

Commissioners' Journal
October 29, 2015

The Geauga County Board of Commissioners met in session on October 29, 2015 at 7:00 p.m. in the Commissioners' meeting room located at 470 Center Street , Building #8 in Chardon, Ohio.

It is declared and determined that all formal actions of the Board of County Commissioners concerning and relating to the adoption of all resolutions that were adopted in this meeting, and that all deliberations of the Board of County Commissioners that resulted in such formal action were open to the public and were in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

The President of the Board, Walter M. Claypool opened the meeting at 7:00 p.m. by leading the Board and audience in reciting the Pledge of Allegiance.

Commissioner Claypool introduced the panel that will present information regarding State Issue 3, expressing that the Board felt very strongly on the Issue. Mr. Claypool stated that at their meeting on Tuesday that the Board had approved a resolution in opposition to the issue. Mr. Claypool stated that the panel tonight includes Judge Timothy Grendell, Dennis Michelson, Sheriff Dan McClelland, Judge Terri Stupica, and JFS Executive Director Craig Swenson, adding that all of these individuals will be greatly impacted by this issue.

Judge Terri Stupica thanked that Board and welcomed everyone in attendance tonight. Ms. Stupica explained that they had held this panel several weeks ago at the West Woods, and feel that it is important to do again, noting that this issue will affect everyone in the room, the county and the state. Ms. Stupica expressed that she has studied the 182 page report from the Rocky Mountain High Intensity Drug Trafficking area in Colorado since marijuana commercialization and recreational purposes has been legalized. Ms. Stupica stated that three and a half years ago she started the opiate task force and feels that this is a great tie in. At the DEA office today they were talking about the massive phentanol issue, that it is an extreme high intensity heroin and how it is affecting the communities and that people are dying from it, and the consensus was that if the marijuana issue passes things will only get worse.

Ms. Stupica stated that the Bill as it is proposed in Ohio will create 1,159 marijuana or pot stores, which is more than all McDonalds and Starbucks combined, and three times the amount of liquor stores in the State of Ohio. She referred to the numerous ads and literature, from ten wealthy investors who will probably make millions while jeopardizing the rest of Ohioans. The plan is to start with ten grow farms and after four years if there is not enough supply then another will be added; it is not something that the average farmer in the State of Ohio can decide to do and start growing plants.

Ms. Stupica gave statistics from the report regarding increases in school suspensions from high school students, increase in hospitalizations due to poisoning from marijuana, edibles that are injected with the high levels of marijuana, increases in the number of traffic accidents and fatality accidents, while traditional accidents with no substance abuse have gone down. Ms. Stupica stated that the department of labor noted that an estimated \$81 billion dollars were lost in productivity due to marijuana in the workplace.

Ms. Stupica stated that any doctor you speak with will tell you there are some medical benefits in combination with some of the elements of medical marijuana, but marijuana alone is not approved by the FDA, noting that it takes 8 characteristics for a new drug to get approved and marijuana does not meet any of those.

Ms. Stupica talked about some of the other things that people are not thinking about, such as homelessness and electric demands and resources. Ms. Stupica expressed that based on what she sees every day and feels, we don't need another substance of abuse to be legalized.

Executive Director of Job and Family Services Craig Swenson expressed a family perspective. Mr. Swenson stated that they see every day the impacts of drug and alcohol abuse on families, along with working with the cases brought before the Juvenile Court related to those issues and the impact from the decisions made there. Mr. Swenson expressed that in 2011 the agency was seeing a case or two here and there related to substance abuse with an average of 27 children in care, custody, and control; however in the last full calendar year the number has sky rocketed to 66 in 2014. The largest portion has grown from drug and alcohol abuse. Mr. Swenson expressed that the case workers are already hearing excuses from families because Issue 3 is on the ballot and feel that it is not a big deal, adding that the moral compass has changed and there

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will be nothing left that will be sacred and moral. Mr. Swenson stated that this marijuana will be in your neighborhood, in your neighbor's homes, and the new worry about what is within the homes of the children that your children are going to school with and could be attending parties. This is not like alcohol, with the new way this drug is being marketed in brownies, gummy bears and candy. Mr. Swenson inquired at a recent conference of a speaker from Colorado about what it was like, and he expressed that you can smell it while you're driving on the highway, you can smell it around you at the mall, noting that it will change the personal space around you, and will be influencing our children. Mr. Swenson asked the question – why are we saying yes to something else that can impair your judgement, your motor skill and decrease motivation? Why would we sanction something else, when we can work to see our youth achieve things and live the American dream.

Mr. Swenson noted additional facts from the study from Colorado regarding youth and the average use of marijuana by ages, including the number of emergency room visits that have increased. Mr. Swenson expressed that in addition to all of that, homelessness has increased due to the number of people that are moving out there but have no job or way to pay for things, except their usage. Mr. Swenson noted that Ohio will be the first state to legalize both and at the same time include it in our constitution; he added that this is just not right and we will see it negatively impact everyone.

Judge Timothy Grendell expressed that he can't tell you how to vote, but he can talk to you on a perspective of protecting our children and dealing with our children, adding that if this issue passes it will become and cause a nightmare. He continued by saying that if someone came to you and said let's use the Ohio constitution to create a monopoly that will increase traffic deaths, increase the poisoning of our children and increase the diminished capacity of our youth, why would anyone think this is a good idea, but somehow if you add the phrase in front of it that it will create jobs and generate taxes that people think its genius. Judge Grendell expressed that the Ohio Judicial Conference feels that putting monopolies in the Ohio constitution is a bad idea, whether it's for gambling, marijuana or what is to come next, like prostitution?

Judge Grendell noted that if you can in the day today you might have picked up what we know today is a "gummy bear"; if Issue 3 passes like in Colorado you will learn that it will become what is known as a "stoner bear", because you won't be able to tell the difference if it is infused with marijuana. Judge Grendell stated that if a poll was put out in Colorado now about passing it, I'm sure it would never pass now, and if they could they would repeal it. Judge Grendell stated that we already have a marijuana problem in Geauga County; it is the drug of choice that he deals with every day in Juvenile Court. Marijuana is the underage drug of choice, noting that you should speak with Teachers and Law Enforcement. This problem will not get better if it is legalized. Judge Grendell noted that based on the study from Colorado, 29% of the underage users in Colorado are using legal marijuana because they are getting it from their parents, 21% are getting it from other relatives or legal adults. Judge Grendell expressed that it will increase jobs – yes, increased jobs for Law Enforcement, Judge Stupica, and a lot more for Mr. Swenson, as well as his Court, because they will have to deal with the problem that they already have with increased traffic from legalization. Judge Grendell stated that the jobs that they are going to increase will cost the taxpayers, which the Commissioners know.

Judge Grendell expressed that if anyone tells you that marijuana isn't a gateway drug, they haven't spent any time in court. Judge Grendell talked about the users of marijuana and their drug evaluations that state they started with alcohol, then marijuana, then tried other drugs like cocaine, meth and then heroin. Judge Grendell stated that heroin is cheap, and a hit is cheaper than what he paid for the bag of gummy bears. Judge Grendell stated that he didn't understand why we would want to make ten people richer at the expense of our children and added that he prays that the Issue does not pass.

Executive Director for NAMI, the National Alliance of Mental Illness in Geauga County, Dennis Michelson, expressed that he is also the Treatment Manager for the Lake County Drug Court and that he works with law enforcement and courts across the counties. Mr. Michelson tries to be objective about these things and didn't want to get involved in the marijuana debate because he has been busy burying those who died from heroin, adding that he had one last week and another next week. Mr. Michelson explained that when he has to do a drug and alcohol assessment and go over the list many wouldn't consider marijuana because they don't consider it a drug, and are eagerly awaiting the legalization of it. Mr. Michelson stated that if Issue 3 is approved marijuana use will increase, but the addiction rate will remain the same. Mr.

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Michelson stated that no matter how anyone votes, if you want to get marijuana you can get it, and that addiction is different from use or even abuse.

Mr. Michelson stated that his dad taught him that you never take down a fence until you find out the reason the fence was put there in the first place, noting that common sense says if a few other states are going through the process, why not wait and see how it pans out, asking why are we rushing into the process to not only deal with medical marijuana but to put the wolf in sheep's clothing for recreational use and ensconce it in the constitution. Mr. Michelson stated that money is the reason we are rushing to do this. If you spend a dollar on treatment you will save seven on incarceration. All treatment is not the same, but from a treatment angle, he has been told that they started with it because it was available. You need to always make a distinction from a user and someone with addiction, adding that he feels the system is keeping addicts, addicts. He posed the question of the logic in trying to minimize the illegal cartel with a legal cartel, and suggested the book "Chasing the Scream".

Mr. Michelson expressed that many pharmaceuticals come from elements or components of plants and trees and while there can be some merit to extract from marijuana substances to make helpful pharmaceuticals; the worst delivery system is to smoke it. Medical marijuana as used now is an oxymoron. There are three things you need to address, the agent, the host and the environment; the agent is a substance, the host is the person, and the environment, the culture. The easy part is to restrict the agent, but if you do not address the host or the environment then you are whistling by the graveyard. Drugs and alcohol are not the problem; it's how people learn how to deal with their problems. Mr. Michelson stated that if you do not have a demand for marijuana you don't need a supply, adding that the war on drugs has failed, but that we need to have a war on addiction.

Sheriff Dan McClelland expressed that this is a serious concern regarding the impact it will have on the community, not just professionally, but also personally, as he lives here, and his family lives here. Sheriff McClelland stated that he often jokes about running the largest hotel in the county, but sadly it has become the largest rehab center in the county. Sheriff McClelland stated that if you could take substance abuse of all forms out of the culture that about 95% of our inmates wouldn't be in jail. Sheriff McClelland stated that they aren't there because they were caught dealing or in possession of a substance, but they are there due to the other crimes committed, such as DUI, theft, burglary to feed a habit, and domestic violence when one's thought process is clouded by substance abuse. The average jail population is about 130-140 inmates a day, and 95% of them wouldn't be there in the absence of drugs. Sheriff McClelland stated that the homeless populations have increased in Colorado and Washington, along with the number of beds provided by shelters since the increase of legalization, and while the shelter provides a roof and food, asking who provides the money needed for the purchase, do they resort to crime; statistically that is what is occurring.

Sheriff McClelland stated that marijuana seriously impairs your ability to drive, noting that Washington has seen an 82% increase in impaired drivers, so think about your drive home tonight and that if this passes you will have 82% more people impaired on the road with you. Sheriff McClelland expressed that it will then lead to additional problems in schools and with our children. He mentioned edible marijuana products, noting that we talked about those earlier, adding that Colorado stated that they have seen a 265% increase in marijuana exposure to children under the age of five. Sheriff McClelland added that since it was legalized in Colorado the number of traffic deaths have increased 92%; therefore we would have twice as many traffic fatalities in Geauga County due to being under the influence. Sheriff McClelland talked about an incident in Middlefield a year ago at Hayes Road and State Route 87, where a stranger who was under the influence of marijuana kidnapped a child who had been sleeping on the couch in an apartment, and then tried to give away the child by flagging cars down. He mentioned another incident about a month ago where a woman drove a car into a house while the driver was under the influence of marijuana, and the impact that it is having on innocent people.

Sheriff McClelland stated that another thing that needs to be discussed is how marijuana will affect the workplace, to which he noted that he had spoken to Great Lakes Cheese and Kraftmaid and that both of them would never move a workplace to a state that has legalized marijuana because they are required to provide a safe, drug free workplace. Sheriff McClelland stated that marijuana stays positive in your system for up to a month. Sheriff McClelland expressed that if this Issue passes that it will not bring sustainable business to Geauga County.

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Sheriff McClelland explained that his father passed away a few years ago from cancer and that the end was difficult, expressing that he feels that his father was addicted to Percocet, and that it never crossed his mind that his father should take heroin instead. When something is reduced to pill form in a sanitary setting, with measurable quantities for dosage, it is a whole lot different than smoking a joint. If Issue 3 passes business for him will be good, but he will see a 92% increase in traffic fatalities and accident responses, increases in homelessness, vagrancy and related shoplifting thefts, and increases in burglary and larceny.

Sheriff McClelland stated that back in the 60's we had a term for those who used marijuana, they were called stoners, you could pick them out; if we want to legalize research for medicinal value, I could agree with that, but wanting to legalize recreational use is something I strongly disagree with. In the 40 years Sheriff McClelland has been with the Sheriff's Office he has seen tragedy that substance abuse brings, like too many times he has delivered a death message, notification, and had to go tell the family, and while he was driving there he tried to come up with the words, saying that you get out, put your hat on to give yourself a few extra seconds, then when the door opens and the greeting you get "is everything ok" – and after all this time, all I can come up with is "I'm sorry". If we pass Issue 3, I'm going to have a 92% increase on occasion to say "I'm sorry" and that is unacceptable. Our community, family and friends need better.

Mr. Claypool mentioned that recently they had been talking to the Coroner during a budget hearing about stories of recent incidents of people who were high on marijuana and the bad choices that they made ultimately resulted in their deaths. Mr. Claypool expressed that if this Issue passes the work load will have to increase and the Commissioners will have to come back to the public and ask for more money to cover the services, adding that this will be an impact to all of us.

Mr. Claypool opened the questions by asking how can we in the State of Ohio approve a ballot measure that violates Federal law? He also asked if businesses will have the legal authority from prohibiting serving someone. Judge Stupica expressed that if someone is smoking it you can call law enforcement, to which Mr. Claypool asked if law enforcement would respond. Sheriff McClelland stated that it is legal for an adult to drink alcohol, we do receive calls from establishments about someone who appears to be intoxicated and we respond and take appropriate action. Judge Grendell added that there will be enforcement issues, but referenced action during prohibition to have a permit for medicinal bourbon. Judge Grendell brought up the Dorman Carmen clause and how that brings about lawsuits. Discussion continued about interstate commerce and how regulations will need to be brought to handle new law enforcement issues.

Several audience members asked different questions regarding the Issue to which different members of the panel provided answers.

Discussion took place regarding advertisements against the issue, Commissioner Spidalieri offered half of the cost of a robo call as a last ditch effort to get the word out about voting No on Issue 3.

Mr. Claypool thanked everyone for coming tonight.

OTHER

The Board reviewed upcoming events.

MEETINGS

Tue., 4/1 The Commissioners will hold regular session

Tue., 4/1 Job and Family Services kickoff reception for Child Abuse Prevention Month, 11:30 a.m.

Wed., 4/2 NEO Consortium COG meeting, 1:30 p.m. Building #8

Tue., 4/8 The Commissioners will hold regular session with a presentation by Geauga County Tourism

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Tue., 4/8 Planning Commission meeting at 7:00 p.m. in the Planning Commission meeting room, Bldg. #1C, 470 Center Street, Chardon

Wed., 4/9 Geauga County Township Association Dinner, 6:30 p.m. Russell Township Fire-Rescue Center

Thu., 4/10 The Commissioners' will hold regular session

Fri., 4/11 NOACA Board of Directors, 10:00 a.m. Cleveland

BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD

Motion: by Commissioner Rear to adjourn the meeting at 8:39 p.m.

Geauga County Board of Commissioners

Walter M. Claypool

Ralph Spidalieri

Blake A. Rear

Christine Blair, Commissioners' Clerk

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