

**MINUTES OF PUBLIC HEARING AND SPECIAL TOWN COUNCIL MEETING
TOWN OF SNOWFLAKE
HELD 08/12/2016**

1. CALL TO ORDER/ROLL CALL at 7:00 p.m.

Mayor Tom Poscharsky, Vice Mayor Kerry Ballard, Lynn Johnson, Stuart Hensley, Byron Lewis, Cory Johnson, Terril Kay STAFF: Town Manager Brian Richards, Town Attorney Bob Hall, Town Clerk Barbara Flake, Administrative Assistant Katie Melser, Chief Larry Scarber. Lieutenant Bobby Martin

2. PRAYER/PLEDGE Hensley/Lewis

3. 20 Minute Sign up Time: Citizens of the Town of Snowflake that desire to speak during the public hearing may do so by filling out a slip of paper provided by the Town at the back of the room and writing their name and address showing they are a citizen of the Town. When the slip is filled out, it is to be returned to the person at the back of the room. We will accept speaking slips for the next 20 minutes. When the 20 minute expires, no further slips will be accepted. Only citizens of the Town that fill out and timely turn in the slips in the next 20 minutes will be permitted to speak. The Town will make its best efforts to call speakers in the order in which they turned in their slips at the back of the room to the designated person. Each speaker shall be limited to speaking for no longer than three (3) minutes. Time cannot be yielded to another speaker.

4. EXECUTIVE SESSION: PURSUANT TO ARS 38-431.03A3: Discussion or consultation for legal advice with the attorney or attorneys of the public body.

A. Contracts regarding Snowflake Golf Course

Motion by Ballard, 2nd by Johnson C, to move to Executive Session. Motion passed; unanimous

Motion by Johnson L, 2nd by Kay, to return to Regular Session. Motion passed; unanimous

Mayor Poscharsky stated that legal advice was given with respect to contracts. He said there is no action necessary at this time.

5. OPEN PUBLIC HEARING for comment on:

A. Proposed special use permit for a medical marijuana cultivation facility to be located on approximately 79.6 acres at 650 N. Industrial Drive, Snowflake, Arizona. (Copperstate Farms, LLC)

B. Proposed special use permit for a medical marijuana cultivation facility to be located on approximately 20 acres at 4929 State Route Highway 77, Snowflake, Arizona. (Mountain Time Management)

Motion by Ballard, 2nd by Hensley, to open the Public Hearing. Motion passed; unanimous

John Davis stated—PRO

- Appreciate everyone with open heart and mind to bringing this facility to town

- Have 6 year old son diagnosed with Crohn's Disease; options were to give son going into kindergarten a feeding tube through high school to ensure he would not have to take the harmful medicines that can cause cancer; blood is drawn every 2 weeks; gets shot once a week; medicine being given to him is so dangerous that can cause all kinds of cancer
- The one thing that he can't take that is known to fight Crohn's and help Crohn's is cannabis or medical marijuana
- Shared story of boy uprooted from Illinois and living in Colorado to be able to have access to medical marijuana which is making him feel better; boy called prisoner of Colorado because he can't go home because he can't take his medicine out of the state of Colorado
- Told by doctors that the inflammation in his son's stomach is to the point that it could cause colon cancer which is a direct result of the medicines he has to take; medicines that thought to be great medicines because they are not called marijuana
- Need to open your minds to the fact that there are herbs and plants that are grown and if used in the right way can do amazing things
- Will not see any difference in the community growing this plant versus growing tomatoes except to see more tax revenues
- Can't wait for his son to be able to take this medicine

Corinne Rollins stated—OPPOSED

- Ask Council to wait to move forward until the vote in November to legalize recreational marijuana; it should be taken into great consideration
- Extra marijuana in town will cause extra stress on the police force; no way to tell if a person is high because the drug stays in the system for 4 or 5 days
- There is no way to have a completely secure facility
- Informed that the plant would smell for a 4 week flowering period; since this is an indoor facility, it would be growing year-round and smelling year-round; smell is compared to skunk smell
- Copperstate facility at full capacity is 350 times bigger than the facility in Gilbert so the effects of smell on communities are not comparable
- Colorado only allows marijuana to be grown indoors and larger operations are required to have state-of-the-art carbon infiltration systems in addition to in-house air neutralization systems
- Ordinance Enforcers in Denver, Colorado receive dozens of calls each week about the smell; smell will be an issue
- If passing this affected even one kid to get addicted to marijuana that would not have otherwise it is not worth it
- A worry is that this generation of kids will become desensitized to the extreme dangers of this drug because their Aunt or Dad grows it
- There are already hurt feelings, broken friendships, strained marriages, and animosity; relationships and friendships are more important than these businesses coming to town; shows it is not a good fit
- Something else will come; people come for the community and not for the economy

- If passed, the town will be affected horribly and the things held most dear will be down by the hikes in addiction, violent crimes, and the love of money that changes morals so easily

Michelle Kay stated—OPPOSED

- Against this issue which is huge; people have different feelings and who is to say who is right or wrong; can't let it affect the community negatively
- Believe that we cannot teach children that drug money and drugs are okay
- Know it is good and helping people but that is not the issue
- Issue is growing in Arizona and Snowflake
- Can still get the drugs—state of Washington is giving it away they grow so much
- Feel strongly that jobs are needed; grown up here and struggled through the years; husband drives 3 to 4 hours one-way to do a day's job and then comes home
- Is it going to affect our town for good
- Such a huge issue that don't believe that 4 people can make that decision for a whole town
- Believe Council needs to do what the public has asked and let the people vote
- Need to wait and see if marijuana is legalized in Arizona
- There may be lawsuits later
- Public has asked as we have voted for you to vote how we want; maybe you don't what we want
- Public needs to be informed both for and against; have read both and against far outweighs the for

Mike Lackey stated—OPPOSED

- Community made up of Catholics, Baptists, LDS—people that are against this
- Disagree that if most of people voting for this are LDS that it means LDS are for it
- We are all denominations and have raised our children here and want our children to be in the community without the pot farm
- Don't want Snowflake to be known for having a pot farm
- Council represents the people and we voted for you; you to represent how we feel and not how you feel; voted you in to represent us but not to make decisions for us
- Go by the rule of law and think about who you represent and not how you benefit for yourselves
- Sure this would be shut down if it went to a vote of the people but not sure; would see what really happens if go to a vote
- Think about what this is for the people

Dave Haws stated—PRO

- Thank Council for standing up and doing what is best for the community to bring economic development
- This should not be treated differently than what was grown there before; is in an enclosed facility and someone driving by will not know what is growing in it
- These communities need to have economic growth and development or will see businesses going out of business; either going to grow or die

- This is a plant/herb put on this earth by the Lord, no different than every other plant.
- Liquor is made out of grain—does not make grain bad
- This is hemp, not marijuana, with many capabilities
- Marijuana was made illegal back in the 20's and 30's because hemp was being grown prolifically in the Midwest and with its many capabilities it scared the petroleum, textile, and paper industries; thought they would be put out of business so approached the federal government to make it illegal
- In this case the cannabis is going to be used for medical purposes

Barbara Hansen stated—PRO

- Have attended all the meetings pertaining to this matter
- Attended the meeting last night and disappointed to see that some of the planning and zoning commissioners believe there is a gray area in the town code and it is up to them to interject subjectivity—that should never be the case and glad that others figured out what their true roles and responsibilities are
- Many have spoken against and their arguments are based on misunderstanding and lack of education—why is there no public outcry regarding the dispensary that is a few miles from here
- These 2 new facilities are not dispensaries
- Have heard argument that the classification of marijuana from the government is the issue and if the government says no than we can't do it; the issue is the government who stand to lose billions of dollars in seized drug trafficking monies; only reason they do not want to change the drug classification and invest in a valuable drug trial is due to greed and influences of the big pharmaceutical companies who want to push pills instead of looking for natural remedies
- Would be better off if we could heal people using natural remedies instead of chemical drugs
- Know that the federal government does not have my best interests at heart and it will take the states taking a stand on this issue to force them to change
- All people talking about the impact on kids need to address their concerns at home; kids with strong support systems and strong family values will do the right thing
- Educate kids; if they are going to do drugs and cannot get their hands on marijuana, they will pull them out of parent's medicine cabinet and the drugs there are more damaging and addictive than marijuana
- Feel seniors that are against this are out of touch—challenge the man who stated that a \$15 an hour job is not substantial and was money for part-time work and would not change the economy and wages in town to go into any storefront in town and ask what the starting pay rate is and see who pays even close to that rate
- Respect the elders in the community and appreciate their strong beliefs and values system but this town is full of young adults moving forward
- Medical marijuana has the potential to provide great medical benefits and needs to be developed and tested for all the potential it holds

Joseph Dean Porter stated—OPPOSED

- Served on Town Council in the 60's and 90's

- With all the concern and controversy on an item as important as the marijuana farm, it should have been decided by the votes of the people by referendum—asked if that is possible (Robert Hall stated that it is not possible here. It is possible under the statutes of the state)
- If not possible here, members of council should remember that as elected officials they should vote not based on their bias but on the contents of the public that elected them; this is a representative form of government and you represent all of us
- Looked into benefits for the town--\$15 an hour job at 8 hours a day is \$600 a week and \$30,000 a year excluding 2 weeks vacation; wage minus taxes \$24,495; minus \$3,314 (13%) for food—benefit to town would be sales tax; minus \$4,589 (18%) for transportation—benefit to town would be sales tax; minus \$8,413 (33%) for housing
- Requested that council receive copy of comments

Mary Law stated—OPPOSED

- First thing that came to mind when heard marijuana plants wanting to come into Snowflake was Satan's words, "You can buy anything with money"
- Those being helped with their health by marijuana already have access to it and don't need these plants
- Known fact that the marijuana plant being produced today is 12 times stronger than that in the 60's
- Marijuana invades the brain and damages thought processes
- Feel if we oppose these plants, the Lord will bless us and better businesses and more jobs will come into the community
- One council member said every businessman he talked to was for it—how many council members talked to families with children to know how they felt
- No matter what the religion, we are a God-fearing Christian community—need to strive to keep high standards and safety
- Town Council should abide by the majority of the people—that's why they were elected
- Feel if these plants are accepted the town will have been used as a patsy to further Satan's cause to take control of the community and ruin our lives
- Asked if everyone wants to risk selling our children's souls and our community's future for money and a mess of pottage

Paul Lau stated—OPPOSED

- Against the special use permit being granted
- Have lost sight of the real issue—have no issue with medical marijuana
- There are already several products available that have been approved by the FDA that essentially have the same effect
- Some people may not be comfortable using them because they are synthesized
- Understand there are legitimate uses for medical marijuana in low dosage—marijuana plants today have considerably higher dosage than what is required
- Don't think this hearing has anything to do with medical marijuana—already availability of it here and no shortage for those who legitimately need it
- Don't think it is an economic issue—other opportunities available if adhere and stand on principle

- This is a moral issue—do we stand on moral ground and do what is right and good
- Marijuana has great potential for abuse and addiction—is a class 1 drug
- Concern is not about growing medical marijuana here but that if recreational marijuana is approved on the November ballot there will be no recourse to stop the growing and distribution of recreational marijuana because it is written in the law
- Will have devastating negative consequences on the community
- Adamantly opposed and should stand on moral ground making the decision that is best for the long-term growth of the community

Lowry Flake stated—OPPOSED

- Hopes will be able to thank Council for hearing repeated requests that the people be given the right to vote on this matter
- Wife and I have withdrawn from the lawsuit against growing marijuana in Snowflake because we want to work with this Council—consider you my friends, my neighbors, my relatives
- Am most concerned with what is right for Snowflake—thought that we will wither and die if don't have jobs was disproven by our ancestors who came and survived from the raw desert with their hands, sweat and toil
- We can do that again if the dollar dies and if the United States government falls apart because of evil people whose intent it is to destroy this nation and this people
- Medical marijuana is in Arizona as a legal entity because of many dollars that George Soros put into getting the issue passed along with others in Washington D.C. who wrote the law and want this in our community
- George Soros put money behind marijuana because his end goal is incrementalism, to destroy us, to make all drugs legal—that will make us as a people weak and that means we can be controlled by the elite
- Bigger issue at hand than the issue of giving a permit for medical marijuana
- No difference between medical and recreational marijuana and under federal law it is illegal
- Research by medical, scientific, psychologists, and others indicates that it is a dangerous drug
- Issue is too important to not be decided by a vote of the people

Steven Slaton stated—NEUTRAL

- Neutral—seen marijuana hurt people and help people
- City wants tax dollars—noble; citizens want jobs—noble; Copperstate wants a nice facility that will be ready and operational in short time
- Maybe should postpone for 90 days to see where lawsuits and initiatives are going—to get more perspective of what is really going on
- Hear about 100-135 jobs—are they part-time or full-time
- If full-time, will get hammered with costs of Obamacare
- Feel there are a lot of questions that need to be answered
- Feel a lot of anger going on
- Postpone for 90 days to see how election goes and how the lawsuits go—might have a better perspective

Ronnie Graybear Hatch stated—PRO

- Native American born into alcoholic families; parents gave away when little; lived in orphanages and foster homes; was told would be stupid drunk Indian and not worth anything in this life
- Spent a lot of money on son with alcohol problem and put him in a lot of programs; thing helping him the most now is medical marijuana—given him opportunity to even out his mind
- Interesting that one of the greatest problems in the world is pornography and anyone with tablet, phone, and computer has it free yet don't hear the outcry about someone selling tablets or computers but they cry about marijuana
- Believe it will bring jobs and be good for the community financial
- Voted for you and respect your decisions and desire to represent us; trust you with what you have to do

JoAnne Guderian stated—PRO

- Own Heritage Bed and Breakfast with husband; lived in Snowflake for 7 years
- Moved here with high hopes—felt Snowflake was great town filled with family values
- Don't expect pity but life savings is in the Heritage Inn Bed and Breakfast; struggled the last 7 years; borrowed money from family to keep the place open; am fairly successful selling real estate and working 2 jobs and 7 days a week has helped to keep the bed and breakfast open
- Believe any business that is going to move to the area and create jobs albeit low wages \$15 an hour
- There are 800 plus job applications—obviously those people don't feel \$15 an hour is a minimal wage
- If I add up all the hours I work, I probably earn about \$5 an hour
- Obviously \$15 an hour with benefits is appealing to those 800 applicants
- Fife Symington is renting rooms from us and I would like to vouch for his character; is a family man; met his children, his wife, his father, and his children are delightful; cannot believe he would want something bad for this town
- Feel strongly that Snowflake is here because of the people and it is not going to disappear because there is a marijuana farm
- Values that are here are strong and entrenched and are here to stay
- Love living here and love the strong family values and hope to succeed and be able to retire
- You were voted as elected officials to make decisions on our behalf; trusted you when voted for you and I personally trust you now

Daniel Prestwich stated—OPPOSED

- Snowflake is a God-fearing community with many churches people that believe in the Lord; also a law-abiding people
- Is a struggle with this conflict because the federal law says that this is an illegal drug

- Drug Enforcement Administration said on Thursday that it will keep marijuana in the same classification as heroin—class 1 reserved for drugs with no currently accepted medical use and a high potential for abuse
- Personally feel there are benefits to it but don't see 40 plus acres; are we here to help all of America or the whole world
- Work for the school district and have seen students behind my shop smoking marijuana; watched those kids try to make it through school and most of them have dropped out
- Had opportunity to be with our men and women in blue as they have been patrolling the streets; seen the dangers of this drug and the use for a quick buck
- Besides yes or no there is a 3rd option to just wait to consider these things a little longer

Theresa Bukowski stated—PRO

- Have attended all the meetings and find it concerning that hear stories about children and people who have had happen in their lives because of medical marijuana and then hear tragic stories of children lost to addiction
- Know illicit drug use devastates not just the child but the family and everyone involved—that is not the issue we are here to decide
- Concerning that everyone says referendum and we all need to vote on it
- There is a reason we are a representative democracy and that is because it is too difficult to disseminate appropriate information to everybody in the community and have the people educate themselves on an issue, be able to attend every meeting, and vote based on the information and not based on what happened in their family
- That is why we elected Council to review these issues for us, to represent us, and to vote after reviewing information what is best for the town; do not elect you to be able to force you to vote the way a group would
- Issue in front of the Council is—not talking about distributing more marijuana, already a distribution center, but talking about jobs
- People complain that we will be the marijuana capital of Arizona; might be embarrassing at first to stand in line and punch a time card; people might tee-hee at you in the bank when cashing your check but I would rather go into the bank and cash that check than be standing in line at the Bishop's Warehouse for a free handout or standing in line at Our Lady of the Snow for a free handout; would rather work hard and see our children work hard, earn good pay, and have benefits
- Have elected you to learn about the issue and vote deciding what is best for our community

Mayor Poscharsky stated that as part of the public hearing, the 2 applicants will make statements.

Adam Baugh, on behalf of Copperstate Farms stated—

- Do zoning cases across the valley and have not seen better compartment and better citizenry than the way this town has responded to this issue both for and against.
- Heard comments and there is a lot of emotion, passion, and strong feelings; hates to think that this is something that divides the community
- Considering the comments it seems to be a discussion about whether medical marijuana is good or bad, should be allowed or not—not what the question is today

- Second thing pointed out was should this be an opportunity for citizens to vote—tonight it is not a question of if medical marijuana should be allowed in Snowflake; that question was decided by the voters in 2010 when the law was passed to allow medical marijuana in the State of Arizona and in 2011 when Council determined it is allowed in Snowflake in industrial areas with certain criteria
- Decisions today whether for or against will not be permitting medical marijuana in Arizona
- Decisions today will be implementing the code that is already in place, that already allows this under specific criteria
- Already medical marijuana in the community—dispensary or retail outlet in Taylor; many people were probably not aware of that until these hearings began
- Have not heard of criminal activity, reduction of property values—important consideration
- This use does not reintroduce into the community—it is for a particular grow facility that will be distributed through a separate retail outlet outside of Snowflake
- Most important is your patience with this issue—public meeting for information session, planning and zoning hearing, city council meeting, and then for abundance of caution and having a clean record of appropriate proceedings, another round of planning and zoning and city council
- Important that Council hears from the community in every instance; community involvement makes great communities
- For the sake of the record and to represent the applicant I must outline why this application complies with the strict requirements of your zoning ordinance—is the question for the day and not whether medical marijuana is good or bad or should be in Snowflake
- Does this application comply with your zoning requirements today—staff made that determination and prepared staff report for Council recommending approval of the use finding that it meets all the criteria of the zoning ordinance
- Site is an industrial area characterized by its gravel mining pits, the transfer waste station, the rail line, and the former insulation company soon to be abandoned
- Benefit of this project is it is an 80 acre parcel with a 40 acre building in which 5 acres are to be grown—80 acres surrounding the facility are natural buffer from any of the surrounding uses of the area
- Former greenhouse operation, even with cheap labor, could not succeed—as price of vegetable decreased and with the cost of labor they went through several bankruptcies
- Building is vacant and over time will deteriorate; hard to find users for such a specific facility; this is opportunity to find a company who can operate in this facility and is willing to spend the money to acquire, invest, maintain, hire, and solve the northern drainage solution
- This is cultivation facility only not retail; not open to public; no sale or exchange of medication on the property; will be transported out of town; will be in strict compliance with all the regulatory rules and regulations both in the town and by state law
- Prior Council made the choice to regulate this use so can only go in a very narrow area; not on you to make a legislative decision today but to make the administrative action to

decide if this application meets the specific criteria implementing the existing policy outlined in Section 4-5-3

- Planning commissioner made the comment that if someone is building addition to their home, they should expect if they comply with all the zoning rules, the building permit, the city code that they should be given a permit; we see the criteria in the code and how we've shown how we meet that criteria and have that same expectation; future businesses, employees, applicants will want consistency in the way the codes are administered
- Provided list and spacing distance sealed and surveyed by an engineer verifying that codes are met and far exceeded with industrial zoned land and minimum spacing criteria regarding schools, preschools, churches, parks, community centers, and cemeteries; also, more than a mile from another marijuana facility and more than 500 feet from residential zoned property
- Thinking about the product being grown—going from one agricultural use to another agricultural use but from the outside everything remains the same except for enhanced security, enhanced monitoring, improved fences, which all have a benefit to the surrounding properties
- Will be full compliance; all activities will occur indoors; no impact on existing industrial or future industrial plans for the area
- Probably only commercially viable use of this property
- Even though they have not closed on the property applicant has invested significant resources into it as a gesture of good faith
- Will contribute significantly less truck traffic than the prior agricultural use; requires half the amount of water used previously
- Look forward toward working cooperatively with the city and working with the police chief on security plan, on impromptu visits, on sharing our recording and video equipment for optimized regulation, security, and monitoring
- Economic impact—significant job revenue by direct wages that are spent back into the community and indirect wages going to support business that help to construct and maintain the facility
- Will be benefits to Snowflake, the County, other taxing jurisdictions such as the schools
- Consider the ordinance in play and whether those legal findings have been met

Fife Symington stated he appreciates the time and effort Council has dedicated to this issue. He said it means a lot to him and also to the over 800 people submitting job applications. He feels with working together there will be an enormous impact on the community. He said Copperstate has strived to meet all the objective criteria of the special use permit process. He said he realizes there is the matter of character, matter of trust, matter of integrity, and he wants Council to know that he has made a promise to the community of Snowflake and he intends to live by his word. He said he is putting his reputation of 20 years in business on the line here in Snowflake. He asked respectfully to be trusted and he promised to be a good steward of that trust.

Jeff Quinn, Mountain Time Management and Kompo Care Dispensary, stated—

- Follow the same state rules and regulations for security
- Have done a great deal to clean up the location at the old pig farm

- Dispensary has been operating for the last 2 years in Taylor and there have not be incidents or complaints
- Anyone is invited to come out to the dispensary and the grow facility to see what is going on
- They want and strive for that transparency
- Ethics and morals come into all the meetings and it has been pleasant to have both sides at this meeting
- He has lived in Overgaard for 11 years and a lot of the team live in Snowflake and Taylor
- They enjoy the area and have tried to utilize local contractors and local businesses. He said it is great to be a part of the community—is important
- Comply with Town Code 4-5-3—1 mile from similar facility, 500 feet away from residential zoned properties, 1,000 feet away from schools, churches, parks, cemeteries, community centers
- Have strict rules from the state and the town can make them stricter not more lenient
- Always will be transparent with the town as we have been with the county

6. CLOSE PUBLIC HEARING

Motion by Ballard, 2nd by Lewis, to close the Public Hearing. Motion passed; unanimous

7. CALL TO THE PUBLIC:

Marie Caldwell—

Traffic at the parent pick-up and the bus loading zone at the Junior High is a hazard to people traveling on the highway during the morning drop-off and the afternoon pick-up with buses going down the parent pick-up road, people turning right and left, lanes being blocked on the highway, and children walking through the bus loading zone because cars are backed up. It is a true hazard. Requesting police look at that intersection during those times. Suggested that maybe people should not be allowed to make left turns, or there should be a police presence, or maybe there should be a temporary light for the safety of the children and the drivers.

Mayor Poscharsky asked Brian Richards to talk with the Police Chief regarding this issue.

8. CONSENT AGENDA:

A. Approve Council Minutes dated June 28, 2016, July 19, 2016, & July 26, 2016.

B. Approve Modification to Intergovernmental Agreement Between Arizona Department of Revenue/State of Arizona and Town of Snowflake.

Motion by Johnson C, 2nd by Kay, to approve the Consent Agenda. Motion passed; unanimous

9. DISCUSSION/ACTION ITEMS

A. Consideration & Possible Approval of Special Use Permit for Copperstate Farms, LLC.

Motion by Poscharsky, 2nd by Kay, to approve the special use permit as an administrative matter noting that staff and applicants have shown all criteria have been met including the 5,280 feet distance from similar facilities in operation; more than 500 feet from a residential zoned property; and, not located within 1,000 feet of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, public cemetery, or community

center. Also, based on information provided by the applicants, the criteria have been met that they be located, designed and operated in a way that is compatible with the livability of the area; not to seriously interfere with the existing uses of adjacent properties, with character of the area, or purpose of the zone in which it is proposed; and, do not impose an undue burden on any public improvements, facilities, utilities, or services available to the area.

Roll Call Vote:

Ballard stated—

- Council does a good job at looking at both sides of every issue—my position remains the same and my vote is no

Poscharsky stated—

- My position remains the same and my vote is yes.
- It is a legal product and good for the area in terms of additional jobs which are needed and for economic development
- After working with Copperstate for over a month and a half, I believe that they are a good corporation and that they will be a good corporate citizen for Snowflake

Johnson L stated—

- I have 2 concerns—referendum and recall
- This is a very heated and emotional issue and someone stated they want to take subjectivity out of it and that would mean ethics and morals
- I believe that is why we have a representative form of government so ethics and morals can be expressed
- It was stated that if did not have the representative form of government that is outlined in the constitution then there could be a ballot and everyone could vote
- Disagree and believe strongly in the constitutional process
- Listening to debate about recreational marijuana—heard people who are against recreational marijuana do not want it on the ballot for people to vote
- Is different than here where people want this on the ballot
- Recently was talking to a diverse group and the majority would have passed this referendum that people want
- Interesting that you say you want all people to be represented unless they are against what you want—all want to be heard
- Have concern about the recall—have sat beside these gentlemen for 4 years and had difficult decisions to make
- Some decisions went the way people wanted and some did not but there were not people who screamed for a recall
- These same people you want to recall today were voting for things you wanted in the past— don't think their vote taints their character or that their vote deserves the comments that were given them in the paper
- These men have created jobs, donated hours of time, and the amount of effort they have given to put this community in a good position is inestimable
- Disappointed with Mr. Krieger who called me on the phone asking what my vote would be—told him and I guess I am off the target list

- Disappointed in his response to my questions of who he represented and who is funding him--his answer was he did not know and would get back with me which he did
- He has no idea about our town and no concern about the finances of our town—cost to put on a recall election could be \$8,000 to \$15,000 on good men that voted for things in your favor with your best interests at heart for a long period of time
- Process is that if you don't like how someone votes, don't vote for them next time
- I say this man has no business in our business; he did not recall someone in Holbrook when they put in their marijuana facility, or Chino Valley when put in their 4 marijuana facilities, or Taylor when they voted for a dispensary
- These are good men and it is ridiculous to let a guy from Peoria who does not know these men and what they represent tell people here what to do
- Believe there should be subjectivity in this and am against the facility—nothing against Mr. Symington
- Believe sociologically there are issues and believe the distribution needs more scrutiny
- Believe the enforcement is questionable and the research is not sufficient
- There is research for and against—believe this is premature
- I am voting no but because my counterparts are voting yes I will not be recalling, slandering, and telling them they are immoral

Hensley stated—

- Appreciate everybody who expressed their feelings tonight—it is important
- I am still not for marijuana but am for upholding the law and jobs and new opportunities in the community
- My position has not changed and am more determined to do the right thing
- These 2 companies have extended themselves in an effort to do what is necessary following our state law and our town code
- Although I have never been without a job, I also know what it is to not have any opportunities to better myself and my family's position
- We had to leave the area for several years before finding a way home
- My vote is still yes

Lewis stated—

- Think highly of the individuals that sit on the Council—they vote their conscience and contribute to the community
- Was touched by individuals who spoke today and understand where they are coming from
- Work in the medical profession and have seen individuals on both sides suffering from marijuana and those benefiting from it
- Is evidence that marijuana has provided remedy and relief for children suffering from seizures and cerebral palsy
- Opinions that the medical profession have on marijuana are mixed and opinions of people in the community are mixed—that is why I have maintained that this should be a public referendum
- Have talked with hundreds of people from different faiths, backgrounds, genders, ethnicities, and belief systems.—nobody knows what the effect of medical marijuana will

be and that includes the Federal Drug Administration and the American Medical Association

- This is a united community—not just LDS but there are a lot of LDS here
- In a document released as an official statement, the LDS Church said, “In addition to the therapeutic treatment and control questions, there are several other important issues to be resolved. At the forefront is the usage of medical marijuana. It is still illegal under federal law. We agree with groups such as the American Medical Association who have said that further study is warranted before significant public policy decisions on marijuana are advanced. For these reasons the Church urges a cautious approach.”
- That is my position—don’t want to turn Snowflake into a laboratory where these tests are put to the test using individuals in the community as potential subjects
- Understand the jobs and have found both companies to be forthcoming—voting yes they are the type of groups I would want to represent me
- If the AMA, foremost medical authority in the country, is saying this is not a legal entity and research is still needed, my vote still remains no

Johnson C—

- Intrigued with what Mr. Porter had to say—glad he did not finish saying that \$30,000 a year is not enough to survive on
- I serve on the school board and teacher starting salary is \$30,000 a year—is a struggle to find them
- Currently the number one employer in the community is the school
- Was asked the question, “What if your daughter wanted to work there?”
- Mary Law brought up the point of how many families with kids were asked how they feel
- I have 2 daughters and would be delighted if they wanted to work there—am a terrible farmer and would be delighted for my daughter to go there and learn the latest practices on how to grow things, on farming, and on agriculture from a master, from a guy that has done it for 20 years
- Maybe she could bring that back to Bellybutton and we could grow something other than grass and weeds
- My vote is still yes

Kay stated—

- Appreciate nice things said—want it realized that a lot of time is put in
- People ask why run for Council and get hammered on certain issues—answer is signed up to serve the people because wanted to give back to the community
- Feel I owe a service to the community and am glad to serve
- There was discussion regarding illegal drugs, a huge problem, and medical marijuana which are 2 separate items
- Talked about ethics and morals—am a businessman and believe businesses should be allowed to operate freely if they follow the codes and meet all the standards following the law
- By no means will I control that because that is why we live in America
- Appreciate the conversation today—have great respect for those who say no and those who say yes

- Don't feel this is going to change our community
- Already have illegal drug use—have not been able to stop it
- Having a grow facility competing against other grow facilities throughout Arizona is not going to change or encourage illegal drug use in Snowflake
- My vote is yes

Motion passed; 4 FOR—Poscharsky, Hensley, Johnson C, Kay and 3 AGAINST—Ballard, Johnson L, Lewis

C. Consideration & Possible Approval of Special Use Permit for Mountain Time Management.

Motion by Poscharsky, 2nd by Hensley, to approve the special use permit with respect to this administrative decision that based on the findings of staff and the testimony made today that the Mountain Time Management Facility meets the criteria of the code, specifically, that it is not located within 5,280 feet of similar facilities or operations; not located within 500 feet of a residential zoned property; and, not located with 1,000 feet of a preschool, kindergarten, elementary, secondary or high school, place of worship, public park, public cemetery, or community center. Also, I would make the finding that with respect to our code, it meets the criteria of being located, designed and operated in a way that will be compatible with the livability and appropriate future development of abutting properties and surrounding neighborhood; not seriously interfere with the existing uses of adjacent properties, with character of the area, or the purpose of the zone in which it is proposed; and, not impose an undue burden on any public improvements, facilities, utilities, or services available to the area.
Roll Call Vote:

Ballard—no
Poscharsky—yes
Johnson L—no
Hensley—yes
Lewis—no
Johnson C—yes
Kay—yes

Motion passed; 4 FOR—Poscharsky, Hensley, Johnson C, Kay and 3 AGAINST—Ballard, Johnson L, Lewis

10. ADJOURNMENT The meeting was adjourned at 8:58 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the Town of Snowflake Public Hearing and Special Council meeting held August 12, 2016. I further certify that the meeting was duly called and a quorum was present.

Barbara Flake, Town Clerk