



Meeting Minutes - Final

Marijuana Licensing Authority

Friday, June 3, 2016

1:00 PM

Room 2108

1. Call To Order

Hearing Officer Ablao called the marijuana licensing authority meeting of Friday, June 3, 2016, to order at 1:33 pm.

2. Approval of Minutes

[Min 16-51](#)

Minutes of May 13, 2016, Meeting

The minutes were approved as presented.

3. Public Hearings

[Pres 16-361](#)

APPLICATION FOR A TIER 1 RETAIL MARIJUANA CULTIVATION
LICENSE OF BOARDLIFE, LLC DBA KUSH LIFE, LOCATED AT 5715
FAIRFAX STREET

Hearing Officer Ablao opened the public hearing.

Appearing on behalf of the applicant:

Garrett Graff, applicant's attorney

Justin Pentelute, sworn in

Appearing on behalf of the city:

Ashley Pollock, attorney

Rachel Allen, attorney

Kenneth Coffey, police department

Justin Pentelute testified that he is the sole proprietor of Boardlife, LLC, and gave a brief description of his employment history. Mr. Pentelute testified that he will initially serve as general manager/operations officer until the business is up and running. Though not currently involved in any other marijuana licenses, he does provide compliance assessments within the industry. Mr. Pentelute admitted to answering a question on the license application falsely; however, once the city brought the error to his attention, he notified the state marijuana enforcement division to correct his application. He anticipates construction to take approximately 45-90 days and the initial operating hours will be 9 am -7 pm Monday through Friday, and 12 pm - 4 pm Saturday and Sunday.

Attorney Graff moved to admit a petition, in support of the neighborhood desires, into

evidence.

In response to Attorney Pollock's questions, Mr. Pentelute explained how his company assesses marijuana businesses. Upon approval of this license application, Mr. Pentelute will be receiving additional funding from a financier and will report the changes at that time. He testified that he personally circulated the petition.

Public Input:

Dan Shepherd, 4201 E. 52nd - outside boundary.

Attorney Pollock asked that any license be contingent upon verification of the petition by the city clerk.

Hearing Officer Ablao closed the public hearing and stated that she cannot make a finding upon the desires of the neighborhood at this time, but once the petitions are verified she will issue her findings.

[Pres 16-377](#)

APPLICATION FOR A NEW RETAIL MARIJUANA PRODUCTS
MANUFACTURING LICENSE AND A NEW MEDICAL MARIJUANA
INFUSED PRODUCTS MANUFACTURER LICENSE FOR CANNABIS
CORP., DBA CANNABIS, TO BE LOCATED AT 9670 DALLAS ST.,
UNIT K

Hearing Officer Ablao opened the public hearing.

Appearing on behalf of the applicant:

Brad Harris

Patrick Rinker

Appearing on behalf of the city:

Ashley Pollock, attorney

Kenneth Coffey, police department

Attorney Pollock stated that the city does not have a complete background investigation for purposes of proceeding with the hearing. In order to complete an updated preliminary findings report, the city is asking to continue the hearing to July 22, 2016, at 1:30 pm.

Brad Harris stated he had no objection to the continuance.

[Pres 16-378](#)

APPLICATION FOR A NEW RETAIL MARIJUANA PRODUCTS
MANUFACTURING LICENSE AND A NEW RETAIL MARIJUANA
CULTIVATION LICENSE FOR LJ CONSTRUCTION MANAGEMENT,
LLC TO BE LOCATED AT 5305 VASQUEZ BLVD UNIT 103

Hearing Officer Ablao opened the public hearing.

Appearing on behalf of the applicant:

Gary Lennox, sworn in

Chad Jasnaui, sworn in

Appearing on behalf of the city:

Rachel Allen, attorney

Ashley Pollock, attorney

Kenneth Coffey, police department

Mr. Jasnau testified that he and Mr. Lennox have been involved in the marijuana industry for six years and have held three medical licenses and three retail licenses in Denver and Boulder. They surrendered a medical license in 2014 to obtain a retail license. He said they had one violation in six years that occurred in Boulder. In response to questions from Attorney Allen, Mr. Jasnau stated that he misinterpreted the question regarding past violations and answered it incorrectly. Construction is expected to be completed within the next three to four weeks based on the outcome of this hearing. Product to be extracted will come from their own grow operations.

In response to questions from Hearing Officer Ablao, Mr. Jasnau testified that both he and Mr. Lennox circulated the petition. When asked to explain how that occurred given there is only one petition sheet, Mr. Jasnau said he went out the first day, ending on May 31st and Mr. Lennox went out the second day, June 1st. He said that they didn't realize there was a deadline to submitting the petition and their schedules didn't allow them to circulate them before they did.

Gary Lennox testified to working in the marijuana industry for six years. He stated that the violation in Boulder was a misunderstanding by one of their employees. He explained that providing false answers on his application was due to misunderstanding the questions and he did not recall certain events that occurred in 2009. Mr. Lennox brought certain documents not included in his application because he was confused by questions on the application.

In response to questions from Hearing Officer Ablao, Mr. Lennox stated he signed the Affidavit of Circulator on May 19th, had it notarized on May 19th, and then circulated the petition because he wasn't aware that the dates had to correlate.

Daniel Shepherd, Shepherd Ent. 4201 E. 52nd Ave., spoke in opposition. Mr. Shepherd testified that he was not allowed to sign the petition because he opposed the license being granted.

The public hearing closed, but re-opened to allow Investigator Coffey to testify.

Investigator Coffey, testified that it is police department policy to recommend denial of any applicant who provides false information on their marijuana license application. This application contained many false answers.

There was no public testimony and the public hearing was closed.

Hearing Officer Ablao stated that she will issue her ruling within the next 30 days.

This Presentation was discussed and closed

4. Other Business

There was no other business.

5. Adjourn

The meeting adjourned at 3:34 pm.

Respectfully submitted:

Laura J. Bauer, Secretary