

June 26, 2014

SPECIAL MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Special Session on June 26th, 2014, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Tim Payne called the meeting to order at 3:30 P.M.

Tim Payne	Commissioner	Present
Edward H. Norden	Commissioner	Present
Debbie Bell	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present

Also present: Bill Giordano, Planning and Zoning Director and Jody Blausser, Chief Deputy Clerk.

Those present recited the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF AGENDA

Commissioner Bell moved to approve the agenda. Commissioner Norden seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Norden, aye; Commissioner Payne, aye. The motion carried.

PUBLIC HEARINGS SCHEDULED FOR 3:30 P.M.

1. Proposed Fremont County Medical Marijuana Business Licensing Regulations

Commissioner Payne discussed the rules and procedures of how the Public Hearing will work.

Chairman Payne opened the Public Hearing at 3:31 P.M.

Commissioner Norden said there is some additional language that needs to be added to the proposed regulations regarding signage. This information is printed out and available at the back of the room.

County Attorney Jackson explained in 2009 the medical marijuana industry took off in Colorado. The Board of County Commissioners adopted temporary medical marijuana regulations in 2010. These proposed regulations will give more guidance to businesses.

Public Comments:

Randy Pfaff is the Pastor from the Church at Crossroads. He asked the Commissioners to seek wisdom and guidance from the Bible regarding their decisions today.

Tina Heffner said she would like some type of requirement regarding the armed security personnel at the facilities. They should be required to be licensed, bonded, and have a concealed weapons permit. A fee based off square footage should be imposed on all cultivation facilities. She is concerned that renewal of applications does not require a Public Hearing.

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Charlotte Norman is the Chairman of the Penrose Water District. She is concerned that adequate water be expanded to cultivation facilities. Hauling water may not be allowed by all municipalities. The Penrose Water District would like to be included in the Modification Process of existing facilities so they can determine the impact on water supply.

Tony Gleiforst would like to know when the temporary regulations were first adopted and when the first moratorium was put into place. He does not understand why these facilities are being built without building permits. One of these facilities is being built within 1000 feet of a church. These facilities should not be allowed this close to schools or churches.

Richard Hollabaugh said the moratorium should remain in place as this would only be continuing to regulate a nuisance. Where will money come from to hire compliance officers who will determine if someone is non-compliant with the regulations. He would like to know what penalties and fines will be put in place for violations of the rules.

Wanda Negley stated that she is against having any marijuana facilities in Fremont County or Canon City.

Carter Allen has to use medical marijuana instead of chemotherapy cancer treatment. Medical Marijuana helps his pain every day and allows him to use less pain medicine. He moved to Fremont County as Medical Marijuana is allowed here.

Kemp Coit said he retired from the hotel security industry. His concern is that medical marijuana is a valuable commodity and it needs to be protected with adequate security.

Stephanie Luck stated the pharmaceutical grade medical marijuana need to conform to strict guidelines so patients receive the adequate amount of the product. She would like the new regulations to apply to the existing medical marijuana facilities that are already in place. No new licenses should be allowed in Fremont County.

Ruben Leal believes the medical marijuana greenhouses should only be allowed at the Industrial Park as there is adequate security in place.

Nicholas Tolkash would like to know what benefit this will be to our county. The cost of doing business does not generate any revenue for Fremont County. Commissioner Norden explained the proposed fees within the regulations and sales tax would go to the county.

Bill Conkling is a medical marijuana dispensary owner. He has paid the fees and completed the application process. He has been in compliance for over four years. He has offered many suggestions to the Commissioners regarding the industry but has not gotten any response. His company employs local people and brings in revenue for the county. These limitations will make it hard for him to continue to do business here.

Tim Brown is a co-owner of a medical marijuana growing facility. These new regulations will cause undue harm to his business. He won't be able to afford to comply with these regulations due to the extensive costs involved.

Amy Parks works for a medical marijuana dispensary. She is afraid of losing her job due to the proposed regulations.

Ingrid Henderson urged the Commissioners to allow the medical marijuana businesses to continue operating as they currently are. The regulations need to be fair for existing and new businesses.

Larry Luck attended a meeting with Pueblo County Sheriff regarding marijuana. For every \$1 received in revenue they spend \$10 in enforcement and social programs. He believes marijuana continues to burden tax payers and society.

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Beth Blonder said residents don't understand the benefits that Fremont County may see once the fair guidelines for marijuana are in place. People have moved across the country to Colorado to be able to get their children and loved ones the medical marijuana that is needed to treat their illnesses.

Norma Degenhart stated that Pueblo was recently named the 11th most dangerous city in the United States. The widespread use of marijuana and other drugs are part of the problem.

Chairman Payne closed the Public Hearing at 4:20 P.M.

Commissioner Bell noted the temporary moratorium on new medical marijuana facilities has been in place for several months. Once the regulations are put into place, the moratorium would be lifted.

Commissioner Norden asked Mr. Tim Brown to approach the microphone again for more specifics on how these regulations will affect his business. Mr. Brown explained he will be forced to shut down under these new rules. It is not that he does not want to comply; it is that he cannot afford to make the improvements needed to comply. He has spent \$200,000 on lighting in the last two months. The 70 people he employs will be out of work. If retail marijuana was allowed here he would be able to generate the capital needed for the improvements. The only difference in the marijuana grown for medical compared to retail marijuana is the tag put on it. Retail marijuana is a lot more profitable than medical marijuana sales. The plants can be grown here, but not sold here which would generate more revenue for the county.

Commissioner Norden asked Mr. Conklin to approach the microphone again. Mr. Bill Conklin said he was given the ok to operate here before rules were put into place. Fremont County is getting a double negative as they are getting all of the problems but none of the revenue from marijuana. As his crops are already planted for the year he would need time to come into compliance. His operation would need to expand in order to pay the licensing fees.

Commissioner Payne was in Penrose recently and said there was an odor coming from one of the marijuana facilities. He has received numerous complaints and something needed to be done.

Commissioner Bell is not ready to make a decision until the board considers some of the input including the comments from the Penrose Water District.

Commissioner Payne agreed that more discussion needs to be held before a decision can be made.

Commissioner Bell moved to table the Proposed Fremont County Medical Marijuana Business Licensing Regulations until the July 8, 2014 Board of County Commissioners Meeting. Commissioner Norden seconded the motion. Commissioner Norden stated that continuing the moratorium does not solve the issue. Commissioner Bell said these rules have been a long time coming and she would rather wait and make the right decision. Upon Vote: Commissioner Bell, aye; Commissioner Norden, aye; Commissioner Payne, aye. The motion carried.

Chairman Payne adjourned the meeting at 4:52 P.M.