

**Special Board of County Commissioners Meeting
As The
Medical Marijuana Business Licensing Authority**

The Board of Commissioners of the County of Fremont, State of Colorado, met in Special Session as The Medical Marijuana Business Licensing Authority on January 7, 2016, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Edward H. Norden called the meeting to order at 9:00 a.m.

Edward H. Norden	Commissioner	Present
Tim Payne	Commissioner	Present
Debbie Bell	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present

Also present: County Manager George Sugars and Planning and Zoning Director Matt Koch

Those present recited the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF AGENDA

Commissioner Payne moved to approve the Agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

NEW BUSINESS

1. Request: MMC 14-001 JMC Enterprises, Inc. (Medical Marijuana Center-Pharmacy)
Request for issuance of a medical marijuana license, Department file #MMC 14-001 JMC Enterprises, Inc. (Medical Marijuana Center-Pharmacy), by JMC Enterprises, Inc., doing business as Fremont Cannabis, for property which is owned by Gary Howard, to allow for a Medical Marijuana Center which is addressed as 1505 Elm Street (State Highway 115) and is located approximately 220 feet to the center of the property, from the intersection of Elm Avenue (State Highway 115) and Lombard Street, in the Lincoln Park Area. The property is zoned Business and contains 0.81 acres.
Representative: Jeffrey Cain

Director Koch said that all requirements were met for the application and no complaints had been made against the site.

Detective Burton said the Sheriff's Department had not received complaints or violations for the premises, and the State violations had been resolved.

Commissioner Payne moved to approve MMC 14-001 JMC Enterprises, Inc. dba Fremont Cannabis with Considerations #1-2. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

2. REQUEST: OPC 14-001 Today's Health Care, LLC/Today's Health Care II, LLC dba Today's Health Care II (Optional Premises Cultivation-Commercial Greenhouse).

Request for issuance of an Optional Premises Cultivation license for an indoor grow operation, Department file #OPC 14-001 Today's Health Care, LLC/Today's Health Care II, LLC (Optional Premises Cultivation-Commercial, Greenhouse), by Today's Health Care, LLC/ Today's Health Care II, LLC, dba Today's Health Care II, for property which is owned by COAZ North, LLC. The address of the property is 934 C Street in the Beaver Park/Penrose Area, which is located on the east side of C Street, approximately 978 feet to the center of the property from the intersection of State Highway 115 and C Street, in the Beaver Park/Penrose Area. The property is zoned Agricultural Rural and contains 10 acres more or less.

Representative: Kyle Wendland, Facility Manager

Kyle Wendland said drainage issues identified by County Engineer Don Moore would be remedied that afternoon. Mr. Wendland presented outdoor grows in the area that may be emitting the odor that is the center of many complaints, since the odor mitigation system for the premises has been approved by an engineer and the State. Mr Wendland expressed a desire to be a good neighbor.

Director Koch reported Code Enforcement has visited the site on multiple occasions from June 2015, through October 2015, in response to odor complaints. The first visit found the odor mitigation system had not been working properly, but subsequent visits found the system to be working.

Detective Burton stated the operation had no violations with Fremont County, but it has two pending violations with the State. An investigation and a hearing will decide the outcome. Revocation of their State license is unlikely.

Commissioner Norden reinforced the point that neighbors and code enforcement may have difficulty pinpointing the source of odors since multiple marijuana odors may be in the area.

Commissioner Bell moved to approve OPC 14-001 Today's Health Care, LLC/Today's Health Care II, LLC dba Today's Health Care II with items #1-4 being met prior to issuance of the license. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

3. Request: OPC 14-002 High Mountain Medz, LLC dba Levity Wellness (Optional Premises Cultivation-Commercial Greenhouse)

Request for issuance of an Optional Premises Cultivation license for an indoor and outdoor grow operation, Department file #OPC 14-002 High Mountain Medz, LLC (Optional Premises Cultivation-Commercial, Greenhouse), by High Mountain Medz, LLC, doing business as Levity Wellness, for property which is owned by Levity Wellness. The property addressed as 3000 County Road 103, south of Florence, Colorado is located approximately 3 miles southwest from the intersection of Colorado State Highway 67 and County Road 103, thence west approximately 800 feet to the southeast corner of the property, south of Florence, Colorado. The property is zoned Agricultural Forestry and contains 40 acres more or less.

Representative: Ryan Foster, Levity Wellness

Ryan Foster said cultivation is seasonal in summer months only. Steps have been taken to construct a permanent structure on the property including a septic system and a well. The operation continues to haul water daily to the site during operational months. A contract is in place to have onsite portable latrines from May through September.

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Director Koch said the site has passed inspections by Code Enforcement. No complaints have been made against the facility.

Commissioner Payne moved to approve OPC 14-002 High Mountain Medz, LLC dba Levity Wellness with a 90-day deadline to meet Considerations #1-3. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

Chairman Norden adjourned the meeting at 9:44 a.m.

Clerk and Recorder