

Appendix B: Public Hearings Transcripts

SPOKANE REGIONAL CLEAN AIR AGENCY PUBLIC HEARING TRANSCRIPT

December 7, 2017 9:30 a.m.
Spokane Clean Air's Conference Room
at 3104 E. Augusta Ave.

December 7, 2017, Regulation I, Articles IV, V, VI & X to Require Registration by Marijuana Producers and Processors & Add Regulatory Standards public hearing, in Spokane, Washington

Spokane Regional Clean Air Agency Office
3104 E. Augusta Ave.

Commissioner Al French, Chair of the Board of Directors

Transcribed by Mary Kataoka. Um's/ah's were not included in this transcription.

Commissioner French: Okay, we're going to go ahead and start the hearing. I'm going to open up the hearing process Let the record reflect that it is now 10:08 and I have now 13 individuals that have signed up to provide testimony, get each individual three minutes. Again I will be timing it and as indicated earlier please speak to the issue and if you've provided written comments, please feel free to refer to your written comments. We've all received all of the written comments and stuff so we've had the opportunity to go through that. I will go through the testimony of the individuals in the order that they have signed up with and we'll start with, and I apologize in advance if I miss pronounce your name, it is not deliberate, sometimes I'm challenged with handwriting and the creativeness of it and so if when you come to the microphone, please correct the record by giving us your name and address so that we make sure that we recorded that correctly. So the first individual I have signed up is Andrew Corsberg.

Andrew Corsberg: You did not butcher it at all.

Commissioner French: This is a beginning of a good start. Thank you sir. Oh and I will not start the time until you are at the microphone and ready to speak.

Andrew Corsberg: Morning to everybody. I'm Andrew Corsberg, I'm here representing the Cannabis Alliance and I believe I only have two issues, one big one, one small

one. First one is really just re regarding the fees in particular; the other one is regarding the exemption. So I'll start off with the fees. It's very unclear, ambiguous, seemingly arbitrary, I'm especially regarding the initial registration fees. If you're a producer only and a tier two is it \$525 or is it the \$1,000, it's unclear, same with the tier three. Also in regarding the annual registration fees, I'm kind of at a loss to kind of understand how that how that's put put together. You've got an outdoor only facility that seemingly is going to have the most open exposure to, to the air which is probably going to have the most contaminants; we can argue about whether or not it's actually contaminant, but that's for another point. If it's outdoor, makes sense you've got a lot of people. If it's indoor, it's going to be, by design, it's going to have less access to the air, therefore should have less smell. So it doesn't make sense to have a producer indoor and outdoor facility having, basically being double charged. If they're gonna be charged for the outdoor facility only because that's going to be the most, lack of a better word, the most pungent operation as opposed to an indoor; so why you would add the indoor and the outdoor to a producer of an indoor and outdoor facility is just strange. And then there's also the producer with Agency granted production exemption; a lot of these fees just seem to be like a quick cash grab and I mean I understand that the Agency has to recoup some of its costs and I think it's, I applaud the Clean Air Agency to regulate the cannabis industry as every other business industry, I think that's a very good thing and we at the Cannabis Alliance actually appreciate that. We're trying to legitimize this industry in every way shape we can, but we're kind of missing the mark here on this one. It's not the, the producers aren't the ones that have all the money; unfortunately, it's actually where the retailers are at. So you're trying to grab, the type of green you're asking for payment is not the type of green these people have. And then going onto the exemption, kind of based on what I'm looking at, I'm, I'm confused as to what the point of the exemption is. You, if you get an exemption, you're exempted from 6.1C so is that the, or 6.18D so is that you're being exempt from the disjunctive of being an indoor or an outdoor or are you exempted from all the definitions in 6.18C; kind of unclear on that one, a little bit ambiguous and then going into the just pretty much the context that's all I want here and I'll wrap this real quick up. All of this is regarding 322, 28 complaints over, over 56% of those are from only eight households and those, all of those were targeting three farms. So it's a 165 people that, a 165 facilities that are going to be levied this for the purpose of three complaints, three people, that seems a little a, a lot of hoopla for a little bit. So that's it for me. Thank you.

Commissioner French: Thank you. Next individual I have signed up is Cyrus Miller.

Cyrus Miller:

Hello, this one, this one, this one. My name's Cyrus Miller, I own Conscious Family Farms. We are a mom and pop tier three in south central Spokane County. We don't have neighbors within a mile anywhere in our radius, probably three in most directions. And this would impact my business negatively, I have greenhouses and outdoor and indoor and we're struggling to survive. You know, just because you have a tier three, doesn't mean you have all the money to put into it to make it put out as something like a Fat Panda or Blue Roots or these bigger compounds can do. So these regulations kind of support big business and they support over regulation which in turn supports the black market; because if we can't compete against the black market, they're gonna be looking at nuggets in stores that nobody wants to smoke because we're trying to compete with all this over regulation. So it's going to be the nail in the coffin to I-502 and cannabis legalization in my business and my family. So I'm kind of shaky up here because it's, I mean we're casually talking about my livelihood and I think that maybe we can make exceptions for people in agricultural zoning or something, I'm not even allowed to make hash out at my place because of the stringent regulations in Spokane County and I don't think anybody can smell anything unless you're actually on that farm. People who are my neighbors, I let them plow one corner of my land. I have very good relations with my neighbors. Maybe there's an exception we can do if you have like signed things from your neighbors saying they're okay with it. I think there's a revolving door aspect in these compounds that are getting complaints, the people that won't be able to pay for these regulations will move out, a new farm will move into these places from the landlord and there will be a continual thing; the air quality won't change and I don't think contaminants are necessarily the same thing as complaints, even though they're nuisance. I guess that's pretty much all I have, I'm pro small business, I'm anti-black market and I hope you agree with me. Thank you.

Commissioner French:

Very good. Thank you sir. Next person I have signed up is Crystal Oliver.

Crystal Oliver:

Hi, first of all my name's Crystal Oliver, I co-own Washington's Finest Cannabis, we are a tier three producer/processor located north of Spokane towards Deer Park. We are on a small tract agricultural zoned parcel and its 10 acres and we haven't had any odor complaints associated with our location. I have a lot of concerns about these proposed regulations. I submitted a pretty comprehensive analysis of the data that I hope you all have seen; but some of my biggest concerns are that the fee structure is excessive; for a tier one operators, in particular, it amounts to 5% to 18% of the medium gross revenue of those farms. I don't find it reasonable for an agency to ask a small business owner for 5% to 18% of their gross revenue. And in this

particular industry, with the excessive regulations that we're facing, I don't think these farmers have 5% or 18% to give you. Some of my other concerns are the use of, of the word exempt to describe the, the licenses that use hoop houses, it's kind of a strange use of the word exemption based on my readings of other regulations, they're not really exempt from much, they're gonna pay extra for those types of operations. I also have some concerns about outdoor producers being charged more than indoor producers. A outdoor field producer is going to be producing on open plat of land and the plants are only going to be in flower for a couple week period and that is when the plants, when the plants are in flower is when you do have the monoterpenes like pining, the pine trees also produce, that's when it's more prominent and that's only a couple week period for the outdoor farmers. Whereas an indoor producer, you know they can do yearlong production, yearlong harvesting, so that impact was really long; so it's kind of a, so there's, I have some problems with that part of it. You know 75% of the complaints were associated with three farms, 74% of the farmers in Spokane County have had zero complaints; so I, I find it really alarming that we're going after this amount of money from these farms that haven't produced any complaints with their neighbors. Ultimately, you know there's a growing problem in the United States with over regulation of small businesses. I know some of you are out on platforms that talk about economic development and supporting small businesses and being, you know anti-excessive regulations and if asking a small business owner for 5% to 18% of their gross revenues isn't excessive, I really don't know what is. I, I don't have much else to say, I, I've written a lot of it down and submitted it to you, but I'm up here it's an emotional subject for a lot of us in this room, we've poured a lot of energy, time and money into our businesses and this could very well devastate a lot of the farmers in this county. Thank you.

Commissioner French: Thank you. The next person I have signed up is James Ming.

James Ming: Yes, my name is James Ming. I live 13010 S. Short Road in Cheney. And I'd like to commend the Spokane Regional Air for developing these rules, I really would. I'm very appreciative; it's very encouraging to me. I have a special interest in this, the Bang's Cannabis is directly across the street from my property and the site produces extreme odors, but most of the odors come in the evening and on the weekend and that's when we don't have inspectors and this would help provide funds so we could have inspectors when the problem is there and I appreciate that. I also very much appreciate the differentiate made between indoor growers and those that are the other because we all know that their indoor growers that there's no smell. I mean I've been around a number of plants and there was no odor at all. But the

ones that are just under plastic outside they produce a lot of odor and I'm glad to see that in section 6.18.C.6. that you, you make that distinction and because there is a great difference. I also appreciate the fact you make a distinction between growers and processors because I think the processing has much more offensive odor than the growing that's only like a week or two a year and, and I appreciate that. And, and I, I think that recognizing that it's being treated as any other business, I think that's very appropriate, that's it's, you know it's, a fair playing field there; and so I, I affirm that. I also appreciate what you have in section 6.18.D.6. which talks about equipment that they have to maintain equipment that controls the odors and it, it's responsibility of any business to protect the environment around them and I appreciate that, that we are doing that. And I think, I, I'm kind of surprised it's been eluded several times that a lot of the complaints are against very few, I'm actually surprised the growers haven't banded together against the ones that are giving em a bad name. But I do want to commend you very much and for these regulations, I think they're fantastic and I will greatly appreciate them as a homeowner here in Spokane. Thank you very much.

Commissioner French: Thank you. Next person I have signed up is Kevin Oliver.

Kevin Oliver: Thank you Mr. French and the Spokane Regional Clean Air Agency. My name is Kevin Oliver, I am a marijuana business owner with my wife Crystal; I agree with everything she said and has submitted. I also am here as a representative, I'm a board member of the National Organization for the Form of Marijuana Laws. We are a, you may have received some of, letters from our constituents in regards to this issue. We're the world's largest consumer lobby, just happens to be about marijuana; it started in 1950 by our current legal counsel Keith Struck, who is an actual student of Ralph Nader. Consumer issues, selling marijuana and legalization are our priority. We have the most complete archival records of the history of prohibition and scientific impurity studies on file at the University of Massachusetts Amherst. Our mission is to move public opinions sufficiently to legalize responsible use of marijuana, serve as an advocate for their safety, high quality marijuana safe, convenient, affordable and promote policies that prevent undue government interference and your overreaching regulation in those people entering the legal market place. We support a legal market place. We support marijuana being treated as a business as an industry. However, to treat a plant like a uranium manufacturing facility or to instill prohibitive regulations based on prohibition biased of a plant is a precedent that will be recorded in history. Spokane is significant to the marijuana movement at large because we represent an all American average American city. I'm glad this is all public record, as we advise policy [inaudible] around the nation, all of your comments and actions

will be public and I certainly hope that future policy makers don't shake their head and laugh at a tragic overreach by a municipal corporation. In addition, I believe that many of these regulations not comport to the Washington Clean Air Act in selecting I've, which states specifically, in selecting air pollution control strategies of the State and Local Agencies that support these strategies should lessen the negative environmental impact of the project on all environmental medium including air, water and land. Not only do outdoor cannabis plants convert CO₂ to oxygen and deposit carbon into the soil, outdoor cultivation has a significantly smaller overall carbon footprint compared to indoor cultivation; everything from the electricity to the light bulb manufacturing to the concrete that goes into the building. I just ask you to use common judgment, objective judgment and know that the whole world is watching. Thank you.

Commissioner French: Thank you, well done. Next speaker is Aaron Juhl.

Aaron Juhl: My name's Aaron Juhl and I'm the owner of Funky Farms, a tier one producer/processor located in northern Spokane County. I'm here today because I oppose these rules and fees. To be honest, if these rules and fees had been in place when I went through the application process, I never would have started this business. I'm sure that these very aggressive rules and fees will drive some businesses out of the county, others will completely shut down. If these rules are adopted, they would be the strictest most excessive rules that any clean air agency has ever passed in regards to cannabis and I fear it will have a devastating impact on my own small business. I'm particularly concerned with your definition of other producer. The fees are completely unfair because unlike the 600 other businesses you regulate, our fees are not tax deductible. Asking for a harvest schedule from any farmer is completely unacceptable especially if that information is going to be used to maximize fines. The cannabis industry has enough problems with crime and, and we can't have more government agencies making non sensible rules that put us all in danger. Harvest time is a busy and stressful time for any farmer. Produ, producers should not be pestered by the Spokane Regional Clean Air during this time. People that are doing the random inspecting, inspections should also have protocols in place to insure that they are not spreading common grow room pests such as spider mites, broad mites, russet mites, thrips, root aphids, fungus gnats, powdery mildew, etc. from one farm to the next. Worst of all, this rule does not allow new or expanding producers to utilize temporary structures such as hoop houses or even apply for an exemption. As a tier one producer/processor that has never generated a complaint, I'm one of the smallest farmers in the state and if I can't expand my business to my allotted 2000 square feet, my business is gonna to fail. I'm

not comfortable with outdoor growers having to pay indoor and outdoor fees and in many cases other producer exemption fees just because they propagate, just because their propagation occurs indoors or in a temporary structure such as a hoop house. I think these rules can still use a little bit of work and could be made a little bit more fair for the producers and processors involved. And I just want to say that these regulations will hurt the smallest farmers. So

Commissioner French: Kay, thank you. Next person I have signed up is G.A. Smith.

G.A. Smith: How do you do gentleman. My name is Gary Smith, I live in north Spokane 11800 N. Normandie. The neighbors have asked me to represent them in this process and the changes and such and such. I know there's regulatory things in hand and you know, they're appreciated by people, residence, neighborhoods, but I think there's rogue operations' going on in different places. In my own neighborhood, I can speak directly to that a rental house is puking out a skunky smell on a regulatory basis, has been doing it for a year and a half. I contacted the City Director last year; he responded that there was no license at that neighborhood or in that residence. They've been complained, there are complaints on file in that neighborhood, nothing's ever been done about em. They are within 500 feet of Brentwood Park adjacent to Brentwood Elementary School; I understood that those kind of things in the beginning were regulatory, but nothing's been done, nobody's ever come around, there's been no inspection. It, I suspect it's, it's going on in a lot of places and your complaints would indicate that. That the smell is derogatory, it's a testimony that I've been givin in a six block area is that it's affecting people in their own yard, patios, summer, springtime, it's just, you know and. So any regulations that address that, we're, we're anxious and whatever this committee decides to do we hope that that will be a consideration. You know, I respect the industry, I have had no problem with that, but where these things are happening is where the consideration for neighborhood and people, families, that's I think their rights need to be addressed as well as the entrepreneurship of, for this type business and your monitor the air quality in this county, this kind of thing needs to be monitored and where it's happening, it would be appreciated if the investigators would look into them when these complaints were filed. And so, with that I say thank you for whatever you do or whatever you decide to do. Thanks.

Commissioner French: Great, thank you sir. I, next person I have signed up is just given me a first name Brandon.

Brandon Powell:

Good morning my name is Brandon Powell. I'm production manager for a farm in Spokane Valley called Grower George. I'm here on behalf of most of us farmers in here who are for the better word Hippies. We believe that this planet is for us, for everybody to share, meaning the odors from let's say paper mill or brewery or a bakery are probably worse for you than the general compounds and organic compounds coming from a plant. To regulate these in the way that you are with the fees that you have providing for us seems as if I have a car that can go over 70 mph, I drive on a street that's 60 mph, yet I'm not going over 60 but the fact that I can go over 60 mph means that I'm going to give you fine or you should pay a fee because this car is capable of doing that. A lot of us put a lot of money into our facilities to make sure that you cannot smell anything and I guess we want to be known in this industry for providing a safe product for the public to smoke. I agree with most of everybody's opinions up here and I do believe that everybody has a voice and you should speak it in a peaceful way, but to regulate a plant as if it is a chemical compound that is hazardous to your health, I think needs to be looked at a little more, I don't know the correct word, I guess the rules need to be scrutinized a little more by professionals. I understand coming out of prohibition and some of us look a little worse for wear, we're aren't clean cut, we come from a different cloth I guess, but we're all here in the same facility, the same region, we've all voted on these rules and the rules were passed by the people. I just feel as if you're trying to grab something from people that don't actually have what you want to grab. We don't produce the money that you think we produce, we don't. We don't make the money that you think we make and I've said before that most of the money is in the retail and retail doesn't have to pay anything out of any of these fees and don't have any of these issues. Which I, you know, there is no odors coming from retail stores, I understand that, if there is a fee like some of these people say three or four farms, you know mass majority, if there's a fee for that then I can, we'll happily pay that fee you know if it is proven that we've had a certain amount of complaints; whatever it is, I don't know how you measure the parts per million or however it is, if there is a breach in that limit, I don't know exactly how you measure air quality but if there is a breach in that limit, then yeah we'd agree to the fee; but like I said before, a lot of use have spent thousands of dollars to try and keep this odor inside of our facility and I guess that is all I have to say.

Commissioner French:

Okay, thank you sir. Next person I have signed up is Carl Caughran.

Carl Caughran:

Close enough Caughran.

Commissioner French:

Thank you.

Carl Caughran:

Good afternoon my name's Carl Caughran, I live at 3717 W. Washington Road in Spokane County. I'm here providing oral testimony; I've turned in written testimony today for myself and my wife also who could not be here. It would be a good thing because she's quite passionate about this topic. I was also a member of the NACC Advisory Committee in 2016 along with Crystal Oliver. We spent a lot of time on, on this advisory committee trying to, to develop these rules and regulations to, as a, a way to be fair to both the producer and the Spokane County residents and I'm not going to sit here and debate the pros and cons of marijuana, I'm here to try to provide both sides. As part of that committee, we had an indoor producer that is doing a great job of containing his odors; they're making a very healthy living. They have had no odor complaints to my knowledge to this day, so it can be done. And I hear people say well you know, this is, my business is too small or I can't afford it. Obviously there are some, and the, the part of treating all the businesses the same in Spokane County is very admirable. They should be treated the same and it should be not be any difference for the marijuana community. There's, there's good producers and processors out there that are doing it without odors. There's county residents, as you heard, that are suffering the effects of the outdoor grows and the producers that aren't doing it the right way. We, we sit in that, that stench, it smells like a, a skunk and I'm sure I hope some of you have run over skunk in the beautiful northwest here so you can appreciate it cause if you don't live next to a producer then you can't appreciate the smell. I know there's people in the audience that will laugh about that because they're just a poor farmer trying to make a living; well we're county resident, luckily I get to leave my residence and do something other than marijuana production, but I have to come home to it and the weekends and the evenings, like you heard one gentleman say where we're subject to that smell. I'm glad they, I like they like the smell; I'd much rather it smelled like roses or something it wouldn't be that much a problem, but I think what the County's come up with is a, a fair and equitable solution. They want to have their businesses, great, we want our clean air and I think that all the Spokane County residents are, are due that clean air. So I really want to thank you guys for your time and your consideration. Rules, I, I would encourage you to adopt the new rules; I feel they are fair to both the producers, processors and the county residents. Thanks.

Commissioner French:

Thank you sir. Next person I have signed up is Anthony Birch.

Anthony Birch:

Commissioner French and members of the Authority, my name is Anthony Birch and I live at 12230 S. Gwendolyn Lane in Cheney. There's been issues raised about the concerns for cost to the farmers. I want to remind the Board that your duty is to protect my rights. You have no duty to insure the

profitability of marijuana growers. All be it, we live in a, close to a rogue grower and our complaints have started in 2014 and we have continued. The industry has not been able to solve its problem with that grower. The Agency has not been able to solve its problem with that grower. These rules are needed, I think these rules are fair and I remind you it's your duty to protect me and my investment in our home which we made before this rogue grower was apparently allowed to buy a residential home and convert it to what is now a very large marijuana production. We are plagued with odors mostly in the night and weekends. We are down wind and it has continued to get worse and so thank you for the opportunity to comment and I remind you that your duty is to me and the residents of this county, not to insure profitability of an industry. Thank you.

Commissioner French: Thank you sir. Next person I have signed up is Kimberly Hoff.

Kimberly Hoff: So, hello, my name is Kimberly Hoff. I'm the owner of Flying High Cannabis we're out at Otis Orchards Washington. We are on an agricultural tract of 28 acres total out there. I have a little bit of different knowledge I think I need to testify about. So my husband who is co-owner with me worked at the rendering plant for eight years. Gross job, did everything, he was their general maintenance, he did everything. He also installed the air scrubbers there. About a year ago, maybe a little bit more, a year and a half ago, I met with Julie and Joe to see about when this problem all started, about what we could do as a cannabis, being proactive what we could start maybe getting a program together, maybe he could get some type of something, cause he understands how air scrubbers work, because if he can control the air at the rendering plant, he can pretty much control anything on an inside facility. We were told at that time that it really wasn't a problem for indoor, what they were having a problem with was hoop houses. So I said because we're putting in a great big outdoor at the same time, we don't want to be your problem. You know what I mean. So we and we were told well as long as you don't condense it down into a hoop house you're all good. Well that isn't the case and that seems to be the case of a lot of people here. I mean these fees are extraordinary. You have to understand with, even at the rendering plant, which has no comparison to diseased rotting carcasses compared to this plant. They only in 2004, when they put the third air scrubber in only had 300 complaints. They only had 37 Notices of Violations at that time in 2004 and they received a \$100,000 worth of fines that year. There are fines and you guys could fine the three bad actors in this, not fine everybody else. There are tools in your toolbox to take care of this problem. It's just instead of fining everybody else and putting some more statutes in on everything else, maybe you guys should look at moving, you know, forward on fixing the problem

instead of regulating everybody else that's not the bad actors. And pretty much, you need your, oh, I wanted to say also in, you know, there's 165 people or farms in Spokane, the total profit per, according to 502 data there's only \$2,000,000 split between 165 farms; 2016 it was only \$6,000,000. That's split between 165 farms and 21 of those were making over \$100,000, most of the income is between \$15,000 and \$30,000 for all these farms and so according to my data, 37 so a total of 58 farms made over \$30,000 for that, you know, \$8,000,000. The rest of us are all under \$30,000.

Commissioner French: Kay, thank you. Next person I have signed up is Wes Tuttle.

Wes Tuttle: Tuttle.

Commissioner French: Pardon.

Wes Tuttle: T u t t l e.

Commissioner French: Thank you.

Wes Tuttle: Hello, I'm a tier two farmer, I'm a neighborhood of yours, I'm just right up there on the hill. I feel this is an overreach. I feel we're an over regulated industry to begin with. The stores make most of the money, we do not, we're all struggling and the State makes a \$1.50 for every dollar I make. Why don't you guys go get money from them? It's my, it's my concern that you shouldn't, you shouldn't come at us, you should go to where our money is actually going. Farmers are going out of business all the time and you guys are just going to put more of them out of business. You're talking about a few residents, but we're talking about thousands of jobs and lively hoods. I think the larger group trumps the smaller group. Thank you.

Commissioner French: Thank you sir. Last person I have signed up is Toni Nersesian.

Toni Nersesian: My name is Toni Nersesian, I am, I'm co-owner of Palouse Farms in Spangle, a tier one. While you all were meeting and trying to deal with this problem and it was taking you a long time; the Spokane County Board of Commissioners headed by Al French took some major steps in the last year and that includes, they have, we changed our zoning, they've increased the setbacks, they are working more to make sure that things happen outside of the Liquor Control Board (LCB) so they now have a Conditional Use Permit. So if I wanted to go outside instead of in door; I would pay the \$5,000 fee. Well, they've done massive work that I think they really needed to have done, but it wasn't being done so you formed a committee, you put a lot of time into this, but the Commissioners were moving really fast and they took care of a lot of issues. Many of us, I'm, I'm in the, in the rural ag zone, but many people are in the

industrial zones, so go into the industrial zones and a lot of growers are, they met all those, all those needs and they're not in neighborhoods. I would like to recommend that you charge, because it seems like you are bent on charging all of us and monitoring all of us, a \$100 per grow. Then put into place warnings and fines that truly deal with the problems that you have instead of punishing everyone for what is a couple of people causing a lot of problems and deal with it that way. You refer to us in your presentation as you should treat us like all other commercial entities. We will become an ag product when we are no longer a scheduled one drug and on one hand I feel like that is even beyond my lifetime on the other hand bipartisan legislature was in place for this current budget they're working on to eliminate taxes 280E and give us a bigger break and un-schedule us. So it won't happen this year, it might not happen next year, but by the time you get your thing really rolling, we're going to be qualified for ag. We're still going to be run by the County Commissioners. This is an overreach that we've really, I mean I'm sorry that you don't care and I know you don't care if we make money or not, its, you didn't ask us to go into this business; but the reality is we are a business, that are targeted, I get treated like a drug dealer more than I can tell you, although I put 30 years into the non-profit entities of this town in my other life before I became a second act drug dealer. You have 40 illegal grows that you reported to the police, I think it was 40 Julie, I could be wrong, that nothing happened. They're causing smells in neighborhoods. I don't live in a neighborhood. I'm being regulated, the cops won't even go after the illegals and I'm becoming more of an activist than I can ever believe at a time when I thought I was going to be farming a product and selling it in the retail market. I really feel like this is overreach, your intentions were good when you started but the Commissioners really took care of a lot and please work with the Commissioners, give us a nominal fee a 100 bucks, I'd happily pay it, put in your warnings and fines and go after those that you need to without hurting an entire industry that was brave enough to become pioneers and didn't want to be buried by over regulations. Thank you.

Audience: (Clapping and cheering)

Commissioner French: I said at the beginning of this meeting there'd be no outbursts. I meant it, I meant it. One more time and you're out, this is a hearing, this isn't a cheering session, this is not a stadium or football event. This is serious stuff. Please respect the process. That is the last person signed up to testify on the hearing item before us. Is there, I ask for three calls for anybody else that'd like to provide any testimony on Resolution No. 17-18.

Male: I'd like to.

Commissioner French: Please come to the podium. Please give us your name and address too please.

Edward Cohen: Sure. My name is Edward Cohen, I'm an owner of Sweet Water Farms in Cheney. I agree with just about everything that has been said. I understand the frustrations of the residents. I just want to clarify just three points for the Board. Number one, I think the problem is with the illegal grows and that's what needs to be concentrated on; is going after the illegals. This is overreaching; we are the most highly regulated industry in the world and we are threatened with compliance or the fines or the fees and I pay so much to comply with regulations that this overreaching statute is going to hurt us. Now I did hear the gentleman saying that you guys have an obligation to the citizens of Spokane County; I don't dispute that, I employ 25 people from Spokane County. Those people have families depend on the employment of Sweet Water Farms. These additional fees, I have no problem, I do have issues with the regulations that is overreaching, but you do need to regulate and I understand that and that legitimizes this business, however you are saying that you are treating us like every other business; congratulations, you're probably the only people in the whole world that treat this industry like any other business. I don't know of any other industry where you have to wait in line to pay your payroll taxes because you can't get a bank account and then you get a 10% penalty for paying your taxes, your payroll taxes in cash. I don't know of any other industry where you can't open a bank account, where you can't pay your bills and it's just one fee and one fine after another while we try to be compliant. The fees in this are excessive, it's gonna hurt many operations and it's going to put people out of business and it's going to affect the citizens of the, of Spokane County, that's who works at these farms, is citizens of Spokane County. I just want this Board to realize that yes you don't have an obligation to make sure we make the money, but I think you should also in your considerations understand that the excessive fees that you are imposing upon us is detrimental and it's gonna hurt a lot of businesses, put businesses out of business and it's gonna affect Spokane County residents. Just want you to be aware of that, that we are not treated like any other business. We are ostracized, we are fined, we are regulated and it seems like governments are attempting to try to put us out of business notwithstanding the fact that the people of the State of Washington requested and passed this. So in your thoughts, just, there's a lot more here to consider and I would appreciate it if the Board did so. Thank you.

Commissioner French: Thank you sir. So, first call for anybody else that'd like to provide any testimony. Please come to the podium. For those that have not signed up, I would like to request that you sign up a sheet before you leave so that we can

make sure that we got an accurate record of everybody that was here and stuff folks, we'd appreciate that. You're name sir.

Craig Nielson:

My name is Craig Nielson, MR Wholesale, Airway Heights, I'm Ops. Manager out there and I'm not here to really talk about that company outside the fact that we have invested tens of thousands of dollars in air scrubbers and equipment to minimize the odor and we've been trying to work with Spokane Regional Clean Air the best that we can. I think that this whole meeting here isn't necessary and I agree with the woman that was up here talking about the additional the CUP conditional use permits that are now being, you know, you have to acquire one to start up a farm; I'm in that process right now and part of that process is I have to go to an American, a title company and get the addresses of all the property owners around the property that we're looking to set up and basically get their permission. You know, if they disagree with it, doesn't necessarily terminate the, the project, but, you know that, that's the right route to go and what we're doing here I think is an overreach and, and the County is already addressing these problems. That's like I've gone through and personally talked to all the neighbors out where were, have property out by Elk and that gotten all they're okays before I purchase the property myself; and I told them it's like if you a problem with this, tell me now, I'll go by a piece of property somewhere else and so in my view I have issues with the whole conditional use permit process and the expense, how expensive it is, but that addresses this problem and you know given Spokane, you know, Regional Clean Air you know, this much more authority it's a bad idea in my opinion. Thank you.

Commissioner French:

Thank you sir. Second call, is there anybody else who would like to provide any testimony on the hearing item number 17-19. Sir, go ahead.

Casey Connell:

Hi, thanks for allowing me to speak. My name's Casey Connell and I'm at 7023 N. Julia, in Spokane, a light industrial area. I might be all over the board here but I just wanted to voice my opinions on a couple of things that I've witnessed today and that have been brought up. My story's similar to the gentleman that just spoke, where I spoke with all my neighbors and I was very proactive about what I was about to do before starting and no one had a problem with it in our area and I made sure of that before we started building and, and spent hundreds of thousands of dollars on our business. But one of the things that concerns me is as I have witnessed here earlier today you guys passed a provision, I believe, to protect, your concerned for your employees with violence and kind of people intimidating others due to your guy's employees; well I think we have the same concern with releasing our harvest schedule and I think we would like to keep us and our employees protected as well and I, I do feel that that's really follows the exact same line there. So I

think that is a bit of information that shouldn't be out there. I do, I believe it was Margee spoke about a group of expert, experts that came together to create an opinion and form some of these things that we're speaking of today. I, I have had complaints and I have and what I've witnessed is from speaking to all my neighbors and building a relationship with them, I've discovered that there are about a half a dozen medical grows in my neighborhood and when the person that approached me on your department that we had a complaint, I didn't see one piece of equipment that, that said even where the direction of the wind was coming from that day; but of course I was the one that was guilty because I have the eight foot fence and it's pretty obvious what it is I'm doing. And so, I think that, you know, there's a line between expertise and maybe opinion. I've heard of this calculation of a level two, what is a level two, how are you calculating that level, is this someone's opinion? I have meters at my facility for dozens of things. We calculate CO₂, we calculate electric climativity, we calculate ph of our water, we calculate temperature, we calculate humidity, we have so many meters and I haven't seen this Agency maybe present one and of course we're being, we're at fault and we're in the wrong and I, I witness our neighbors also producing their own medicine for their health and that's completely okay and their privacy and they have every right to do that; but I would just ask that maybe, that what's happening be looked at and differently and then try to figure out what direction is the wind coming from, is it the eight foot fence, and I'm all for, you know if we have an issue, to take care of the issue, I just feel that there needs to be more of a, some kind of an expertise involved instead of an opinion. That's all lets close it up for me, thank you.

Commissioner French: Great, thank you sir. Okay, third and final call for anybody, go ahead come up [inaudible].

Gene Flynn: Hello and thank you for allowing me to speak. My name is Gene Flynn. I am an executive board member of the Cannabis Farmers Counsel, a non-profit volunteer association that purports to represent all cannabis farmers in the state. The paper that the Board Members received, your, your Board, drafted by Crystal Oliver, Cannabis and Clean Air was endorsed by the executive board and I'd like to recommend that you look at that closely, reread some of the provisions, because that was thought out, several people put their fingers on it and I think that probably is a good condensation of a lot the arguments that we've heard today. There's a few others though. One, as I understand it, the basis for your authority in, in regulating cannabis has to do with VOCs or Volatile Organic Compound. I'm not a scientist, but what I understand is that the leading ones include pining which is turned into the air by Ponderosa Pine, these are not noxious chemicals, this is not a rendering plant and with all due

respect to a gentleman here, it's not skunk. How that argument can be made is beyond me. Another point that was made by another speaker was focusing on the problem farms. Well, I'll agree that there are a, a, a very few number of farms who have attracted a very large number of complaints brought by a very few people. Fine, if there are problems, then focus on those problems, not, do not through a very expensive net over the entire industry. It makes no sense and it's certainly not fair. Third and I'd like to repeat what my friend Aaron Juhl said, protocols for cross contamination; one of the biggest problems that cannabis farmers face is pests and those pests are microscopic. Casey Connell who spoke earlier is an expert in integrative pest management and he can speak to this, but you walk into one indoor grow that's infested with russet mites, you walk into the next indoor grow that has no russet mites and there's a very high likelihood that that second farm is now infested with russet mites which could destroy the entire crop. If you have an interest in inspecting the farms, you have an obligation to do it in a manner that will not jeopardize the crop of the farm. I thank you for your time.

Commissioner French: Thank you sir. So this is third and final call for anybody else who'd like to provide any testimony, this morning.

Gentleman: [Inaudible]

Commissioner French: You've already provided one testimony, so if want to provide any additional comments, you can do it in writing. So, I will then close the hearing at 11:03 the morning of December 7th and then look to my fellow Board Members for comments. So at this point, Ms. Fossum would you share with the Board our next steps.

The statements following are not verbatim:

Michelle Fossum: Your options at this point are you could take a motion and consider this. The vote can be taken today.

Margee Chambers: You can deliberate and take action today. You can choose to continue, the hearing is closed so you can take action today or you can choose to think about it and then we would have to bring it up at the next board meeting and again since the Board would be deliberating and then taking action mainly towards their comments.

Commissioner French: No you don't have to take additional comments; the hearing has been closed so now it's up to the Board to deliberate on the resolution before us. We can either take an action today or if you want to think about the testimony offered and schedule for a deliberation to happen at our next regularly

scheduled meeting which would be the first Thursday in January, we could reconvene and take an action at that point.

Michelle Fossum: I guess Margee my question for you was that made everybody have the timing of the process.

Commissioner French: It becomes implemented, should the Board adopt it. So the Chair is open to any input from the Board Members.

Mayor Freeman: I think that at this point we're going to need to deliberate some more, we've gotten a lot of verbal testimony and there's a new batch of written comments that have come in after the packet both pro and con on the regulation, etc. I think we need to digest some of this.

The Chair opened a motion to defer action and deliberate further on the topic at the January 4th, 2018 regularly scheduled board meeting for deliberation purposes only, there would be no additional testimony taken at that time. Rod Higgins so moved and Kevin Freeman seconded it. Some comments ensued from the Board Members. Motion passed unanimously.

**SPOKANE REGIONAL CLEAN AIR AGENCY
PUBLIC HEARING TRANSCRIPT**

**January 4, 2018 9:30 a.m.
Spokane Clean Air's Conference Room
at 3104 E. Augusta Ave.**

**January 4, 2018, Amending SRCAA Consolidated Fee Schedule Pursuant to Regulation I, Article X
public hearing, in Spokane, Washington**

Spokane Regional Clean Air Agency Office
3104 E. Augusta Ave.

Commissioner Al French, Chair of the Board of Directors

Transcribed by Mary Kataoka. Um's/ah's were not included in this transcription.

Commissioner French: So this is a public hearing and so it is 10:15 and I will open up the hearing for public comment. I would, as we start the hearing process, would ask that if you have a cell phone please turn it off and on vibrate, if you have to take a call, take it out into the foyer. Please don't engage in conversations while other people are testifying; we want to be able to not only hear the testimony but also make sure that there isn't other background noise and stuff that would interfere with the recording of the hearing. There will be no expressions of support or opposition in any form during this hearing. If you feel so motivated to make some kind of an expression, you're outside; and if you want to do it in here, then you will end up outside. Because I'm not going to tolerate that, this is a legislative process, this is a hearing format and I ask that you respect that as such. At this point I have two people that are signed up to provide testimony. The item before us, I have one that's signed up specifically to testify on Resolution 17-20, which is the one that's for the hearing. I have two other people that have indicated that they want to testify, but haven't identified which item in the agenda they're gonna testify on, so I'll ask for clarification just so I make sure I don't miss anybody. Kim Hoff, you want the 17-20, do you mind if I put that on your sign-up sheet?

Kim Hoff: Please.

Commissioner French: Okay. And then I have, I think it's Audrey June.

Aaron Juhl: How about Aaron Juhl.

Commissioner French: Thank you, real close.

Aaron Juhl: Okay, 17-20 also. And I wasn't aware that I'd have an opportunity to speak today.

Commissioner French: Oh, sure, no, no problem and so you mind if I put that on your sheet?

Aaron Juhl: No.

Commissioner French: Kay. And then, Toni I'm assuming that you also want on 17-20.

Toni Nersesian: I don't know what you're talking about.

Commissioner French: On the fee structure.

Toni Nersesian: Yes.

Commissioner French: Okay, do you mind if I put that on your sheet.

Toni Nersesian: That's fine.

Commissioner French: Okay. I'm going to get to ya, but you were forth in line, I just wanted to clarify so I knew who was.

Toni Nersesian: Oh, I'll sit down for a minute.

Commissioner French: Good. So I'm gonna start out with Carl Cockrin. And then after Carl [Inaudible]

Carl Caughran: Thank you my name's Carl Caughran, it was close Al thanks. I live in the County, 3717 W. Washington Rd., Cheney Washington and I was a member of the MAC Advisory Committee so first off I want to thank each and every one of you for adopting 17-19, there's a lot of hard work and discussion that went into those, those rules so I can appreciate that so thank you very much. We heard at the last hearing when we addressed this fee schedule, that the marijuana industry's not able to regulate itself, they had some players that don't want to be part of the process, you'll hear that there are habitual offenders, it's well document there's habitual offenders and currently the fee schedule with the taxes going to the west side of the state and not returning to the County, the Regional Clean Air's left holding the bag to police these efforts and get rid of these offenders. So I want to encourage you to adopt this new fee schedule, it will allow them to enforce 17-19 and to the industries liking, you should be able to get rid of these habitual offenders and

legitimize their business and allow them to go on and, and make their, their money that they want without the, the odor complaints and the marijuana producers that are processors that are causing these problems, giving them a black eye. So this new fee will allow, allow Regional Clean Air to address these habitual offenders and the complaints should, should die down and be the, the best of both worlds, so thank you for considering that and your time in doing that.

Commissioner French: Thank you. So the other thing and Carl was under the time limit but I'll also be timing the speakers, each speaker will have three minutes for your testimony. When the, when the timer goes off if you're in the middle of a statement, wrap it up and stuff so, go ahead.

Aaron Juhl: Hi, my name's Aaron Juhl. And again, I want to apologize because I didn't have an opportunity to prepare something to speak with you people about today. But I am here today because I'm against these fees, I think, I don't think they're proportionate the way they're set up. If you have, I'm a tier one marijuana producer and I noticed that the tier two marijuana producers, I'm capped at 2,000 square feet of a farm and a tier two is 10,000 square feet. That's five times as much odor producing that's gonna be put out and I'm only being charged a couple hundred bucks less than someone in at that level. So I think the, I think the fee structure of this is completely unfair to the smallest farmers that really can't afford these fees. Not only that is I think a lot more of the producers/process, most of the people are producer/processors, they will be gettin double charged on this. Most of um, I think fall under the category of other producer, which is gonna put em into the highest fee schedules. I don't think that's right, especially if they're just using, puttin some plastic over they're plant or something like that would put em into that, would categorize them as the other producer. I, I, I have a real problem with the fact that so many people spoke out against this and we just adopted the resolution anyways, because a few people complained, we're gonna strangle hold an entire industry. I've got my entire life savings involved with this and if, the very fact that I'm growing a plant that's now legal and it puts off odors and to be able to fine these people every time that odor hits the property line is just, can seems completely unreasonable to me. You factor that in with the fact that you guys are asking for people's harvesting schedules, it just, it's a far overreach, it's not fair. These fees they don't seem like much when you think about a business that's actually making money, but we're being so over taxed and over regulated we can't subtract these fees from our bottom line; we don't get to subtract regular business expenses so this hits us extra hard as it would any of the other businesses you regulated em. You know, I, I just find it, I just can't even wrap my head around the fact that so many people came

forward against this and you guys still signed it in, it's just wrong. You know, I hope we can get, at least make these fees a little better. It, it's a strangle, it's gonna strangle my business. Honestly, if this, these rules would have been in place as we were going through the application process, I don't think I would have been able to do this, this is, it's too much.

Commissioner French: Kay, very good. Thank you sir. Next item I have or next person I have signed up is Kim.

Kim Hoff: Thank you for hearing me today. I'm sorry I didn't prepare this at the same time. So I have a couple things as I was going through here, I needed to make points. We need to find out exactly a clarification of a stack system. We're, we're growing, what exactly does that mean for us? I mean is that our heating systems, is that exactly, what exactly is a stack system? And I'm sorry if I'm talking kinda fast because I got a lot of things here. I'm also a producer/processor with a processing license. When this first happened, the LCB had us say okay if you're a producer and you want to be a processor, that's fine, but you weren't able to process your own equipment, or your own product. Well since then they've changed their rules to be now that the, that you can just be a producer and process your own equipment or product as far as packaging. I still have a license, a processing license, I'm not using it, do I pay it, yes because at some point it may be a benefit to my business. You know and to tax me for something that I'm not even using at the most expensive thing is ridiculous. So if I, if I turn around am a tier two with a producer/processor, yes; but at the same time, I believe I would probably be taxed with an exempt at that point and still be paying more money than even to the beginning is from what I'm understanding by these numbers. So I'm supposed to be at a tier two, 10,000 square feet, paying the most, probably 37 898 according to these clarifications; when I'm not even using one of my licenses. It's just [Inaudible] there and I pay the LCB and people are collecting taxes off of me that I could just turn around and turn it back and you know, it's, it's ridiculous and especially with I, the current rate right now of bud in [Inaudible], I sent my son out to get me my cell phone cause I was gonna actually show you; there's people right now because of the system is so over [Inaudible] they're selling for 60 cents, between 35 and 60 cents a gram out there. How can you even expect, and it's not even selling. Most of these people here are just barely making ends meet because it's not selling; and with the increased fee schedule, it's just going to hamper us even more. And so, I would like some clarification, I think that there needs to be clarification if you have a producer/processor license and you're not using your processing license, there has to be something or if I have to separate, maybe that's something that I need to do and I guess I need clarification from you is what about if I

separate it from a location, if I have an outdoor facility, which I do have, you know and I'm just processing inside, what are the clarifications on getting the best deal I can at this point because you can't just combine them all together with a producer/processor when you're not using producer/processor because people that just have processing license are getting less than me.

Commissioner French: Kay, thank you. Do, April do you want to address the issue with the stack or is that Lori or who wants to deal with the stack question?

April Westby: So the current registration program deals with the stacks, but I don't think we have anything in the, in the current marijuana [Commissioner French: Right.] program that deals with any of the stacks. [Commissioner French: Right.]

Kim Hoff: It's listed right in here.

April Westby: That's for our existing one, for the 600 other facilities, that's how we,

Commissioner French: That's, that's for everybody else, that's not for the marijuana industry, that's for everybody else. Kay, my next person signed up is Toni.

Toni Nersesian: I have three things, but one; please clarify what you mean by process that if you're a producer/processor and AI you can speak to this the Washington State Building Code was redone two years ago and they agreed that if you are just packaging flowers, most of us do, they don't include that in processing. When you set the zoning codes, if we wanted to do anything more than package flower, we had to move into an industrial zone. At our farm we are not allowed to do anything more than package flower. I would like you to seriously look at that because people who are only growing and packaging flower, there is nothing to processing. People who are doing more than packaging flower are doing a lot, but many of us were exempt from the Washington State Building Code and from the Spokane County Zoning. So I would like you to take that into consideration because I do feel that's an extra fee we shouldn't have the fee if we're just packaging. I do agree that I would like to see a sliding fee that's a little less for tier ones because yes I am one and then up [Inaudible] because the dollars are totally different. I am an indoor grower. I have every concern in the world that you should not ask for the harvest schedules of the outdoor growers because you're putting everyone at huge risk. It's a business that is not as clear cut as we would like sometimes, it's not as safe as we would like and if people know when you are harvesting, they know when to hit your field. It, it, to, off by four weeks, it, they've got crap. But that harvest schedule is really proprietary information that it would be awful if someone did get into your files and things do happen and someone obtain the outdoor harvest seasons. It would be bad. It would, it's a hard business, Julie it's just a hard business that's something I'd like to

see you let go of for their sake. Other than that, Al I'm tired of meeting you at hearings.

Commissioner French: Amen. Of all the things I envisioned in my future, this was not one of them. So, thank you Toni. That completes the list of everybody that has signed up. Is there anybody else, I'll, I'll make three calls before closing the hearing, is, hello Crystal.

Crystal Oliver: Hello, so my name is Crystal Oliver and I own Washington's Finest Cannabis; we are a tier three producer/processor located north towards Deer Park. Unfortunately, I try to stay really informed and engaged in the rule making process but it escaped me that there were two separate hearings for the issues impacting us so unfortunately folks I have come here un as prepared as we normally would be, myself included. As far, I, I know we're not hearing testimony on the resolution that you adopted but I do think that it's really unfortunate that, that includes that provision for us to disclose our harvest schedule and I understand that there are rules that protect proprietary information, or I'm sorry, laws that protect proprietary information, but those have failed me personally on a number of occasions. My social security number has been disclosed via public records request and I myself have received records that should have been redacted. So I think it's unfortunate that's there and I think it should of been stricken. Okay and then as far as the fee schedule, I am glad to see that the annual registration fee won't be assessed until the following year, I think that's good it gives a little bit of breathing room there. I do think that the fees are high. I also didn't see in the presentation, it didn't seem that it addressed the scenario where a producer is an outdoor producer who's also doing some propagation indoors, such as sprouting seeds and taking clones. My reading of the rules said that in that scenario I would pay indoor registration fee as well as an outdoor registration fee. I find that provision to be excessive especially since a processor who purchases orals can get an exemption to, to not have to pay a registration fee because there aren't odors associated with that. When it comes to cloning and seed sprouting, there are not the odors associated with that, we're talking about vegetative plants that don't have flowers that aren't emitting monoterpenes. So I think that, that language really should be stricken from the rule, or from the fee part as far a like there's some language in there about propagation having to pay the indoor fee as well and I think that's too excessive. And ultimately, I think that in the future there will be books written about how over regulated and over taxed this industry was. When it comes to the fee schedule, keep in mind that those fees are actually 30 percent to 50 percent higher than what you have on paper because they will be taxed like income because of tax code 280E. So that's something I'd also like you to

keep in mind that the fees on paper are not just [Inaudible] we'll pay, we'll pay taxes on those fees at the federal level as well. But, ultimately it's a tough business we've signed up for a tough business; we just had no idea that the regulators and the legislatures were going to make it this hard for us. And that's really all I have to say.

Commissioner French: Good timing, you're getting good at this. Okay, so before I go on to, so the comment that she made with regard to the propagation and, and that side of it, could you speak to that real quickly.

Lori Rodriguez: Yeah, in the definitions in 6.18, producer includes propagate, grow, harvest and trim and processor includes too dry, cure, extract, compound, convert, package and label usable marijuana, marijuana concentrates and marijuana-infused products. So propagated is included as a producer activity.

Commissioner French: Okay. Producer activity and our definition or the definition for the state.

Lori Rodriguez: In our definition.

Commissioner French: In our definition. So since

Lori Rodriguez: And then in 6.18

Commissioner French: What I'm get

Lori Rodriguez: Requires all processing to be indoors

Commissioner French: Okay.

Lori Rodriguez: But not all production.

Commissioner French: So I guess what I'm trying to get to is if, if that's an activity that doesn't generate an odor then why would we be regulating it? And so, I'd like to be able to come back from, get a little bit more information about that as we go through this.

Julie Oliver: So as I recall, there's information we have that there, it's not as strong an odor but there is an odor. It would not be assessed fees as both indoor and outdoor, it would be just considered what is, what is, that's, the propagation really isn't looked at separately, as far as when we're determining; okay are you indoor or outdoor or other for the fees.

Commissioner French: Kay.

Tom Brattebo: So if you're starting plants indoors and then moving them outdoors, is that an indoor and outdoor or would that just be outdoors?

Julie Oliver: So I think we're down to kind of a length of time as far as for propagating, you know really, it's a short period of time and then you'd be outdoor.

Tom Brattebo: And you move it outdoors now you're an outdoor, you are an outdoor producer.

Julie Oliver: Yeah, outdoor producer.

Commissioner French: But you're not both.

Julie Oliver: No.

Commissioner French: Okay.

Female: [Inaudible female speaking from the audience, not at podium.]

Commissioner French: So, can we get clarification on that. So, though, we're having the hearing, we're not going to take action until next month, as I understand it. Is action scheduled for this, this

Julie Oliver: Board's choice.

Commissioner French: Board's choice, okay. I'd like to get clarification on that if we could. While doing some research there, anybody else in the audience like to provide any testimony on hearing item number 17-20. Second call for anybody wanting to provide testimony on hearing item 17-20. Third and final call, seeing nobody come forward, it is now 10:38 a.m. and I am going to close the public hearing, a portion of our deliberation or hearing and we will move into deliberation.

Discussion ensued on questions raised with regard to harmonizing the definitions from building codes, zoning codes and SRCOA Regulations; if you are a producer/processor but you're not using your processor license, why should you pay for that fee; and the requirement of the harvesting schedule.

The Board decided to go ahead and adopt the fee schedule, resolution as is, and then by a second option not take any action on the annual renewal because we have time to revisit the annual fee for implementation. This would hold the Board accountable to revisit the fee schedule at a later date because the fee schedule is open to evaluation by the Board at any time.

Rod Higgins moved to approve Resolution No. 17-20 as presented and Kevin Freeman seconded it. Motion passes unanimously.

Kevin Freeman made a second motion that at this time for Resolution No. 17-20 the Board suspends the annual registration portion of the resolution until further action of the Board and Rod Higgins seconded it. Motion passes unanimously.

