

**RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING OF THE
SHERWOOD VILLAGE COUNCIL
MARCH 05, 2018**

Mayor Cary Mallett called the meeting to order with council members Wes Hall, Jim Hohenberger, Scott Rohrs, Chris Skinner, Michael Sudholtz and Jamie Vogelsong present. Also present were Sherri Ramey, Franklin R Phillips, Robert Valle, Lisa Valle, Julie Van Curen, Jim Van Curen, Rose Van Curen, Scott Schindler, Kerry Samples, Mitch Male, Marcia Berry, Caren Bauer, Lynette Beardsley, Judy Hasch, Robert Hasch, Kelley Phillips, Luke Kuhn, Ron Kuhn, Eric Hull, Ken Bauer, Brian Ramey, Doug Engle, Tony Graham, Misty Graham, Dave Karldstadt, Brian Core and April Rock.

Discussing was opened about an issue with the proposed Medical Marijuana Dispensary. S. Ramey informed council that she had spoken with Margaret Basie, Ohio Legislative Aide to State Representative Craig Redel, if a dispensary could relocate. M. Basie explained that according to Ohio Revised Code 3796:6-02-04 a provisional license issued under this rule is exclusive to the entity and location identified in the application and is non-transferrable.

C.Mallett stated Jamie Ridenhour explained to him that he would have to pay five thousand dollars to change address.

C.Skinner asked so if he would pay five thousand dollars he could change his address from Defiance to Sherwood?

Mayor Mallett stated from his understanding yes, he would be able to do that.

S. Ramey stated that she could check into this but from all accounts from Department of Commerce and Pharmacy Board the license is issued is exclusive to the entity and location identified in the application which is 1219 Tuendawie St Defiance, OH.

C. Bauer questioned if this was his first business? How would he not know about not being to transfer.

C.Mallett explained J. Ridenhour stated to him that he had talked to his lawyer and he believes to change is to pay a fee.

C. Bauer asked if council could explain to the audience what is going on.

Mayor Mallett explained that in December the council had two meetings, the first J. Ridenhour attended, and he asked council if they would be open to a dispensary in the village limits. Council had another meeting to discuss and it was decided at that time the village would not restrict. At that time J. Ridenhour was still looking at Defiance and it was not until a couple weeks ago that Defiance decided not to reopen their discussion of the ordinance prohibiting it that the council became fully aware of the intent to come here.

C. Bauer asked if the proposed emergency ordinance was to allow the facility.

C.Mallett explained Ohio is an opt out state and Sherwood never passed anything before. The emergency moratorium will put a temporary stop to any facility coming to the village. But J. Ridenhour liked this location to the two highways and close to 24. His application was for District one which is Defiance – Williams and Fulton Counties.

F. Phillips asked if this is the same facility that put in for Defiance if they were not allowing to change.

Mayor Mallett answered until J. Ridenhour is right and the village is wrong he is not allowed to change his location.

R. Valle asked if he is correct where do we go from here?

S. Rohrs answered the council was alright with the facility coming to Sherwood but was not happy with the location he was choosing.

R. Valle asked if the council should continue with the ordinance?

W. Hall the council needs to decide if we want to pass this emergency ordinance.

S. Rohrs stated we could have another ordinance created that restricts the location.

S. Ramey stated to pass the emergency the council would need three fourth of the vote to waive the three readings and two third to pass as an emergency which would make it effective today.

J. Van Curen wanted to know how council could approve a facility with learning the dangers of having this in this town. This would bring in people the residents do not want, more drugs into the area and lower our house values.

J. Hohenberger stated the council is in favor of these facilities but not the location they were looking at. Council did not want it on the main street and they would not have been an option because the Ohio Revised Code restricts location within 500 feet of schools, churches, library's and play grounds. When this first came up the only location available was the industrial park. But now there is questions and concerns about the preschool which make it possibly for them to open in the strip mall.

Mayor Mallett stated that he was called by Jeremy McGill.

W. Hall and C. Skinner interrupted Mayor Mallett to say that since D. Karlstadt was here let him speak for this.

D. Karlstadt co-owner of the strip mall explained that J. Ridenhour came a week or so ago to look at the building. But since the pre-school was there he would not be able to use it. He did show the building to him and a couple of his partners and they were interested in it. He had verified the rules and regulations for this type of facility and saw he could not be within 500 ft of a school. J. Ridenhour told him they were looking at three different sites, behind Redline, house for sale beside the dairy bar and the strip mall. But if they cannot change location it would not matter. He was not aware of the relocation part but would request the village do more research into it. But they were the only company that applied so he was informed they would be rewarded the license. But he was unaware if they could or could not change the address.

Mayor Mallett stated at the meeting on Thursday, March 8th J. Ridenhour would be present and he could explain what he knows.

J. Van Curen asked if there would be a vote for the people who live here to say yes or no to this?

Mayor Mallett said that at this time it is not a public vote.

J. Van Curen stated this was not in the paper or on the back of the utility bills and more people would be here if they had known.

M. Sudholtz stated this was a special meeting and was just set up a few days ago.

S. Ramey stated she had informed The Crescent News about this meeting and the Thursday meeting and the bills had been processed before the Monday meeting was set up, so it was too late to include it.

J. Van Curen stated this would cause our property values to go down, people who want to buy will burglarize the area.

Mayor Mallett stated he does not believe that to be true, and this is a medical dispensary not recreational.

Sheriff D. Engle stated that the council is not educated to make a vote. He has been dealing with issues from drugs for the last 35 years and he is personally against this,

but he will inform the council what it will bring to the village. Everyone looks at the money and that draws them in because everyone is hurting for revenue. But you need to educate yourself before you vote. Call the Department of Commerce, Pharmacy Board get involved in the process to control what is going on. It is a free for all in MI right now and in Ohio recreational use was voted against 3-4 years ago with 70-30 in our county alone. People who use medical marijuana misuses it. There is no prescription a physician by law cannot write one because it is illegal federally and they would lose their license. The people who are going to write the prescriptions take a two-hour class to write a recommendation for medical marijuana. The cultivator that came in before J. Ridenhour had business sense and was very well organized and they did not get licensed. There will be twelve manufactures in the 88 counties of the State of Ohio and a certain number of processors. Everybody needs to study this to become informed. J. Ridenhour grew up in Defiance and now lives in Fort Wayne he does not plan on moving back. He was the only applicant for this District and no one filed for Paulding, Van Wert and Mercer Counties. This facility will be able to dispense to anyone from Ohio who has this so-called prescription, but no one from Out of State would be able to buy from there. They will sell the bud, but it is illegal to smoke it, but they sell it for vapors, oils and eatables. These are not to be kid-friendly, so Sheriff Engle asked J. Ridenhour what kind of edibles he would be selling. His reply as cookies, brownies and rice Krispy treats. How are those not kid-friendly? THC will be up to 23% they have tested that anything higher then that serves no purpose hospitals have done these studies. Please find this information and become informed. One cookie will be a seven-day supply, so you would have to cut the cookie up in seven pieces who only eats one seventh of a cookie? If you eat the whole cookie you can overdose.

E. Hull asked as anyone ever died from overdosing on marijuana and can you document that?

Sheriff Engle replied yes children have overdosed and died from this you can check me on that. This will make good people criminals this is recommended for terminal ill patients these are people who may not be able to eat it or use the patch, so they smoke it and you become a criminal because smoking it is illegal.

E. Hull asked even if it is in your own home?

Sheriff Engle replied yes any where you smoke it is illegal.

D. Karlstadt stated that if you would buy it and give it to anyone that is also illegal and a criminal action.

J. Van Curan asked how will they control how much people take?

M. Graham asked is it like an Opioid? That people take like candy who will police it? Is there any certain training for this?

Sheriff Engle replied the Pharmacy Board is one of three boards governing this. The facility has five minutes to input the information into the system when a purchase is complete. There are guidelines for all of this.

M. Graham asked how they will verify that the amount in a cookie is the amount for seven days and not fifteen?

Sheriff Engle replied the not any lab will be able to test these it has to be a licensed lab and it can not have any THC higher than 23%. They cannot get more than 90-day supply or up to 10 ounces. Check the website medicalmarijuana.ohio.gov all this information is on there for you. Check out the Colorado physician and law enforcement make informed decision. There is money from income tax and sales tax. What is Sherwood's income tax?

Mayor Mallett answered 1%

Sheriff Engle asked what about sales tax?

Mayor Mallett replied none.

Sheriff Engle stated this is still illegal federally talk to Mickey they cannot go to a bank, no bank has created the loop around because they do not want this, this will be a cash business.

C. Skinner stated no this will not be a cash business it will be a card system.

W. Hall stated J. Ridenhour used Wells Fargo and there will have armed guards for any transfers.

Sheriff Engle stated this has not been completed and Wells Fargo has had problems with money laundering to terrorists. He stated he wished both sides were here for a forum to get the information out there. He was frustrated to find out that Sherwood had agreed without talking to law enforcement about it first. No one called him, and he called the mayor after he found out it was passed.

Mayor Mallett stated it did not pass the council just decided not to deny.

D. Karlstadt stated that according to Village's own regulations if council does not respond within forty-five days it is a yes. No different than what you did with Dollar General you did not respond so that in turn was telling them yes.

Sheriff Engle stated there will be another meeting Thursday, March 8th look up the information and educate yourself.

W. Hall commented he wished it was simpler like a Pottery Barn, but it is not, and it might not be ideal but in two decades how many businesses has come to Sherwood or wanted to come to Sherwood.

M. Graham stated maybe if Sherwood was more appealing, there is a lot of run down houses and families do not want to move here because it is not safe without a police department.

K. Phillips asked about the training this company would have? No one will want to come here if we bring something like that in.

Sheriff Engle stated that J. Ridenhour counselor is his mother. On Thursday the drug coalition, 4 county substance abuse, prosecutor and Sheriff Department will be here. Read about it go to the professional websites get informed.

M. Graham asked if there was any chance for cultivation and dispensary coming in if he cannot transfer his license.

Sheriff Engle answered the license for cultivation has already been done and it will be another two years before they reopen and that will only be based on the supply and demand. If the growers who have their licenses are growing enough then there will not reissue new license but if they cannot keep up with the demand they will issue more license to new growers.

K. Phillips asked what the need for this is and why are they targeting small towns?

W. Hall stated the village needs the revenue.

Sheriff Engle stated that purpose is for debilitating diseases such as cancer, AIDS, epilepsy, glaucoma and MS is some qualifying conditions. No insurance pays for this and there will be 0% tolerance.

D. Karlstadt stated he had talked to Jerry Hayes and council and would love to get businesses in and he is not in favor or against this. What the city wants to do for economic he gets it this is a small town and most of them are broke, be it right or wrong. J. Hayes did not even know that the strip mall was available, and it has been emptying for ten years. He wants the school to stay in the building, but his partner wants to get it sold. The preschool may or may not be a conflict of interest for him being on the school board, so they have gone to a month to month.

B. Core stated there are two problems with this the purchase of the land a permanent address and then what? Canada is making it fully legal and it will go through the other states. If it would go to Paulding, Sherwood would get no tax dollars for it. Sherwood turned down BF Goodrich and do not want a new school everyone here knows where they sit common sense tells you do what you want for this.

M. Graham stated so because everyone does it we should have it?

B. Core stated no I am simply saying it is going somewhere why shouldn't Sherwood get the revenue.

R. Kuhn stated no one in Ohio has it yet.

Sheriff Engle stated no there were 376 applications and a total of 57 will be award a license. He stated he is against it he took an oath to uphold federal laws and so did the council. The council is doing the right thing to bring all groups in here.

R. Kuhn said he heard that Stryker said they could go there and they would give them land.

Sheriff Engle it is a small town and the Sheriff Department does not charge for protection of the community. This facility might bring other businesses in like head shops or vap shops and officers may be busier in Sherwood that is yet to be seen. This company will have to pay a \$50,000 bi-annual fee for their license and they can open doors by September 8, 2018.

Mayor Mallett stated the council needs five votes to waive the three readings.

Ordinance 18-03-01, an Ordinance Imposing A Temporary Moratorium on Medical Marijuana Cultivation, Processing, And Retail Dispensary Facilities Within the Village of Sherwood, Ohio And Declaring an Emergency was presented.

W. Hall made motion to table the ordinance.

C. Skinner seconded it.

J. Hohenberger stated does this moratorium stop it? And can we change and amend it later?

Mayor Mallett stated yes but it would need to be done before they open.

J. Hohenberger asked open or sell?

Mayor Mallett stated they will be open by September 8th I do not know how close they are to making a deal I will discuss that with J. Ridenhour.

W. Hall asked about the preschool.

K. Phillips asked if it is all about the money.

W. Hall stated yes.

K. Phillips asked if the council has exhausted all measures and the only way to bring money into the town is to allow a marijuana facility.

W. Hall stated it has been over twelve years and no other facility has wanted to come or asked too.

K. Phillips asked has the council gone out and looked.

Mayor Mallett stated yes.

D. Karlstadt stated that a cloud-based company was interested in the building, he met with them, Jerry Hayes and the village. He offered the company free building for twelve months and asked what J. Hayes could offer and the village could offer them for free and never got a response.

T. Graham asked what the village plans to do with the money.

Mayor Mallett stated that it has not been earmarked yet at it yet to be seen the true amount. But it has been discussed to get a police force and half to the fire department.

T. Graham stated that needs to be said on Thursday, so people know.

Mayor Mallett stated 90% of our projects are with grant money. The Village can handle the regular maintenance but to improve we need money. The village competes with others for the grants and there is no guarantee to get them. The village needs new businesses or increase taxes and the council does not want to have to do that. The village has been looking for every dollar we can to help get this village cleaned up.

T. Graham stated it would be good to present everything the village plans to do with the money.

K. Phillips stated she did not like how the village is looking to get money for the town.

R. Valle stated the village allows alcohol sales.

L. Valle stated every day people die from alcohol, should we stop selling alcohol?

K. Phillips stated do we need to bring something else in?

Mayor Mallett stated the council needs to decide to table this ordinance or not.

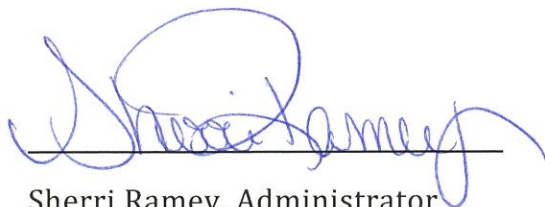
Vote to table was taken.

W. Hall – yea, C. Skinner – yea, J. Vogelsong – yea, S. Rohrs – nay, M. Sudholtz – nay, J. Hohenberger – nay.

B. Core stated you should postpone for more information.

Mayor Mallett stated since it is a 3-3 tie vote, I will break the tie to table ordinance until Thursday, March 8th to get more information.

W. Hall made motion to adjourn the meeting. C. Skinner seconded the motion.



Sherri Ramey, Administrator



Cary C. Mallett, Mayor