

**Columbia/Boone County Board of Health
and
City of Columbia Substance Abuse Advisory Commission
MEETING MINUTES
May 8, 2014**

The Columbia/Boone County Board of Health and the Substance Abuse Advisory Commission met for a scheduled meeting at 5:30 p.m., Thursday, May 8, 2014. The meeting was held at the Columbia/Boone County Department of Public Health and Human Services, 1005 W. Worley. Director, Stephanie Browning, and Human Services Manager, Steve Hollis, represented the staff. Senior Administrative Support Assistant, Brittany Klusman, and Administrative Support Assistant, Katie Spears, recorded the minutes of the meeting.

BOH MEMBERS PRESENT:

David Sohl
Denise Stillson
Dr. Sally Beth Lyon
Dr. Michael Szewczyk
Harry Feirman
Dr. Beth Hussey
Jean Sax
Ilalyn Irwin
Lynelle Phillips

**BOH MEMBERS
EXCUSED:**

Mahree Skala
Dr. Colin Malaker

**BOH MEMBERS NOT
EXCUSED**

COMMISSIONERS PRESENT:

Candy Cornman
Tony Coleman
Kim Dude
Chris Hawf
Mitchell Moore
Teresa Stephenson
Michael Schoelz

**COMMISSIONERS
EXCUSED:**

Michelle Baumstark
Joseph Priesmeyer

**COMMISSIONERS
NOT EXCUSED**

Dan Rader

Call to Order

Board of Health Chair, Dr. Michael Szewczyk, called the first combined meeting to order at 5:30 p.m. He thanked the Substance Abuse Advisory Commission for accommodating the Board of Health by attending at their normal time and place to hold their combined meetings.

Introductions

The members of both the Board of Health and the Substance Abuse Advisory Commission introduced themselves.

Approval of Agenda

Dr. Sally Lyon made a motion to approve the agenda which Dr. Beth Hussey seconded. Motion carried.

Approval of Minutes

- A. April 9, 2014 Substance Abuse Advisory Commission Meeting Minutes; Tony Coleman made a motion to approve the minutes which Kim Dude seconded. Motion carried.
- B. April 10, 2014 Board of Health Minutes; David Sohl made a motion to approve the minutes which Dr. Sally Beth Lyon seconded. Motion carried.

Discussion Regarding Combined Meetings

Dr. Szewczyk discussed the general process for the combined meetings and pointed out the efficiency of working together on the issue. He observed that future discussion will be needed to determine whether each group prepares their own recommendation for the Council or if there will be one combined report. Dr. Szewczyk also mentioned that the first meeting is dedicated to hearing what the public has to say and that the second meeting will include experts who will be invited to speak on specific matters regarding the subject. The third meeting will focus on discussion and finalizing the recommendation to Council. City Council has requested recommendations come to them by the August 4th meeting.

Public Hearing on Proposed Amendments to Chapter 16 of the City Code as it Relates to Marijuana

Ms. Lynelle Phillips noted that the mission of the Board of Health & Substance Abuse Advisory Commission is to advise the City Council of what's best for the health of the community as a whole. She suggested that the perspectives and comments that are framed around this concept would be most helpful with developing our recommendations, but any and all comments are welcome.

It was decided to put a time limit of three minutes per speaker, and if something has previously been stated the speaker can agree with the comments already made to move the meeting along. Anyone is welcome to speak. It was agreed that members of the Board of Health and Substance Abuse Commission (Members) would just be listening to the comments and testimony for this meeting. Dr. Szewczyk noted that the Health Department had set up a web page on the City's website that will contain any information that someone would like to submit. This would allow Members, along with the public, easy access to the submitted information. Mr. Steve Hollis, Human Services Manager, asked the speakers to state their name and address and to speak clearly.

Mr. Mitchell Moore suggested that Mr. Dan Viets give a forty-five second synopsis of the proposed amendments to the ordinance and the rest of the Members agreed.

Mr. Viets explained that the proposal is to amend the two ordinances which were passed by sixty-one percent of Columbia voters ten years ago. These original policies limited penalties for

possession of small amounts of marijuana, but this decriminalizing policy did not allow access to marijuana. He explained that the vast majority of people who are using marijuana responsibly are doing so for personal use and not for medical reasons. These individuals have limited options to access marijuana such as buying it on the streets, stealing or growing it. He explained that the best option for these individuals would be to cultivate their own. The proposed amendments include adding “the cultivation of up to six plants for personal use only” to each ordinance. He stressed that this policy would not legalize the cultivating of marijuana but reduce the penalties. Mr. Viets went into detail on how harsh the penalties currently are if an individual attempts to grow marijuana.

When considering changing marijuana laws, Mr. Viets stated that policy-maker’s greatest concerns deal with increasing the usage in the community and youth. Mr. Viets provided Members printed information, for their review, about what has happened in Colorado and other medical marijuana jurisdictions. Six plants was the number chosen by voters in Colorado to legalize, which is another reason Mr. Viets wants to use Colorado as an example of what might happen in Columbia. He explained since 1996 there have been states that have legalized marijuana usage and there has been widespread legal access to marijuana since then. Twenty-two states have legalized medical access to marijuana.

Mr. Viets clarified that if this policy is amended, adults cultivating cannabis for personal use without medical reasons verified by a doctor will face penalties. A medical patient, who does have a doctor’s approval, will not. The decriminalizing cannabis policy has been in effect for ten years, and this policy change is just to add the cultivation of up to six plants.

Ryan Worley

Mr. Worley wanted to make sure the Members consider whether or not information about medical marijuana states had been peer reviewed. He explained this ordinance change would have significant impacts for Columbia and asks the Members to consider the voices that will go unheard. The younger generations are not seeing marijuana as harmful and they are using more, despite marijuana being harmful to their development.

He touched on the proposed changing of “adult” to “person” in the ordinance and how that potentially encompasses marijuana users of all ages. He explained in the last 30 days, 32 percent of Denver Public Schools seniors’ have used marijuana. This is higher than the entire average rate in Colorado for all school districts and higher than the national average. Researchers at Columbia University have found that states with medical marijuana had abuse and dependence rates almost twice as high as states without such laws. The National Institute on Drug Abuse reported that one out of six adolescent users become addicted to marijuana. He also explained that regular marijuana use changes the structure of the teenage brain specifically in areas dealing with memory and problem solving. Mr. Worley explained the bottom line is marijuana use is harmful to developing brains.

From a health perspective, Mr. Worley mentioned current research does not support claims that marijuana has health benefits. He touched on studies about glaucoma and arthritis and why physicians should not be recommending medical marijuana as the solution. He explained simply agreeing to patient demands on basis of popular advocacy does not adhere to the ethical standards of medical practice. He believes this new information should tell community leaders to slow down and avoid carelessly passing policies that do not stand-up to scientific evidence. Mr. Worley urged the Members to think about the youth. He explained it is the responsibility of the adults to not only represent adult interests but to consider the impact on our children.

Spencer Pearson

Mr. Pearson was a Kansas City high school student and former University of Missouri student. He explained that marijuana was easier to find than alcohol, and children are exposed to alcohol constantly from television and radio ads. He mentioned that kids can't buy alcohol from classmates but right now, with the unregulated market, kids can buy marijuana. He explained that marijuana may not be the right choice for the youth to use and may have a detrimental impact, but the current system is not working. He feels a more regulated system could be more helpful at helping individuals who do have an addiction problem, and at the same time help people who do need access.

Becky Markt

Ms. Markt explained that the very youngest of our population has not been mentioned. She explained that the ordinance does not cover anything about second hand smoke or consumption by expecting mothers. Ms. Markt went over some data from Colorado since marijuana was legalized. They went from zero exposures to second hand marijuana hospital admissions to 14 cases under the age of 12 exposed, eight admitted into the hospital and one 13 month old admitted with second hand smoke and respiratory suppression. Ms. Markt believes now is the time to prevent this problem from escalating.

Sean Vaudrin

Mr. Vaudrin stated that the woman in his life became critically ill and in their search for help they saw five specialists, three Obstetricians/Gynecologists and dozens of nurses. He explained that every medical professional recommended marijuana. He mentioned another friend has multiple sclerosis and was unable to see who was in the room with her, but after consuming "marijuana brownies" she was able to read the dry erase board that was across the room.

Bill O'Toole

Mr. O'Toole explained that he had liver cancer as recently as a month ago. He traded some of his prescribed medication for marijuana that he then distilled down into an oil and took "copious amounts" for three weeks. After such time he had a completely clear MRI.

Rosemary Erganian

Ms. Erganian's daughter, who is now 25 years old, suffers from depression and has tried to commit suicide more than once. She explained marijuana is a coping mechanism for her daughter and is instrumental in her life to help her function like everyone else.

Jeff Fry

Mr. Fry described how buying marijuana from the streets led him to being held at gun point. He wants to be able to cultivate his own marijuana to avoid experiencing that again. He does believe marijuana should be regulated so only adults have access to it, but wants the ordinance revised to allow adults to cultivate their own.

Dr. David Huddleston-Smith

Originally from California, Dr. Huddleston-Smith explained that he is a retired doctor that practiced for 31 years. In 1992 he became an independent researcher, which was during the time that Hepatitis C came into the picture, and he ended up being one of the first people to try different medications. At his place of practice one of the patients brought in an ounce of medical marijuana to share. He commented that he did not see anyone die of marijuana. He even saw patients treat their glaucoma.

Dr. Huddleston-Smith touched on how the ordinance will not affect the youth because currently it is easy for the kids to get their hands on marijuana. He explained that he is a father of four and he thought relocating his family to Missouri would get them away from accessing marijuana. He realized that there is the same amount of marijuana located here as there was in California. He believes parents are not being parents anymore, and they need to be responsible for knowing where their kids are and what they are doing.

Heather Harlan

Ms. Harlan stated that as certified prevention specialist she has the knowledge to prevent addictions. She explained that this title is recognized in all fifty states. She emphasized there are a lot of people that are not in attendance and their voices will not be heard. She believes that something should be done about medical issues but this ordinance is not a thought out move for the public health of the community or for the children. She went over some data on how adults do a poor job of keeping alcohol out of the hands of youth. Forty-five percent of clients who are in treatment first used alcohol at age 14. She explained that the drug of choice for 20 percent of people in treatment is marijuana, and the age of first use is 15.4 years.

Ms. Harlan pointed out that the collateral perspective is not being heard. She clarified that this perspective is the other people in the user's life; the spouse, significant other, employer, co-workers, children, parents, teachers, etc. She believes this perspective sees things differently than the "user" does. She mentioned that parents will not come forth and expose their child's personal protected health information in order to testify in opposition to these amendments.

Joel Hayo

Mr. Hayo explained that the Missouri House and Senate recently passed a bill that approves a form of medical marijuana. Mr. Hayo advocated that medical marijuana does have medicinal value and that cannabis is completely non-toxic. He explained it is literally impossible for a person to overdose on marijuana, but alcohol is a completely different story. Roughly ten times the amount it takes to intoxicate someone can kill them, put them in a hospital or even make them brain dead. He believes society needs to acknowledge that cannabis is safer than alcohol. He personally knows professional marijuana growers in Colorado and six plants could get someone approximately three to four pounds of marijuana, if they are a good gardener. Mr. Hayo believes that amount is enough for one person in a years' time and ultimately will not increase access to the local population or affect the children.

Mark Brotemarkle

Mr. Brotemarkle stated that the original election that decriminalized marijuana had a low voter turnout rate, contradicting what Mr. Viets said at the beginning. This made the percentage high but the actual numbers were incredibly low. Mr. Brotemarkle feels the current policies that are in place now would not have passed if the election was held during the general election. He went on to explain that the actual findings of marijuana's health benefits are incredibly small. He believes the

ultimate agenda here is to legalize marijuana. He stated what happens in Columbia if someone is arrested for having 35 grams or less of marijuana based on his experience. The individual would receive a summons from a city officer. The officer cannot arrest or take the said individual into custody. They will receive a court date and the court sends them a letter stating if they don't get into any more trouble in the next year then they will not be prosecuted. Mr. Brotemarkle explained that this will be the same outcome when an individual is caught cultivating six plants if this proposal passes. He commented that one plant could produce between two to six pounds. Potentially, this could lead to an individual having 36 pounds of marijuana. He asked what would stop someone from growing six plants in multiple locations and selling throughout the community. He believes this proposal, if passed, will drastically increase marijuana and its availability in the community.

Fred Westermeyer

Mr. Westermeyer wanted everyone to be aware that it's not possible to do the research on marijuana that needs to be done, unless it's for data on substance abuse. The other data comes from overseas. Taking this into account, he feels it is unfair to attack articles or websites that supposedly lack sufficient evidence. Mr. Westermeyer explained that he used to smoke but stopped when he was 15 years old because of his father. Basically, he started smoking because it was illegal and he was acting out. His father is now disabled and has a lot of health concerns. He commented that his father has never smoked marijuana but is now considering it to help him with his medical issues. He urged the Members to give the proposal some serious thought.

Peter Wagner

Mr. Wagner recommended that the Members read *The Emperor Wears No Clothes* by Jack Herer. He explained the book is very informational and provides the history of cannabis. He also commented that individuals easily become addicted to things such as sugar and Coca-Cola. He believes it is necessary to have the information and background of marijuana in order to understand it.

Kathleen Weinshank

Ms. Weinshank stated that she has cerebral palsy and she explained that marijuana improves her ability to talk.

John Fernagan

Mr. Fernagan mentioned that he doesn't have a huge issue with it one way or another. He feels there should be ways to deal with the small percentage of people who do need it medically. However, he has expectations of the type of community that he wants Columbia to be. He believes there are different agendas being wrapped up with this proposal, the people who need it medically and the people who want it legalized. Mr. Fernagan explained that this is one of many steps that will lead to legalizing marijuana, and he recommended the Members decide where they don't want to end up in the future. He commented that there is no comparison between alcohol and marijuana. He explained that marijuana is used to alter one's state of mind, except when used medicinally. This is not how alcohol is used in this society. It can be misused that way, but overall alcohol and marijuana are not equal substances from an abuse standpoint.

Aaron Malin

Mr. Malin is a University of Missouri student, studying public policy. In preparation for this hearing he explained that he researched what Columbia looked like in 2004, when taking a more radical step from the status quo and decriminalizing marijuana up to 35 grams. He commented that a lot

of the same arguments being made today were made in 2004. He stated that the Columbia Tribune has an archive where you can go back and read the articles from 2003-2004 when that issue was being debated. Concerns were expressed during that time such as: Columbia will become a drug hub, youth use rates will increase and there will be problems with distributing marijuana illegally. Mr. Malin explained that none of the concerns from that time came true. He encourages the Members to look back in the last 10 years and see what has happened and who was correct last time, as that might give some indication of who is correct this time. He also wanted to clear up the record from a previous statement, which claimed the election in 2004 took place in April and was a low turn-out election which was why the original ordinance was passed. He noted that the election actually took place in November and had a high turn-out of voters. Mr. Malin believes the community whole-heartedly endorsed the idea.

Greg Aarons

Mr. Aarons stated that public health is an issue that should look into things such as clean restrooms, clean and healthy restaurant kitchens, food preparations, vaccinations, mosquito control etc. These concerns affect the health of the general public and Mr. Aarons feels the cultivation of cannabis does not fall into that category. He explained that he lives with Kathleen Weinshank, who has cerebral palsy and would be unable to grow her own plants so he would have to help her. He asked that caregivers be given the same rights under the law that the medical patient receives.

There being no further community members wishing to testify, Commission Chair Chris Hawf and Board Chair Dr. Szewczyk closed the public hearing. Discussion turned to what experts the Members wanted to invite to the next meeting to speak. There was a discussion on inviting local and state law enforcement, University Police, the City Attorney, the City Prosecutor, medical professionals, and someone with knowledge about cultivation. Dr. Lyon suggested bringing in subject matter experts who can speak with data or opinion on the impact of the existing ordinance on children over the past ten years. It was clarified that Columbia Public Schools has access to youth data regarding substance use through student surveys. Dr. Lyon suggested that Ms. Browning invite the right subject matter expert to clarify what legal ramification will come from the plants producing more than thirty-five grams of marijuana, and at what point does possession of the plants' produce put an individual in legal trouble.

It was clarified that the Board of Health and the Substance Abuse Advisory Commission have been asked to provide recommendations on the proposed amendments to the ordinance. The current ordinance has been in place since 2004 and is now the law. City Council wants recommendations about amending the current ordinance before they make their decision.

Adjournment

There being no additional business, Dr. Szewczyk made a motion to adjourn the meeting at 7:00 p.m., Dr. Lyon seconded. Motion carried.