

RECORD OF PRECEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY, JUNE 13, 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; 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; Jason Chambers, Marijuana Code Compliance Inspector; Jessica Lopez, Marijuana Code Compliance Inspector; 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 6:00 P.M.

II. APPROVE THE MEETING MINUTES OF MAY 9, 2022

Mr. Reyes motioned to approve the meeting minutes of May 9, 2022. Ms. Stein seconded the motion. The motion carried unanimously.

III. APPROVE AGENDA OF JUNE 13, 2022

Ms. Robinson motioned to approve the agenda of the June 13, 2022 meeting. Mr. Reyes 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. Reyes requested to move item IV.C.1.a and IV.C.1.c to the Regular Meeting portion of the agenda as items VI.A.3.A and VI.A.3.B.

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

LIQUOR LICENSES

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- Renewal Application for a Retail Liquor Store License located at 940 East Hailey Lane, Pueblo West, Colorado 81007 submitted by Big Bear Wine & Liquor, Inc. dba Big Bear Wine & Liquor #2.
- Renewal Application for a Retail Liquor Store License located at 271 South Joe Martinez Boulevard, Pueblo West, Colorado 81007 submitted by Fortuna Inc. dba Drive Up Liquor.
- Renewal Application for a Hotel and Restaurant Liquor License located at 53 East Palmer Lake Drive, Pueblo West, Colorado 81007 submitted by Hen House, LLC dba Hen House Café.
- Renewal Application for a Hotel and Restaurant Liquor License located at 8900 South Interstate 25, Colorado City, Colorado 81019 submitted by Quila, LLC dba High Octane Bar & Grill.
- Renewal Application for a Hotel and Restaurant Liquor License located at 1021 North Market Plaza, #109, Pueblo West, Colorado 81007 submitted by Puukoaw Thai Restaurant, LLC dba Puukoaw Thai Restaurant.
- Renewal Application for a Fermented Malt Beverage Liquor License located at 101 South McCulloch Boulevard, Pueblo West, Colorado 81007 submitted by Pueblo West Kwik Stop, Inc. dba Pueblo West Kwik Stop.
- Renewal Application for a Hotel and Restaurant Liquor License and Cabaret License located at 6695 West Highway 165, Colorado City, Colorado 81019 submitted by Summer Wind Enterprises, LLC dba Three Sisters Lucky Penny Bar.
- Application for a New Tastings Permit for a Retail Liquor Store located at 940 East Hailey Lane, Pueblo West, Colorado 81007 submitted by Big Bear Wine & Liquor, Inc. dba Big Bear Wine & Liquor Store #2 for the dates of June 18, 2022 to June 17, 2023.

MARIJUANA ESTABLISHMENT LICENSES

- Renewal Application for a Retail Marijuana Cultivation Facility located at 1790 Pope Valley Ranch Road, Pueblo, Colorado 81005 submitted by 1790 Pope Valley, LLC dba Canna Tek.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 60810 East Highway 96, Boone, Colorado 81025 submitted by Cold Baked, LLC dba Concentrate Distribution Center for 2021 renewal year.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 60810 East Highway 96, Boone, Colorado 81025 submitted by Cold Baked, LLC dba Concentrate Distribution Center for 2022 renewal year.

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- Renewal Application for a Medical Marijuana Cultivation Facility and Retail Marijuana Cultivation Facility located at 893 East Enterprise Drive, Pueblo West, Colorado 81007 submitted by Colorado Distributing, LLC.
- Renewal Application for a Medical Marijuana Products Manufacturer and Retail Marijuana Products Manufacturer located at 893 East Enterprise Drive, Pueblo West, Colorado 81007 submitted by Colorado Distributing, LLC dba Apex.
- Renewal Application for a Medical Marijuana Store and Retail Marijuana Store located at 893 East Enterprise Drive, Pueblo West, Colorado 81007 submitted by Colorado Distributing, LLC dba The Dispo.
- Renewal Application for a Retail Marijuana Store located at 5341 West State Highway 96, Pueblo, Colorado 81005 submitted by Colorado Gold, LLP dba Sticky Icky's.
- Renewal Application for a Medical Marijuana Cultivation Facility located at 61100 Highway 96 East, Boone, Colorado 81025 submitted by Dr. Releaf, Inc.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 43801 East State Highway 96, Pueblo, Colorado 81006 submitted by Family Farm Growers, LLC.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 65 North Laser Drive, Pueblo West, Colorado 81007 submitted by Greenhouse Workz, Inc.
- Renewal Application for a Medical Marijuana Store and Retail Marijuana Store located at 74 North Component Drive, Unit 160, Pueblo West, Colorado 81007 submitted by Maggie's Farm, LLC dba Maggie's Farm.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 1201 Siloam Road, Pueblo, Colorado 81005 submitted by Master's Farm, LLC dba Lady Jane.
- Renewal Application for a Medical 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 Products Manufacturer located at 30899 Highway 50 East, Pueblo, Colorado 81005 submitted by PBS Holdco, LLC dba Purplebee's.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 1328 La Crosse Avenue, Pueblo, Colorado 81001 submitted by Statewide Supply, LLC dba Statewide Supply.

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- Renewal Application for a Retail Marijuana Cultivation Facility located at 7070 West State Highway 96, Pueblo, Colorado 81005 submitted by Sunny Acres, LLC dba Sunny Acres.
- Renewal Application 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.
- Renewal Application for a Retail Marijuana Cultivation Facility located at 1650 Siloam Road, Pueblo, Colorado 81005 submitted by Yeti Farms, LLC.
- Approval of Hearing Officer Findings and Order for a Retail Marijuana Store located at 8910 South Interstate 25, Pueblo, Colorado 81004 submitted by High Octane, LLC.
- Stipulation Agreement 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 Medical Marijuana Store and Retail Marijuana Store located at 4490 Bent Brothers Boulevard, Colorado City, Colorado 81019 submitted by Plain Jane Organics, LLC.
- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 7013 Burnt Mill Road, Beulah, Colorado 81023 submitted by White Meadows Cultivation, LLC.

V. 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. Reyes 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 Spiritous Liquor License located at 240 Highway 50 East, Avondale, Colorado 81022 submitted by Avondale Sacred Heart for the date(s) of June 24, 25, and 26, 2022.
- Application for a Special Events Permit for a Malt, Vinous, and Spiritous Liquor License located at 10125 Preseren Road, Rye, Colorado 81069 submitted by Preseren Glee Club for the date of June 26, 2022.

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- Transfer of Ownership Application for a Hotel and Restaurant Liquor License with Optional Premises and Cabaret License located at 395 South Angus Avenue, Pueblo West, Colorado 81007 submitted by Copper River, LLC dba Copper River transferring from The Gutterhouse, LLC dba The Gutterhouse.

VI. REGULAR MEETING AGENDA ITEMS

MARIJUANA ESTABLISHMENT LICENSES

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

Ms. Stringer explained to the Board there had been a previous tax violation and taxes had now been paid up to date. As of March 2022, the owner Thomas Giodone fka Thomas Giadone had passed away. There is currently a personal representative approved by the state to manage the facility.

Ms. Jean Gonnell, attorney registration number 44623, 730 17th Street, Unit 838, Denver, Colorado 80202, appeared via Zoom on behalf of Colorado Best Budz, LLC.

Discussion occurred between the Board and Ms. Long.

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

- Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 1115 Siloam Road, Pueblo, Colorado 81005 submitted by PRN Holdings, LLC dba Ghost Gardens.

Mr. Blood explained to the Board there had been confusion within the application process between local and state authority pertaining to the facility's approval for growing outdoors.

Mr. Nadav Aschner, attorney registration number 46297, 600 S. Cherry Street, Suite. 835, Denver, Colorado 80246, appeared via Zoom.

Ms. Robinson motioned to approve the Stipulation Agreement for a Retail Marijuana Cultivation Facility located at 1115 Siloam Road, Pueblo, Colorado 81005 submitted by PRN Holdings, LLC dba Ghost Gardens. Mr. Casaus seconded the motion. The motion carried unanimously.

- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 31 North Silicon Drive, Pueblo West, Colorado 81007 submitted by High Demand, LLC dba High Demand.

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Mr. Reyes asked that all the Findings made by the Hearing Officer be accepted as facts and only the penalty to be opened for discussion.

Discussion occurred between the Board regarding the non-compliance within the requirement of an Off-Street Parking Plan since 2018.

Ms. Wallingford-Ingo indicated the Off-Street Parking Plan had been approved on June 7, 2022 and had been provided notice by email outlining the requirements for the Zoning Department of Planning and Development to issue final approval.

Discussion occurred between the Board and Ms. Long regarding their options going forward.

Mr. Reyes motioned to reopen penalty phase of the hearing to determine a different course of action of the Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 31 North Silicon Drive, Pueblo West, Colorado 81007 submitted by High Demand, LLC dba High Demand.

Mr. Reyes rescinded his motion.

Mr. Reyes motioned to approve the ~~Approval~~ of Hearing Officer Findings and Order with a condition if they do not comply within the 6 month period of time ordered by the Hearing Officer, the penalty phase be reopened and rescheduled for a hearing before the Liquor and Marijuana Licensing Board for a Retail Marijuana Cultivation Facility located at 31 North Silicon Drive, Pueblo West, Colorado 81007 submitted by High Demand, LLC dba High Demand. Ms. Robinson seconded the motion. The motion failed with a 4/3 vote.

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

Ms. Dutcher motioned to approve the Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 31 North Silicon Drive, Pueblo West, Colorado 81007 submitted by High Demand, LLC dba High Demand. Ms. Stein seconded the motion. The motion passed with a 6/1 vote.

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

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- Approval of Hearing Officer Findings and Order for a Retail Marijuana Cultivation Facility located at 2656 McCormick Avenue, Pueblo, Colorado 81001 submitted by RSCT Services, LLC.

Mr. Reyes indicated this establishment had not met the requirements of the Off-Street Parking Plan since 2017.

Mr. Reyes motioned to approve the Hearing Officer Findings and Order with the exception of the penalty and if the penalty is violated it shall come back for a hearing before the Liquor and Marijuana Licensing Board for a Retail Marijuana Cultivation Facility located at 2656 McCormick Avenue, Pueblo, Colorado 81001 submitted by RSCT Services, LLC.

Mr. Reyes rescinded his motion.

Ms. Wallingford-Ingo indicated the application for an Off-Street Parking Plan had been received on May 25, 2022 and after staff had reviewed it for completeness, it had been rejected as of June 2, 2022. Planning and Development is currently waiting on submittal of a complete application in response to the comments made on the incomplete application.

Mr. Aber stated RSCT Services, LLC had not received the notice staff sends out customarily when facilities are in compliance with the Off-Street Parking Plan for the renewal of the license.

Discussion occurred between the Board and Ms. Wallingford-Ingo.

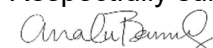
Ms. Stringer explained to the Board, the 60 days and 6 months given would not go into effect until the Board approved the Findings and Order from the Hearing Officer. If the applicant asked for an extension, it would only be for the 60 days and not the 6 months as they would be running concurrently.

Mr. Reyes motioned to approve the Approval of Hearing Officer Findings and Order with a condition if the Hearing Officers Order for 6 months are not met, the penalty phase will be reopened for a hearing for a Retail Marijuana Cultivation Facility located at 2656 McCormick Avenue, Pueblo, Colorado 81001 submitted by RSCT Services, LLC. Ms. Stein seconded the motion. The motion carried unanimously.

ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 6:57 P.M. The next LMLB meeting is scheduled to be held on Monday, July 11, 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