

RECORD OF PRECEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY, SEPTEMBER 12, 2022
6:00 P.M.
COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURTHOUSE
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.

I. ATTENDANCE/EXCUSED

Members Present: Brian Casaus, Gina Dutcher, Tom Emerson, Henry Reyes, Lucretia Robinson, Judith Stein

Members Absent: Kim Archuletta

Staff Present: Carmen Howard, Director of Planning and Development; Gail Wallingford-Ingo, Deputy Director of Planning and Development (via Zoom); Kyle Aber, Deputy Director of Liquor and Marijuana Licensing; Sarah Long, Assistant County Attorney; Peter Blood, Senior Associate County Attorney (via Zoom); Tawnya Stringer, Licensing Manager; Bonnie Carter, Licensing Coordinator; AnaLinda Bermudez, Recording Secretary;

Ms. Long called the Pueblo County Liquor and Marijuana Licensing Board (LMLB) meeting to order at 6:01 P.M.

II. APPROVE THE MEETING MINUTES OF AUGUST 8, 2022

Ms. Robinson motioned to approve the meeting minutes of August 8, 2022.

Ms. Stein seconded the motion. The motion carried unanimously.

III. APPROVE AGENDA OF SEPTEMBER 12, 2022

Mr. Aber requested to remove items IV.B.E, IV.B.F, IV.B.H from the consent meeting portion of the agenda, as they had been referred to Enforcement.

Ms. Robinson motioned to approve the amended agenda of the September 12, 2022 meeting. Mr. Reyes seconded the motion. The motion carried unanimously.

IV. CONSENT MEETING AGENDA ITEMS

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

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

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LIQUOR LICENSES

- Renewal Application for a Liquor Store License located at 323 East US Highway 50, Avondale, Colorado 81022 submitted by Birner James A. dba Avondale Liquor.
- Renewal Application for a Hotel and Restaurant Liquor License and Cabaret License located at 190 West Palmer Lake Drive, #1, Pueblo West, Colorado 81007 submitted by Buckshot Bar & Grill, LLC dba Buckshot Bar & Grill.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 8950 South Interstate 25, Colorado City, Colorado 81019 submitted by CST Metro, LLC dba Circle K #2744062.
- Renewal Application for a Retail Liquor Store License located at 6654 Highway 165, Colorado City, Colorado 81019 submitted by Fast Break, LLC dba Fast Break.
- Renewal Application for a Hotel and Restaurant Liquor License located at 46 East Dunlap Drive, Pueblo West, Colorado 81007 submitted by Tea Palace L & W Inc. dba Tea Palace.
- Renewal Application for a Tavern Liquor License and Cabaret License located at 214 South McCulloch, Pueblo West, Colorado 81007 submitted by TNT, LLC dba Tumbleweed Tavern.

MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Cultivation Facility located at 77 North Laser Drive, Unit H, Pueblo West, Colorado 81007 submitted by Clearwater Buds, LLC.
- Renewal Application for a Medical Marijuana Cultivation Facility located at 59 North Fabrication Drive, Pueblo West, Colorado 81007 submitted by Fresh Fab, LLC.
- Renewal Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 412 South McCulloch Boulevard, Units F & G, Pueblo West, Colorado 81007 submitted by Infinite Infusions, LLC dba Infinite Infusions.
- Renewal Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 42 North Fabrication Drive, Suite 101, Pueblo West, Colorado 81007 submitted by MBF Labs, LLC dba NuFarma.
- Renewal Application for a Retail Marijuana Store located at 1714 B Santa Fe Drive, Pueblo, Colorado 81006 submitted by Three River's Development, LLC dba Three River's Dispensary.

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- Change of Ownership Application for a Retail Marijuana Cultivation Facility located at 65 North Laser Drive, Pueblo West, Colorado 81007 submitted by Greenhouse Workz, Inc. The ownership structure is adding one new owner.
- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 36 North Fabrication Drive, Unit B, Pueblo West, Colorado 81007 submitted by RG Custom Grow.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility and Retail Marijuana Products Manufacturer located at 843 East Chemical Drive, Pueblo West, Colorado 81007 submitted by Flying J, Inc. dba Kushmas.

V. CONSENT HEARING AGENDA ITEMS

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

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

MARIJUANA ESTABLISHMENT LICENSES

- New Application for a Retail Marijuana Cultivation Facility located at 1812 La Crosse Avenue, Pueblo, Colorado 81006 submitted by StayCon, LLC dba Craft.

VI. REGULAR MEETING AGENDA ITEMS

MARIJUANA ESTABLISHMENT LICENSES

- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 2797 59th Lane, Boone, Colorado 81025 submitted by Grow, Inc.

Mr. Blood explained due to the license holder not responding within a timely manner, the stipulation could not be presented to the Board as a short form stipulation. Mr. Blood indicated the stipulation had been due to DVR issues and recommended a fine in the amount of \$1250.00.

Ms. Dutcher motioned to approve the Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 2797 59th Lane, Boone, Colorado 81025 submitted by Grow, Inc. Mr. Emerson seconded the motion. The motion carried unanimously.

- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 6033 Highway 78 West, Pueblo, Colorado 81005 submitted by Grow, Inc.

Mr. Blood explained due to the license holder not responding within a timely manner, the stipulation could not be presented to the Board as a Short Form Stipulation. He indicated

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the Stipulation Agreement had been due to DVR issues and recommended a fine in the amount of \$1250.00.

Mr. Reyes motioned to approve the Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 6033 Highway 78 West, Pueblo, Colorado 81005 submitted by Grow, Inc. Ms. Robinson seconded the motion. The motion carried unanimously.

- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 3900 North 27th Lane, Pueblo, Colorado 81001 submitted by Virtual Marketing, LLC dba Maggie's Farm.

Mr. Blood indicated upon inspection in January 2021 there had been issues and those issues were still a concern for Enforcement such as DVR issues, untagged plants, and issues with the licensed premises. Mr. Blood recommended a fine in the amount of \$35,000.00 which could be reduced to \$30,000.00 if paid within a timely manner. He stated if DVR issues continued, an additional fine in the amount of \$40,000.00 would be imposed.

Ms. Dutcher motioned to approve the Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 3900 North 27th Lane, Pueblo, Colorado 81001 submitted by Virtual Marketing, LLC dba Maggie's Farm. Ms. Stein seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Cultivation Facility located at 2797 59th Lane, Boone, Colorado 81025 submitted by Grow, Inc.

Ms. Robinson motioned to approve the Renewal Application for a Retail Marijuana Cultivation Facility located at 2797 59th Lane, Boone, Colorado 81025 submitted by Grow, Inc. Mr. Reyes seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Cultivation Facility located at 6033 Highway 78 West, Pueblo, Colorado 81005 submitted by Grow, Inc.

Mr. Reyes motioned to approve the Renewal Application for a Retail Marijuana Cultivation Facility located at 6033 Highway 78 West, Pueblo, Colorado 81005 submitted by Grow, Inc. Mr. Emerson seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Cultivation Facility located at 3900 North 27th Lane, Pueblo, Colorado 81001 submitted by Virtual Marketing, LLC dba Maggie's Farm.

Mr. Reyes motioned to approve the Renewal Application for a Retail Marijuana Cultivation Facility located at 3900 North 27th Lane, Pueblo, Colorado 81001 submitted by Virtual Marketing, LLC dba Maggie's Farm. Ms. Stein seconded the motion. The motion carried unanimously.

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- Renewal Application for a Retail Marijuana Cultivation Facility located at 2310 Pope Valley Ranch, Unit B, Pueblo, Colorado 81005 submitted by Insite Commercial & Trading Limited Group, LLC.

Mr. Frank Leyva, owner of Insite Commercial & Trading Limited Group, LLC, appeared via Zoom, 201 Greenwood Boulevard, Denver, Colorado 80221. The Board did not have any questions for Mr. Leyva.

Ms. Dutcher motioned to approve the Renewal Application for a Retail Marijuana Cultivation Facility located at 2310 Pope Valley Ranch, Unit B, Pueblo, Colorado 81005 submitted by Insite Commercial & Trading Limited Group, LLC. Mr. Emerson seconded the motion. The motion carried unanimously.

- Approval of Hearing Officer Findings and Order for a Retail Marijuana Products Manufacturer located at 36 North Fabrication Drive, Unit C, Pueblo West, Colorado 81007 submitted by Gas and Grass, LLC dba Rollup.

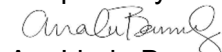
Mr. Aber stated staff's recommendation would be to re-open the penalty phase to rediscuss a fine amount consistent with what the Board has previously ordered pertaining to the incompleteness of the Off-Street Parking Plan's.

Ms. Robinson motioned to re-open the hearing for the Approval of Hearing Officer Findings and Order's penalty phase with no further argument for a Retail Marijuana Products Manufacturer located at 36 North Fabrication Drive, Pueblo West, Colorado 81007 submitted by Gas and Grass, LLC dba Rollup. Ms. Stein seconded the motion. The motion carried unanimously.

ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 6:36 P.M. The next LMLB meeting is scheduled to be held on Monday, October 10, 2022 at 6:00 P.M. in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10th Street.

Respectfully submitted,



AnaLinda Bermudez, Recording Secretary
Department of Planning and Development