

RECORD OF PRECEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY, AUGUST 9, 2021
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: Kim Archuletta, Brian Casaus, Tom Emerson, Henry Reyes, Lucretia Robinson, Judith Stein

Members Absent: Wallace Rice (excused)

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

Chairperson Archuletta called the Pueblo County Liquor and Marijuana Licensing Board (LMLB) meeting to order at 6:04 P.M.

II. EXECUTIVE SESSION

Request for an Executive Session for the purpose of receiving legal advice on specific legal questions under the C.R.S. Section 24-6-402 (4)(b) regarding statutory rules and procedure.

Ms. Long requested a motion to enter Executive Session. Mr. Reyes moved to approve the request. Ms. Robinson seconded the motion. The motion carried unanimously.

Executive Session began at 6:06 P.M.

Ms. Long requested a motion to end the Executive Session. Mr. Reyes moved to adjourn the Executive Session. Ms. Stein seconded the motion. The motion carried unanimously.

Executive Session ended at 6:21 P.M.

The meeting was live on Facebook at 6:23 P.M.

III. APPROVE THE MEETING MINUTES OF JULY 12, 2021

Ms. Robinson motioned to approve the meeting minutes of July 12, 2021. Mr. Reyes seconded the motion. The motion carried unanimously.

IV. APPROVE AGENDA OF AUGUST 9, 2021

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Ms. Long requested an amendment to the agenda. She requested item V.B.2.a be moved to item VII.A.1.a. and asked for a motion reflecting this change.

Mr. Casaus motioned to approve the amended agenda of the August 9, 2021 meeting. Ms. Stein seconded the motion. The motion carried unanimously.

V. 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. Reyes requested item V.B.2.b be moved to the regular meeting agenda as item VII.A.1.b. Chairperson Archuletta approved the request.

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

LIQUOR LICENSES

- Renewal Application for a Liquor Store License located at 1712 Santa Fe Drive, Pueblo, Colorado 81006 submitted by Aspen Square Wine and Liquor, LLC dba Aspen Square Wine and Liquor.
- Renewal Application for a Hotel and Restaurant Liquor License and Cabaret License located at 23344 Highway 50 East, Pueblo, Colorado 81006 submitted by Giodone Restaurant Inc dba Giodone Restaurant.

MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Cultivation Facility located at 40444 Bush Road, Avondale, Colorado 81022 submitted by Arkannabis Farms, LLC dba Happy Hay.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 3415 Riddell Place, Colorado City, Colorado 81019 submitted by CS Holdings, Inc dba Canna Source.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 2797 59th Lane, Boone, Colorado 81025 submitted by Grow Inc.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 6033 State Highway 78 West, Pueblo, Colorado 81005 submitted by Grow Inc.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 4780 Farasita Boulevard, Pueblo, Colorado 81005 submitted by High Canyon, LLC.

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- 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.
- Renewal Application for a Medical Marijuana Products Manufacturer located 286 South Purcell Boulevard, Pueblo West, Colorado 81007 submitted by National Green Source, LLC dba The Green Source.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 1660 Siloam Road, Pueblo, Colorado 81005 submitted by Next1 Labs, LLC dba Next1 Labs.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 69 North Mission Drive, Pueblo West, Colorado 81007 submitted by Sacco Solutions, LLC.
- Renewal Application for a Medical Marijuana Products Manufacturer, Retail Marijuana Store, Retail Marijuana Cultivation, and Retail Marijuana Products Manufacturer located at 41 North Precision Drive, Pueblo West, Colorado 81007 submitted by The Organic Seed, LLC dba Dabtek and Cannasseur.
- Renewal Application with a Change of Ownership Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located 4827 North Interstate 25, Pueblo Colorado 81008 submitted by Tragar, Inc.

VI. CONSENT HEARING AGENDA ITEMS

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

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

LIQUOR LICENSES

- Application for a Special Events Permit for a Malt, Vinous, and Spiritous Liquor License located 10125 Preseren Road, Rye, Colorado 81069 submitted by Preseren Glee Club, Inc for the date of August 15, 2021.

MARIJUANA ESTABLISHMENT LICENSES

- Application for a Change of location for a Retail Marijuana Cultivation Facility located at 6393 Galbreth Road, Pueblo, Colorado 81005 moving to 168 E Assembly Drive, Pueblo West, Colorado 81007 submitted by Pam's Farm, LLC.

VII. REGULAR MEETING AGENDA ITEMS

LIQUOR LICENSES - None

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MARIJUANA ESTABLISHMENT LICENSES

- Approval of Hearing Officer Finding and Order for a Retail Marijuana Store and Retail Marijuana Cultivation Facility located at 23344 Highway 50 East, Pueblo, Colorado 81006 submitted by Colorado Best Budz, LLC dba Colorado Best Budz.

Ms. Long stated the Board had the Hearing Officer's Finding and Order, along with the Applicant's request to re-open the hearing, and a secondary request for a fine in lieu of suspension, to consider for this agenda item.

Mr. Reyes shared he read through the documentation and supported the Finding and Order without the need for further discussion. Ms. Robinson agreed with Mr. Reyes.

Ms. Long reminded the Board they also needed to consider the secondary request pursuant to Colorado Revised Statute 44-10-901, which allows licensees to request a fine rather than suspension if the suspension is less than fourteen days. Mr. Reyes re-stated his position and called for approval of the Hearing Officer Order as written. Mr. Casaus agreed with Mr. Reyes and believed the suspension to be justifiable.

Mr. Reyes motioned to ratify the Hearing Officer Finding and Order for a Retail Marijuana Store and Retail Marijuana Cultivation Facility located at 23344 Highway 50 East, Pueblo, Colorado 81006 submitted by Colorado Best Budz, LLC dba Colorado Best Budz. Ms. Robinson seconded the motion. The motion carried unanimously.

- Approval of Hearing Officer Finding and Order for a Retail Marijuana Cultivation Facility located at 1201 Siloam Road, Pueblo, Colorado 81005 submitted by Masters Farm, LLC dba Lady Jane.

Mr. Reyes reviewed the details of the Order noting the Applicant had been behind on their taxes. He asked if the issue had been resolved. He added the Order included a condition which stated the Applicant must pay their taxes on time for the licensing year.

Ms. Long clarified the tax situation for Masters Farm, LLC, stating they had been paying their taxes on time but paid taxes according to the Average Market rate not the current Contract price rate. Therefore, they owed more in taxes per the Contract Price rate. She added they had paid the shortfall, penalty, and were current on their taxes.

Mr. Reyes motioned to ratify the Hearing Officer Finding and Order for a Retail Marijuana Cultivation Facility located at 1201 Siloam Road, Pueblo, Colorado 81005 submitted by Masters Farm, LLC dba Lady Jane. Ms. Stein seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Store and Retail Marijuana Cultivation Facility located at 23344 Highway 50 East, Pueblo Colorado 81006 submitted by Colorado Best Budz, LLC dba Colorado Best Budz.

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Ms. Long reminded the Board the renewal was placed on the Regular Meeting agenda as the renewal could not be heard nor approved prior to the finalization of the Enforcement Action.

Mr. Casaus motioned to approve the Renewal Application for a Retail Marijuana Store and Retail Marijuana Cultivation Facility located at 23344 Highway 50 East, Pueblo Colorado 81006 submitted by Colorado Best Budz, LLC dba Colorado Best Budz. Ms. Robinson seconded the motion. The motion carried unanimously.

- Transfer of Ownership for a Retail Marijuana Store located at 30899 Highway 50 East, Pueblo, Colorado 81006 submitted by PBS Holdco, LLC dba Star Buds.

Mr. Reyes asked for clarification regarding the two licenses operating at the same location. Ms. Long stated certain license types can operate at the same location, as was the case with this facility. Both licenses are owned by the same licensee who wished to transfer ownership.

Mr. Pabon, Attorney Registration Number 36646, 4880 Havana Street, Suite 201, Denver, CO 80239, indicated this was a transfer for tax purposes after a recent merger.

Ms. Robinson motioned to approve the Transfer of Ownership for a Retail Marijuana Store located at 30899 Highway 50 East, Pueblo, Colorado 81006 submitted by PBS Holdco, LLC dba Star Buds. Ms. Stein seconded the motion. The motion carried unanimously.

- Transfer of Ownership for a Retail Marijuana Products Manufacturer located at 30899 Highway 50 East, Pueblo, Colorado 81006 submitted by PBS Holdco, LLC dba Purplebee's. Conditional transfer.

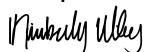
Ms. Long stated this facility was undergoing the process of completing a Modification of Premise when the Transfer of Ownership application was submitted. She indicated the transfer would be conditioned on the current owners' completion of their modification of premise.

Ms. Robinson motioned to approve the Transfer of Ownership for a Marijuana Products Manufacturer located at 30899 Highway 50 East, Pueblo, Colorado 81006 submitted by PBS Holdco, LLC dba Star Buds with the condition that the Modification of Premise be completed. Ms. Stein seconded the motion. The motion carried unanimously.

ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 7:02 P.M. The next LMLB meeting is scheduled to be held on Monday, September 13, 2021 at 6:00 P.M. in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10th Street.

Respectfully submitted,



Kim Wiley, Recording Secretary
Department of Planning and Development