

RECORD OF PRECEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY, NOVEMBER 14, 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: Kim Archuletta, Brian Casaus, Tom Emerson, Henry Reyes, Lucretia Robinson, Judith Stein (via Zoom)

Members Absent: Gina Dutcher

Staff Present: Carmen Howard, Director of Planning and Development (via Zoom); 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); Bonnie Carter, Licensing Coordinator; AnaLinda Bermudez, Recording Secretary;

Ms. Archuletta called the Pueblo County Liquor and Marijuana Licensing Board (LMLB) meeting to order at 6:00 P.M.

II. APPROVE THE MEETING MINUTES OF OCTOBER 10, 2022

Mr. Reyes motioned to approve the meeting minutes of October 10, 2022. Mr. Casaus seconded the motion. The motion carried unanimously.

III. APPROVE AGENDA OF NOVEMBER 14, 2022

Ms. Robinson motioned to approve the agenda of the November 14, 2022, meeting. Mr. Emerson 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. Casaus motioned to approve the consent meeting agenda listed below. Ms. Stein seconded the motion. The motion carried unanimously.

LIQUOR LICENSES

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- 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.
- Renewal Application for a Tavern Liquor License and Cabaret License located at 324 South McCulloch Boulevard, Pueblo West, Colorado 81007 submitted by PSM Holdings, LLC dba Jimmy's Tavern.
- Renewal Application for a Tavern Liquor License and Cabaret License located at 127 East Spaulding, Pueblo West, Colorado 81007 submitted by Veterans of Foreign Wars Pueblo West Post 5812 dba VFW Post 5812.
- Renewal Application for a Liquor Store License located at 198 South Purcell Boulevard, Suite 170, Pueblo West, Colorado 81007 submitted by Leng M Jason dba Purcell Blvd Liquor.
- Renewal Application for a Hotel and Restaurant Liquor License and Cabaret License located at 4490 Bent Brothers Boulevard, Suite A-3, Colorado City, Colorado 81019 submitted by Anglin Kacie M. Wilson Vickie dba Viktorios Pizzeria.

MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Cultivation Facility located at 2177 57th Lane, Boone, Colorado 81025 submitted by A2Zinc, LLC dba AJ's.
- Renewal Application for a Retail Marijuana Products Manufacturer located at 77 North Laser Drive, Suite A, Pueblo West, Colorado 81007 submitted by ClutchX, LLC dba Clutch Extracts.
- Renewal Application for a Medical Marijuana Cultivation Facility located at 2204 Hickory Street, Pueblo, Colorado 81001 submitted by Denco, LLC.
- Renewal Application for a Medical Marijuana Store and Medical Marijuana Products Manufacturer located at 922 East Kimble Drive, Pueblo West, Colorado 81007 submitted by Denco, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 76 North Mission Drive, Pueblo West, Colorado 81007 submitted by High Horse, LLC dba Snax.
- Renewal Application with a Change of Ownership for a Retail Marijuana Products Manufacturer and Medical Marijuana Products Manufacturer located at 77 North Laser Drive, Suite D, Pueblo West, Colorado 81007 submitted by HWMF, LLC dba Rockin' Extracts.

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- Renewal Application for a Retail Marijuana Cultivation Facility located at 6431 Galbreth Road, Pueblo, Colorado 81005 submitted by Malibu RDL, LLC dba Purgo.
- 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 Store located at 3377 South Interstate 25, Pueblo, Colorado 81004 submitted by South Pueblo, LLC dba Colorado Cannabis Exchange.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 5715 Red Creek Springs Road, Pueblo, Colorado 81005 submitted by WOWI, LLC.
- Transfer of Ownership Application for a Medical Marijuana Store, Medical Marijuana Cultivation Facility, Retail Marijuana Store and Retail Marijuana Cultivation Facility located at 1917 Santa Fe Drive, Pueblo, Colorado 81006 submitted by AF, Inc. dba Apothecary Farms transferring from 1917 Santa Fe, LLC dba Apothecary Farms.
- Transfer of Ownership Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 65 Precision Drive, Pueblo West, Colorado 81007 submitted by AF, Inc. dba Apothecary Farms transferring from 65PD, LLC dba Apothecary Farms.
- Change of Ownership Application for a Medical Marijuana Cultivation Facility and Retail Marijuana Cultivation Facility located at 83 North Magneto Drive, Pueblo West, Colorado 81007 submitted by Three River's Development, LLC dba Three River's Dispensary. The ownership structure is adding an owner and reallocating ownership percentages.
- Change of Ownership Application for a Medical Marijuana Store located at 1714 Santa Fe Drive, Pueblo, Colorado 81006 submitted by Three River's Development, LLC dba Three River's Dispensary. The ownership structure is adding an owner and reallocating ownership percentages.
- Change of Ownership 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. The ownership structure is adding an owner and reallocating ownership percentages.
- Change of Ownership Application for a Retail Marijuana Cultivation Facility located at 77 North Magneto Drive, Pueblo West, Colorado 81007 submitted by Three River's Development, LLC dba Three River's Dispensary. The ownership structure is adding an owner and reallocating ownership percentages.
- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 24 North Research Drive, Pueblo West, Colorado 81007 submitted by Clearwater Campus, LLC.

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- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 8444 West Highway 96, Pueblo, Colorado 81005 submitted by Colorado Gold, LLP dba Sticky Icky's.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 23 North Precision Drive, Pueblo West, Colorado 81007 submitted by Elite Farms, LLC.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 76 North Mission Drive, Pueblo West, Colorado 81007 submitted by High Horse, LLC dba Snax.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 6475 Galbreth Road, Pueblo, Colorado 81005 submitted by Prime Farms, LLC.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 52719 US Highway 50 East, Boone, Colorado 81025 submitted by River Roots, LLC.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 58764 East Highway 50, Boone, Colorado 81025 submitted by Stealth Farms, LLC.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 6389 Galbreth Road, Pueblo, Colorado 81005 submitted by Wheeler Farms, LLC.

V. REGULAR MEETING AGENDA ITEMS

MARIJUANA ESTABLISHMENT LICENSES

- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 3415 Riddell Place, Colorado City, Colorado 81019 for CS Holdings, Inc. dba Canna Source.

Mr. Blood explained the Stipulation Agreement from Enforcement.

Discussion occurred.

Mr. Karl Tameler, attorney registration 21012, 208 Colorado Avenue, Pueblo, Colorado 81004, appeared on behalf of the licensee.

Discussion occurred.

Ms. Robinson motioned to approve the Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 3415 Riddell Place, Colorado City, Colorado 81019 for CS Holdings, Inc. dba Canna Source. Mr. Casaus seconded the motion. The motion carried unanimously.

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- Stipulation Agreement for a Medical Marijuana Cultivation Facility located at 152 East Industrial Boulevard, Pueblo West, Colorado 81007 for Long Gone Farms, LLC.

Mr. Blood explained the Stipulation Agreement from Enforcement and asked to orally amend the Stipulation for the fine to be paid to Planning and Development and not Budget and Finance as stated in the Stipulation.

Mr. James Nechleba, attorney registration 48389, 455 Sherman Street, Suite 390, Denver, Colorado 80203, appeared via Zoom on behalf of the licensee and approved of the amended Stipulation.

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

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

Mr. Blood explained the Stipulation Agreement from Enforcement.

Discussion occurred.

Mr. Casaus motioned to approve the Stipulation Agreement for a Medical Marijuana Cultivation Facility, Medical Marijuana Products Manufacturer, Retail Marijuana Cultivation Facility and Retail Marijuana Products Manufacturer located at 1650 Siloam Road, Pueblo, Colorado 81005 for Yeti Farms, LLC. Ms. Stein seconded the motion. The motion carried unanimously.

- Renewal Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 65 North Precision Drive, Pueblo West, Colorado 81007 submitted by 65PD, LLC dba Apothecary Extracts.

Mr. Casaus motioned to approve the Renewal Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 65 North Precision Drive, Pueblo West, Colorado 81007 submitted by 65PD, LLC dba Apothecary Extracts. Ms. Robinson seconded the motion. The motion carried unanimously.

- Renewal Application 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 updated the Board concerning the Off-Street Parking Plan approval and fines paid by the applicant and recommended approval of the Renewal.

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Ms. Robinson motioned to approve the Renewal Application 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. Reyes seconded the motion. The motion carried unanimously.

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

Ms. Stein motioned to approve the Renewal Application for a Medical Marijuana Cultivation Facility and Retail Marijuana Cultivation Facility located at 152 East Industrial Boulevard, Pueblo West, Colorado 81007 submitted by Long Gone Farms, LLC. Mr. Casaus seconded the motion. The motion carried unanimously.

- Renewal Application for a Medical Marijuana Store located at 74 North McCulloch Boulevard, Suite 120, Pueblo West, Colorado 81007 submitted by Long Gone Farms, LLC.

Mr. Reyes motioned to approve the Renewal Application for a Medical Marijuana Store located at 74 North McCulloch Boulevard, Suite 120, Pueblo West, Colorado 81007 submitted by Long Gone Farms, LLC. Mr. Casaus seconded the motion. The motion passed with a 4/2 vote.

The votes were as follows:

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

- Renewal Application for a Retail Marijuana Cultivation Facility and Retail Marijuana Store located at 148 East Assembly Drive, Pueblo West, Colorado 81007 submitted by Nature's Gift Shop, LLC.

Mr. Aber requested to continue the item to the December 12, 2022, Liquor and Marijuana Licensing Board Meeting.

Mr. Adam Stapen, attorney registration 27506, 455 Sherman Street, Suite 300 Denver, Colorado 80203, appeared via Zoom and agreed to continue the item.

Discussion occurred.

Mr. Reyes motioned to Continue the Renewal Application for a Retail Marijuana Cultivation Facility and Retail Marijuana Store located at 148 East Assembly Drive, Pueblo West,

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Colorado 81007 submitted by Nature's Gift Shop, LLC to the next Liquor and Marijuana Board Meeting on December 12, 2022. Ms. Stein seconded the motion. The motion carried unanimously.

- Renewal Application for a Retail Marijuana Store located at 4305 Thatcher Avenue, Pueblo, Colorado 81005 submitted by SBUD, LLC dba Star Buds.

Mr. Aber explained, final approval of the Off-Street Parking Plan had been granted by the Planning and Development Department.

Mr. Dan Pabon, attorney registration 36646, appeared via Zoom and indicated the payment of the fine in the amount of \$45,000.00 had been cut and issued.

Mr. Reyes motioned to approve the Renewal Application for a Retail Marijuana Store located at 4305 Thatcher Avenue, Pueblo, Colorado 81005 submitted by SBUD, LLC dba Star Buds. Mr. Casaus seconded the motion. The motion carried unanimously.

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

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

VI. REGULAR HEARING AGENDA ITEMS

MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Products Manufacturer and Retail Marijuana Store located at 2285 North Interstate 25, Pueblo, Colorado 81008 submitted by Syl's, LLC dba Strawberry Fields.

Chairperson Archuletta opened the hearing.

Mr. Aber explained the Off-Street Parking Plan was not complete and the Board's Order to pay \$500 a day was still in place. Staff recommend capping the fine at 100,000.00 and if reached, a suspension would go into place on December 31, 2022, until completion of the Parking Plan.

Mr. Michael Kwesell, owner of Syl's, LLC dba Strawberry Fields, 202 Cheyenne Boulevard, Colorado Springs, Colorado 80905, gave an update concerning the Parking Plan.

Mr. Darren Masters, Contractor for Martin Marietta, 615 Santa Fe Drive, Pueblo, Colorado 81006 appeared via Zoom and stated the approximate completion date was 2-weeks out despite possible weather issues.

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Discussion occurred.

IN FAVOR

No one spoke in favor.

IN OPPOSITION

There was no opposition.

REBUTTAL

There was no rebuttal.

Chairperson Archuletta closed the hearing.

MOTION

Mr. Reyes motioned to approve the Renewal Application for a Retail Marijuana Products Manufacturer and Retail Marijuana Store located at 2285 North Interstate 25, Pueblo, Colorado 81008 submitted by Syl's, LLC dba Strawberry Fields with a Stipulation the \$500.00 per day fine continue until it has reached \$100,000.00 and at that point a suspension will take place until completion of the Off-Street Parking Plan. Ms. Robinson seconded the motion. The motion passed with a 5/1 vote.

The votes were as follows:

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

Mr. Casaus motioned to delegate authority to the Chair or Vice Chair to sign an additional Findings and Order continuing the fine, adding in the cap condition, and potential suspension for a Retail Marijuana Products Manufacturer 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 carried unanimously

VII. OTHER

DISCUSSION

- Discussion of 2023 LMLB calendar and potential dates.

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Ms. Long continued the discussion to the next Liquor and Marijuana Licensing Board Meeting on December 12, 2022, for approval.

ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 7:25 P.M. The next LMLB meeting is scheduled to be held on Monday, December 12, 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