

**PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS
SPECIAL MEETING, NOVEMBER 20, 2009**

THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY MET IN SPECIAL SESSION IN THE COMMISSIONER’S BOARDROOM.

Commissioner Lynn Attebery called the meeting to order at 3:00 PM and the Pledge of Allegiance was recited

Roll Call was taken:

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|---------------|---------------------------|---------|
| Lynn Attebery | Chairman | Present |
| Jim Austin | Vice-Chairman | Present |
| Carole Custer | Commissioner | Absent |
| Kris Lang | Deputy Clerk to the Board | Present |

Also present was Sheriff Jobe, Deputy Halpin, Vic Barnes, Jackie Hobby, Debbie Livengood, Dick Downey, Ginny Holloway and Nora Drenner, reporter for the Wet Mountain Tribune.

Commissioner Attebery stated the posted agenda for the Special Meeting was to review and approve a Medical Marijuana Resolution.

County Attorney, John Naylor participated in the meeting through a teleconference call.

Sheriff Jobe expressed concern regarding the medical marijuana caregivers operating in Custer County. He remarked that federal law under the present administration limits the participation of the DEA and FBI. He said medical marijuana is now a state wide problem and he would like to regulate medical marijuana caregivers in Custer County to keep it from becoming a problem.

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To approve Custer County Resolution No. 09-08. The motion carried.

**CUSTER COUNTY RESOLUTION
RESOLUTION NO. 09-08**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CUSTER COUNTY, COLORADO ESTABLISHING A ONE HUNDRED AND TWENTY (120) DAY MORATORIUM ON THE ESTABLISHMENT OF ANY BUSINESS RELATING TO MEDICAL MARIJUANA IN CUSTER COUNTY. ANY APPLICATIONS FOR SUCH BUSINESS WILL NOT BE PROCESSED DURING THE ONE HUNDRED AND TWENTY (120) DAY PERIOD.

WHEREAS, the production and dispensing of Medical Marijuana is authorized by the State of Colorado; and

WHEREAS, the County in the interests of protecting the health, safety and welfare of its citizens intends to provide regulations governing the establishment and operation of such business; and

WHEREAS, additional time is needed to study the effect of medical marijuana legislation on the citizens of Custer County and to develop appropriate rules and regulations.

NOW THEREFORE, Be it resolved that in the interests of health, safety and welfare of the citizens of Custer County, the Custer County Board of Commissioners hereby declares a one hundred and twenty (120) day moratorium on the establishment of any business relating to medical marijuana in Custer County and any applications for such business will not be processed during the one hundred and twenty (120) day period.

RESOLVED, ADOPTED AND SIGNED THIS 20TH DAY OF NOVEMBER, 2009 AT CUSTER COUNTY, COLORADO.

CUSTER COUNTY BOARD OF COMMISSIONERS

**Lynn Attebery
Chairman**

**Debbie Livengood
Clerk and Recorder
Attest**

MOTION by Commissioner Attebery, seconded by Commissioner Austin:

To adjourn the meeting. The motion carried.

The meeting was adjourned at 3:40 PM

Debbie Livengood, Clerk and Recorder
Attest

Lynn Attebery
Chairman