

**RECORD OF PRECEEDINGS  
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD  
MONDAY NOVEMBER 9, 2020  
6:00 P.M.  
COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURT HOUSE  
215 WEST 10<sup>TH</sup> 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: Kim Archuletta (via Zoom), Brian Casaus, Don DiFatta (via Zoom), Henry Reyes, Jr., and Lucretia Robinson

Members Absent: Wallace Rice (excused)

Staff Present: Carmen Howard, Director of Planning and Development (via Zoom); Sarah Long, Assistant County Attorney; Tawnya Stringer, Licensing Manager; Dani Cernoia, Recording Secretary; Kim Wiley, Recording Secretary

Vice-Chair Casaus called the Pueblo County Liquor and Marijuana Licensing Board (LMLB) meeting to order at 6:00 p.m.

Ms. Long informed the Board that Board Member Treanor has resigned and Board Member Casaus will act as Chair.

**II. APPROVE THE MEETING MINUTES OF OCTOBER 5, 2020.**

Ms. Robinson motioned to approve the meeting minutes of October 5, 2020. Mr. Reyes seconded the motion. The motion carried unanimously.

**III. APPROVE AGENDA OF NOVEMBER 9, 2020**

Ms. Cernoia informed the Board of the following changes to the agenda:

- Item 4.B.1.f, Long Gone Farms, the correct address is 74 N McCulloch Blvd, Suite 120, Pueblo West, CO 81007
- Item 4.B.2.a, Pueblo West Organics, the correct address is 56 N Precision Dr, Pueblo West, CO 81007
- Item 5.B.1.d, Stem Beach, the correct address is 2440 N Interstate 25, Unit B, Pueblo, CO 81008
- The items on the regular hearing agenda were assigned to the wrong category. They should be listed under the consent hearing agenda which does not allow for public comment. The applicants have been notified of the error, and it has been corrected on the chairpersons report.

Ms. Robinson motioned to approve the amended agenda. Mr. Reyes seconded the motion. The motion carried unanimously.

#### **IV. CONSENT MEETING AGENDA ITEMS**

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

Mr. Reyes motioned to accept the consent meeting items as read. Ms. Archuletta seconded the motion. Discussion occurred.

Mr. DiFatta asked staff if the State cites liquor stores and staff receives a report. Ms. Tawnya responded yes, and the Board would be notified if that happened.

After discussion, the motion carried unanimously.

Ms. Long noted for the record that Board Members Archuletta and DiFatta are attending the meeting via Zoom.

#### **A. LIQUOR LICENSES**

- Renewal Application for a Fermented Malt Beverage Liquor License located at 27050 East Highway 50, Unit A-1, Pueblo, Colorado 81006 submitted by Mesa LaGree's, LLC dba Mesa LaGree's.
- Renewal Application for a Hotel and Restaurant Liquor License located at 283 South Joe Martinez Boulevard, Pueblo West, Colorado 81007 submitted by Tocayo Investment Group Corporation dba Tocayo Mexican Grill and Cantina.
- Modification of Premises Application for a Fermented Malt Beverage Liquor License located at 8950 South Interstate 25 and Crow Junction, Exit 74, Colorado City, Colorado 81019 submitted by CST Metro, LLC dba Circle K Store #2744062.

#### **B. MARIJUANA ESTABLISHMENT LICENSES**

- Renewal Application for a Retail Marijuana Products Manufacturer and Medical Marijuana Products Manufacturer located at 3373 South Interstate 25, Pueblo, Colorado 81004 submitted by AB CO Packaging, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6183 Red Creek Springs Road West, Pueblo, Colorado 81005 submitted by Collected Sun, LLC dba Collected Sun.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 8217 Red Creek Springs Road, Pueblo, Colorado 81005 submitted by Colorado Leaf, LLC dba Colorado Leaf.
- Renewal 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.
- Renewal Application for a Retail Marijuana Cultivation Facility and Medical Marijuana Cultivation Facility located at 7420 Rex Road, Pueblo, Colorado 81005 submitted by Healing House Lakewood, LLC dba Ascend Cannabis Co.

- Renewal Application for a Medical Marijuana Store located at 74 N McCulloch Blvd, Suite 120, Pueblo West, Colorado 81007 submitted by Long Gone Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6431 Galbreth Road, Pueblo, Colorado 81005 submitted by Malibu RDL, LLC dba Purgro.
- Renewal Application for a Retail Marijuana Store located at 1805 Santa Fe Drive, Unit E, Pueblo, Colorado 81006 submitted by NuVue Pharma, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6475 Galbreth Road, Pueblo, Colorado 81005 submitted by Prime Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 58764 East US Highway 50, Boone, Colorado 81025 submitted by Stealth Farms, LLC.
- Renewal Application for a Retail Marijuana Store located at 2440 North Interstate 25, Unit H, Pueblo, Colorado 81008 submitted by The Cannabis Depot III, LLC.
- Renewal Application for a Retail Marijuana Store located at 1714B Santa Fe Drive, Pueblo, Colorado 81006 submitted by Three Rivers Development, LLC dba Three Rivers Dispensary.
- Change of Ownership application for a Retail Marijuana Cultivation Facility located at 56 N Precision Dr, Pueblo West, Colorado 81007 submitted by Pueblo West Organics, LLC dba Pueblo West Organics. The ownership structure is removing one owner.
- Change of Ownership application for a Medical Marijuana Cultivation Facility, Retail Marijuana Cultivation Facility, Medical Marijuana Products Manufacturer, and Retail Marijuana Products Manufacturer located at 129 East Enterprise Drive, Pueblo West, Colorado 81007 submitted by Pueblo West Organics, LLC dba Pueblo West Organics. The ownership structure is removing one owner.
- Change of Ownership application for a Medical Marijuana Store, Retail Marijuana Store and Retail Marijuana Cultivation located at 609 East Enterprise Drive, Suite 140, Pueblo West, Colorado 81007 submitted by Pueblo West Organics, LLC dba Pueblo West Organics. The ownership structure is removing one owner.

**V. CONSENT HEARING AGENDA ITEMS**

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

Mr. Reyes motioned to accept the consent hearing items as read. Ms. Archuletta seconded the motion. The motion carried unanimously.

**A. LIQUOR LICENSES-None**

**B. MARIJUANA ESTABLISHMENT LICENSES**

- New Application for a Medical Marijuana Cultivation Facility located at 6395 Galbreth Road, Pueblo, Colorado 81005 submitted by Bully's Farms, LLC.

- New Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 37 North Silicon Drive, Unit A, Pueblo West, Colorado 81007 submitted by JP Labs II, LLC dba Robhots.
- New Application for a Medical Marijuana Cultivation Facility located at 6389 Galbreth Road, Pueblo, Colorado 81005 submitted by Wheeler Farms, LLC.

## VI. REGULAR MEETING AGENDA ITEMS

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

### A. LIQUOR LICENSES-None

### B. MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Cultivation Facility located at 7415 Rex Road, Pueblo, Colorado 81005 submitted by DKC, LLC dba Denver Kush Club.

Ms. Stringer informed the Board that a few of the items on the regular meeting agenda are before the Board because their parking plans have not been approved by Planning and Zoning. Staff is asking the Board to give the applicant one year to rectify the issue. If it is not rectified, they will go before the Hearing Officer or stipulate at a later date. Staff is asking for the application to be approved, it is on the agenda only because they need to bring their parking into compliance.

Mr. Reyes motioned to renew the application for a Retail Marijuana Cultivation Facility located at 7415 Rex Road, Pueblo, Colorado 81005 submitted by DKC, LLC dba Denver Kush Club to allow them time to comply with the parking requirement. Ms. Robinson seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Cultivation Facility located at 6470 Galbreth Road, Pueblo, Colorado 81005 submitted by Kingpin Farms, LLC dba Colorado Rocky Mountain Farms.

Ms. Stringer informed the Board that Staff is recommending approval for this renewal. There is a pending enforcement action that will be carried out later on.

Ms. Long informed the Board that in this situation, counsel for enforcement, Mr. Peter Blood, has no objection to the renewal going forward. They are pursuing any investigation or enforcement action separately. If the Board approves, it will come back to them as a Hearing Officer Order for them to consider. They could also vote to move this to a hearing, but Mr. Blood does not think that is the best course of action.

Ms. Robinson asked for more information and details about the investigation. Ms. Long and Ms. Stringer responded that they do not have information about the enforcement action. Ms. Robinson expressed that she has concerns because she doesn't have information on what they are voting on. She asked if it could be tabled and brought back with more detail. Ms. Long responded that the Board can vote to continue to the next agenda and provided details.

Mr. Reyes asked if the application is approved and the enforcement comes back with a recommendation for suspension, can they then approve the suspension. Ms. Long informed the Board that the enforcement action would be its own separate issue.

Ms. Robinson asked Mr. Dan Dickenson if he could talk about what he is representing for the applicant. He responded that there is a potential issue that comes from a late renewal. The license was expired for a period of time, and the renewal application was filed and approved. They are working on a stipulation for the issue and the farm is in compliance in all other respects.

Ms. Archuletta motioned to approve the renewal for a Retail Marijuana Cultivation Facility located at 6470 Galbreth Road, Pueblo, Colorado 81005 submitted by Kingpin Farms, LLC dba Colorado Rocky Mountain Farms. Mr. DiFatta seconded the motion. The motion carried unanimously.

- Renewal Application for a Medical Marijuana Cultivation Facility located at 152 East Industrial Boulevard, Pueblo West, Colorado 81007 submitted by Long Gone Farms, LLC.

Ms. Stringer informed the Board that this item is also for a parking plan and staff recommends approval.

Mr. DiFatta motioned to approve the renewal for a Medical Marijuana Cultivation Facility located at 152 East Industrial Boulevard, Pueblo West, Colorado 81007 submitted by Long Gone Farms, LLC. Mr. Reyes seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Store located at 2440 North Interstate 25. Unit B, Pueblo, Colorado 81008 submitted by Stem Beach, LLC dba The Cannabis Depot. Enforcement.

Mr. Dickenson stated that this a similar issue and he is working with Mr. Blood on a stipulation. He added that staff and Mr. Blood consent to the renewal.

Mr. Reyes asked if the issue is that the application was not turned in in a timely manner, and the license expired. Mr. Dickenson responded that was correct

Mr. Reyes motioned to approve the renewal application for a Retail Marijuana Store located at 2440 North Interstate 25. Unit B, Pueblo, Colorado 81008 submitted by Stem Beach, LLC dba The Cannabis Depot pending the enforcement action. Ms. Robinson seconded the motion. The motion carried unanimously.

- Renewal Application for a Medical Marijuana Cultivation Facility, Medical Marijuana Products Manufacturer, Retail Marijuana Products Manufacturer located at 1650 Siloam Road, Pueblo, Colorado 81005 submitted by Yeti Farms, LLC dba Yeti Farms, LLC.

Ms. Stringer informed the Board that this item is also for a parking plan as well as an issue with blackout curtains and staff recommends approval.

Ms. Robinson asked how far the applicant is on completing.

Mr. Shaun Honaker responded that the parking plan has always been in place and they thought it was on file. They turned in a parking plan completed by Gagliano Engineering

today and it has already been implemented. They are willing to provide video proof. For the issue regarding blackout curtains, Mr. Honaker informed the Board that during the last inspection performed by Mr. Jason Chambers, they had a complaint about their lighting. They showed Mr. Chambers that in their greenhouse they have work lights not grow lights. The lights that would have been on would have been work lights and they understood from Mr. Chambers that work lights did not require blackout curtains.

Ms. Howard informed the Board that the Zoning Enforcement Officer will be working with the applicant to resolve the issues. They [Planning and Zoning] have a process in place and they are trying to recognize that there are some outstanding issues and they would like to provide the applicant with time to comply. There were inconsistencies in the past with how the rules were applied and they are trying to resolve the issues and get all applicants into compliance with Zoning as they come up through Licensing.

Discussion occurred regarding zoning violation issues.

Ms. Robinson asked Mr. Honaker asked if he will be able to take care of the demands. Mr. Honaker responded yes and provided details.

Discussion occurred regarding the licensing vs the zoning aspects of the parking plans and zoning violations. Ms. Howard informed the Board that the purpose of bringing the issues to the Board is to have some finality to outstanding issues that were not handled consistently in the past. She continued that we are trying to get all marijuana licensees in compliance with the zoning regulations.

Ms. Archuletta motioned to approve the Renewal Application for a Medical Marijuana Cultivation Facility, Medical Marijuana Products Manufacturer, Retail Marijuana Products Manufacturer located at 1650 Siloam Road, Pueblo, Colorado 81005 submitted by Yeti Farms, LLC dba Yeti Farms, LLC. Mr. DiFatta seconded the motion. The motion carried unanimously.

## **DISCUSSION**

Ms. Long informed the Board that they needed to schedule a special meeting and provided details. Discussion occurred.

## **ADJOURN**

Ms. Robinson motioned to adjourn. Mr. Reyes seconded the motion. The motion carried unanimously.

There being no further regular business before the LMLB, the meeting was adjourned at 7:00 P.M. The next LMLB meeting is scheduled to be held on Monday, December 14, 2020, at 6:00 p.m., in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10th Street.

Respectfully submitted,

*Dani Cernoia*

Dani Cernoia, Recording Secretary  
Department of Planning and Development