access to the freeway and roads and the lag time of law

enforcement arriving at the scene. Also the availability of cash and marijuana would make this an ideal location for thieves.

**Supervisor Lynn Compton** said this would probably come before the Supervisors in May. She pointed out that the County, the Supervisors, can by-pass the Planning Committee if they choose. She also pointed out that Santa Barbara County has banned the marijuana facilities and mobile units in the County and a large number of Santa Barbara County residents may come here to buy their marijuana since this would be the only "brick and mortar" facility for many miles.

**Airlan Singewal, County Planning**, said there were no moves at this time to ban marijuana sales in San Luis Obispo County. He pointed out that Pismo Beach has received a proposal for a marijuana store, but turned it down. Since Santa Barbara County has banned stores and mobile units for marijuana sales, he said that Santa Barbara County residents would probably avail themselves of the marijuana at this location.

After further discussion, both for and against the facility, Dick Wright moved, seconded by El-Jay Hansson that the SCAC recommend denial of this application. Motion carried. Two members of the SCAC opposed.

### **Committee Reports**

**Election Committee, Susan Cholakian** said:

1. Town Hall meeting                      March 2, 2015 at 6:30 p.m. NCSD building
2. Election                                      March 16, 2015 at 6:30 p.m. NCSD building
3. Seating of new Council                March 23, 2015 at 6:30 p.m. NCSD building

No other Committee Reports were given

Meeting adjourned at 9:45 p.m.