

STATE OF COLORADO }
 } SS.
 County of Grand }

At a regular meeting of the Board of County Commissioners for the Grand County, Colorado, held at the Grand County Administration Building in Hot Sulphur Springs on Tuesday, the 27th day of January, 2015 there were present:

Merrit Linke _____, Commissioner Chairman
James L. Newberry _____, Commissioner
Kristen Manguso _____, Commissioner
Anthony J. DiCola _____, County Attorney
Lurline Underbrink Curran _____, County Manager
Sara L. Rosene _____, Clerk of the Board

when the following proceedings, among others, were had and done, to wit:

RESOLUTION NO. 2015-1-60

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GRAND, STATE OF COLORADO APPROVING A RETAIL MARIJUANA PRODUCTS MANUFACTURER LICENSE TO RM CONCEPTS, LLC, LOCATED AT 60 COUNTY ROAD 820, UNITS 1 AND 3, TABERNASH, COUNTY OF GRAND, STATE OF COLORADO

WHEREAS, RM Concepts, LLC, “the Applicant and Licensee,” has applied for the issuance of a Retail Marijuana Products Manufacturer License for use at 60 County Road 820, Units 1 and 3, Tabernash, County of Grand, State of Colorado (“the Premises”); and

WHEREAS, the Applicant has submitted the application and license fee necessary for the Retail Marijuana Products Manufacturer License; and

WHEREAS, the Applicant has been issued a conditional license from the State of Colorado, conditional on the issuance of the local license; and

WHEREAS, the premises is zoned as Business, and the use is consistent with the zoning pursuant to the Grand County Zoning Regulations; and

WHEREAS, the Licensee, its officers, directors, stockholders, partners, members and/or employees appear to be of good moral character as indicated by a check of criminal records history; and

WHEREAS, the Licensee is entitled to possession of the premises for which this application is made and the applicable zoning laws permit such use; and

WHEREAS, the premises is not located within 1000 feet of any church, educational facility, licensed child care establishment or alcohol and drug treatment facility; and

WHEREAS, the Clerk and Recorder provided notice to the Department of Community Development, the Sheriff’s Department and the Local Fire Protection District, and the Department of Community Development provided input as provided in the record and no comments were received from the Sheriff’s Department or the Local Fire Protection District; and

WHEREAS, Notice of the Public Hearing was published in the Middle Park Times on January 15, 2015, and was posted on the premises on January 9, 2015; and

WHEREAS, a courtesy notification was sent to any landowner within 1000 feet of the premises; and

WHEREAS, the neighborhood is defined as a two (2) mile radial boundary, consistent with the issuance of liquor licenses; and

WHEREAS, the reasonable requirements of the neighborhood support the issuance of a license; and

WHEREAS, the desires of the adult inhabitants of the neighborhood support the issuance of a license: Petitions submitted by the Applicant indicate that, within the two mile radius of the premises, 31 inhabitants were in favor of the facility, 1 was opposed and 10 were not able to be verified by the time of the hearing; and

WHEREAS, the Board has considered the number and availability of other marijuana establishments in or near the neighborhood and whether the issuance would result in or add to an undue concentration of marijuana establishments and has determined that the facility would not require the use of additional law enforcement resources; and

WHEREAS, the Applicant has met, or has not violated or failed to comply with, any and all of the terms, conditions or provisions of the Colorado Retail Marijuana Code or any rule or regulation promulgated thereto, or Grand County Resolution 2014-1-26 and Ordinance 14 or any rule or regulation pursuant to this Resolution and Ordinance; and

WHEREAS, the Board has considered the exhibits and testimony presented at the January 27, 2015 Public Hearing, has considered the reasonable requirements of the neighborhood and the desires of the adult neighborhood inhabitants, and has determined that approving the issuance of the Retail Marijuana Products Manufacturer License would not adversely impact the health, welfare or public safety of the neighborhood.

NOW THEREFORE, be it resolved by the Board of County Commissioners of the County of Grand, State of Colorado that the issuance of the Retail Marijuana Products Manufacturer License to RM Concepts, LLC for use at 60 County Road 820, Units 1 and 3, Tabernash, County of Grand, State of Colorado be and is hereby Approved for a period of one year beginning on the date the license is signed by the Board subject to the following terms and conditions:

1. The Applicant shall manage odor emissions such that odor emissions shall not be detected at or beyond the property boundary of the licensed premises;
2. The Applicant shall provide all security, financial controls and banking, and inventory tracking as provided in the application and as testified by its witnesses and in conformance with the Colorado Constitution, the Colorado Retail Marijuana Code and any rules or regulations promulgated pursuant thereto and Grand County Resolution 2014-1-26 and Ordinance 14;
3. The Applicant shall operate the facility in conformance with the Colorado Constitution, the Colorado Retail Marijuana Code and any rules or regulations promulgated pursuant thereto, Grand County Resolution 2014-1-26 and Ordinance 14 and any other laws which may affect marijuana establishments including but not limited to the Grand County Zoning Regulations;
4. Applicant must provide proof of training of employees as identified in staff training section of the Applicant's Marijuana Management Plan prior to renewal of the County license;
5. Applicant must provide proof of Community Outreach as identified in the community outreach section of the Applicant's Marijuana Management Plan prior to renewal of the County license;
6. There shall be no identifying signage on the exterior of the premises;

7. Applicant shall pay any required additional sewer tap fees and any required additional water tap fees prior to issuance of a Certificate of Occupancy from the Department of Community Development;

8. Applicant shall show completion and acceptance of all repairs and/or improvements required by Tabernash Meadows Water and Sanitation District prior to issuance of a Certificate of Occupancy from the Department of Community Development;

9. Applicant shall show proof of any required Fire Impact Fees having been paid to the Local Fire Protection District;

10. If the Applicant determines that it will begin producing edibles which will require the construction of a kitchen, Applicant shall:

- a. immediately notify and apply to the Grand County Department of Community Development for a building permit; and
- b. immediately apply for a modification of premises with both Grand County and the State of Colorado; and
- c. provide to Grand County a letter or proof of approval from the Colorado Department of Public Health and Environment or applicable State Agency of the kitchen and/or bakery prior to issuance of a Certificate of Occupancy from the Department of Community Development.

11. All employees of RM Concepts, LLC must complete a background check with the Grand County Sheriff's Office including a fingerprint background check prior to beginning work and at the annual renewal of the County license; and

12. Upon employment, Applicant must provide the appropriate application for the employee as well as the state issued card as identified below:

- a. Red Card: Colorado Associated Key Marijuana License
Application is for the owner of a business and must be renewed annually,
- b. Green Card: Medical Marijuana Key Employee License
Application is for managers of the business, can be used anywhere in the state and is renewed every two years,
- c. Blue Card: Medical Marijuana Support Employee License
Application is for support workers, can be used anywhere in the state, and is renewed every two years, or
- d. Yellow Card: Retail Marijuana Occupational Employee License
Application is for retail only support, can be used anywhere in the state, and is renewed every year.

BE IT FURTHER RESOLVED, this license shall not issue until the Applicant has received a Certificate of Occupancy from the Department of Community Development. In the event the Applicant fails to obtain a Certificate of Occupancy or for any other reason fails to obtain a validly issued local license by November 25, 2015, this resolution shall be void and of no further force and effect.

BE IT FURTHER RESOLVED, the Chairman of the Board of County Commissioners is authorized to execute the Retail Marijuana Products Manufacturer License upon the Applicant receiving a Certificate of Occupancy from Department of Community Development, said license being effective on the date the Board executes the license.

Upon motion duly made the foregoing resolution was adopted by the following vote:

.....	<i>M. David Lunde</i>	Aye
.....	<i>James L. Wilby</i>	Aye
.....	<i>Kevin M. Munguel</i>	Aye

Commissioners

STATE OF COLORADO }
 } SS.
 County of Grand }

I,, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Grand County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Hot Sulphur Springs, this day of A.D. 20.....
County Clerk and ex-officio Clerk of the Board of Commissioners.

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