

Calaveras sues to shutter 2 pot shops

County says no effort made for proper permits

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SAN ANDREAS - Calaveras County is suing to close down two medical marijuana businesses in Valley Springs, saying the operations violate county zoning code and lack required permits.

One of them, Forgotten Knowledge Collective, has been operating for almost four years, and is the oldest of at least four unpermitted medical pot storefronts in the county. The other is Calaveras Medical Collective, which has ties to Stockton Medical Collective.

Deputy County Counsel David Sirias said the two Valley Springs shops are being sued because they made no effort to come into compliance. In contrast, Little Trees Wellness Collective in Arnold has applied for a zoning change needed to comply and is seeking a permit. Green Gold Cultivators in San Andreas recently moved to a new location with the appropriate professional office zoning and is applying for a permit.

Medical pot remains an emotional issue in Calaveras County despite the long-standing voter-approved law allowing medical use of the drug in California and despite a county ordinance that allows for dispensaries here.

A Feb. 27 Planning Commission hearing on the Little Trees zoning and permit applications drew crowds of people who both favor and oppose legal medical use of marijuana.

Ultimately, the Planning Commission voted to recommend that the Board of Supervisors approve a zoning change for the Highway 4 office building where Little Trees is located in Arnold. The commission made no recommendation on whether to approve the collective's use permit. Those questions could go to the Board of Supervisors as soon as April 8.

Meanwhile, county leaders have gone to court against the two Valley Springs storefronts. Neither of them is in the required professional office zone and Calaveras Medical Collective never even obtained a business license, according to the county lawsuit.

Forgotten Knowledge did obtain a business license when it opened in 2010, but the county suit alleges that businessman Guy Meyers "intentionally misrepresented the nature of the business" when he applied for that permit.

The business license application form, a copy of which was included with the lawsuit, indicates that Forgotten Knowledge was a "collective" selling "books and other items." The form did not mention marijuana.

Meyers now claims he has no connection to Forgotten Knowledge other than having an interest in the building at 10 Nove Way in which the business is a tenant. Reached by phone Wednesday, Meyers declined to discuss the lawsuit.

Katherine Mikilas of Lodi, also named in the suit, did not respond to a telephone message Wednesday.

Attorney Kenneth Foley of San Andreas is representing Forgotten Knowledge. In court documents, Foley is asking to have the suit thrown out, and argues that Forgotten Knowledge is a collective, and so not subject to county codes regulating dispensaries.

In a response, Deputy County Counsel David Sirias said that calling a business a "collective" does not preclude it from being regulated as a dispensary. A judge is scheduled hear the request to have the suit dismissed today.

George Mull, an attorney based in Sacramento, is representing Calaveras Medical Collective. His only filing in the case so far has been a general denial of the allegations against the store.

An employee who answered the phone at Calaveras Medical Collective Wednesday said that neither Alex Gomez nor Julie Elola, the two principals named in the suit, were present at the business.

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