

RECORD OF PRECEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY, JULY 11, 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. EXECUTIVE SESSION

Request for an Executive Session: For a conference with the County Attorney for discussion on specific legal questions pursuant to C.R.S. 24-6-402(4)(b) regarding procedures and hearing officer orders.

Ms. Long requested a motion to enter Executive Session. Ms. Stein moved. Ms. Dutcher seconded the motion. The motion carried unanimously.

Executive Session began at 5:34 P.M.

Executive Session ended at 5:58 P.M.

The meeting was live on Facebook at 5:59 P.M. Ms. Long informed the audience of the Executive Session and summarized the meeting attendance.

II. ATTENDANCE/EXCUSED

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

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

Ms. Long called the Pueblo County Liquor and Marijuana Licensing Board (LMLB) meeting to order at 5:59 P.M.

III. APPROVE THE MEETING MINUTES OF JUNE 13, 2022

Ms. Dutcher motioned to approve the meeting minutes of June 13, 2022. Mr. Reyes seconded the motion. The motion carried unanimously.

IV. APPROVE AGENDA OF JULY 11, 2022

Ms. Robinson motioned to approve the agenda of the July 11, 2022 meeting. Ms. Stein seconded the motion. The motion carried unanimously.

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

LIQUOR LICENSES

- 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 Liquor Store License located at 4340 Valverde Way, Colorado City, Colorado 81019 submitted by THC Enterprises, LLC dba Hack Shack.
- Renewal Application for an Optional Premises Liquor License for a Race Track located at 400 Gobatti Place, Pueblo, Colorado 81008 submitted by Cullen Concessions, LLC dba I-25 Speedway.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 2610 Santa Fe Avenue, Pueblo, Colorado 81006 submitted by Mini Mart, Inc. dba Loaf 'N Jug #8.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 243 US Highway 50 East, Avondale, Colorado 81022 submitted by Mini Mart, Inc. dba Loaf 'N Jug #15.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 4401 State Highway 165, Colorado City, Colorado 81019 submitted by Mini Mart, Inc. dba Loaf 'N Jug #24.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 36031 Highway 50 East, Pueblo, Colorado 81006 submitted by Mini Mart, Inc. dba Loaf 'N Jug #35.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 31618 Highway 96 East, Pueblo, Colorado 81006 submitted by Mini Mart, Inc. dba Loaf 'N Jug #74.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 1700 Santa Fe Avenue, Pueblo, Colorado 81006 submitted by Mini Mart, Inc. dba Loaf 'N Jug #75.

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- Renewal Application for a Fermented Malt Beverage Liquor License located at 14 West Spaulding Avenue, Pueblo West, Colorado 81007 submitted by Mini Mart, Inc. dba Loaf 'N Jug #82.
- Renewal Application for a Hotel and Restaurant Liquor License located at 82 South Radnor Drive, Pueblo West, Colorado 81007 submitted by Pagano Stephanie A. dba Pass Key Pueblo West.
- Renewal Application for a Tavern Liquor License and Cabaret License located at 34158 Highway 50 East, Pueblo, Colorado 81006 submitted by A & D T's Bar, LLC dba T's Bar.

MARIJUANA ESTABLISHMENT LICENSES

- 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 Cultivation Facility and Medical Marijuana Cultivation Facility located at 1965 Pope Valley Ranch Road, Pueblo, Colorado 81005 submitted by Smile High Farms, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 3321 South Interstate 25, Pueblo, Colorado 81004 submitted by Stem Beach Dispensary, LLC dba Doctor's Orders.
- Renewal Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Product Manufacturer located at 4827 North Interstate 25, Pueblo, Colorado 81008 submitted by Tragar, Inc.
- Renewal Application for a Retail Marijuana Store located at 4803 North Interstate 25, Pueblo, Colorado 81008 submitted by Virtual Marketing, LLC dba Maggie's Farm.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 7013 Burnt Mill Road, Beulah, Colorado 81023 submitted by White Meadows Cultivation, LLC.
- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 3730 40th Lane, Avondale, Colorado 81022 submitted by Jun Zhang, Inc.
- Approval of Hearing Officer Findings and Order for a Medical Marijuana Store and Medical Marijuana Cultivation Facility located at 286 South Purcell Boulevard, Pueblo West, Colorado 81007 submitted by National Green Source, LLC dba The Green Source.

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- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 40444 Bush Road, Avondale, Colorado 81022 submitted by Arkannabis Farms, LLC dba Happy Hay.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 69 North Mission Drive, Pueblo West, Colorado 81007 for Sacco Solutions, LLC.

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.

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

LIQUOR LICENSES

- Application for a Special Events Permit for a Malt, Vinous, and Spirituous Liquor License located at 8734 School House Lane, Beulah, Colorado 81023 submitted by Beulah Valley Arts Council for the date(s) of August 5, 6, and 7, 2022.
- Application for a Special Events Permit for a Fermented Malt Beverage License located at 1145 South Aspen Circle, Pueblo, Colorado 81006 submitted by St. Joseph Catholic Church for the date(s) of August 6 and 7, 2022.

MARIJUANA ESTABLISHMENT LICENSES

- New Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 43 North Silicon Drive, Pueblo West, Colorado 81007 submitted by Oil Well Industries, LLC.

VII. REGULAR MEETING AGENDA ITEMS

LIQUOR LICENSES - None.

MARIJUANA ESTABLISHMENT LICENSES

- Transfer of Ownership Application for a Retail Marijuana Cultivation Facility located at 40444 Bush Road, Avondale, Colorado 81022 submitted by Lakefield, LLC dba Frosty Farms transferring from Arkannabis Farms, LLC dba Happy Hay.

Mr. Stringer explained there had been a Stipulation added to the Consent Meeting portion of the Agenda for Arkannabis Farms, LLC dba Happy Hay. The Stipulation had to be addressed first for the Transfer of Ownership to be addressed as well.

Ms. Dutcher motioned to approve the Transfer of Ownership Application for a Retail Marijuana Cultivation Facility located at 40444 Bush Road, Avondale, Colorado 81022

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submitted by Lakefield, LLC dba Frosty Farms transferring from Arkannabis Farms, LLC dba Happy Hay. Ms. Stein seconded the motion. The motion carried unanimously.

- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 60800 Highway 96 East Boone, Colorado 81025 submitted by Angel Farms, LLC.

Mr. Blood indicated Angel Farms, LLC had violated the Pueblo County Code regarding a Modification of Premises.

The penalty asked for would be a \$48,000 dollar fine. The County would agree to reduce the amount to \$36,000 if the first 9 months of payments are received on time or a \$35,000 dollar fine if the amount is paid within a 60-day period.

Mr. Reyes motioned to approve the Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 60800 Highway 96 East Boone, Colorado 81025 submitted by Angel Farms, LLC. Mr. Emerson seconded the motion. The motion carried unanimously.

VIII. REGULAR HEARING AGENDA ITEMS

MARIJUANA ESTABLISHMENT LICENSES

- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility and Retail Marijuana Products Manufacturer located at 9000 South Interstate 25, Colorado City, Colorado 81019 submitted by Heartland Industries, LLC.

Mr. Aber filed a motion to reopen the hearing on behalf of the Liquor and Marijuana Licensing Department in reference to the Hearing Officer's Findings and Order. Staff requested the Board to re-open the hearing in full to consider a penalty.

Discussion occurred between Ms. Long and the Board.

MOTION

Ms. Robinson motioned to re-open the hearing accepting any findings and facts of Hearing Officer Findings and Order and only opening the ultimate finding for a Retail Marijuana Cultivation Facility and Retail Marijuana Products Manufacturer located at 9000 South Interstate 25, Colorado City, Colorado 81019 submitted by Heartland Industries, LLC. Mr. Casaus seconded the motion. The motion passed with a 6/1 vote.

The votes were as follows:

Mr. Casaus – Yes
Mr. Emerson – Yes
Mr. Reyes – Yes
Ms. Dutcher – Yes
Ms. Robinson – Yes
Ms. Stein – Yes
Chairperson Archuletta – No

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- Approval of Hearing Officer Findings and Order for a Retail Marijuana Store located at 4305 Thatcher Avenue, Pueblo, Colorado 81005 submitted by SBUD, LLC dba Starbuds.

Mr. Aber filed a motion to reopen the hearing on behalf of the Liquor and Marijuana Licensing Department in reference to the Hearing Officer's Findings and Order. Staff's request is for the Board to re-open the hearing in full to consider a penalty.

Discussion occurred between Ms. Long and the Board.

MOTION

Mr. Reyes motioned to re-open the hearing accepting any findings and facts of Hearing Officer Findings and Order and only opening the ultimate finding for a Retail Marijuana Store located at 4305 Thatcher Avenue, Pueblo, Colorado 81005 submitted by SBUD, LLC dba Starbuds. Ms. Stein seconded the motion. The motion passed with a 6/1 vote. The votes were as follows:

Mr. Casaus – Yes
Mr. Emerson – Yes
Mr. Reyes – Yes
Ms. Dutcher – Yes
Ms. Robinson – Yes
Ms. Stein – Yes
Chairperson Archuletta – No

- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility and Retail Marijuana Store located at 2285 North Interstate 25, Pueblo, Colorado 81008 submitted by Syl's, LLC dba Strawberry Fields.

Mr. Aber filed a motion to reopen the hearing on behalf of the Liquor and Marijuana Licensing Department in reference to the Hearing Officer's Findings and Order. Staff's request is for the Board to re-open the hearing in full to consider a penalty.

Discussion occurred between Ms. Long and the Board.

MOTION

Mr. Reyes motioned to re-open the hearing accepting any findings and facts of Hearing Officer Findings and Order and only opening the ultimate finding for a Retail Marijuana Cultivation Facility and Retail Marijuana Store located at 2285 North Interstate 25, Pueblo, Colorado 81008 submitted by Syl's, LLC dba Strawberry Fields. Ms. Robinson seconded the motion. The motion passed with a 6/1 vote.

The votes were as follows:

Mr. Casaus – Yes
Mr. Emerson – Yes

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Mr. Reyes – Yes
Ms. Dutcher – Yes
Ms. Robinson – Yes
Ms. Stein – Yes
Chairperson Archuletta – No

- Application for a Change of Location for a Retail Marijuana Store located at 41 North Precision Drive Pueblo West, Colorado 81007 moving to 922 East Hailey Lane, Unit B, Pueblo West, Colorado 81007 submitted by The Organic Seed, LLC dba Cannasseur.

Chairperson Archuletta opened the hearing.

Mr. Aber stated staff recommended approval of the application for a change of location and did not find any issues with the application.

IN FAVOR

Ryan Griego, 1133 14th Street, Unit 1920, Denver, Colorado 80202, Spoke on behalf of The Organic Seed, LLC dba Cannasseur as partial owner and explained to the board the owners had submitted an application to Change the Location of the license.

IN OPPOSITION

There was no opposition.

REBUTTAL

There was no rebuttal.

Chairperson Archuletta closed the hearing.

MOTION

Ms. Dutcher motioned to approve the Application for a Change of Location for a Retail Marijuana Store located at 41 North Precision Drive. Pueblo West, Colorado 81007 moving to 922 East Hailey Lane, Unit B, Pueblo West, Colorado 81007 submitted by The Organic Seed, LLC dba Cannasseur. Ms. Stein seconded the motion. The motion carried unanimously.

ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 6:27 P.M. The next LMLB meeting is scheduled to be held on Monday, August 8, 2022, at 6:00 P.M. in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10th Street.

Respectfully submitted,

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AnaLinda Bermudez, Recording Secretary
Department of Planning and Development