

May 27, 2015

**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 27, 2015, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Edward H. Norden called the meeting to order at 1:30 P.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: Planning and Zoning Director Matt Koch and Jody Blausner, Chief Deputy Clerk.

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. Request: OPC 14-009 Golden Meds, Inc., DBA Golden Meds, Inc. (Optional Premises Cultivation License – Indoor Grow Greenhouse, Commercial), Request for issuance of an OPC 14-009 Golden Meds, Inc., DBA Golden Meds, Inc. (Optional Premises Cultivation License – Indoor Grow – Greenhouse, Commercial) requesting the approval and issuance of an Optional Premises Cultivation License, to allow for the operation of an Optional Premises cultivation license, to allow for the operation of an Optional Premises Cultivation – Indoor Grow – Greenhouse, Commercial, at 890 7th Street, Penrose, Colorado. Edward Vazquez

Edward Vazquez said they have been in operation since July 2013. He said they have received their state license that was pending at the time this application was submitted. He stated in January they did transfer the license from 5110 LLC to Golden Meds. They are still the same owners, it just changed from one entity to another.

Planning Director Koch said this is an allowed zoning use however there is one church located 350 feet south of the property. He discussed the department comments and contingencies.

Commissioner Bell said they have received more complaints on this location than any other medical marijuana license in the County. These complaints are regarding the odor and lighting.

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Tim Brown said they installed an entire blackout system in the greenhouse in November. Carbon filters have also been installed. Their last growing season was in November. The State did an inspection in December 2014. There are 20-70 employees depending on harvest and sales.

Commissioner Payne said he received a complaint on May 18th and believes the odor and lighting problems are going to continue.

Commissioner Norden asked how many greenhouses there are and how many have blackouts.

Edward Vazquez said there are 10 existing greenhouses.

County Attorney Jackson noted the regulations do not require total blackout, only that light does not reflect onto other properties.

Commissioner Bell moved to approve OPC 14-009 Golden Meds, Inc., with the following contingency:

1. Documentation that license 403-01342 was legally transferred and a copy of renewed license 402-00788.

Commissioner Norden seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner Norden, aye; Commissioner Payne, nay. The motion carried.

2. Request: OPC 14-010 Maggie's Farm, LLC DBA Maggie's Farm, LLC (Optional Premises Cultivation License – Outdoor Grow (Greenhouse, Commercial), Request for issuance of an OPC 14-010 Maggie's Farm, LLC DBA Maggie's Farm, LLC (Optional Premises Cultivation License – Outdoor Grow (Greenhouse, Commercial) requesting the approval and issuance of an Optional Premises Cultivation License, to allow for the operation of an Optional Premises Cultivation – Outdoor Grow – Greenhouse, Commercial at 4211 County Road 84. Representative: Winston H. Conkling

Bill Conkling said they have had multiple licenses at the same location since 2010. This is an outdoor grow operation. They have more security cameras than what is required by the state. They also have a monitoring company and a 24 hour armored service. They previously had a state violation for consumption on the premises. That employee was immediately fired and no formal action was taken by the state.

Planning Director Koch said this is an outdoor grow and it is an allowed use. There is no odor or light mitigation in place. He discussed the department comments and conditions.

Commissioner Norden said the issue with the Colorado Division of Water Resources needs to be resolved or complied with.

County Attorney Jackson said this is not a violation. It can be a condition of the license.

Bill Conkling said he brought his Water Attorney with him today if there is any clarification needed. There is enough water in the pond for this season.

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Commissioner Payne moved to approve OPC 14-010 Maggie's Farm, LLC with the following contingency items:

1. A copy of the renewed Occupational Premises Cultivation (OPC) license's 403-01459 (5-8-15), 403-01460 (5-8-15) and 403-01153 (4-19-15) will be required. Licenses have been administratively continued by the State Licensing Authority until completion of renewal license investigation. (This can be submitted upon receipt from the State).
2. Approval by the Fremont County Board of Health for the use of the portable toilets and wash station. Contact Sid Darden, Fremont County Department of Health and Environment.
3. A management plan detailing the training program for employees and staff that shall contain, at a minimum, educational and operation standards on prevention of sale or distribution of marijuana products to anyone under the age of 21 years old. Applicant provided statement but no detail.
4. Lawful presence affidavit form to be completed.

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

3. Request OPC 14-011 Pure Medical, LLC, DBA Pure Medical (Optional Premises Cultivation License – Indoor Grow – Greenhouse, Commercial) Request for issuance of an OPC 14-011 Pure Medical, LLC, DBA Pure Medical (Optional Premises Cultivation License – Indoor Grow – Greenhouse, Commercial) requesting the approval and issuance of an Optional Premises Cultivation License, to allow for the operation of an Optional Premises Cultivation – Indoor Grow – Greenhouse, Commercial, at 440 8th Street, Penrose, Colorado. Representative, Jason Vanstrom

James Marks said that he is the General Manager of the operation and he will be representing for Jason Vanstrom as is out of state today. This operation does grow underneath a greenhouse roof without any walls. The closest neighbor is 250-350 feet away from the east side of the property. The parcel is eight acres and the grow area is about 800 linear feet. There is a privacy fence, a barbed wire fence, and a chain length fence in place for security.

Planning Director Koch said this is an indoor grow and is an allowed use. He discussed the department comments and contingencies. The Certificate of Occupancy is still required.

Commissioner Norden asked if he is approved for an indoor facility will he be able to grow outside as well.

County Attorney Jackson said a Modification of Premise would be required.

James Marks said he can't get the Certificate of Occupancy if he encloses the walls. The roof is mainly for protection from rain and hail. The state conducted an onsite inspection in October 2014. A minor violation was found for a plant that was not tagged. The issue was resolved on site and no formal violation was issued.

Commissioner Payne moved to approve OPC 14-011 Pure Medical LLC with the following contingencies:

1. The applicant will provide a Certificate of Occupancy from the Fremont County Building Department.
2. The applicant has noted that this is not an enclosed structure and odor mitigation is not possible, a statement from the engineer to this is mentioned but has not been provided.

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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 2:41 P.M.

Clerk and Recorder