

**MINUTES OF THE SPECIAL WORKSHOP MEETING  
OF THE LADY LAKE TOWN COMMISSION  
LADY LAKE, FLORIDA  
August 7, 2017**

The Special Workshop Meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Jim Richards presiding. The meeting convened at 5:00 p.m.

**1. CALL TO ORDER**

- 2. ROLL CALL:** Ruth Kussard, Commissioner Ward 1  
Tony Holden, Commissioner Ward 2  
Dan Vincent, Commissioner Ward 3  
Paul Hannan, Commissioner Ward 4  
Jim Richards, Mayor/Commissioner Ward 5

**STAFF MEMBERS PRESENT:** Kris Kollgaard, Town Manager/Town Clerk; Chief Chris McKinstry, Police Department; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; Tia O’Neal, Human Resource Director; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

**3. Public Comment**

Mayor Richards asked if anyone from the audience had any comments. There were no comments at this time.

**4. Discussion of Medical Marijuana Treatment Center Dispensing Facilities within the Town Limits**

Town Manager Kris Kollgaard clarified that the issue to be discussed by the Commission today is if the Commissioners want to allow Medical Marijuana Treatment Center Dispensing Facilities within the Town limits. She stated medical marijuana has been legalized and it is up to the Commissioners whether they want to allow the centers within the Town limits.

Mayor Richards asked the commissioners for their comments.

Commissioner Kussard stated that when Governor Scott signed Senate Bill A8 in June, counties and municipalities were given the option to allow or ban medical marijuana treatment center dispensing facilities to be located within their boundaries. She stated her concern is that if dispensing facilities are not banned in Lady Lake, the Town will not be able to place specific limits by ordinance on the number of dispensing facilities and will not be able to enact ordinances to determine the location of dispensing facilities; as they are able to be located wherever pharmacies are allowed by zoning regulations, which in Lady Lake is Light Commercial, Heavy Commercial, Industrial/Plant Commercial, Industrial and Commercial PUD. They would be able to be located within 500 feet of public or private schools in Lady Lake as per zoning regulations for pharmacies.

Commissioner Kussard stated she polled the residents in her Ward and received 39 responses; 28 were not in favor of allowing dispensing facilities within Town limits, and 11 were in favor. Of the 11 in favor, three just wanted access close by for those who needed medical marijuana.

Commissioner Kussard stated there is already a medical marijuana treatment center dispensing facility in Summerfield and one in the Oakland Hills Professional Center called Truelieve, with access just a little north of Lady Lake. She stated she is in favor of banning these facilities from locating within the Town limits of Lady Lake and is in favor of the ordinance for the temporary 180-day moratorium.

Commissioner Holden stated that medical marijuana has been legalized, and people who need it should be allowed access to it. He stated there is no high in medical marijuana, just as near-beer has no alcohol.

Commissioner Hannan stated that he feels Commissioner Kussard made a great presentation and he agrees with her comments.

Commissioner Vincent stated it seems to be a moral issue.

Mayor Richards stated he originally was not in favor of allowing these facilities, although with two thirds of the residents voting for them, he stated he is on the fence about it. He stated that people he has talked to in his neighborhood and the dog park are mostly in favor of it and do not see any harm in it. Mayor Richards stated pharmacies are dispensing far worst medication such as Oxycodone, but his concern is that with a lot of municipalities and counties banning the facilities, the one locality that allows them could cause an influx of people at that location because there are no others around. Mayor Richards stated many residents in his neighborhood do not have cars and only have access by golf cart, and those residents may want easier access to these facilities. He stated his thoughts are to have the Town's zoning ordinances regarding these facilities mirror the state's and get on with it.

Ms. Kollgaard stated that Senate Bill 8A only gives the Town authority to ban the facilities; it does not give any authority to regulate the facilities besides what the Town's regulations are for pharmacies.

Commissioner Holden clarified that he has never used marijuana and has no intention of ever trying it, but he has known people who smoke it regularly; bought from street dealers.

Commissioner Vincent stated he grew up in Kansas when it was a dry state with no liquor sales, but boot-leggers were rampant and some were millionaires. He stated the Nebraska border was just 16 miles away and they allowed liquor sales. There were signs on Nebraska roads thanking Kansas residents for their liquor dollars helping to provide good roadways for Nebraska. He stated that if someone really wants the marijuana, they will be able to find it.

Commissioner Kussard stated medical marijuana is the issue, and Mayor Richards agreed that there will be no high; it is for medicinal purposes such as nausea.

Ms. Kollgaard asked for input from the police chief.

Chief McKinstry stated that the Town will abide by laws passed by legislation and voted on by the people. He passed out a hand-out illustrating what happened in Broward County when pain medications clinics opened up when he worked there. He stated they popped up so rapidly that the Sheriff's office was unable to regulate them because there were no regulations in place regarding where they could go, what they could sell, or the number of people allowed. Chief McKinstry stated the clinics provided their own security due to the large crowds they attracted; using cameras,

guards, fencing, etc. He stated that a lot of resources were used by the Sheriff's Department to try to regulate the criminal activity that occurred around these clinics such as pill/doctor shopping, prescription fraud, vehicle burglaries, etc. He stated, to put it in perspective, there were 98 McDonald's in Broward County and 140 pain clinics at the high point of this activity. Chief McKinstry stated it is his fear that if there is not clear direction from the legislation, and if everyone around the Town bans the facilities and the Town allows them, then the Town could become the focal point of where people will come for the novelty, whether they can get high or not. He noted a marijuana company bought a whole town in California just to be a tourist attraction for marijuana.

Chief McKinstry stated there needs to be regulations, and his opinion does not matter; what the voters say becomes law. He stated more police officer positions may need to be funded to deal with associated crimes that will occur such as prescription fraud if the Town is the only outlet for these facilities in the area. He stated he would feel more comfortable if there were more direction issued by legislation so that it could be regulated better.

Commissioner Kussard pointed out that these facilities would be allowed in the same zoning as pharmacies, and there are currently nine pharmacies within the Town limits, so there could be that many or more dispensing facilities located in Town if they were allowed.

Ms. Kollgaard stated her main concern is that the Town would have no control on the dispensing facilities other than that for pharmacies; she would like to move forward with the 180-day moratorium to see what happens in other areas that allow dispensing facilities to see if problems occur. She stated if the Town ends up banning the facilities, the ban could be removed at a later date, but a ban could not likely be imposed after dispensing facilities are allowed.

Commissioner Vincent asked Chief McKinstry if he has heard anything from the Sumter County Sheriff's Office regarding the dispensing facilities in their jurisdiction.

Chief McKinstry replied that he has not received any feedback from Sumter County on this issue.

Mayor Richards stated that the Town will still have to deal with this issue after the 180-day moratorium.

Ms. Kollgaard stated this will allow time to see if the Commission would like to ban the dispensing facilities after the 180-days are up.

Mayor Richards asked if the state had any input from law enforcement before approving SB 8A.

Chief McKinstry replied that the Florida Police Chief's Association opposed the legalization of marijuana. He stated he is not aware of any other interactions that may have occurred with legislators.

Commissioner Vincent commented that marijuana is still illegal on the federal level.

Commissioner Hannan stated he would like to see a show of hands to see how the Commissioners feel about the 180-day moratorium and banning the facilities altogether.

***A poll of the Commission showed that all five commissioners are in favor of passing the second reading of the moratorium ordinance at the Commission meeting later this evening.***

*Commission Hannan and Commissioner Kussard are also in favor of a ban on allowing Medical Marijuana Treatment Center Dispensing Facilities with the Town limits; Commissioner Holden, Commissioner Vincent, and Mayor Richards are not in favor of a ban at this time.*

- Sue Kelly, Executive Director of the Lady Lake Area Chamber of Commerce, reported that she and her staff made phone calls and spoke with several Chamber members regarding this issue. She stated she was surprised that doctors all said the same thing: do not open clinics in town right away because once you open one, you cannot shut down the flow. She stated a couple of these doctors are even authorized to issue medical marijuana prescriptions, yet they still recommended that the town take it slowly and not rush into allowing these facilities to locate here.

**5. ADJOURN:** There being no further discussion; the meeting was adjourned at 5:20 p.m.

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Kristen Kollgaard, Town Clerk

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Jim Richards, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk