



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

SHELLY EDGERTON  
DIRECTOR

**MEDICAL MARIHUANA LICENSING BOARD**

**AUGUST 21, 2017 MEETING**

**APPROVED MINUTES**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Medical Marihuana Licensing Board met on August 21, 2017, at the Kellogg Hotel and Conference Center, Big Ten Conference Room A, 219 South Harrison Road, East Lansing, Michigan 48824.

**CALL TO ORDER**

Johnson, Chairperson, called the meeting to order at 1:30 p.m.

**ROLL CALL**

**Members Present:** Rick Johnson, Chairperson  
Donald Bailey  
David LaMontaine  
Vivian Pickard

**Members Not Present:** Nicole Cover

**Staff Present:** Shelly Edgerton, LARA Director  
Andrew Brisbo, State Bureau Administrator  
Charlene French, Executive Secretary  
Colleen Curtis, State Assistant Administrator  
Sara Hernandez, State Administrative Manager  
LeeAnn Barrett, Departmental Analyst  
Garrett Shireman, Departmental Analyst  
Jennifer Piggott, Departmental Analyst  
Michelle Brya, Assistant Attorney General  
Joshua Booth, Assistant Attorney General  
Erika Marzorati, Assistant Attorney General

## **APPROVAL OF AGENDA**

MOTION by Pickard, second by Bailey to limit time of public comment section of agenda to 3 minutes per individual. A voice vote followed.

MOTION PREVAILED

MOTION by LaMontaine, seconded by Pickard, to approve the agenda, as presented. A voice vote followed.

MOTION PREVAILED

## **APPROVAL OF THE MINUTES**

Motion by Pickard, second by Bailey to approve the June 26, 2017 minutes with a correction of a spelling error. A voice vote followed.

MOTION PREVAILED

## **OLD BUSINESS**

MOTION by Bailey, second by Pickard to open a discussion about dispensaries currently operating. A voice vote followed.

MOTION PREVAILED

Bailey reviewed the February 3, 2013 Supreme Court ruling that the Michigan Medical Marihuana Act did not provide for dispensaries, making currently operating dispensaries illegal. Shutting down illegal dispensaries not only is legal issue but allows all applicants for licensure on December 15, 2017 to have a fair and level playing field. Bailey would like to give currently operating dispensaries till Labor Day (September 4, 2017) to close. Dispensaries operating on or after September 5, 2017 would not be eligible for licensure. Bailey stated this request is in no way permission or endorsement from the board for dispensaries to operate.

Pickard supports the rationale, but would like to see more time given in consideration of patients' ability to get medicine and find caregivers.

Bailey reviewed the number of caregivers to patients, and would like to suggest a date of September 5, 2017 for closure in order to be eligible for licensure under the Medical Marihuana Facilities Licensing Act. Pickard would like to see a date of September 15, 2017. Bailey would be agreeable to September 15, 2017; however, this is not a license to operate should police visit a dispensary.

MOTION by Bailey to give dispensaries until September 15, 2017 to close to be eligible for licensure.

DISCUSSION by LaMontaine, feels it is premature to discuss dates, need input from the Department.

MOTION by LaMontaine, second by Pickard to table the motion until later in the meeting. Roll call vote, 4 in favor, 0 against.

MOTION PREVAILED

LaMontaine expressed his frustration with the restriction on the board's ability to meet and discuss matters outside the board meetings.

MOTION by LaMontaine, second by Pickard for the department to provide a recommendation on the transition from old model to new model. Roll call vote, 4 in favor, 0 against.

MOTION PREVAILED

MOTION by LaMontaine, second by Bailey that by the October board meeting the department should seek information from municipalities as to who is running dispensaries.

AMENDED MOTION by LaMontaine, second by Bailey that by the October board meeting the department should seek information from municipalities as to who is running dispensaries with notice posted to the website. Roll call vote, 4 in favor, 0 against.

MOTION PREVAILED

Andrew Brisbo commented that policies cannot be made by board motions. The department will have to review any motions by the board with legal counsel. Bailey commented that in fairness to those seeking licenses they should know where the boards stands.

## **New Business**

- A. Andrew Brisbo gave a presentation on the Statewide Monitoring System – METRC.
  - a. [www.METRC.com/Michigan](http://www.METRC.com/Michigan) will have program information, links, FAQs, API information, and training videos.
  - b. Road shows will be scheduled in November of 2017 and possibly again in February of 2018.
- B. Sara Hernandez gave a presentation on Accela.
  - a. The software will allow for electronic application, paper applications can be used for those who prefer to not fill out an electronic application.
- C. Colleen Curtis gave a presentation on work groups and the administrative rules.
  - a. Work groups are an opportunity for feedback that is not meant to interfere with administrative rule development.

- i. Information on how to sign-up for work groups can be found at [www.michigan.gov/MedicalMarihuana](http://www.michigan.gov/MedicalMarihuana) under the spotlight header.
- ii. September 5, 2017 is the deadline to sign-up for work groups.
- b. Administrative rules can take up to a year to be developed.
  - i. Administrative rules are authorized by statute for facility licensing and regulation and marihuana tracking.
- c. The bureau is working on developing emergency rules to be used while the administrative rules are developed.

## **PUBLIC COMMENT**

MIKE WILEY – reviewed his situation and addressed the board on closure of dispensaries.

SUE NOLFF – addressed the board on closure of dispensaries.

MATHEW YASCOLT – addressed the board on regulation of currently open dispensaries and billboard advertising.

PHIL FERRARI – addressed the board on ability to fairly open a dispensary.

SUSAN ELMS – addressed the board on the dangers of marihuana and needed regulation.

MARK GIBSON – addressed the board on closure of dispensaries.

ZAHRA ABBAS – addressed the board on closure of dispensaries.

AMOS MBONG – addressed the board on closure of dispensaries.

KIRK REID – addressed the board on closure of dispensaries.

DAVID KURLYANOCHIK – addressed the board on the involvement of municipalities.

ERIC GUNNALS – addressed the board on closure of dispensaries.

DAVID SCOTT – addressed the board on enforcement and crime issues and closure of dispensaries.

JERRY MAST – requested LARA give more information to townships/municipalities.

RICK THOMPSON – addressed the board on closure of dispensaries and communication from LARA.

TIM BECK – addressed the board on closure of dispensaries.

DENNIS HAYES – addressed the board on closure of dispensaries.

MARCELLOUS BRICE – asked for further clarification on grow limits and the administrative rules.

CATHLEEN GRAHM RN – addressed the board on training needs for individuals involved in marihuana.

THOMAS LAVIGNE – addressed the board on closure of dispensaries.

JIM HAUS – addressed the board on closure of dispensaries and license stacking.

ROB LAPEEN – addressed the board on closure of dispensaries and grower issues.

VINCENT CALAMAZOO – addressed the board on transparency and business development needs.

JASON MATLOCK – addressed the board on administrative rules.

DORY EDWARDS – addressed the board on closure of dispensaries.

MATTHEW ABEL – thanked the board for the larger room, streaming and the additional meeting, and addressed the board on caregiver limitations and on closure of dispensaries.

ALLISON IRETON – addressed the board on McQueen verdict and letters issued by Attorney General Bill Schuette.

PAUL SAMWAYS – addressed the board on CPA and tax issues.

WILLIAM KOSINSKI – addressed the board on dispensaries and growing timeline.

BONNIE CZANDOR – addressed the board on dispensaries in Detroit.

ATHONY BROWN – addressed the board on banking and closing of dispensaries.

RICHARD CLEMENT – addressed the board on civil service jobs and the closing of dispensaries.

BARBARA TICKENSON – addressed the board on laws and how they pertain to the affordability of medical marihuana and jobs related to medical marihuana.

JOHN KRONECK – addressed the board regarding looking at all areas affected by medical marihuana.

SHAWN R KOON-NOLFF – addressed the board regarding shutting down dispensaries.

MATT HOFFMAN – addressed the board regarding jobs in medical marihuana and experience levels.

JOSEPH SMITH – reviewed medical marihuana laws and addressed the board on dispensaries and caregivers.

JAMIE COOPER – addressed the board on billboard advertising and her experiences with cannabis.

JEFFREY HANK – addressed the board on the administrative rule development timeline.

RAY GAVEL – thank you, no other comments.

BRANDON CHRISTY – yielded his time, no comment.

Six additional comment cards were turned into the board however when called the individuals did not come forward to address the board.

## **OLD BUSINESS**

MOTION by Bailey to consider TABLED MOTION regarding dispensaries. MOTION failed with no support.

The board requested an additional board meeting be scheduled in September 2017.

## **ANNOUNCEMENTS**

There were no announcements

## **ADJOURNMENT**

MOTION by LaMontaine, seconded by Bailey, to adjourn the meeting at 4:43p.m. A voice vote followed.

MOTION PREVAILED

Board Approved on: September 12, 2017