

**CITY OF NORTHGLENN
MARIJUANA LICENSING AUTHORITY MINUTES
March 10, 2014**

CALL TO ORDER Mayor Pro Tem C. Dodge called a meeting of the Northglenn Marijuana Licensing Authority to order on Monday, March 10, 2014 at 8:15 p.m. in the City Hall Council Chambers, 11701 Community Center Drive, Northglenn.

ROLL CALL Present were: Mayor Pro Tem C. Dodge, Council members Snetzinger, Mullica, W. Dodge, Brown, Carrico, Whitman, and Wieneke.

ABSENT Mayor Downing.

STAFF PRESENT City Manager Pick, City Attorney Hoffmann, and City Clerk Small.

**APPROVAL
OF MINUTES:**
February 10, 2014

MOTION TO PASS Council member Whitman **MOVED** and it was **SECONDED** by Council member Mullica to approve the minutes of the February 10, 2014 meeting as presented.

MOTION PASSED There was no discussion and the motion **PASSED**.
IN FAVOR - C. Dodge, Snetzinger, Mullica, W. Dodge, Brown, Carrico, Whitman, Wieneke.
OPPOSED - None.
ABSENT - Downing.

PUBLIC HEARING:
Rehearing on New
Medical Marijuana
Center License – Rocky
Mountain Retail
Management, LLC dba
Rocky Mountain High

Mayor Pro Tem C. Dodge opened the public rehearing on the new Medical Marijuana Center License application submitted by Rocky Mountain Retail Management, LLC dba Rocky Mountain High and read a statement regarding the jurisdiction and procedures of the rehearing. There were no objections to the jurisdiction or form of proceedings.

Attorney Hoffmann provided a summary of the application and the rehearing request submitted by the applicant. Attorney Hoffmann

stated the applicant has indicated they will present additional testimony to address the adequacy of the number, type, and availability of licensees in the City of Northglenn and will correct the evidentiary record with regard to certain misstatements made at the January 13, 2014 hearing.

All individuals intending to provide testimony were placed under oath by the City Clerk.

Mr. Mark Grueskin, legal counsel for the applicant, stated he would be presenting evidence on the number, type, and availability of marijuana businesses in Northglenn. Mr. Grueskin stated he would show that the evidence presented at the previous hearing was incorrect regarding the location of the proposed business, and stated there is more than ample demand for the license to be issued. Mr. Grueskin presented a Denver Post article, dated March 9, 2014, titled "Edibles' THC claims versus lab results surprising" and asked that the article be entered into the record as Exhibit A. Mr. Grueskin presented a copy of a door hanger/flier regarding tonight's public hearing titled "Safe Access to Cannabis" and marked the document as Exhibit B.

Mr. David Beller, legal counsel for the applicant, called Mr. Jim Laurita forward to provide testimony. Mr. Beller presented the following exhibits for Mr. Laurita's testimony:

Exhibit C – photocopies of product information displayed on the websites of BotanaCare, Physician Preferred Products, and The Green Solution, and a list of medical marijuana strains unique to Rocky Mountain High (condensed versions of Exhibits K, L, M, N)

Exhibit D – Map titled "Northglenn Marijuana Centers"

Exhibit E – Map titled "Rocky Mountain High Location"

Exhibit F – Photograph from the front door of The Green Solution business

Exhibit G – Photograph of The Green Solution business taken on February 18, 2014

Exhibit H – Photograph of The Green Solution taken on February 19, 2014

Exhibit I – Photograph of The Green Solution taken on March 7, 2014

Exhibit J – Photograph of The Green Solution taken on March 8, 2014

Exhibit K – Product information displayed on BotanaCare's website

Exhibit L – Product information displayed on Physician Preferred Product's website

Exhibit M – Product information displayed on The Green Solution's website

Exhibit N – List of medical marijuana strains unique to Rocky Mountain High

Mr. Beller stated Exhibits K, L, M, and N were demonstrative exhibits.

Mr. Jim Laurita provided sworn testimony regarding his previous employment as a Denver Police Officer and his current work as a private investigator. Mr. Laurita provided testimony about the location of the proposed licensed premises at 11455 Washington Street and the locations of The Green Solution, BotanaCare, and Physician Preferred Products. Mr. Laurita testified about photographs he took and stated the proposed business location is not visible from The Green Solution. Mr. Laurita spoke about the length of time he observed customers waiting in line outside of The Green Solution, products listed on the websites of marijuana businesses in Northglenn, and medical marijuana strains unique to Rocky Mountain High.

The Authority asked Mr. Laurita questions about whether photographs had been taken of other marijuana businesses or at other times during the day, the products listed as being offered at other marijuana businesses, and if he was present during the day to observe differences in the lines of customers.

Attorney Hoffmann provided information regarding the Authority's options for the proceedings.

The Authority asked Mr. Beller questions regarding the number of marijuana business licenses approved in Northglenn and the number of retail marijuana establishments currently operating.

Mr. Jaron Finn, employee of Rocky Mountain High, provided sworn testimony about his use of medical marijuana and his experience purchasing or attempting to purchase medical marijuana from The Green Solution. Mr. Finn presented petitions he circulated in favor of the new medical marijuana license application filed by Rocky Mountain High and testified about the signatures obtained on the petitions, stating that 120 individuals had signed in favor of the proposed business.

The Authority inquired about the signatures obtained on the petitions and the reason Mr. Finn is still a medical marijuana patient of The Green Solution.

RECESS

The City Council meeting recessed at 9:30 p.m.

The City Council meeting reconvened at 9:40 p.m.

Mr. Finn provided additional testimony about the time of day he usually visits The Green Solution, the wait times he has experienced, and the number of customers he has observed at The Green Solution in 2014.

Mr. Levi Johnson provided sworn testimony about the change in service at The Green Solution since they began selling retail marijuana. Mr. Johnson spoke about decreased customer benefits, a decrease in the amount of inventory available to medical marijuana patients, and the wait times he has experienced since mid-January 2014. Mr. Johnson stated he now obtains medical marijuana from a center in Boulder and stated he believes there is a need for another medical marijuana business in Northglenn.

Mr. Jeffery Dickhaut provided sworn testimony about the wait times he experienced as a medical marijuana patient of The Green Solution and stated he prefers to obtain medical marijuana from a center in Northglenn because it is convenient and close to his residence.

Mr. Michael Turcotte, Technical Director of Rocky Mountain Retail Management, provided sworn testimony about his work researching and developing strains of marijuana and his background in chemistry and biochemistry. Mr. Turcotte spoke about various marijuana products and the applicant's control and testing of products, stating marijuana businesses do not offer the same type or quality of products. Mr. Turcotte spoke about cannabidiol "CBD" strains offered by Rocky Mountain High and stated other marijuana businesses in Northglenn do not offer CBD strains.

The Authority questioned the witnesses about the number of people employed by Rocky Mountain Retail Management, whether they were compensated for their testimony, their current caregivers, whether they have purchased medical marijuana at other marijuana businesses, and whether they had consumed marijuana prior to the hearing.

The Authority questioned the applicant regarding testimony given at the previous hearing about the profits of the business being donated to charity, the proposed location of the business, their intention to convert to a retail establishment, and the current status of other marijuana businesses operated by Rocky Mountain Retail Management.

Mayor Pro Tem C. Dodge called for any other person wishing to speak in support of the application to come forward. There was no response.

Mayor Pro Tem C. Dodge called for anyone wishing to speak in opposition to the application to come forward.

Mr. Kyle Speidell, The Green Solution, provided sworn testimony about the number of marijuana businesses currently operating or approved for operation in Northglenn, and inquired about the absence of the applicant who provided testimony at the previous hearing.

Ms. Robin Hackett, BotanaCare, stated she is neither “for” nor “against” the application. Ms. Hackett provided sworn testimony about the Denver Post article presented by Mr. Grueskin, the absence of and current work toward adopting testing standards, and the number of medical and retail marijuana customers they see per day. Ms. Hackett spoke about the product shortage she and other businesses experienced due to operating dual medical and retail marijuana establishments and spoke about the number of strains they have available at BotanaCare, which include CBD strains. Ms. Hackett provided testimony about her interaction with Mr. Laurita who observed BotanaCare on behalf of the applicant, stating he did not identify himself when she approached him at the business.

Mr. Brad Speidell, The Green Solution, provided sworn testimony about the operations of The Green Solution and expressed concern about the availability of parking at the proposed location. Mr. Speidell spoke about the entrances at The Green Solution and stated the photographs of customers standing in line show recreational marijuana customers. Mr. Speidell stated The Green Solution offers six to ten CBD strains of marijuana and various marijuana products, and spoke about the store’s hours.

The Authority questioned Mr. Brad Speidell about the number of medical marijuana patients The Green Solution sees per day and whether he is familiar with the door hanger that was distributed regarding tonight’s hearing.

The Authority questioned the applicant about the number of medical marijuana patients that are seen at their existing stores per day.

Mr. Eric Speidell, The Green Solution, provided sworn testimony about his business and expressed concern about the owners of the proposed business not providing testimony tonight. Mr. Speidell

spoke about The Green Solution's research and development activities, the production of their own unique products, and a 7 News story featuring the work of The Green Solution. Mr. Speidell spoke about their recent shortage of product due to a 300% growth in business from retail marijuana and stated the availability of product affects other business industries.

Mr. Grueskin cross-examined Mr. Eric Speidell. Mr. Speidell answered questions about the number of stores he operates, the number of people he employs, whether his business would remain open if the proposed license is granted, his feelings toward the applicant, and the effect a new medical marijuana center would have on The Green Solution, which offers medical and retail marijuana.

The Authority asked the applicant about the company's charitable contributions to the communities in which their other businesses are currently located.

Mr. David Weisser was placed under oath and provided testimony regarding the investment of proceeds back into the company and their intent to donate proceeds to a non-profit foundation to benefit those affected by cancer. Mr. Weisser spoke about their work with the American Cancer Society and cancer patients and stated he believes there is a shortage of medical marijuana product in the Northglenn area.

Mr. Justin Weisser was placed under oath and provided testimony about the company providing medical marijuana to children affected by cancer at no cost.

MOTION TO PASS

Council member Snetzinger **MOVED** and it was **SECONDED** by Council member W. Dodge to continue the meeting past 11:00 p.m.

MOTION PASSED

There was no discussion and the motion **PASSED**.

IN FAVOR - C. Dodge, Snetzinger, Mullica, W. Dodge, Brown, Carrico, Whitman, Wieneke.

OPPOSED - None.

ABSENT - Downing.

Legal counsel for the applicant provided no rebuttal evidence, but stated they would like to make a closing statement.

MOTION TO PASS

Council member Brown **MOVED** and it was **SECONDED** by Council member Carrico to hear the applicant's closing statement tonight and to continue the matter of the new medical marijuana

license application filed by Rocky Mountain Retail Management, LLC dba Rocky Mountain High to March 24, 2014.

MOTION PASSED

There was discussion and the motion **PASSED**.
IN FAVOR - C. Dodge, Brown, Carrico, Whitman, Wieneke.
OPPOSED - Snetzinger, Mullica, W. Dodge.
ABSENT - Downing.

Mr. Grueskin provided a closing statement and reviewed the evidence presented. Mr. Grueskin stated the evidence and testimony show there is a need for another medical marijuana business in the City and asked the Authority to grant the license.

Mayor Pro Tem C. Dodge closed the rehearing.

ADJOURNMENT

The meeting adjourned at 11:21 p.m.

JOHANNA SMALL, CMC
City Clerk

CAROL DODGE
Mayor Pro Tem