

RECORD OF PRECEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY, MAY 9, 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, Gina Dutcher, Tom Emerson, Henry Reyes, Lucretia Robinson, Judith Stein

Staff Present: Carmen Howard, 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; AnaLinda Bermudez, Recording Secretary;

Ms. Long called the Pueblo County Liquor and Marijuana Licensing Board (LMLB) meeting to order at 6:03 P.M.

II. EXECUTIVE SESSION

Request for an Executive Session: For a conference with the Assistant County Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. § 24-6-402 (4) (b) concerning updates to enforcement and meeting procedures.

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

Executive Session began at 5:33 P.M.

Executive Session ended at 5:45 P.M.

The meeting was live on Facebook at 6:03 P.M. Ms. Long informed the audience of the Executive Session and summarized the meeting attendance.

III. APPROVE THE MEETING MINUTES OF APRIL 11, 2022 AND SPECIAL MEETING APRIL 18, 2022

Mr. Reyes motioned to approve the meeting minutes of April 11, 2022. Ms. Robinson seconded the motion. The motion carried unanimously.

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Mr. Reyes motioned to approve the meeting minutes of the Special Meeting April 18, 2022. Mr. Emerson seconded the motion. The motion passed with a 5/0 vote. Mr. Casaus and Ms. Robinson Abstained from the vote as they were absent for the Special Meeting.

IV. APPROVE AGENDA OF MAY 9, 2022

Ms. Dutcher motioned to approve the agenda of the May 9, 2022 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.

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

LIQUOR LICENSES

- Renewal Application for a Fermented Malt Beverage Liquor License located at 607 South McCulloch Boulevard, Pueblo West, Colorado 81007 submitted by Katmando's Inc. dba Katmando's General Store.
- Renewal Application for a Hotel and Restaurant Liquor License and Cabaret License located at 55 North Parkway, Colorado City, Colorado 81019 submitted by Round Table Sports Grill, LLC dba Round Table Sports Grill, LLC.
- Renewal Application for a Fermented Malt Beverage off Premises Liquor License located at 108 Baxter Road, Pueblo, Colorado 81006 submitted by G & R, LLC dba Sinclair Baxter Rd.
- Renewal Application for a Liquor Store License located at 609 South McCulloch Boulevard, Pueblo West, Colorado 81007 submitted by Katmando's Inc. dba Triple O's Liquor.

MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Cultivation Facility located 2205 Pope Valley Ranch Road, Pueblo, Colorado 81005 submitted by 2205 Pope Valley, LLC dba Canna Tek.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 60710 East Highway 96, Boone, Colorado 81025 submitted by Boone Farms, LLC.

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- Renewal Application for a Medical Marijuana Cultivation Facility and Retail Marijuana Cultivation Facility located at 63500 East Highway 96, Boone, Colorado 81025 submitted by Green Sativa, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 4245 West 13th Street, Pueblo, Colorado 81005 submitted by Grow, Inc.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 41751 Harbour Road, Avondale, Colorado 81022 submitted by Happy Tree & Company, LLC dba Happy Tree Farms.
- Renewal Application for a Medical Marijuana Store located at 609 East Enterprise Drive, Suite 140, Pueblo West, Colorado 81007 submitted by Pueblo West Organics, LLC dba Pueblo West Organics.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 56 North Precision Drive, Pueblo West, Colorado 81007 submitted by Pueblo West Organics, LLC dba Pueblo West Organics.
- Renewal Application for a Medical Marijuana Cultivation Facility, Medical Marijuana Products Manufacturer, Retail Marijuana Cultivation Facility, 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.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 39 North Mission Drive, Pueblo West, Colorado 81007 submitted by SMJT, LLC.
- Renewal Application for a Retail Marijuana Store located at 3321 South Interstate 25, Pueblo, Colorado 81004 submitted by Stem Beach Dispensary, LLC dba Doctor's Orders.
- Renewal Application for a Retail Marijuana Store located at 83 North Magneto Drive, Pueblo West, Colorado 81007 submitted by Three Rivers Development, LLC dba Three Rivers Dispensary.
- Exempt Change of Ownership Application for a Retail Marijuana Cultivation Facility located at 7064 West Highway 96, Pueblo, Colorado 81005 submitted by Voodoo Stylee Natural Farm, LLC dba Voodoo Stylee Natural Farm. The ownership structure is removing an owner and reallocating ownership percentages.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 31 North Silicon Drive, Pueblo West, Colorado 81007 submitted by High Demand, LLC dba High Demand.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 6966 Prairie Hill Road, Boone, Colorado 81025 submitted by MBR Ventures, LLC.

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- Stipulation Agreement for a Retail Store and Retail Marijuana Cultivation Facility located at 609 East Enterprise Drive, Pueblo West, Colorado 81007 submitted by Pueblo West Organics, LLC dba Pueblo West Organics.
- Stipulation Agreement for a Medical Marijuana Cultivation Facility, Medical Marijuana Products Manufacturer, Retail Marijuana Cultivation Facility, 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.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 56 North Precision Drive, Pueblo West, Colorado 81007 submitted by Pueblo West Organics, LLC dba Pueblo West Organics.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 2105 Pope Valley Ranch Road, Pueblo, Colorado 81005 submitted by White Pistil Farms, LLC dba White Pistil Farms.

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. Robinson 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 at 61 East Civic Center Place, Pueblo West, Colorado 81007 submitted by Pueblo West Chamber of Commerce for the date of June 4, 2022.
- Application for a Special Events Permit for a Malt, Vinous, and Spiritous Liquor License located at 1132 West Oro Grande Drive, Pueblo West, Colorado 81007 submitted by St. Paul the Apostle Catholic Church for the date(s) of June 10, 11, and 12, 2022.

MARIJUANA ESTABLISHMENT LICENSES – None.

VII. REGULAR MEETING AGENDA ITEMS

LIQUOR LICENSES – None.

MARIJUANA ESTABLISHMENT LICENSES

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- Change of Ownership Application for a Retail Marijuana Cultivation Facility located at 7064 West Highway 96, Pueblo, Colorado 81005 submitted by Voodoo Stylee Natural Farm, LLC dba Voodoo Stylee Natural Farm. The ownership structure is removing all owners and adding one new owner.

Ms. Stringer reminded the Board they had previously ordered a Change of Ownership application be completed within 90 days of the license renewal and in order for the Board to address the application properly, it had been placed on the regular meeting portion of the agenda.

Mr. Stuart Knight, attorney registration number 50076, 555 17th Street, Suite 3200, Denver Colorado 80202, appeared via Zoom and indicated he had been present for the company, SPO CO, LLC.

Discussion occurred.

Mr. Casaus motioned to approve the Change of Ownership Application for a Retail Marijuana Cultivation Facility located at 7064 West Highway 96, Pueblo, Colorado 81005 submitted by Voodoo Stylee Natural Farm, LLC dba Voodoo Stylee Natural Farm. Ms. Robinson seconded the motion. The motion carried unanimously.

VIII. REGULAR HEARING AGENDA ITEMS

LIQUOR LICENSES

- New Application for a Lodging & Entertainment Liquor License and Cabaret License located at 68775 East State Highway 96, Fowler, Colorado 81039 submitted by Arise Music Festival, LLC dba Arise Music Festival.

Chairperson Archuletta opened the hearing.

Mr. Trent Cromartie, attorney registration number 52917, 1430 Wynkoop Street, Suite 300 Denver, Colorado 80202, entered his appearance on the record.

Ms. Eva Garretson with LiquorPros, 5515 Saddle Rock Place, Colorado 80918, appeared via Zoom and stated a survey had been completed per the requirements of the new liquor license application. She explained to the Board there had been a survey completed for both Crowley County and Pueblo County.

Discussion occurred.

Ms. Stringer entered the second survey packet into the record as Petitioner's Exhibit 1.

Ms. Kori Stanton, food and beverage manager, 68775 East State Highway 96, Fowler, Colorado 81039, had been sworn in and discussion occurred between the Board and Ms. Stanton.

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Mr. Cromartie indicated there had been revisions made to the site plan previously submitted.

Mr. Aber entered the revised site plan into the record as Petitioner's Exhibit 2.

IN FAVOR

Mr. Luke Comer, landowner and producer of Arise Music Festival, LLC dba Arise Music Festival, 3965 Wonderland Hill Avenue, Boulder, Colorado 80304, spoke in favor of the new application for a Lodging and Entertainment Liquor License and Cabaret License application.

IN OPPOSITION

Ms. Julie Justman, 3850 68th Lane, Fowler, Colorado 81039, spoke in opposition of the new application for a Lodging and Entertainment Liquor License and Cabaret License application and stated she had not received the mail-in survey sent to her home address and had not previously been notified of the occurrence of this event or application.

Ms. Long indicated an email had been submitted in opposition to the application.

Mr. Aber presented the email in opposition for the record.

Ms. Cindy Fedde, 30306 Colorado Road 4, Fowler, Colorado 81039, submitted a statement via email in opposition to the application and stated she had not previously been notified of the event or application.

Ms. Virginia Powers, 4001 68th Lane, Fowler, Colorado 81039, spoke in opposition to the new application and expressed her concern for risk of fire and the community's safety.

Mr. William Kreider, 3990 68th Lane, Fowler, Colorado 81039, spoke in opposition to the new application and expressed he received the mail-in survey late. He expressed his concern for high wind levels and risk of fire.

Mr. Don Justman, 3850 68th Lane, Fowler, Colorado 81039, spoke in opposition to the new application and indicated he felt he had not been given proper notice. He expressed his concern for the high wind levels and risk of fire.

Discussion occurred between the Board and Mr. Cromartie.

REBUTTAL

Mr. Comer stated for the record, there would be a command center on site manned by a safety director and roaming security. He explained there would also be a medical tent set up for emergency services.

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He indicated the Pueblo County Sheriff's Office would be on site during the festival and stated the roads would be covered with recycled concrete to mitigate dust and prevent issues with weather.

Discussion occurred between the Board and Mr. Comer.

Chairperson Archuletta closed the hearing.

Ms. Long reminded the Board of their options for voting on the agenda item.

Mr. Aber stated there were other permitting processes occurring to be considered and a signed routing sheet would be required from the health department, building department, and fire department as well as a final inspection for the license to be issued.

MOTION

Ms. Dutcher motioned to approve the New Application for a Lodging & Entertainment Liquor License and Cabaret License located at 68775 East State Highway 96, Fowler, Colorado 81039 submitted by Arise Music Festival, LLC dba Arise Music Festival. Mr. Casaus seconded the motion. The motion passed with a 5/2 vote. The votes were as follows:

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

MARIJUANA ESTABLISHMENT LICENSES

- Renewal Approval of Hearing Officer Findings and Order for a Renewal Application for a Retail Marijuana Cultivation Facility located at 29050 Resolana Road, Pueblo, Colorado 81006 submitted by Maggie's Farm, LLC dba Maggie's Farm.

Chairperson Archuletta opened the hearing.

Ms. Long recited a brief history of the case and reminded the Board members they had previously voted to reopen the hearing to reconsider the Hearing Officer's Findings and Order decision and accepted the Hearing Officer factual findings.

Mr. Reyes stated for the record Maggie's farm, LLC dba Maggie's Farm had been cited for multiple code violations and had been inactive since 2020.

IN FAVOR

No one spoke in favor.

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IN OPPOSITION

There was no opposition.

REBUTTAL

There was no rebuttal.

Chairperson Archuletta closed the hearing.

MOTION

Mr. Reyes motioned to deny the Renewal Approval of Hearing Officer Findings and Order for a Renewal Application for a Retail Marijuana Cultivation Facility located at 29050 Resolana Road, Pueblo, Colorado 81006 submitted by Maggie's Farm, LLC dba Maggie's Farm. Ms. Robinson seconded the motion. The motion carried unanimously.

ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 8:00 P.M. The next LMLB meeting is scheduled to be held on Monday, June 13, 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