

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
MONDAY NOVEMBER 28, 2016
6:00 P.M.
COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURTHOUSE
215 WEST 10TH STREET**

I. ATTENDANCE/EXCUSED

Members Present: Severo DeLeon IV; Roger Lowe; Tisha Mauro; Carole Partin; and Joseph Treanor.

Members Absent: Barbara Clementi and Don DiFatta.

Staff Present: Joan Armstrong, Director, Pueblo County Department of Planning and Development; Kelli Sindeband, Licensing Coordinator; Tawnya Stringer, Recording Secretary; and Gavin Wolny, Assistant County Attorney.

Acting Chairman Severo DeLeon called the Pueblo County Liquor and Marijuana Licensing Board (LMLB) meeting to order at 6:00 p.m.

II. APPROVE THE MEETING MINUTES OF NOVEMBER 14, 2016

Acting Chairman Severo DeLeon asked if there were any additions or corrections to the minutes.

Mr. Lowe motioned to approve the minutes of the November 14, 2016 meeting as presented. Ms. Mauro seconded the motion. Motion carried unanimously.

III. APPROVE AGENDA OF NOVEMBER 28, 2016

Acting Chairman DeLeon asked if there were any additions or corrections to the agenda.

Mr. Wolny asked the Board to add for discussion the proposed Code amendment to the agenda under VI. Other.

Ms. Mauro motioned to approve the agenda with the addition to the November 28, 2016 meeting as presented by legal counsel. Mr. Lowe seconded the motion. Motion carried unanimously.

IV. CONSENT AGENDA ITEMS

Acting Chairman DeLeon asked if anyone would like to remove or amend the consent agenda.

Mr. Wolny asked that item IV.B.1.c be moved for discussion to the end of the agenda under VI. Other.

Ms. Mauro motioned to approve the amended consent agenda. Mr. Treanor seconded the motion. Motion carried unanimously.

A. LIQUOR LICENSES

1. Renewals:

a) Renewal Application for a Hotel and Restaurant Liquor License and Cabaret License

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

located at 877 East Enterprise Drive, Pueblo West, Colorado 81007 submitted by Rojas Inc. dba Rojas Restaurante Mexicano.

2. Orders for approval--None.
3. Miscellaneous--None.

B. MARIJUANA ESTABLISHMENT LICENSES

1. Renewals:

- a) Renewal Application for a Retail Marijuana Store located at 78 North Precision Drive, Pueblo, Colorado 81007 submitted by Heritage Organics, LLC dba Heritage Organics.
- b) Renewal Application for a Retail Marijuana Store, a Retail Marijuana Cultivation Facility, and a Retail Marijuana-Infused Products Manufacturing Facility located at 30899 Highway 50 East, Pueblo, Colorado 81006 submitted by Mesa Organics Ltd. dba Mesa Organics/Purplebee's.
- c) Renewal Application for a Medical Marijuana Optional Premises Cultivation located at 41 North Precision Drive, Pueblo, Colorado 81007 submitted by The Organic Seed, LLC dba Cannasseur.

2. Changes of Ownership:

- a) Change of Ownership for a Retail Marijuana Cultivation Facility located at 5018 West Graneros Road, Colorado City, Colorado 81019 submitted by RainDrop, LLC.

3. Orders for Approval--None.
4. Miscellaneous--None.

V. REGULAR AGENDA ITEMS

Acting Chairman DeLeon stated any person who wished to speak should place their written name and address on the sign in sheet and be sworn in. He stated a simplified oath would be administered by the Chair before each person started speaking. He stated each speaker will be asked "Do you affirm under penalty of perjury that you are "your name" and that what you are about to say is true"? The speaker should then respond with "I am and I do".

A. LIQUOR LICENSES

1. New License Hearings--None.
2. Miscellaneous--None.

B. MARIJUANA ESTABLISHMENT LICENSES

1. Continued New License Hearings:

- a) New Application for a Retail Marijuana Cultivation Facility located at 1035 Newton Road, Pueblo, Colorado 81005 submitted by Here We Go, Inc.

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

Acting Chairman DeLeon opened the hearing.

Mr. Wolny stated staff would like to request that the complete application and accompanying documents be entered into the record. Acting Chairman DeLeon replied "so ordered".

Mr. Tracy Hokett stated the property owner for Here We Go, Inc. is Four Thumbs Up which is a real estate investment company based out of Florida. The business owners are Karen Goodell and himself. He stated he worked on the shuttle program for 20 years then transferred to Seaman to work as the director of quality. He stated he will have 2 employees operating the business from 9:00 a.m. to 5:00 p.m. He requested the approval of a Tier 1 retail cultivation for 1,800 plants. He stated the property is located on a 45-acre lot with an adjoining 96 acres making it 141 acres. He stated a 20,000 square foot equestrian building located on the property will be used to grow the marijuana indoors but they only plan to use 4,200 square feet of the building. The grow will be done with smart pots and soil. To help with the environment, they will use LED lights. He contacted the Pueblo Board of Water Works which agreed to supply the water to meet their plant requirements. The water storage will be done using cisterns located inside the building. The water will be pumped into mixing barrels, mixed with nutrients, and fed to the plants. He stated all water will be used by the plant or will evaporate; no water will go into a septic system or onto the ground. He stated the largest supply of water he could get would be 6,000 gallons which would last 1 month. The water truck traffic would be minimal at 12 trucks a year. They plan to install 55 surveillance cameras with motion sensors inside and outside of the facility. They have shatter sensors for the windows and security lighting around the building to prevent a break-in. They plan to use 25 organic sprays for the pesticides, nutrients and soils. He has (1) employee that will be certified for spray application of pesticides. They will be using organic synthetics for the plant nutrients not hydroponics. He stated they have had feedback from the Home Owners Association (HOA), some positive but most have been negative. He sent out flyers to all the neighbors and posted flyers at every entrance to the neighborhood. He met with the HOA president and 1 other member to explain what they were wanting to do with the business. The main concerns of the neighbors were the water usage, the instillation of greenhouses, security, rezoning, and road maintenance. He stated there are 17 other marijuana grows located within a 5-mile radius of their location. He stated there will be no greenhouses, the water will be trucked in once a month, and he will help pay for road maintenance and sign a contract if need be. He stated one of their goals is to sustain the current appearance of the building and property not change it. To his understanding marijuana cultivation is a use by right on agriculture property.

Mr. Treanor asked what will happen with the runoff water from the plants. Mr. Hokett stated there will be no runoff; the plants will use the water or it will evaporate. Mr. Lowe asked if the entire operation will be inside the building. Mr. Hokett replied yes. Mr. Lowe asked if there would be any fencing. Mr. Hokett stated the property is fenced but only the building needs to be secure. Acting Chairman DeLeon asked if he had received any letter or correspondence from the HOA members. Mr. Hokett replied they had and 2 were positive but most were negative. Acting Chairman DeLeon asked what do the bylaws of Red Creek Ranch at Newton state about marijuana grows. Mr. Hokett did not know of any bylaw that says they can't grow marijuana.

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

Mr. Clifton Black stated he is an attorney from Colorado Springs and he represents the marijuana industry there and has clients in Pueblo. He stated there was a posting that claimed the facility he is representing was going to have 20 acres of greenhouses and it alarmed the people. He wanted to reassure the Board as well as the people this was not the intent. He stated the grow is going to be a Tier 1 which is the smallest grow one can have and it will be inside the building. He stated there is no mention of marijuana businesses within the bylaws of the Newton HOA. He stated there is a language that stated you are not allowed to use the property for commercial use; however, there are already properties within the HOA being used commercially. He stated there was concern about a mobile home being placed on the premises but there was no intent for a mobile home. There was concern about lighted signage. He stated growing locations do not have signage because they do not want people knowing where the marijuana was being produced. He stated there will be no signage on the property. He stated neighbors are concerned about chemical storage, toxic fumes, and fire danger. He stated no hazardous material will be on site but there will be pesticides and insecticides. The Colorado Department of Agriculture does an inspection and informs the business owner how to properly store chemicals. There will be no toxic fumes or fire danger because of this. The traffic from water trucks is another concern for the HOA members, Here We Go is just inside the HOA about 1/3 of a mile in. There are already water trucks that go into the HOA because of the other businesses and residents that use them, to his knowledge the water in the area is not safe. The water they will use will come from a water truck that is already scheduled to deliver to the area. This will not create more water truck traffic. He stated construction and construction workers are a concern as well. The only construction on the property will be inside the building that is already there. The traffic and construction will be limited to regular pickup trucks and construction workers, not large semi-trucks and 2½ ton vehicles. The traffic would be less than if it were a new building or similar if a homeowner was doing a remodel. The traffic from employees was a concern as well. There will only be 2 employees during the hours of operation which are 9:00 a.m.- 5:00 p.m. He stated during harvest time there might be around 10 employees but only for a couple days. He stated the concern of buyers is nonexistent because this would not be a retail outlet. There will be no sales made at the location. Here We Go will deliver their product to the stores around the State not even the buyers of the product will be coming to the premises. He stated property values in his experience have increased due to the industry and he has been representing the industry since 2009. He stated it is supply and demand; the industry has caused people to buy up properties that are available for grows and that pushes everyone's value up.

Ms. Mauro asked if there were other marijuana businesses that exist within the HOA. Mr. Black replied there are 2 other marijuana grows that he is aware of.

Mr. Wolny suggested to the Board members, anyone who wishes to speak either for or against the proposed license application needs to give their address and affirm if they live in the HOA or own property within the HOA. He stated this hearing is subject to the new standard for applications within HOAs.

IN FAVOR

Mr. Gary Goodell stated he is proud of Pueblo for taking the steps it has with the industry. He stated his wife is on the license with Tracy Hokett and they are bright people who see

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

the future. Pueblo gave him his start in life and he is proud of the partners and people involved with the company. He stated he is an investment partner with Four Thumbs Up.

IN OPPOSITION

Mr. Mike McHenry clarified the other existing grows in Newton are all pre-August 15, 2016 so the current law does not apply to them. He stated the 20 acres of greenhouses were, up until a week ago, part of the application that was submitted, and it was the application that was shared with the HOA. He stated he had a petition with 48 owner signatures to present to the Board. It was conclusive there was no support for this in the HOA. He stated there has been a lot of misinformation given out. The zoning compliance stated this was for a retail and medical facility but the letters some of the residents received stated it was only medical. It said nothing about the manufacturing that is also being planned, which there is a Planned Unit Development (PUD) hearing in December. He stated the application that was submitted was only for a retail grow and they are now attempting to rezone the property for manufacturing. He stated the meeting notification signs are being torn down. He is located adjacent to the property and has not met Mr. Hokett. He has seen him drive by several times but he has never stopped by. He stated this is not a pro or anti marijuana issue; if this was a distillery, or a brewery, or they were growing petunias, the Ranch would still be opposed. Mr. McHenry asked if the petition could be submitted to the Board. Mr. Wolny stated the petition will be admitted as Opposer's Exhibit #1.

Ms. Alice Bryan stated she is the president of Red Creek Ranch at Newton (RCR Newton) Property Owner Association (POA) and is strongly opposed to the application. She submitted a letter to the Board on October 8, 2016 stating the concerns of the members in regards to the application. Mr. Wolny stated he has a copy of the letter and would like to admit it as Opposer's Exhibit #2. She stated on behalf of the majority of the property owners, the RCR Newton Board strongly opposed the application then and still does. She stated that RCR Newton has historically opposed all marijuana grow applications that have been filed for the ranch. Some of the opposition was prior to the new HOA and POA laws. She met with Mr. Hokett, and this has nothing to do with personalities or people being good, it just has to do with their way of life and the intention of the subdivision for Red Creek Ranch. She stated the applicant keeps stating there will be no greenhouses at this time. She is concerned with the greenhouses being built years from now. The residents bought their property to live in peace and quiet, and be able to ride their horses, not to have something like marijuana growing on the ranch. She heard other applicants who said they will help with the roads and pay money for the road maintenance but when it came down to it, and they had their license, they refused to stand by their word. Acting Chairman DeLeon asked how many members are in the POA. She replied there are 99 lots with the smallest lot being 40 acres and there are 84 owners; some own more than one lot.

Ms. Rose Manguso stated she has lived in her home for 16 years and it is located 1 lot over from the proposed grow location. She is concerned with all the issues that Alice Bryan raised. She stated 1 of her main concerns is for the future. She stated the applicant said they are not doing greenhouses or certain things now but what is stopping him from doing them in the future. She and her husband are opposed to what the applicant is proposing. She moved onto the property for the peace and tranquility and bought into the POA that protects their way of life. She stated this has nothing to do with marijuana; there are thousands of acres of land in Pueblo that are open for this industry and are not part of a

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

residential community. That is the kind of property they need to be directed to not in the middle of a residential neighborhood. She stated she doesn't care if they are going to keep it all confined in a building at this time. She is still concerned about the fire risks. She stated nothing the applicant can say tonight or at any other time will change her mind because her position is rock solid. She doesn't want it. She stated she would like to assert her rights under County Code 5.12.070.C5 that the applicant needs to demonstrate the inhabitants of the community want this. She stated they are the inhabitants of the community and they don't want the grow in their community.

Ms. Kathy Primer stated she and her husband have lived in their home for 12 years. She stated the applicant said he sent out flyers but she never received any flyer. The water trucks delivering water once a month, with a water weight alone of 48,000 pounds, not including the truck weight, will damage the roads. She stated the other marijuana grows in the neighborhood promised to help with the roads and have done nothing yet because the covenant states they cannot be charged more than \$300. She stated the applicant said the property is located 1/3 of a mile from the entrance when it is located $\frac{3}{4}$ -1 mile from the entrance. She stated the applicant knew it was a covenant protected area. She asked why did they buy the property knowing this and then ask for a variance on the zoning. She was opposed to the licensing.

Mr. Scott Hill stated he has been a resident for 17 years and bought his home with the understanding of the covenants and he finds it deplorable the applicant would ask the residents to change the covenants for them. He would not expect changes to be made in the covenant for him nor would any of the other residents. He stated it is rude of the applicant to ask the residents to change the covenant for them.

Ms. Darlene Colt stated she and her husband live in Red Creek Ranch at Newton. She said it is very easy to find the road to her house at night because of the unnatural orange glow of lights on the right and left of Highway 96. She attended the meeting earlier this year for another marijuana applicant who stated in the meeting he would help maintain the road from the highway to the mailboxes. They are still waiting for that to happen. She was concerned to learn the County has no way to enforce and secure that the businesses are using the water sources properly. She stated the Dakota Aquifer goes through the Ranch and the residents are on good wells. She was confused with the new proposal from the applicant because the original proposal maps showed an outdoor grow and an indoor grow. She stated, "perhaps it is misrepresentation". She stated she is a nurse and she is concerned with the odor not just from the enclosed building but what will happen in the future.

Ms. Irene Drownicky stated she is not in the RCR at Newton POA but she is a neighbor. She stated there are 33 cannabis grow farms in the 81005 zip code area. She stated in the Red Creek volunteer fire and rescue district, which serves the Newton area along with all the other HOAs and POAs in the Red Creek district, there are 23 cannabis grow farms. She believes there is an over saturation of grow farms in this area whether it is hemp, medical, or retail marijuana. She stated there should not be additional approvals for marijuana grow permits, licenses for marijuana farms, or the approval of commercial and domestic wells for the grows. She stated the largest concern is the water. Hauling water was the way residents irrigated but now there is an increase in granted water permits. She stated there have been commercial water permits granted with an adjudication which allows the owner

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

to sell the water to other farms. This type of well permit becomes a threat to the residents living in the area whose wells have gone dry or have become contaminated. She stated a single marijuana plant can use 5 to 10 gallons of water a day depending on the variety, cultivation, irrigation method, and maturity. SanSal, who has a light to identify them has a license for 100,000 plants. The cannabis grow farms are taxed and Pueblo is to benefit from this but she has not seen any benefits. She stated the residents near these grows have to tolerate the consequences of the grows like: traffic, road erosion, trash, and a historical marker that was smashed by a high driver. The industry owners and workers do not represent or share the long-term commitment, common interests, or motivation of the residents who live in the foothills of the San Isabel Forest of Pueblo County. She stated their interests are counter to theirs by making money fast, rapping the land, using the water and leaving a mess for the residents to clean up.

Ms. Elizabeth Samaras stated she does not live in the RCR Newton POA but she does live in the Red Creek Ranch Roper area which is a HOA of the community. She has 2 grows right next to her home and she shares the same burdens as the other residents. She stated her son who is 20 years old was threatened, she believed with firearms by one of the grows next to her when he had gone for a walk. She stated the grow has gone belly up and is now for sale. She stated the place is trashed and there is still marijuana on the premises and it has been on the market for a couple years. She stated the increase in value may exist for a short time because it is a boom and bust cycle like shale, oil fracking, and others. They do not sustain. She is concerned as other states have more lenient laws the companies will go bust and we will experience the same thing she experienced with her neighbor. She stated it is important to understand the roads are 1½ lanes not 2 lane roads. When she was driving around a corner she had to go into the ditch to avoid being ran over by a huge truck with a multi thousand-gallon cistern in the back and no one made any effort to see if she was ok. She stated per Ms. Drewnicky's comments they have a volunteer fire service and they don't have an ambulance. With the escalating hazards of the traffic posing a risk, a collision will result in a fatality because they don't have the resources or the means. As far as she knows, only one of the grows has contributed to the volunteer fire department.

Ms. Lisa Wachtel stated she and her family moved into their home recently. They looked long and hard in Colorado for a place that offered the beauty, natural views, privacy, quiet, and covenants of their HOA. They moved into their home in June and intend to retire there and eventually pass it onto their son. She stated they are here long term and continue to exist with the scenery, privacy, and dark night sky which are rare in the United States. They came from Wisconsin where they lived next to a nice family farm with good people. Over the years it turned into a factory farm that was so deplorable they had to stuff towels into the windows to keep the ammonia smell out. She stated they continued to expand with a right to farm whether they had a permit or not. She stated they are jaded when it comes to how permit processes begin and how they evolve. She stated on behalf of her husband and son they are opposed to this license and they are fighting for their way of life. Acting Chairman DeLeon asked if she is a Newton POA resident. She replied yes, Lot #56.

Ms. Denicia Hamill stated they bought the property in 2000 and built their home themselves. She stated they have invested everything into the home. She stated the water is good. She gives it to her horses and dogs but she has seen her water levels drop and has noticed a change. She agrees with the other residents and what they said about the roads. She is concerned about the cameras on the roads which invades her privacy as she

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

drives by. She stated the lights are on all the time; they are not blacked out. She stated these are residential families with children and it is a concern for all of them. She stated the PUD had a long list of requirements for the deal and if they changed it that's great. She stated there are no guarantees for the residents that the list will not be acted upon later on down the road. They may just do marijuana infused now but the list had approximately 15 other things on it. She stated at some point in the future they could impose that and if they sell it that will go with the property. She stated before when people would come to her door she was very friendly now when someone comes to the door she is packing and has posted no trespassing signs. She was told marijuana will not take seed but she does not agree. She stated the marijuana growers are concerned with the hemp growers for cross pollination. She stated if the marijuana gets loose or spreads because they do have seeds it causes neurological damage to horses and all grass feeding animals. The hemp is grown outside and they say it can't germinate but they can't guarantee that. She stated the same is true for marijuana. If the seed gets out in about 5 to 6 years, there will be animals like deer and horses with neurological problems. She agrees with the rest of the residents and she is opposed to this grow.

Mr. Don Hamill stated why would someone buy a piece of property knowing you will have to make everyone change to what you want. He stated with all the property up and down the highway, they picked the property with a barn in a HOA, and now they want all the residents to change for them. He stated it may not be tomorrow or a year from now but when the money starts to roll in, they will want to throw up some greenhouses because it is going good for them. He stated that 99%-100% of the residents are on wells on the Dakota Aquifers. He spoke with a lady named Kathy from the Board of Water Works and they are saying these people are paying the Water Board for water. He stated the Water Board dumps the water in at the dam which is nowhere near the Dakota Aquifer. He asked if the wells start to run dry is everyone going to have to go buy cisterns and have a truck to haul the water in. He stated the applicant wants the residents to change for them. It is evident the community they live in and the way they like to live does not want this problem or its issues.

Mr. James Colt stated he wanted to speak from the law enforcement standpoint since he is in law enforcement in Fremont County. He was part of a bust this past week in Canon City where they netted 48 pounds of black tar heroin, \$17,000.00 in cash, and a Hummer. Since he is the only law enforcement person living in Newton, he thinks he will be busy but would rather be at home with his horses and wife. There will be home invasions and automobiles stolen and the Pueblo Police can't police that far out. He stated they don't have the manpower but he is there and he promises he will do the best he can.

Mr. Bob DeMarrai stated he lives on the RCR Newton subdivision. He stated he lives farther down Newton Road from the proposed grow. His property overlooks Red Creek Springs Road and he took pictures for the Board to see the marijuana grow he can see from his home. He stated the grow is about $\frac{3}{4}$ -mile, as the crow flies, from his house. The power company has informed him and others they will not extend the heavy power needed to run the growing operations for their heat and ventilation. This would include the very large barn of the applicant. He stated the grow operation that you can see from his home is smaller and they had to bring in a generator for power. He was told it met the requirements of the planning board and there is a decibel reading that applies to each type of zoning. He had the police come to his home, while the generators were running, to see what the

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

reading was. He stated it was consistently between 38-42 decibels. He stated 80 decibels is incredibly loud and half of that at 40 decibels is loud. He had to listen to that every day all day with the doors closed. He stated the applicant will be using grow lights and will have to generate their power somehow. He doesn't know what the acceptable decibel reading is but if he is reading 40 decibels at his house, 3/4-mile away, he can't imagine what it will be like right next to the operation. He stated the application is very disingenuous because no one invests a million dollars in the purchase of a barn expecting to grow and operate only 1,800 plants. He stated the applicant pretends to convince us this is all that will be there. He stated when they decide they want to increase their operation, they will put in more greenhouses, they will need more power generation, and more light. He stated he will pass the pictures around so people can see what to expect from the grow and that the Board can have the pictures. Mr. Wolny stated staff would request the pictures be admitted as Opposer's Exhibit #3.

Mr. Allen Lucas stated he is part of the POA on the Newton Ranch. He stated the residents were scared because of the PUD that they saw. He agreed with Mr. DeMarrai that no one would spend that much money on property to grow 1,800 plants. He asked if there is still an application and a hearing for a PUD and should it be considered. He stated there has got to be more going on with the property because it was a million dollars, it has a large barn, and it is on 130+ acres. Ms. Joan Armstrong stated she can answer the PUD question. She stated the PUD is for zoning which was to be continued next month to be heard by the Planning Commission and then to be heard by the Board of County Commissioners in January. She stated everything but the marijuana infused product manufacturing is allowed as a use by right in the A-1 Zone District. She stated the PUD is being asked strictly for the marijuana infused products manufacturing. Mr. Lucas stated that the application before you shows it is more than a 4,200 square foot operation, proposed for 130+ acres. Ms. Armstrong stated the PUD is just on the 47 acres.

Mr. Frank Lilley stated he is on the Board of the Newton Association and he lives on Red Creek Ranch. He stated there are 99 properties in the Newton Ranch and there are 46 residents. The rest are vacant lots. He stated when you get a petition with 40+ some signatures, it is a large majority of the people who live on the ranch. He is opposed to not just this particular operation but any marijuana operations on the ranch. He was glad the County had the foresight to change the laws for HOA residents. Residents can now voice their opinion and make it count. Up to this point, it was difficult to get anyone to pay attention to the needs of the associations and members.

Ms. Julie Munch stated if the license is approved tonight she will be surrounded by all three grows within a square mile. She stated the residents in the HOA take care of their land and they don't waste the water. They use the water for their homes and animals no more. They are on the veins of the Dakota Aquifer not directly on top of it. She stated they know it's a risk but why waste water on the grows out there. She stated the 2 previous people the Board gave licenses to lied to them and they wrote nasty emails to the HOA president. She stated they lied about fixing the road. She stated they said they wouldn't have grow lights and it wouldn't distract us because they sat in a valley and couldn't be seen. She stated she has pictures of it and it's like a giant beam out there. She told the Board, "you people sometimes act like you don't care what we think or how we live out there because it's more about the money and what it brings into Pueblo". She stated they haven't seen any benefits

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

like parks or roads being fixed. She asked the Board members to take a ride out on Highway 96 to see the grows. She is opposed to this.

Ms. Pam Tuttle stated she is in the Newton POA and she lives directly across the street from one of the other grows. She stated the grow across the street stood before the Board and said they were only going to have an 1,800 plant grow inside a little building and you wouldn't see anything or see any lights. Three days after they went before the Board and said that, they had a huge greenhouse delivered on an eighteen wheeler. She stated there is a grow at 740 Newton Road; her husband goes out at 5:30 a.m. every day and feeds the horses and says the lights are brighter than Wal-Mart. She stated they see the Pueblo West Wal-Mart from her home and this grow is like a glow in the sky. She feels her health and safety have been jeopardized by these grows. She stated the grow across the street said he would go get water for the plants but he uses the well water for any plants he has growing. She wanted the Board to know they are not doing what they say they are doing. She stated they may go and get a variance to expand their business but she has never had the right to say they don't want it.

Mr. Calvin Smith stated he is in the Newton POA. He stated a potential property investor had grave concerns about the property and its value. He would not purchase the property because of the grow.

Mr. Bob Manguso stated he is on the Newton POA and he agrees with everything the residents before him have said. He stated they moved out there for the peacefulness and quietness at night. There was little to no pollution before the grows but with light pollution now, you lose all ability to look up into the sky and see the stars. He stated they don't want the noise pollution, they don't want the light pollution, and they don't want the marijuana grows out there. He stated most of the residents signed the list against this. He stated the grows are not welcome and never will be welcome.

REBUTTAL

Mr. Clifton Black stated members of the area have had bad experiences with other growers and other bad experiences in life. The experiences, lies, or light pollution created by other businesses shouldn't have a negative effect on Here We Go. They are willing to play by the rules and help in any way they can. Four Thumbs Up purchased the property in June, rented it to Here We Go in June, and the application was submitted in June. The new rule for the demonstration for the desires of the residents in an HOA didn't come into effect until August. This is considered ex post facto meaning the new law should have no effect on an applicant who applied prior to the law. He stated the petition appeared to only have 32 properties represented out of the 99. Meaning approximately 67 of the properties or residents are not opposed to this and that would meet the desires. He stated they are sorry the other grows in the area have not come through on their promises to help out with the roads. This should not affect Here We Go because they are willing to help out with the roads and hope the HOA will work with them. He stated the hearing today is only about the indoor grow. If there were to be a future expansion down the road, there would be another hearing and it could be denied at that time. He stated the indoor grow will not have light pollution, noise pollution, or odor problems. He stated they don't know who threatened the lady's son who went for a walk but it wasn't his client. He stated they are sorry that

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

happened and they are sorry a well got torn up but all the bad things in the world shouldn't affect his client and their license. He asked the Board to grant the license.

Acting Chairman DeLeon asked if what Mr. Black stated about the application being before the law was correct. Mr. Wolny stated the zoning compliance review was completed on August 31st and the application was submitted on September 8th. The new County Code went into effect on August 15th. He stated it is staff's position that it applies to this application. Mr. Wolny then recited the standard for approval to the Board. Acting Chairman DeLeon asked for a procedural move only and stated it does not affect the vote.

Acting Chairman DeLeon closed the hearing.

MOTION

Ms. Mauro motioned to approve the application for a new Retail Marijuana Cultivation Facility located at 1035 Newton Road, Pueblo, Colorado 81005 submitted by Here We Go Inc. conditioned on a Routing Sheet. Mr. Lowe seconded the motion.

Ms. Mauro addressed the audience stating they have heard applications from within an HOA before and we have heard you all and don't think we weren't listening. She stated they had no basis of turning anything down but now we have the new County Code that says the applicant would have to prove a desire. She stated in her opinion there was no one who came to speak on the applicant's behalf, wanting them in the neighborhood. She stated she heard many who don't want it so she will be voting in opposition to this application. Acting Chairman DeLeon stated he will go along with what Ms. Mauro said. The needs and wants of the community have not been met by the applicant and he will be voting in opposition as well. Mr. Treanor stated these people have applied, staff has ok'd the application and they are bringing in their own water. He stated he will be voting for them.

After discussion, the motion failed by a vote of 1-4 with Acting Chairman DeLeon, Ms. Mauro, Ms. Partin, and Mr. Lowe voting against the motion.

Mr. Wolny stated staff will draft the Findings and Order in accordance with the Board's decision for review at the next meeting.

2. New License Hearings:

- a) New Application for a Retail Marijuana Cultivation Facility located at 1820 Pope Valley Ranch Road, Pueblo, Colorado 81005 submitted by Organic Grown, LLC.

Acting Chairman DeLeon opened the hearing.

Mr. Wolny stated staff would like to request that the complete application and accompanying documents be entered into the record. Acting Chairman DeLeon replied "so ordered".

Mr. Jeremy Montez stated he is the sole manager at Organic Grown and they are applying for a Tier 1, 1,800 plant count for a Retail Marijuana Cultivation Facility, located on Pope Valley Ranch Road. They will be hauling water from the Board of Water Works but has

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

been working on well augmentation since February. He stated if the license is granted he will sign the lease for the well water and hopefully using the well within 90 days. They are located on a private ranch per the HOA and they are installing an electric gate at the entrance to the ranch for security. The gate is coded and without the code or the opener you will need to contact a resident of the ranch to let you in. He stated they will also be installing the same type of gate to the entrance of his property and it will be run off solar power. There will be 24-hour surveillance which he can access from his iPad and he will have a monitor at his home. He stated they will start with 3 employees and work their way up during the trimming season. For next year's outdoor grow, he estimated around 20 or more employees depending on how successful the grow is. Acting Chairman DeLeon asked how many employees did he plan to have. He replied 3 to start with, himself and 2 growers. He has a master grower who has been growing 38 years and a guy who is more experienced indoors. Acting Chairman DeLeon asked what kind of correspondence has he had with the HOA thus far. Mr. Montez stated he sent out a petition and asked that the petition be submitted to the Board. Mr. Wolny stated staff would request the documents received from Mr. Montez be admitted as Applicant's Exhibit #1. Mr. Montez stated there are 28 lots, including his because he leases the land, that the petition went out to. He stated 10 petitions came back in favor, zero were against, 5 came back as bad addresses, and 13 were unresponsive. He sent them out October 3rd so they would have plenty of time to get it back to him. He also included a self-addressed stamped envelope. Mr. Treanor asked what type of pesticides will be used. Mr. Montez stated they will use no pesticides and one of his employees will be going to California to learn about organic methods. They used eucalyptus to fight the grasshoppers. Mr. Lowe asked how many plants will they have. He answered they are applying for 1,800 plant, Tier 1. The indoor facility will have 2 rooms with 160 plants each. He stated it will actually be 640 total because when the room gets cleared out you have to have the next batch ready and another 20 to 30 mother plants. This will prepare us to do the 1,800 plants outdoor next year. Mr. Lowe asked how many employees will be needed during harvest season. He replied upwards of 20 but he wasn't going to hire just anybody. Ms. Partin asked what the security will be like. He stated he will have a 24-hour camera system, the security gate, and once there is an outdoor grow, he will have someone patrolling the area. He stated in order to get to his property one would have to scale 3 other properties off road. Acting Chairman DeLeon asked if there are any HOA rules in his HOA that prohibit marijuana. He stated no codes that prohibit marijuana and Pope Valley currently has a hemp operation. He believes there are 3 current marijuana grows in the area, with another 3 that are in the application process. Acting Chairman DeLeon asked if Mr. Montez understood by going into an HOA, should they change the bylaws, it could affect his business. He understood and stated the current 3 HOA board members have cultivation licenses and he believed it shouldn't be an issue.

IN FAVOR

No one spoke in favor of the new Retail Marijuana Cultivation Facility.

IN OPPOSITION

Ms. Irene Drownicky stated she was not a member of the Pope Valley Ranch HOA but she is a POA member neighboring this HOA. She stated she drives by Pope Valley Ranch going to her house and she has not seen a notice posted on the fence nor was she notified this was occurring. She came to speak about the Newton application but her issues and

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

concerns are the same for this application. She stated this grow hopes to be granted the use of a domestic well and as stated earlier these plants take 5-10 gallons of water a day. She stated the Red Creek Springs Fire and Rescue serve a 10 square mile area and this farm is in the area the volunteers would have to respond to. She stated there has never been an area in northwestern Pueblo County identified as farm land or agricultural. It is high desert plain where water is scarce and growing conditions are dismal. She suggested a cost deficit analysis be done by an independent research team, to produce an objective report to show the Commissioners and Licensing Board the increase cost for law enforcement, drug programs, emergency medical care, and the social implications on our children. She stated her home has been for sale for over a year and several people have come to look at it but the number 1 reason an offer has not been made is because of the grow farms. She stated there is an impact on property owners.

Ms. Elizabeth Samaras stated property values will only go up for those who seek to establish marijuana grows. It is not the case for home owners who have lived there for 20 years and the value is invested in the fashion of a home owner not a grower. She agreed with what Ms. Drewnicky stated about the water. She stated the impacts of more grows are concerning to her as a former environmental health specialist. She has concerns over the Pope Valley area she has to pass through, with torn plastic and buildings in disrepair which you did not see a couple years ago. She wanted the Board to understand, until the use of the water can be effectively returned to the Dakota Aquifers rather than downstream, the property value will not be there if there is no water and you have to haul water in. She is concerned over an outdoor grow with regards to the water issue. She stated people have reported terrible gaseous fumes coming from their toilets.

REBUTTAL

Mr. Montez stated his facility cannot be seen from Siloam Road nor Highway 96 and this is why she did not see the posted notice. He stated the property was posted per the County ordinance and in the paper with a 10-day notice. He stated people say we are not here long term but he signed a lease with the Pueblo Board of Water Works for 20 years. He feels this shows some sort of commitment because you can't sign a 20-year lease and leave in 2 years. He stated he uses soil for his plants and the maximum amount of water used per plant is 2 gallons a day. He is following all the laws for the augmentation of the well that Division 2 Water Resources and Kathy Trask asked him to do. He stated the ladies who just spoke heard nothing through his petition because they do not live in his HOA.

Acting Chairman DeLeon closed the hearing.

MOTION

Ms. Mauro motioned to approve the application for a new Retail Marijuana Cultivation Facility located at 1820 Pope Valley Ranch Road, Pueblo, Colorado 81005 submitted by Organic Grown, LLC pending a routing sheet. Mr. Lowe seconded the motion.

Ms. Mauro stated unlike the last application this gentleman has neighborhood support. She stated she is in support. He has his application in order and he has a business plan.

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

Acting Chairman DeLeon stated he agreed with the other Board members. He stated he does understand the plight of the water situation in the area but as far as water laws go it's not a purview of this Board. He was glad to see citizens come in and make a stink about the water and as Puebloans we all need to do that. He stated the criteria was met by the applicant demonstrating the desires of the community and he met all other requirements. He will be supporting the application.

Mr. Treanor stated he is in support of the application because the applicant is going to bring the water to the plants. He stated they hear over and over again people complaining their wells are going dry when they are the people using the water up. He stated this guy is bringing his water in so he will be voting for it.

After discussion, the motion carried unanimously.

Ms. Mauro motioned to approve the Findings and Order. Mr. Lowe seconded the motion. Motion carried unanimously.

- b) New Application for a Retail Marijuana Cultivation Facility located at 76 North Mission Drive, Pueblo, Colorado 81007 submitted by High Horse, LLC.

Acting Chairman DeLeon opened the hearing.

Mr. Wolny stated staff would like to request that the complete application and accompanying documents be entered into the record. Acting Chairman DeLeon replied "so ordered".

Ms. Judith Chavez stated she has business experience. After she retired from the Denver public schools, she owned and operated a liquor store, a Mexican restaurant and bar, and she currently owns and operates an event center. She looks forward to doing business in Pueblo. She plans to grow 1,800 plants which is a Tier 1. She stated she doesn't know much about the business; however, she does surround herself with experts in the field. She stated she used Gagliano Engineering to do the plans, Chad is her general contractor and Rhino Electric from Colorado Springs will be doing her electrical. She stated Think Smart will be doing the security system inside and out. They will be installing it as well as monitoring it. She stated the facility is 11,000 square feet and it will be an indoor grow operation nothing outside.

Mr. Treanor asked if she lives in Pueblo. She answered no she lives in Denver Colorado. Mr. Treanor asked if she planned on moving here. She stated no but she does commute often. Acting Chairman DeLeon asked how many employees will she have. She stated she will start with 3 and go up to 6. Ms. Partin asked what are the wages. She stated she will pay about \$50 an hour for the growers to start and the trimmers will get about \$30 an hour when she needs to hire trimmers. Mr. Treanor asked what type of pesticides will be used. She stated they are taking classes on the proper pesticides to use on the plants. She stated they are trying to keep it as clean as possible.

Mr. Alex Wolbrandt stated everything they will be using will be under current regulations. He stated on December 8th they will attend a class with the Colorado Department of Agriculture. Acting Chairman DeLeon asked what kind of experience he had in the industry.

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

He stated he has been working in the industry for 10 years. Mr. Treanor asked in his experience how much water is used per plant. He stated the gentleman was correct at around 2 gallons. He stated they will be feeding everything autonomously so it will be timed to around 1 gallon per plant per day. He stated they will be growing in cocoa so it will be fed multiple times a day but nothing more than a gallon per plant. He stated they have a separate cistern to collect any residual runoff but that is just a precaution. If they do need it and it fills up every 6 weeks, they have a company that will come in and dispose of it properly. Acting Chairman DeLeon asked if they were in the Pueblo West Industrial area. He replied yes. Acting Chairman DeLeon asked if they had talked to the neighbors. Ms. Chavez replied no. Acting Chairman DeLeon asked if any neighbors have stressed any concerns. She stated none that she had heard.

IN FAVOR

No one spoke in favor of the new Retail Marijuana Cultivation Facility.

IN OPPOSITION

There was no opposition.

REBUTTAL

There was no rebuttal.

Acting Chairman DeLeon closed the hearing.

MOTION

Mr. Treanor motioned to approve the application for a new Retail Marijuana Cultivation Facility located 76 North Mission Drive, Pueblo West, Colorado 81007 submitted by High Horse, LLC pending a routing sheet. Mr. Lowe seconded the motion.

Ms. Mauro stated the application seems to be in order and the applicant and the Board is familiar with the water situation out there so she sees no reason to say no.

Acting Chairman DeLeon reiterated what Ms. Mauro said.

After discussion, the motion carried unanimously.

Ms. Mauro motioned to approve the Findings and Order. Mr. Lowe seconded the motion. Motion carried unanimously.

- c) New Application for a Retail Marijuana Cultivation Facility located at 3652 40th Lane, Avondale, Colorado 81022 submitted by Power Plant Organics, LLC.

Acting Chairman DeLeon opened the hearing.

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

Mr. Wolny stated staff would like to request that the complete application and accompanying documents be entered into the record. Acting Chairman DeLeon replied "so ordered".

Mr. Tom Caber Jr. stated he is the sole owner and manager of Power Plant Organics. He stated he is leasing property on 42nd Lane. He believes the application for an indoor grow is complete. He asked if there were any questions.

Acting Chairman DeLeon asked if he talked to his neighbors. He stated his grower had talked to some but the neighbors aren't close. Acting Chairman DeLeon asked how many employees he planned on hiring and what the salaries would be. He replied 4-5 employees and they would be on an hourly pay with the growers being paid in the upper \$50,000-\$60,000 a year range and the pickers will be at \$30,000 a year. Acting Chairman DeLeon asked what experience did he have in the industry. He stated he doesn't have any experience in the industry. He ran a real estate company in Durango, Colorado where he lives now. He is now an independent broker and real estate developer. He has experience in managing people and complying with State regulations. Ms. Partin asked if this was an indoor or outdoor grow. He replied indoor. She asked how many plants will you start with. He replied Tier 1. She asked if there was a home on the property. He stated there is a home and it is being occupied by his grower. She asked if someone will be there 24/7. He replied yes. She asked if he could talk a little bit about the security and pesticides. He stated the fence is installed with razor wire on top. The building has not been built yet but the security will be per State regulations with interior and exterior cameras with limited lighting. He stated the grow will be strictly organic. Acting Chairman DeLeon asked if he had phases for the operation and if this is Phase 1. He replied yes and they anticipate 3-4 years before they extend anything farther.

IN FAVOR

No one spoke in favor of the Retail Marijuana Cultivation Facility.

IN OPPOSITION

Mr. Tom Storm stated he was one of the neighbors and was not notified of this operation going in. He stated it looks like a mini prison. He felt the County or whoever gives permission to build this should notify the surrounding neighbors by post card when things like this are going in. He stated he saw the badly damaged sign posted on a light pole and that is why he was at the meeting. He stated he is against this for a lot of reasons most of which were brought up on the Red Creek Springs Road grow. He stated when a marijuana grow goes in by you it is going to lower the value of your home. He has not heard the County or the applicant say they will make up for the loss when and if he tries to sell. He has lived in his home for 35 years and he doesn't want this grow there. He knows there are people on the Board who love marijuana grows but he does not. He thinks it's bad for the County and bad for people. He stated they say there is no smell from marijuana grow but can you prove that. He stated there are bad smells coming from marijuana grows and asked the Board if they have gone by one and could smell it. Acting Chairman DeLeon stated a lot of grows have charcoal filters to prevent things like mites, fungus, and a powdery mildew getting onto the plants. They try to ventilate any air coming in or going out to prevent this from happening. He stated if you smell the plant coming out then the chance

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

for mildew coming in is huge. Mr. Storm asked if this is a zoning requirement that they have to have. Acting Chairman DeLeon stated no it is a protective thing for them. Mr. Treanor asked Mr. Storm if cabbage smelled. Mr. Strom replied yes it stinks. Mr. Treanor said yea it does. Mr. Storm stated when you eat cabbage you get healthy. Mr. DeLeon stated there is no specific thing to that but if the odor does effect the neighbors, the Board can take that into consideration but it has to be demonstrated that it does. Mr. Storm asked what the repercussions are if there is something going on there. Ms. Joan Armstrong asked if it was appropriate for Mr. Storm to be cross-examining the Board. She said he can state his comments but not question the Board. Ms. Mauro stated you can independently find your own facts and present them as evidence here. Mr. Storm stated ok but when you are doing that can you take that into consideration instead of just saying ok to the license. Ms. Mauro stated all of his application is complete and up to standard. Mr. Storm stated he didn't get to see it. He stated if the applicant is saying he will use a gallon per plant that is 1,800 gallons of water a day and they are going to haul that in, that would be a lot of trucks to his understanding. He stated his electricity goes out often so the applicant will have to have a lot of generators that will be running all the time. He stated there are regulations he guesses about noise pollution. He stated he is making a statement because he is not allowed to ask questions, but there will be noise pollution. He stated he moved out to his farm because of the light because he could see the stars. He stated if he is going to have this thing 24/7 lit up it will affect his view. He stated he doesn't care for that. He stated he has a lot of animals and if the smell affects them at all, again you can't answer this, but what are the repercussions he can rely on. He stated he doesn't belong to a HOA because it is a sparsely populated area. He called his the "MFF", My Family Farm. Ms. Armstrong stated to Mr. Storm there are avenues which he can contact the department for zoning issues as well as the compliance. She stated there is a section that states there will be odor mitigation. As far as the light trespass she is trying to handle that through building permits for black out curtains or solid walls. She stated for the noise, if there are any generators, she is requiring them to be enclosed. She stated they are going through a text amendment to put these performance standards in the zoning Code. She stated he is not left out there alone and he can contact Planning and Development if these issues arise.

REBUTTAL

There was no rebuttal.

Acting Chairman DeLeon closed the hearing.

MOTION

Ms. Mauro motioned to approve the application for a new Retail Marijuana Cultivation Facility located at 3652 40th Lane, Avondale, Colorado 81022 submitted by Power Plant Organics, LLC pending a routing sheet. Mr. Lowe seconded the motion.

Ms. Mauro stated the application seems to be in order and the applicant has met all the requirements. There is not a HOA issue so he has a use by right. She stated she was in favor.

Acting Chairman DeLeon stated everything seems to be in order and the applicant has followed all the statutes. He advised the applicant that if his neighbors do have issues with

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

light pollution and smell pollution and they can demonstrate harm, they do have a right to bring them before the Board on your license renewal. He stated if the applicant doesn't respect the neighbors and their way of life and they can demonstrate harm, it can be held against his license in the future. He stated he did not see any reason to reject the application.

Mr. Treanor stated the application is in order and it is a use by right.

After discussion, the motion carried unanimously.

Ms. Mauro motioned to approve the Findings and Order. Mr. Lowe seconded the motion. Motion carried unanimously.

3. Change of Location:

- d) Change of Location for a Amerijuana Inc. from 72 North Laser Drive, Pueblo West, Colorado 81007 to 39327 Harbour Road, Avondale, Colorado 81022.

Acting Chairman DeLeon opened the hearing.

Mr. Wolny stated staff would like to request that the complete application and accompanying documents be entered into the record. Acting Chairman DeLeon replied "so ordered".

Mr. Wolny stated he had a couple questions for the applicants that were prompted by the prior tenant. He reminded the Board that the hearing was not about the landlord but about the tenant. Mr. Wolny asked if the owners and applicants were the 2 gentlemen standing before the Board. The gentlemen both answered yes. Mr. Wolny went on to ask should the application be approved would the owners/applicants have exclusive possession of the property and exclusive control over their product. The applicants answered yes totally exclusive.

Mr. Mike McCulloch stated they have already been through this once and they are just wanting to move their license from Pueblo West to Avondale, Colorado. He stated they didn't do anything in Pueblo West like build or grow. They decided to move their business over to a facility that had already been established. Ms. Mauro asked if the premise was vacated and when the applicant purchased it was there is a grow running out of it now. He replied the facility is totally empty. Mr. Treanor asked what kind of pesticides would be used. He replied totally organic. Acting Chairman DeLeon asked Mr. Wolny if the applicant was just moving from one location to another and already had a license. Mr. Wolny stated yes and the standard has to do with the effect on the neighborhood or whether the move would alter any conditions of the license. Ms. Mauro asked the applicant if they had any neighbors. Mr. McCulloch stated there are a few houses out there. Mr. Lowe asked Mr. Wolny if this is the property where there was a license before. Mr. Wolny stated yes and the Board accepted a stipulation at the last meeting related to the prior license. He stated the facility is good to go.

IN FAVOR

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

No one spoke in favor of the new Retail Marijuana Cultivation Facility.

IN OPPOSITION

There was no opposition.

REBUTTAL

There was no rebuttal.

Acting Chairman DeLeon closed the hearing.

MOTION

Ms. Mauro motioned to approve the Change of Location for Amerijuana Inc. from 72 North Laser Drive, Pueblo West, Colorado 81007 to 39327 Harbour Road, Avondale, Colorado 81022. Mr. Lowe seconded the motion.

Ms. Mauro stated the application seems to be in order.

Acting Chairman DeLeon stated the applicants have gone through the process before and they know about the history of the land and it seems to be a better fit and he will be voting in favor of it.

After discussion, the motion carried unanimously.

Ms. Mauro motioned to approve the Findings and Order. Mr. Treanor seconded the motion. Motion carried unanimously.

4. Miscellaneous--None.

VI. OTHER

1. Discussion regarding the removal of the Application of a Retail Marijuana Cultivation Facility located at 8217 Red Creek Springs Road, Pueblo, Colorado 81005 submitted by Colorado Leaf, LLC.

Acting Chairman DeLeon opened up for discussion the removal of the Application of a Retail Marijuana Cultivation Facility submitted by Colorado Leaf, LLC.

Mr. Wolny stated to the Board this was not a hearing item. Staff received communication from the State with respect to the license. He thought it would be premature to set a renewal hearing. He stated he wanted to talk with the State and find out more information on the application. He requested the Board move the application as a continue item to the next meeting but not to set it as a hearing.

Ms. Mauro motioned to move item to the next meeting on renewal item listings. Mr. Treanor seconded the motion. Motion carried unanimously.

**RECORD OF PROCEEDINGS
PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD
NOVEMBER 28, 2016**

2. Discussion regarding the proposed Code amendment.

Acting Chairman DeLeon opened up for discussion the proposed Code amendment.

Mr. Wolny stated he had been working with Commissioner Pace on the proposed Code amendments that would address possible oversaturation of retail marijuana cultivations. He stated he sent the Board copies of the proposed Code amendment. He stated it extends the retail store moratorium to 2019 so the existing moratorium would be extended. It would also impose a partial moratorium on new retail marijuana cultivation facilities. He stated there are certain exceptions to the moratorium. He stated as soon as this is adopted, no new applications for retail cultivations will be accepted until April of 2018. He stated the exceptions would be: (1) if you are operating in another jurisdiction and want to move into Pueblo you can, (2) if you own a store and can demonstrate you could use the product at your store you can apply, (3) if you find a building that has been operating in the last year as a retail marijuana cultivation facility you can apply, and (4) if you had applied for a ZCRM at the time of adoption you would be permitted to apply for the actual license. He stated the exceptions would account for a tiny fraction for what they see on a biweekly basis. He stated there would be a huge slowdown in the applications. There would be an anti-speculation rule that would go into effect in March of 2018. Once it did go into effect, it would provide that if you had an approval order or a license for a store or cultivation and it had not been operated within the last year, the license would expire automatically. He stated there is plenty of notice for this and 1 exception. He stated the exception is if you apply to move out of a HOA the rule won't take effect until 2019 so you get a bonus year. He stated the primary reason for the moratorium is to detour speculation.

A discussion occurred with the Board members voicing their thoughts and opinions on the moratorium. Some of the Board members stated they would be in favor of the moratorium. Mr. Wolny invited the Board to attend a work session the Commissioners will be having in the coming weeks. He also stated if this were to be adopted, staff suggests to change the meeting schedule to once a month due to the low number of applications. He noted the proposed language gives the Chair and the Director of Planning and Development the discretion to call special meetings which the same material can be considered.

ADJOURN

There being no further regular business before the LMLB, the meeting was adjourned at 8:42 p.m. The next meeting is scheduled to be held on Monday, December 12, 2016, at 6:00 p.m., in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10th Street.

Respectfully submitted,



Tawnya Stringer, Recording Secretary
Department of Planning and Development

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