

**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 May 26, 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 Sunny Bryant 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 Bell moved to approve the Agenda. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

NEW BUSINESS

1. OPC 14-007 C^3 COLORADO SPRINGS, LLC (OPTIONAL PREMISES CULTIVATION-COMMERCIAL GREENHOUSE) 2016 RENEWAL
OPC 14-007 C^3 Colorado Springs, LLC dba Pure Intentions Wellness (Optional Premises Cultivation license-Indoor Grow – Greenhouse, Commercial), by Jared Doi for property which is owned by ADW, LLC. The property is addressed as 685 Highway 115, Penrose, Colorado which is located on the west side of State Highway 115, five hundred (500) feet south of 6th Street, in the Penrose Area. The property is zoned Business and contains 4.65 acres more or less.

Representative: Jared Doi

Jared Doi said they discovered that the alarm issues were mice running across the motion sensors and implemented “mice mitigation” with the alarm not being triggered since. He feels they have been trying to be good citizens in the community.

Director Koch said all applications items were submitted except for two outstanding items of consideration of proof of taxes paid on the property and the state OPC renewal. Code Enforcement found all in compliance, and there have been no complaints. Detective Burton submitted a letter to the Department saying the Sheriff’s Office had received no complaints, except some minor alarm issues.

Commissioner Bell moved to approve the 2016 renewal for OPC 14-007 C^3 Colorado Springs, LLC with items for consideration needed. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

2. OPC 14-009 GOLDEN MEDS, INC (OPTIONAL PREMISES CULTIVATION-COMMERCIAL GREENHOUSE) 2016 RENEWAL

OPC 14-009 Golden Meds, Inc., dba Golden Meds, Inc. (Optional Premises Cultivation license-Indoor Grow-Greenhouse, Commercial) by Edward Vasquez for property owned by 890 7th St., LLC. The property is addressed as 890 7th Street, Penrose, Colorado, which is located on the west side of I Street, southwest of the intersection of 7th Street and I Street, in the Beaver Park area. The property is zoned Business and contains 3.28 acres more or less.

Representative: Edward Vasquez

Edward Vasquez said vegetative odor barriers of lavender, sage, and annual flowers have been planted. The operation had a mechanical error with the light mitigation system, but the problem was corrected as soon as they were aware of the problem. They have been operation for a month growing medical marijuana, but focused on cultivating hemp in the past year. Even though the facility is in compliance with its odor mitigation system, a misting system has been looked into.

Director Koch reported all items were provided except for the two contingencies. A light complaint had been filed but the issue was corrected. Code enforcement found all in compliance. The facility had odor mitigation complaints prior to licensing, but have had no complaints since.

Commissioner Norden moved to approve the 2016 renewal for OPC 14-009 Golden Meds, Inc with contingencies listed. Commissioner Payne seconded the motion. Upon Vote: Commissioner Norden, aye; Commissioner Payne, aye; Commissioner Bell, aye. The motion carried.

3. OPC 14-010 MAGGIE'S FARM, LLC (OPTIONAL PREMISES CULTIVATION-GREENHOUSE, COMMERCIAL) 2016 RENEWAL

OPC 14-010 Maggie's Farm, LLC dba Maggie's Farm, LLC (Optional Premises Cultivation license-Outdoor Grow-Greenhouse, Commercial) by Winston (Bill) Conkling for property owned by Winston H. Conkling. The property is addressed as 4211 Fremont County Road 84, Florence, Colorado which is located on the north side of Fremont County Road 84, 4.4 miles southwest of the intersection of Fremont County Road 84 and Fremont County Road 85, south of the Town of Rockvale. The property is zoned Agricultural Forestry and contains 298.52 acres more or less.

Representative: Winston (Bill) Conkling/Allison Longshore

Allison Longshore said she had submitted the state licensing paperwork to Planning and Zoning earlier in the week.

Neils Hyder explained the fencing had changed in the past year and new panic buttons were installed due to false 911 calls from the facility.

Director Koch said all items were submitted except for the contingencies items. Code Enforcement found the facility in compliance. Detective Burton had submitted a letter stating the alarm issues were the only complaints. Sid Darden from the Department of Public Health issued a letter stating the contingency had been met, and Director Koch confirmed the state OPC licenses had been submitted to Planning and Zoning.

Commissioner Payne moved to approve the 2016 renewal for OPC 14-010 Maggie's Farm, LLC. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

4. MMC 14-004 VIRTUAL MARKETING, LLC (MEDICAL MARIJUANA CENTER-PHARMACY) 2016

MMC 14-004 Virtual Marketing, LLC dba Maggie's Farm, LLC (Medical Marijuana Center-Pharmacy) by Winston (Bill) Conkling for property owned by Country Green Apartments, LLC. The property is addressed as 30555 E Highway 50, Suite F, Cañon City, Colorado which is located on the north side of U.S. Highway 50, 750 feet west of Dozier Avenue in the Country Green Shoppette.

Representative: Winston (Bill) Conkling/Allison Longshore

Allison Longshore explained this license is for the storefront. The facility has been in operation for several years, and continues to be in compliance.

Director Koch said there were no outstanding items, and Code Enforcement found the store in compliance.

Commissioner Bell moved to approve the renewal for MMC 14-004 Virtual Marketing, LLC dba Maggie's Farm, LLC. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, aye; Commissioner Norden, aye. The motion carried.

PUBLIC HEARING

1. OPC 14-011 PURE MEDICAL, LLC (OPTIONAL PREMISES CULTIVATION-GREENHOUSE, COMMERCIAL) 2016 RENEWAL & MODIFICATION
OPC 14-011 Pure Medical, LLC, dba Pure Medical (Optional Premises Cultivation license-Indoor Grow-Greenhouse, Commercial) by Jason Vanstrom for property owned by John J. Koshak. The property is addressed as 440 8th Street, Penrose, Colorado which is located on the south side of 8th Street, 500 feet east of D Street in the Penrose area. The property is zoned Agricultural Rural and contains 7.6 acres more or less.

Original file was processed as an Indoor Grow. The intent of the original application was to have an Outdoor Grow using the structure as a cover only, no sides. The modification will allow for an Outdoor grow with expansion within the existing fenced area. A 1200 sq. ft. harvest room is also planned and will have odor mitigation. The engineered report will be provided upon approval.

Representative: Karlie Van Arnam and James Marks

Karlie Van Arnam explained the outdoor grow has been in operation since 2013 and have been in compliance since.

Director Koch confirmed that there are no outstanding items for renewal, and Code Enforcement found the operation in compliance. Verbal odor and fencing complaints were submitted but the department found no evidence of a violation when investigated.

Commissioner Payne moved to approve the 2016 renewal for OPC 14-011 Pure Medical, LLC. Commissioner Bell seconded the motion. Upon Vote: Commissioner Payne, aye; Commissioner Bell, aye; Commissioner Norden, aye. The motion carried.

Chairman Norden opened the Public Hearing for the modification at 9:32 a.m.

Karlie Van Arnam explained the modification application is two-part. A miscommunication led to the approval to grow only under the canopy. The original intent of the application was to grow within the entire fenced area. The second part of the modification is to put up a building for harvesting with an odor mitigation system. The building will add to security during harvest time and help with odor mitigation during the most fragrant part of the growing season.

James Marks expounded that harvesting currently takes place in the barn as approved. The odor mitigation system on the new building will be charcoal filters along with air ionizers and UV light filters for a 100,000 square foot building. The barn will become a workshop.

Director Koch said all items were submitted, and the majority of public comments are concern for new odor. The original application did show intent to use the entire fenced area.

Tony Gleiforst is opposed and has concerns are for preservation of the area. The trimmings are considered hazardous waste, but he never sees a hazardous waste truck pick up the excess.

Clarice Roney is opposed to expanding the outdoor grow. The smell is overwhelming, and she is tired of the area bearing the burden of the marijuana industry.

Charles Campbell lives next door to the outdoor grow, and feels they are an ideal neighbor. He would like to see other grows follow the example.

Chairman Norden closed the Public Hearing at 9:46 a.m.

James Marks said the waste is called medical hazardous waste to prevent the trimmings from being put into the trash where kids can have access to it. The State allows the waste to be composted and put back into the soil. The operation was changed to a one-time-a-year harvest verses year-round. The main goal is to produce a smell for only a short period of time to reduce the burden on the community. If the expansion is not approved, then the facility will grow taller plants for the necessary product.

Karlie Van Arnam reminded the Board that no formal complaints of odor have been submitted, and the operation is compliant with the State. Harvest time is when the plants are most fragrant, so moving the harvest into a building with an odor mitigation system would help to minimize the effects.

Commissioner Payne moved to deny the expansion of the grow area but approve the 1200 foot harvest room. Due to no second, the motion died.

Commissioner Bell moved to approve the modifications for OPC 14-011 Pure Medical, LLC with the exception that the expanded grow area is for one year only to be reviewed at renewal in 2017. Commissioner Payne seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Payne, no; Commissioner Norden, aye. The motion carried.

Chairman Norden adjourned the meeting at 10:08 a.m.