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Marijuana group

Cortez Medical Marijuana Ad Hoc Committee starts

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After more than an hour of deliberations Tuesday, the new Cortez Medical Marijuana Ad Hoc Committee made a vote — deciding where to start.

The committee is charged with the daunting task of determining the best medical marijuana policy for Cortez to recommend to the city council. With federal and state policies toward medical marijuana continually shifting underfoot, the committee must determine what, if any, municipal regulations to throw into the mix.

Although other Colorado municipalities have taken their own approaches to the issue, it is plausible the committee could enter uncharted waters for public policy.

In their first meeting, held Tuesday at City Hall, committee members established a leadership and procedural structure, electing Mayor Pro-Tem Matt Keefauver to chair the board and have Beacon Wellness Group center Owner Paul Coffey serve as vice-chair.

The committee determined to limit their scope by not debating the medical benefits of medical marijuana or “parenting” issues surrounding the drug, but focusing instead on the limited abilities of the city government to regulate, or not regulate, the industry. Although the city could ban dispensaries in Cortez, individual caregivers could continue to operate in the city under the blessing of state law.

“A lot of this committee isn’t going to have any input at all,” committee member Garth Greenlee said, admitting he is against medical marijuana. “I want to be working on the real stuff.”

As the end of the two-hour meeting approached, the committee ultimately decided to start small at the next meeting by exploring land-use issues regarding the location and operation of medical marijuana centers as well as the possibility of a licensing system.

The more challenging issue is individual medical marijuana caregivers, which went largely unregulated in the state until House Bill 1043 was signed into law by Gov. John Hickenlooper in June. The bill requires caregivers to register cultivation sites and patients with the state and adhere to all zoning and building codes — opening the door for potential municipal regulations.

Committee member Travis Pollock said he fears that if caregivers are overregulated, they will simply go black market.

Pollock, committee member and owner of Natures Own Wellness Center, said he believes the

committee has three options when it comes to medical marijuana centers: allow the city council to decide their fate, put the issue on the ballot for voters or leave them alone entirely.

Keefauver said as a city councilor, he had previously been concerned that if centers were banned, more caregivers would emerge. Caregivers are more difficult to regulate than centers, which can be inspected by police or state regulators at any time.

Medical marijuana remains illegal under federal law. However, U.S. Attorney General John Walsh's bark has thus far proven worse than his bite when it comes to enforcement of the federal law in Colorado. In 2010, federal prosecutors pursued only four criminal marijuana cases in the state, The Denver Post reported in May.

Meanwhile, the state is establishing its own regulatory agency: the Medical Marijuana Enforcement Division under the Department of Revenue.

Moratoriums are in place on the state and city level, prohibiting additional medical marijuana centers from opening. Five centers already operate in Cortez. City land use code regulations are in place limiting signage and locations of centers.

The city council appointed three industry representatives to the committee in August: center owners Coffey and Pollock, as well as Boyd, a caregiver and medical marijuana patient.

Cortez residents-at-large selected for the committee are Greenlee, Karen Sheek, Patricia Grant and Fred Blackburn.

City Councilors Keefauver, Tom Butler and Bob Archibeque also serve on the committee.

The committee is scheduled to meet again Oct. 4. The committee is set to be dissolved after making its recommendations to the council.

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