



11/05/17: Bear Valley Potential Game Changer & EPPOC Meeting Minutes

Hi Folks,

Maybe winter is ready to start as we wave good-bye to Daylight Saving Time, leaves on the trees, water in the lake, hopefully geese on the grounds, and beetles killing trees. This is just a short NEWS to bring you status of items important to all of us who live and own property in this County.

1. Intent to expand Bear Valley facilities

The Mountain Coop is working with Bear Valley owners to participate in a long desired improvement linking the Village with the Mountain. A destination facility is the goal which is good for Arnold businesses and property owners. Here is the proposal and process:

Dear Bear Valley Mountain Coop Members:

Happy November. It's great to see some significant snow in the forecast at this time of year. The BVMC board has carefully considered the feedback from our members as well as the challenges that we see ahead for Bear Valley and the available options for the Co-op. After significant research and discussion the Board has unanimously approved a motion to pursue an opportunity to build the village lift in partnership with the current village land owners and possibly other investors. We think this new direction for the Co-op with a focus on the Village is a big step forward for everyone who loves Bear Valley, and especially our members.

To highlight just a few reasons for supporting a new ski lift from the Village to the Mountain:

1. A Village lift greatly improves terrain access & the overall value of the Bear Valley resort experience.
2. It allows the Co-op to put member capital to work alongside the improvements that Skyline will make to the mountain.
3. Our proposed investment partnership would allow the BVMC to potentially enjoy a return from the resulting development of Bear Valley Village

Our recent member survey indicated that an overwhelming majority of our members would likely support such an effort. The general feeling in the community is that the village lift is a "game changer" with respect to Bear Valley's future. Investing in a village lift will connect the Co-op to the community and the ski area in a very meaningful way. While presumably consuming all of our current resources (both energy and capital), investing in the village lift in no way precludes the BVMC from investing in the ski area in future. Quite the contrary, it may actually lead to future opportunity should our membership and resources grow accordingly.

The next major steps in this exciting approach to our mission are the following:

1. Pursue mutually acceptable partnership terms with BV land owners(in process)
2. Secure member support in a referendum targeted for December.
3. Establish the partnership and begin raising additional capital.

While there are many obstacles to overcome to make a Village Lift a reality, the board believes this is achievable if we can find adequate alignment between the Village landowners, Skyline, and the greater Bear Valley Community.

2. EPOC Minutes from the 11/01/17 Meeting

Want the process and basis for the decision to pursue “regulated” commercial grow of Cannabis in Calaveras County? Want to know the challenges? Take a quick read below:

- 1. Call to Order:** Meeting started by **President Eric Davis**. The room was boisterous.
- 2. Treasury Report:** Eric reported \$471.51 in the bank. He also reminded to nominate \$100 donations to worthy causes in the County to be selected in December.
- 3. Sheriff's Office:** Two Officers reported, **Sgt. Chris Dorsey** and **Cpl. Joel Burnett**. Joel is the new Resident Deputy for District 3 and wants to get to know all HOAs and Subdivisions. Pinebrook crimes are on the rise. For the general Hwy4 corridor from June 1st, 6-Vandelizings, 8-Burglaries, and 2-Thefts were reported, **all which is a decrease in significant crimes**. For those who leave their car unlocked with keys in the ignition, be forewarned that this is not safe. The Sheriff's Office would welcome reports of strange or dangerous sightings to increase public safety. The number of available deputies has increased from 2 to 4 to cover the Murphys to Camp Connell area 24/7. The best contact information is **754-6500** to get immediate aid. Calling 911 from a landline is good, but a cell phone call depends on your particular phone service provider.
- 4. Blue Lake Springs Water:** **David Hicks** reported that BLS will be spending \$12M over the next two years to upgrade the **water main piping** in the BLS areas. The existing 2" pipe will be replaced utilizing a USDA 40-year, low-interest loan to significantly reduce cost impact to residents. New Hydrants and meters will be added. The hydrants should provide a reduced insurance load. Owners must pay for hook-ups to the new main. This is anticipated to impact 900 of the 2026 lot and home owners. More specific information will be provided at a **BLS Meeting: Nov. 11th, 1 to 2:30pm at the Snow Flake Lodge**. Dave Hicks can be reached at 795-7025 for questions.
- 5. CCWD:** District 3 Representative **Bertha Underhill** reported:
 - a. **Reach 3a:** A very successful Ribbon Cutting Ceremony on Oct 25th celebrated the completion of Reach 3A. A couple of elected Federal and State representatives which included Tom McClintock's and Frank Bigelow's office and county heads were in attendance. All 5 members of the CCWD Board, were present, in addition to the General Manager Dave Eggerton and the PIO Joel Metzger. Many kudos were given to T&S Construction of Sacramento for performing the work of Reach 3A. This project amounted to \$5.5 million. Also, honored at EPOC was **Dave Gallagher** for his service to the community and to CCWD.
 - b. **Future Financing:** A professional consultant has been hired to conduct a cost of service study to determine specific costs to CCWD and, with a next phase, the amount of any future rate increase. CCWD has been operating at a loss for some time because of conservation measures due to the drought and new Federal and State reporting requirements.
- 6. Fire Commissioner:** **Tom Sullivan** advised home owners to review their gas appliances for safe operations in preparation for Winter. Recent storms and anticipated storms will be cause to keep rain gutters clean of pine needles. And don't forget to clean your chimneys. He observed that the next snow storm will close Ebbetts Pass.

7. **HOA Consultant:** **Don Shinn** advises all HOAs subject to the Davis-Sterling law to submit the required Documentation and Accounting reports per Civil Code 5300 to your HOA/COA no later than December 1st. These reports include the Annual Budget, Reserve Disclaimers, Policy Statements, and Fine Schedules. It was noted that the budget should be Zero Based so that the Dues should equal the Expenses.
8. **"Calaveras Recovers":** **Nicki Stevens** described a fully Non-Profit organization called "Calaveras Recovers". This organization provided financial and material aid to the **Butte Fire victims of September 9th, 2015**. Over 70 square miles were burned which destroyed 475 Residences including displacement of over 600 families. Working closely with FEMA and other State agencies, Calaveras Recovers provided **aid to 346 families**. With this aid, perhaps only 36 families were forced to move away. Fortunately for Calaveras County, this organization remains to aid future disaster victims with FEMA contacts as well as State resources to better speed the recovery process. More information can be found at the web site: www.calaverasrecovers.com, and at 209-754-6824.
9. **CANNABIS:** The featured topic, Supervisor **Mike Oliveira** and **Lisa Muetteries** of the County Planning Commission spoke to the workings and latest status of cannabis in this County. An '**Urgency Ordinance**' of two years ago was drafted by a committee appointed by the County and approved by the previous Board of Supervisors who favored pot growers. This Ordinance was intended to stop the land grab for freely growing cannabis, but did not provide money for enforcement and is about to lapse on Feb 14th. Subsequently, Measure C of 2016 passed which is an excise tax that goes directly to our County General Fund. It is collected on dispensary sales, as well as commercial grows. Once it goes into the General Fund they become discretionary funds. These can be used for law enforcement or anything the BOS votes to apply them to. However, in the interim, a land grab has continued to raise this highly valued crop. Over **1,000 illegal pot farms** have been observed by satellite imagery. These illegal farms are run by locals as well as dangerous migrants, possibly Mexican Cartel. Of the illegal Cannabis grows that have been raided by the Sheriff department, it has been discovered many of them are using illegal chemicals and have several code violations on the land harming the environment. The Sheriff has stated even with proper funding it will take him 3 to 4 years to eradicate and gain some control over the illegal grows.

Unfortunately, if the existing **Urgency Ordinance** is allowed to lapse without a replacement Ordinance by **Feb 14**, then State Prop 64 laws will prevail thus usurping this county's right to regulate or ban cannabis growing. We would not have an ordinance on the books for the growers to comply with under state legislation. The state is constantly upgrading their language on the state process under what is now Called **MAUCRSA**. We do not know how this will affect us. Prop 64 was a vote of the people of CA. It will allow any and all individuals to grow 6 plants, and possess Cannabis for recreational use. The County can and is working on an ordinance to put all recreational grows indoors for the 6 plants. The state tied road funds to prop 64 taxes collected by the state. If we do a total ban on commercial growing this will impact funds that would be disbursed to our County. The State legislature passed **SB-1**, this is the new gas tax . We are still learning how this will impact collections of road funds. It has been said we will need to have a specific road tax to be able to qualify for these funds.

The future options to "Regulate" verses "a Ban" in a **new County Ordinance** depend on many conflicting factors. The second case, to outright BAN **could possibly** mean litigation that will send the County into bankruptcy by licensed growers and Dispensaries. This also eliminates a large

amount of money raised by legal growers that can be used for policing illegal growers. On June 27, 2017, Governor Brown signed SB94, the **Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA)**, pronounced "mao-ker-suh," into law to replace MCRSA and AUMA. Under MAUCRSA, the following commercial cannabis licenses will be available starting January 1, 2018, so long as the applicant has the approval of their local jurisdiction.

Additionally, the future of **MAUCRSA** will decimate efforts for controlling growth. **MAUCRSA** is still under study and is being defined real-time. This puts all efforts to ban or regulate at risk. All counties of California are currently suffering this condition of uncertainty due to conflicting possibilities for this in depth evaluation. Many that originally banned are now visiting the table to regulate. To "Regulate" does seem to provide the better results. **Illegal growing will continue** in spite of all efforts. Hence, money is needed to patrol these growths. Having legalized commercial growing provides this money that would otherwise is not available to the County.

Fortunately, legal grows are limited to growing, harvesting, and trimming the plants. The Urgency ordinance, nor the replacement regulation ordinance being worked on, do not provide for manufacturing of the product in Calaveras County. The testing facility for chemical use in growing is located Oakland or San Leandro where such equipment exists. Currently no such manufacturing is considered allowed in our residential areas. **Local Dispensaries will have provided approximately \$1.5M this year** in fees to the County. This would be forfeited in the option to Ban or close dispensaries. Taxes from legal commercial growers collected to date is approx. \$7.6M. Under Measure C, that tax collection is done twice a year. Next collection is due in December and is estimated at \$6.8M. The 5K registration fee can only be used for registration costs. None of this money can be used for anything that does not apply to registration cost. A **Nexus** will still need to be completed to show actual costs. This fee is subject to change. In summary, it was felt that money attained from **Regulated legal grows should pay for the policing of illegal grows** and the repair to the damaged environment from illegal practices. A Ban on Cannabis could paralyze the County now and in the future.

(For those residents who fear the loss of Medical Cannabis for their ailments, please understand that the medical oils or **CBD** are readily available in many forms to be delivered to your home by Internet Sales, including Amazon and many other mail-order houses. No doctor's prescription is needed. This is often confused with the procurement of Hallucinogenic Cannabis or **THC**. Most discussions do not make this distinction clearly and seriously confuse the discussion on the availability of CBD or Medical Cannabis...RB)

10. Christmas Parade of Lights: Lisa Muetterties mentioned the White Pines Christmas Parade this year is on November 24th on Blagen Road. She would encourage all HOAs to enter a float of appropriate gaiety and color. This is a fun event for all families.

11. Property Insurance: Tom Pratt of Delos Insurance Company mentioned that his brokerage company can provide most property insurances including car insurance to County Residents. Tom resides in Murphys and can be reached: www.getdelos.com/calaveras, contact@getdelos.com, or 415-935-3244. A more personal contact: tom@getdelos.com or 209-206-3390.

12. Arnold Rim Trail: Steve Lauterbach added the following; "Our last trail work day of 2017 was wonderful led by Forest Service's Aaron James and Arnold Rim Trail Association Volunteer Trail Building Director Greg Novacek. We worked on the ADA portion of the Arnold Rim Trail. For

details please visit this page:

<https://www.gaiagps.com/public/vFKkwND9NadGRaLQsfSPdLO5>

The regularly scheduled activities will resume in May, 2018, with guided interpretive hikes, guided sunset walks to Cougar Rock, and trail building days."

13. Bigger Issues: Is it possible that bigger issues exist than Cannabis, Fire Prevention, and Water?

When will the cloud of "**Planned Development**" be lifted from this County? This ancient question hinders the introduction of commercial businesses that might migrate to our population centers and provide the much needed tax dollars to operate the functions of this County. Notice the convenience of stores like Lowes, Home Depot, Walmart, Staples, and such in easy to reach distances instead of having to trek to Sonora, Stockton, or Jackson.

14. Adjournment: Is it possible the meeting ended? I think it is still going on...Don't forget to bring your HOA President to our December meeting. We would love to hear about your trials and tribulations, successes and failures and please include your plans for the future. Sharing this type of information is a great help to all of us.

Robert Bragg
EPPOC Secretary