

RECORD OF PRECEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY, April 12, 2021
6:00 P.M.
COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURT HOUSE
215 WEST 10TH STREET

The following are summarized statements from the Pueblo County Liquor and Marijuana Licensing Board members and County Staff. Please refer to the Pueblo County Facebook page to watch the full video of the meeting.

Chairperson Archuletta called the Pueblo County Liquor and Marijuana Licensing Board meeting to order at 6:07 P.M.

I. ATTENDANCE/ EXCUSED

Members Present: Kim Archuletta, Brian Casaus, Tom Emerson, Henry Reyes, Wally Rice, Lucretia Robinson, Judith Stein

Staff Present: Carmen Howard, Director of Planning and Development; Sarah Long, Assistant County Attorney; Peter Blood, Assistant County Attorney; Tawnya Stringer, Licensing Manager; Jason Chambers, Marijuana Code Compliance Inspector; Kim Wiley, Recording Secretary

II. APPROVE THE MEETING MINUTES OF MARCH 8, 2021

Mr. Casaus motioned to approve the meeting minutes of March 8, 2021. Ms. Stein seconded the motion. The motion carried unanimously.

III. APPROVE AGENDA OF APRIL 12, 2021

Ms. Robinson motioned to approve the agenda of the April 12, 2021 meeting. Mr. Casaus seconded the motion. The motion carried unanimously.

IV. CONSENT MEETING AGENDA ITEMS

Chairperson Archuletta requested the staff memorandums and any applicable Findings and Orders be made part of the record of proceedings.

Mr. Rice requested item IV.B.1.i, Renewal Application for High Octane, LLC, be moved to the Regular Meeting agenda as item VI.A.2.c.

Mr. Reyes motioned to approve the consent meeting agenda as amended. Ms. Stein seconded the motion. The motion carried unanimously.

A. LIQUOR LICENSES

- Renewal Application for a Hotel and Restaurant Liquor License located at 177 South Purcell Boulevard, Pueblo West, Colorado 81007 submitted by Capitan Inc., dba 3 Margaritas.

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- Renewal Application for a Liquor Store License located at 31298 East Highway 96, Pueblo, Colorado 81006 submitted by Bee/Mac Investments, LLC dba Baxter Liquor.
- Renewal Application for a Hotel and Restaurant Optional Premise Liquor License located at 395 South Angus Avenue, Pueblo West, Colorado 81007 submitted by Bumperz Entertainment, LLC dba Bumperz Entertainment, LLC.
- Renewal Application for a Hotel and Restaurant Liquor License located at 76 North McCulloch Boulevard, Suite 110, Pueblo West, Colorado 81007 submitted by Diaz, LLC dba El Super Taco.
- Renewal Application for a Hotel and Restaurant Liquor License located at 76 North McCulloch Boulevard, Suites 160 – 170, Pueblo West, Colorado 81007 submitted by Jung Food Inc., dba Momo West Japanese Restaurant.
- Renewal Application for a Brew Pub License located at 181 South Purcell Boulevard, Pueblo West, Colorado 81007 submitted by PDub Brewing Company, LLC dba Reservoir Brewing.
- Renewal Application for a Hotel and Restaurant Liquor License and Cabaret License located at 74 North Component Drive, Suite 110, Pueblo West, Colorado 81007 submitted by M & R Inc. dba ThunderZone West.
- Transfer of Ownership application for a Hotel and Restaurant Optional Premise Liquor License located at 395 South Angus Avenue, Pueblo West, 81007 submitted by the Gutterhouse, LLC dba The Gutterhouse.

B. MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Cultivation Facility located at 3946 44th Lane, Avondale, Colorado 81022 submitted by 4Daughters Enterprise, LLC dba Gallo Farms and Extracts.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6473 Galbreth Road, Pueblo, Colorado 81005 submitted by AD Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6401 Galbreth Road, Pueblo, Colorado 81005 submitted by Bear With Us, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6395 Galbreth Road, Pueblo, Colorado 81005 submitted by Bully's Farm, LLC.
- Renewal Application for a Medical Marijuana Cultivation Facility located at 61100 Highway 96 East, Boone, Colorado 81025 submitted by Dr. Releaf Inc.
- Renewal Application for a Retail Marijuana Store located at 78 North Precision Drive, Pueblo, Colorado 81007 submitted by GoRule, Inc., dba Rocky Mountain Blaze.

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- Renewal Application for a Retail Marijuana Cultivation Facility located at 7571 Vanessa Drive, Pueblo, Colorado 81005 submitted by Green Farmers, LLC.
- Renewal Application for a Medical Marijuana Cultivation Facility and Retail Marijuana Cultivation Facility License located at 63500 East Highway 96, Boone, Colorado 81025 submitted by Green Sativa, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6387 Galbreth Road, Pueblo, Colorado 81005 submitted by JDW Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 3730 40th Lane, Avondale, Colorado 81022 submitted by Jun Zhang, Inc.
- Renewal Application for a Retail Marijuana Store located at 2565 North Interstate 25, Pueblo, Colorado 81008 submitted by Livwell IV, LLC dba Livwell.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 152 East Industrial Boulevard, Pueblo West, Colorado 81007 submitted by Long Gone Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 50100 East State Highway 96, Boone, Colorado 81025 submitted by Midwest Ranch, LLC dba Midwest Ranch.
- Renewal Application for a Retail Marijuana Store and Retail Marijuana Cultivation Facility located at 148 East Assembly Drive, Pueblo West, Colorado 81007 submitted by Nature's Gift Shop, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6393 Galbreth Road, Pueblo, Colorado 81005 submitted by Pam's Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 1115 Siloam Road, Pueblo, Colorado 81005 submitted by PRN Holdings, LLC dba Ghost Gardens.
- Renewal Application for a Retail Marijuana Store located at 428 South McCulloch Boulevard, Building A, Pueblo West, Colorado 81007 submitted by SBUD, LLC dba Star Buds.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 39 North Mission Drive, Pueblo West, Colorado 81007 submitted by SMJT, LLC.
- Renewal Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 869 East Industrial Boulevard, Pueblo West, Colorado 81007 submitted by StayCon, LLC dba Craft.

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- Renewal Application for a Retail Marijuana Store located at 2400 Interstate 25 North, Unit B, Pueblo, Colorado 81008 submitted by Stem Beach, LLC dba The Cannabis Depot.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6399 Galbreth Road, Pueblo, Colorado 81005 submitted by Sun Grown Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6389 Galbreth Road, Pueblo, Colorado 81005 submitted by Wheeler Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6469 Galbreth Road, Pueblo, Colorado 81005 submitted by ZM Farms, LLC.
- Change of Ownership Application for a Retail Marijuana Cultivation Facility and Retail Marijuana Products Manufacturer located at 843 East Chemical Drive, Pueblo West, Colorado 81007 submitted by Genesis 8, LLC. The ownership structure is removing two owners and reallocating owner interests among remaining owners.
- Change of Ownership Application for a Retail Marijuana Cultivation Facility located at 6966 Prairie Hill Road, Boone, Colorado 81025 submitted by MBR Ventures, LLC. Reallocation of owner interests among controlling beneficial owners.
- Change of Ownership Application for a Retail Marijuana Cultivation Facility located at 69 North Mission Drive, Pueblo West, Colorado 81007 submitted by Sacco Solutions, LLC. The ownership structure is removing one owner and reallocating owner interests among remaining owners.
- Transfer of Ownership Application for a Retail Marijuana Store located at 749 East Enterprise Drive, Pueblo West, Colorado 81007 submitted by Concentrate, LLC dba Wolf Pac Cannabis transferring from Mesa Greens, LLC dba WolfPac Cannabis.
- Transfer of Ownership Application for a Medical Marijuana Cultivation Facility located at 67 North Silicon Drive Unit 140, and 150, Pueblo West, Colorado 81007 submitted by Grow Dispensary, Inc. transferring from FIPG, LLC.
- Transfer of Ownership Application for a Medical Marijuana Store and Retail Marijuana Store located at 67 North Silicon Drive, Unit 130, Pueblo West, Colorado 81007 submitted by Grow Dispensary, Inc. transferring from FIPG, LLC.
- Transfer of Ownership Application for a Retail Marijuana Cultivation Facility located at 77 North Magneto Drive, Pueblo West, Colorado 81007 submitted by Three Rivers Development, LLC dba Three Rivers Dispensary transferring from Steel City Development, LLC dba Platinum Organics.
- Approval of Hearing Officer Findings and Order for a Retail Marijuana Store

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located at 3377 South Interstate 25, Pueblo, Colorado 81004 submitted by South Pueblo, LLC dba Colorado Cannabis Exchange.

V. CONSENT HEARING AGENDA ITEMS

Chairperson Archuletta requested the staff memorandums and any applicable Findings and Orders be made part of the record of proceedings.

Mr. Casaus motioned to approve the consent hearing agenda listed below. Ms. Robinson seconded the motion. The motion carried unanimously.

A. MARIJUANA ESTABLISHMENT LICENSE

- New Application for a Medical Marijuana Cultivation Facility located at 3415 Riddell Place, Colorado City, Colorado 81019 submitted by CS Holdings Inc. dba Canna Source.
- Application for a Change of Location for a Retail Marijuana Cultivation Facility located at 46795 East State Highway 96, Unit 1, Avondale, Colorado 81022 moving to 127 South Neilson Avenue, Pueblo, Colorado 81001 submitted by Farm Boy, LLC dba Los Suenos Farms.

VI. REGULAR MEETING AGENDA ITEMS

A. MARIJUANA ESTABLISHMENT LICENSE

- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 2150 56th Lane, Boone, Colorado 81025 for Herbal Medications, LLC.

Mr. Blood introduced the issue to the Board and stated the Stipulation Agreement was negotiated after a request was made for a hearing. He provided information to the Board regarding the Applicant's violations, which included minor tax issues, and the fine assessed.

Mr. Rice asked for clarification regarding the fine amount and payment period in the Stipulation Agreement. Mr. Blood clarified both and explained there were clerical errors in that portion of the document.

Mr. Reyes inquired if the tax issues had been resolved. Mr. Blood indicated they had and clarified any future tax violations would void the Stipulation Agreement.

Ms. Robinson motioned to approve the Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 2150 56th Lane, Boone, Colorado 81025 for Herbal Medications, LLC. Mr. Rice seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Cultivation Facility located at 2150 56th Lane, Boone, Colorado 81025 submitted by Herbal Medications, LLC. Tax issues.

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Mr. Casaus motioned to approve the Renewal Application for a Retail Marijuana Cultivation Facility located at 2150 56th Lane, Boone, Colorado 81025 submitted by Herbal Medications, LLC. Ms. Robinson seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Cultivation Facility located at 5971 Shadow Lane, Pueblo, Colorado 81004 submitted by Best Buds Botanical, LLC dba Best Buds.

Ms. Long reminded the Board the Renewal Application had been continued during a previous meeting. The continuance allowed for further investigation into the issues regarding Eagle Ranch Property Owner's Association concern with the renewal, and the facility's location in their residential community that disallowed commercial operation.

Ms. Long indicated the license was approved before HOA/POA rules were part of the licensing process, therefore any HOA/POA issues would be a civil matter. However, a new email was received which stated concerns about the Applicants and Ms. Long wanted the Board to consider it.

Mr. Reyes stated he read through the emails and other documents in Applicant's file which included a letter that indicated they intended to move their facility due to the issues with the POA. He added that he hadn't found a Change of Location application with their documents and asked if one had been submitted.

Ms. Stringer stated the Applicants had not submitted a Change of Location application since they needed their local Renewal Application approved first before the State issued their approval, or before a Change of Location application could be submitted.

Mr. Reyes read the letter regarding the Applicants' intent to move and asked Ms. Stringer if what was stated was correct. Ms. Stringer stated the letter did indicate that and the Applicants needed to confirm if what was written was true.

Ms. Joy Okman, 1120 Village Road, Unit 202, Beaver Creek, Colorado 81620, confirmed the family intended to move the facility from their current location.

Mr. Brandon Okman, 5318 Outlook Boulevard, Apartment 8209, Pueblo, Colorado 81008, indicated his family found property outside of Pueblo County as they had been under the impression moving out of Pueblo County was their only option for relocation. They sought a new location after they realized their POA did not want them to continue to operate in their current location. He stated their ability to do anything with their facility was dependent on a renewed local license.

Mr. Rice indicated he was concerned about the situation with the POA and if the license was renewed it could set a precedent for it to be renewed in the future. Ms. Long stated this concern could be addressed by placing a condition on the renewal requiring the Applicants to change their location.

Mr. Okman stated he understood the need for a condition placed on their license renewal, if necessary, for the renewal to be approved.

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Ms. Robinson stated there should be a condition on their license renewal. Mr. Rice agreed and indicated he supported the license renewal with the condition it wouldn't be renewed at their current location after this year.

Ms. Robinson motioned to approve the Renewal Application for a Retail Marijuana Cultivation Facility located at 5971 Shadow Lane, Pueblo, Colorado 81004 submitted by Best Buds Botanical, LLC dba Best Buds. Mr. Rice seconded the motion. The motion passed with a condition that a Change of Location Application must be filed by September 23, 2021 or any future renewal would not be granted.

- Renewal Application for a Retail Marijuana Store located at 8910 South Interstate 25, Pueblo, Colorado 81004 submitted by High Octane, LLC.

Mr. Rice requested this item be moved to the Regular Meeting due to his concern about the validity of the address listed on the agenda, and the date the Renewal Application was submitted. Ms. Stringer confirmed the address on the agenda, and the application had been submitted before the license expired.

Mr. Rice motioned to approve the Renewal Application for a Retail Marijuana Store located at 8910 South Interstate 25, Pueblo, Colorado 81004 submitted by High Octane, LLC. Mr. Casaus seconded the motion. The motion carried unanimously.

- Conditional Approval Extension (2nd extension request) by The Cannabis Depot Pueblo South, LLC dba The Cannabis Depot to extend the Findings and Order condition of approval to submit a signed License Routing Sheet within one year of the approval date of May 13, 2019 for an application for a Retail Marijuana Store located at 4100 West 11th Street, Pueblo, Colorado 81003. The extension date is May 13, 2022.

Mr. Daniel Dickenson, 1489 West Palmetto Park Road, Suite 484, Boca Raton, Florida 33486, addressed the Board. He stated the reasons for the delay and request for a second extension. Chairperson Archuletta asked if the proposed extension period was enough, and Mr. Dickenson confirmed it was.

Mr. Casaus motioned to approve the Conditional Approval Extension (2nd extension request) by The Cannabis Depot Pueblo South, LLC dba The Cannabis Depot to extend the Findings and Order condition of approval to submit a signed License Routing Sheet within one year of the approval date of May 13, 2019 for an application for a Retail Marijuana Store located at 4100 West 11th Street, Pueblo, Colorado 81003. The extension date is May 13, 2022. Ms. Robinson seconded the motion. The motion carried unanimously.

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ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 7:30 P.M. The next LMLB meeting is scheduled to be held on Monday, May 10, 2021 at 6 P.M. via Zoom and Facebook Live.

Respectfully submitted,



Kim Wiley, Recording Secretary
Department of Planning and Development