



**Marijuana Control Board  
Meeting Minutes  
April 4, 2017  
Third Judicial District  
Snowden Training Center  
820 West 4<sup>th</sup> Avenue  
Anchorage, Alaska**

**Board Members Present:**

Peter Mlynarik, Chair, Public Safety Member  
Mark Springer, Vice Chair, Rural Member  
Brandon Emmett, Industry Member  
Nick Miller, Industry Member  
Loren Jones, Public Health Member

**Staff Members Present:**

Erika McConnell, Director  
Sarah Oates, Program Coordinator  
Jane Sawyer, Occupational Licensing Examiner

**Legal Counsel Present:**

Harriet Milks, Assistant Attorney General

● **ADMINISTRATION**

- A. Call to Order 9:23am
  
- B. Approval of Agenda 9:23pm  
*Mark Springer moves to approve the agenda.*  
*Brandon Emmett seconds the motion.*  
*Chair Mlynarik requests to table the March 7, 2017 meeting minutes.*  
*None opposed to tabling the March 7 minutes.*  
*None opposed to approving the agenda.*
  
- C. Approval of February 2, 2017 Meeting Minutes 9:24am **TAB 1**  
*Mark Springer moves to approve the February 2, 2017 meeting minutes.*  
*Brandon Emmett seconds the motion.*  
*None opposed.*
  
- D. Approval of March 7, 2017 Meeting Minutes **TAB 2**  
*Tabled.*

● **DIRECTOR BRIEFING**

**A. Director's Report**

9:25am

**TAB 3**

*Erika McConnell updates the Board on AMCO issues.*

● **PUBLIC TESTIMONY**

9:29am

Public testimony is limited to issues not on this agenda and that are not proposed regulations. Per the public notice of this meeting, public wishing to testify must have pre-registered by emailing [marijuana@alaska.gov](mailto:marijuana@alaska.gov) no later than March 23, 2017 with their intent. The Board is unable to hear public testimony on proposed regulations at this time. Written comments may also be submitted to the Board via [marijuana@alaska.gov](mailto:marijuana@alaska.gov).

*Chair Mlynarik reminds the public that the public testimony period is for items that are not on the agenda and that those wishing to testify were required, as stated in the public notice, to sign up by emailing [marijuana@alaska.gov](mailto:marijuana@alaska.gov) by March 23. He states that those testifying will be limited to two minutes, due to the number of people who have signed up.*

*He asks if either Teresa Galvin or Aaron Morse is present to testify. Neither is present.*

*William Stevens provides testimony regarding outdoor growers and requests a May meeting be held.*

*Dr. Matthew Peterson, board certified pain specialist in Alaska, urges the Board to hold a May meeting and move the industry forward and brings up the medical market.*

*Cade Inscho provides testimony regarding the PFD being used toward the fiscal deficit and talks about medical endorsements for retail establishments.*

*Kira Boyd, Adam Boyd, and Dan Ferguson are not present for testimony.*

*Jim Thornton echoes Dr. Peterson's comments about the necessity for a May meeting.*

*Lloyd Stanfield, owner of AK Kush, asks the Board for a May meeting.*

*Josh Hunter requests a May meeting so that he may operate greenhouses this summer.*

*Ken Williamson requests a May meeting.*

*Mike Emmers is not present for testimony.*

*Jana Weltzin requests that the Board consider waiving renewal fees for those in Active status that are not yet operating. She voices concerns about the black market and introduction from other states if a May meeting is not held.*

*Bill Little provides testimony regarding the necessity for a May meeting.*

*Steven Bush is not present for testimony.*

*Jason Brandeis provides testimony regarding reasons behind the necessity for a May meeting.*

*Carroll (Cary) Carrigan provides testimony regarding commercial and medical marijuana in other states and the necessity for a May board meeting.*

*Dan Ferguson requests that the Board hold an additional meeting to get outdoor cultivators running for the summer market.*

*Kenny Scollan is not present for testimony.*

*Will Schneider states that he does not wish to testify at this time.*

*Chair Mlynarik states that he will give five more minutes for additional people who would like to testify, as the Board started a little late.*

*Kerby Coman requests that the Board hold a May meeting and provides testimony regarding the 5mg THC limit for edibles and illegal and unlicensed delivery services, including ACDC, that are advertising on the radio and will deliver black market marijuana coming from out of state.*

*Sara Williams provides testimony regarding the necessity for a May meeting.*

*Mike Morgan provides testimony regarding the need for a May meeting.*

● **BOARD GOVERNANCE**

**10:05am**

*Harriet Milks asks that Board members update any business associations or ethics disclosures.*

*Brandon Emmett states that he has no changes.*

*Mark Springer states that he has no changes.*

*Loren Jones states that he has no changes.*

*Nick Miller states that he has no changes.*

*Chair Mlynarik states that he has no changes.*

*Shirley Marquardt, new Director of Boards and Commissions, provides a memo to the Board members regarding Board etiquette and reminds the Board members of some important issues.*

● **ENFORCEMENT UPDATE**

**A. Enforcement Report**

**10:09am**

**TAB 4**

*James Hoelscher and Joe Bankowski update the Board members on enforcement issues including staff updates, statistics, and workloads. He reminds the public to use the general enforcement email address for any enforcement questions or concerns.*

*James Hoelscher states that he does not believe that air cargo transportation of marijuana is compliant with the Cole memo and requests that the Board consider that when working on the transportation regulations project.*

*James Hoelscher states that there is a lot of advertising going on through social media and asks if the Board would support his interpretation of 3 AAC 306.360 to include social media advertising. He states that social media advertisements should include the warnings listed in regulation.*

*Brandon Emmett states that he agrees with James Hoelscher's interpretation.*

*James Hoelscher reminds attendees that giving away free marijuana is prohibited.*

*James Hoelscher states that it seems as if some confusion resulted from the last meeting regarding production and sale of kief. He states that production of kief is listed as an action performed by a marijuana product manufacturing facility.*

*Brandon Emmett states that what is happening at the cultivation facilities is that the trichomes are being knocked off of the plant, and that the kief is not intentionally being separated and produced through physical processes.*

*Mark Springer asks if there is a way of tracking it in METRC, or if this is an opportunity for diversion.*

*James Hoelscher states that the problem is when cultivation facilities are physically separating out the kief and selling it directly to retail, rather than combining it with trim and selling it to a product manufacturer. He states that without a change in the regulations, he does not believe that this would be legally supported.*

*Mark Springer states that the kief they're talking about right now is a normal byproduct of processing.*

*Investigator Joe Bankowski states that the only potency test that is being done is on the bud and flower, and not separately on the kief, which has a much higher THC content. He states that this is the missing step of keeping the consumer appropriately and accurately informed.*

*Nick Miller asks if enforcement's concerns would be appeased if kief is separately tested.*

*James Hoelscher states that cultivators are intentionally purchasing machines that separate the kief from the rest of the plant.*

*Nick Miller states that he would support the cultivator being able to sell kief to either a retail store or a product manufacturer, but that the kief has to be tested separately.*

*James Hoelscher states that his issue is when a cultivator is intentionally isolating the kief.*

*James Hoelscher asks the Board if putting a clear, child-proof, resealable bag into a second opaque bag, like a brown paper bag, would be meeting the packaging requirements in the regulation.*

*Brandon Emmett states that his interpretation and recollection of the intent of the packaging requirements is that this would meet the requirements in regulation.*

*Chair Mlynarik states that he does not recall any discussion about brown paper bags, and that he assumed that there would be one package that met all of the requirements, including that it be child-proof, resealable, and opaque.*

*Bryant Thorp, Arctic Herbery, presents examples to the Board and states that the cost of the clear/mylar packaging is \$0.02, versus \$1.10 for the opaque, resealable packaging.*

*James Hoelscher reads 3 AAC 306.345(a)(3) for the record.*

*Nick Miller states that as the holder of a retail store, this decision would affect him financially.*

*Chair Mlynarik states that he does not see a need for Nick Miller to recuse himself, as this would not be specific to his store.*

*Brandon Emmett asks Erika McConnell if she has some suggested language.*

*Erika McConnell suggests language to say that the packaging requirements may be achieved through multiple packages and is not required to be achieved in one package.*

*James Hoelscher states that he feels that this should only apply to the opacity, and that the child-proofing and resealability should be met by a single package.*

*Erika McConnell suggests a motion to say that 3 AAC 306.345(a)(3) shall be interpreted by the Board to say that a single package must be both resealable and child-resistant, but that a second package may be used to meet the opacity requirement.*

*Brandon Emmett moves the suggested language.*

*Mark Springer seconds the motion and amends the motion to state that a resealable, child-resistant packaging containing marijuana or marijuana product may be contained in a second, opaque container upon leaving the retail section of a licensed premises.*

*Brandon Emmett seconds the amendment.*

*Loren Jones voices concerns about changing the regulation.*

*Harriet Milks states that this would be clarifying what the Board means by "packaging" and would not be a substantial change to the regulation.*

*Motion to amend the motion carries, 3-2 (Loren Jones and Chair Mlynarik vote No).*

*Amended motion carries, 3-2 (Loren Jones and Chair Mlynarik vote No).*

*Chair Mlynarik requests that the other enforcement suggestions for potential regulations projects be addressed during the meeting tomorrow.*

*None opposed.*

**B. Notices of Violation Issued and Licensee Responses**

**11:06am**

**TAB 5**

*Chair Mlynarik states John Collette, Ester Horticulture licensee, might be on the phone and hoping to speak with the Board about his NOV.*

Mr. Collette is not present.

- C. Executive Session per AS 44.62.310(c)(4) **11:08am**  
*Mark Springer moves to go into executive session under the authority of AS 44.62.310(c)(4) to hear from enforcement, the Director, and legal counsel.*  
*Brandon Emmett seconds the motion.*  
*None opposed.*

*Mark Springer moves to go out of executive session.* **12:02pm**  
*Brandon Emmett seconds the motion.*  
*None opposed.*

*Erika McConnell suggests that the Board break for lunch and wait until after lunch to take any action on the record since the majority of the public has left.*  
*Chair Mlynarik moves her suggestion.*  
*None opposed.*

● **LUNCH BREAK** **12:04pm**

- **MEETING RESUMES** **1:06pm**  
*Chair Mlynarik states for the record that the Board did not take any action while in executive session.*

● **LICENSING UPDATE**

- A. Licensing Report **1:07pm** **TAB 6**

*Sarah Oates provides updates to the Board regarding licensing matters and requests that the Board delegate to the director the authority to approve business name changes.*

*Brandon Emmet moves to approve staff's request for delegation as listed in the licensing report.*  
*Mark Springer seconds the motion.*  
*None opposed.*  
*Erika McConnell clarifies that the Board is delegating to the director the authority to approve business name changes.*  
*The Board members nod.*

● **APPLICATIONS FROM PREVIOUS MEETINGS**

A. **Business Name Changes**

- |                           |   |               |                     |
|---------------------------|---|---------------|---------------------|
| <b>1. License #10236:</b> | <b>AlaskaSense, LLC to Cannabaska</b>             | <b>1:23pm</b> | <b><u>TAB 7</u></b> |
| Licensee:                 | AlaskaSense, LLC                                  |               |                     |
| License Type:             | Retail Marijuana Store                            |               |                     |
| Premises Address:         | 521 W Tudor Road, Unit 201<br>Anchorage, AK 99503 |               |                     |
| Local Government:         | Municipality of Anchorage                         |               |                     |

*The Board agrees that they will let the director handle this now that authority has been delegated.*

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS**

- 1. License #10107:**                      **Arctic Earth**    **1:24pm**                      **TAB 8**  
Licensee:                                      Ferguson and Smith Enterprises, Inc.  
Premises Address:                              151 A Street Loop #1  
    Anchorage, AK 99518  
Local Government:                              Municipality of Anchorage

*Mark Springer moves to approve license 10107 Arctic Earth with delegation.  
Brandon Emmett seconds the motion.*

*Adam Ferguson, Orlo Smith, and Katherine Ferguson identify themselves for the record.*

*Chair Mlynarik asks if there is anyone who would like to provide testimony about this application.  
No public testimony.*

*Motion to approve with delegation carries unanimously.*

- 2. License #10188:**                      **The Green Pearl, LLC**    **1:28pm**                      **TAB 9**  
Licensee:                                      The Green Pearl, LLC  
Premises Address:                              3678 S Wolverine Drive  
    Big Lake, AK 99652  
Local Government:                              Matanuska-Susitna Borough

*Mark Springer moves to approve license 10188 The Green Pearl, LLC with delegation.  
Brandon Emmett seconds the motion.*

*Roger Tischner identifies himself for the record and answers Board questions.*

*Loren Jones voices concerns about the lack of detail given in a number of the answers throughout the operating plan.  
Chair Mlynarik states that he would like to see more detail for the items that are lacking.*

*Sarah Oates voices concerns about adding burden to the small staff if the Board intends to include in the delegation that the applicant provide additional detail.*

*Chair Mlynarik states that if this license is approved, that the intent would not be to add extra burden to staff.*

*No public testimony received.*

*Motion to approve with delegation carries, 3-2 (Loren Jones and Chair Mlynarik vote No).*

- 3. License #10201:**                      **Happy Cannabis**    **1:45pm**                      **TAB 10**  
Licensee:                                      Kelsey J Martinsen & Sarinee Nuamnui  
Premises Address:                              225 South Front Street

Wrangell, AK 99929  
Local Government: City and Borough of Wrangell

*Mark Springer moves to approve license 10201 Happy Cannabis with delegation.  
Brandon Emmett seconds the motion.*

*Kelsey Martinsen identifies himself for the record and answers Board questions about his application. He states that the restaurant will be closed by the time the license is operational.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- |                           |   |               |                      |
|---------------------------|---|---------------|----------------------|
| <b>4. License #10286:</b> | <b>Arctic Greenery, LLC</b>                                       | <b>1:53pm</b> | <b><u>TAB 11</u></b> |
| Licensee:                 | Arctic Greenery, LLC  |               |                      |
| Premises Address:         | 1725 Richardson Highway, Suites 102 & 104<br>North Pole, AK 99705 |               |                      |
| Local Government:         | Fairbanks North Star Borough                                      |               |                      |

*Mark Springer moves to approve license 10286 Arctic Greenery with delegation.  
Brandon Emmett seconds the motion.*

*Sherry Gilbert and Brandon Gilbert identify themselves for the record and answer Board questions about their application.*

*Chair Mlynarik states that although the Board is considering a change to the transportation regulations, nothing has changed as of right now, and licensees must abide by the current regulations.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- |                           |   |               |                      |
|---------------------------|---|---------------|----------------------|
| <b>5. License #10291:</b> | <b>Lazy Mountain Harvest, LLC</b>             | <b>2:02pm</b> | <b><u>TAB 12</u></b> |
| Licensee:                 | Lazy Mountain Harvest, LLC                    |               |                      |
| Premises Address:         | 12685 W Bench Lake Drive<br>Houston, AK 99694 |               |                      |
| Local Government:         | City of Houston                               |               |                      |

*Mark Springer moves to approve license 10291 Lazy Mountain Harvest, LLC with delegation.  
Brandon Emmett seconds the motion.*

*Chad Hammond, David Dagermjian, Kip Kackman (applicants), and Jana Weltzin (attorney) identify themselves for the record and answer Board questions about their application. Jana Weltzin states that the Fire Marshal has required that the ladder be changed to stairs, so she will be submitting an MJ-14 to reflect the change.*

*No public testimony received.*



*Motion to approve with delegation carries unanimously.*

- |                           |  |               |                      |
|---------------------------|--|---------------|----------------------|
| <b>6. License #11051:</b> | <b>Northlink, LLC</b>                        | <b>2:10pm</b> | <b><u>TAB 13</u></b> |
| Licensee:                 | Northlink, LLC                               |               |                      |
| Premises Address:         | 1550 Cushman, Suite B<br>Fairbanks, AK 99701 |               |                      |
| Local Government:         | City of Fairbanks                            |               |                      |

*Mark Springer moves to approve license 11051 Northlink, LLC with delegation.  
Brandon Emmett seconds the motion.*

*Jake Staser, legal counsel, and Travis Fraser, applicant, identify themselves for the record and answer Board questions regarding the application.*

*The Board members discuss daycare facilities and whether or not they would meet the definition of a recreation or youth center.*

*Jake Staser passes out exhibits to the Board members, which include application documents, aerial diagrams, minutes and other documents from Board and assembly meetings, regulations, and emails. He confirms that the daycare in question is an in-home daycare that is licensed through the State.*

*Brandon Emmett states that he could see where the applicant's confusion lies, especially considering the intent of the motion that Brandon Emmett made at the August, 2015 Board meeting to remove "daycare" from the regulation.*

*Mark Springer asks if Little Thinkers Homecare is aware of the application.*

*Travis Fraser states that they are and that they have not expressed concerns to the applicant.*

*No public testimony received.*

*Loren Jones moves to table the applications for license numbers 11051 and 11053 True Dank to a May meeting so that the Board may get some additional guidance from the attorney and the staff regarding recreation or youth facilities.*

*Mark Springer seconds the motion.*

*Motion to table carries, 3-2 (Brandon Emmett and Nick Miller vote No).*

- |                           |   |               |                      |
|---------------------------|---|---------------|----------------------|
| <b>7. License #11118:</b> | <b>Mercy Tree of Alaska</b>             | <b>2:41pm</b> | <b><u>TAB 14</u></b> |
| Licensee:                 | B2C2LH, LLC                             |               |                      |
| Premises Address:         | 1648 N Post Road<br>Anchorage, AK 99501 |               |                      |
| Local Government:         | Municipality of Anchorage               |               |                      |

*Mark Springer moves to approve license 11118 Mercy Tree of Alaska with delegation.  
Chair Mlynarik requests that the Board take a break.  
None opposed to a break.*

● **BREAK**

**2:41pm**

● MEETING RESUMES

2:55pm

- 7. License #11118:** **Mercy Tree of Alaska** TAB 14  
Licensee: B2C2LH, LLC  
Premises Address: 1648 N Post Road  
Anchorage, AK 99501  
Local Government: Municipality of Anchorage

*Brandon Emmett seconds Mark Springer's motion to approve with delegation.*

*Lance Wells, attorney, and Colin Koenig, applicant, identify themselves for the record and answer Board questions about the application.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- 8. License #11138:** **Fat Tops, LLC** **3:00pm** TAB 15  
Licensee: Fat Tops, LLC  
Premises Address: 36380 Murray Lane  
Soldotna, AK 99669  
Local Government: Kenai Peninsula Borough  
For Consideration: Conditions pursuant to 3 AAC 306.060(b)

*Mark Springer moves to approve license 11138 Fat Tops, LLC.*

*Brandon Emmett seconds the motion.*

*Erika McConnell asks if the approval is with delegation.*

*Mark Springer confirms that it is.*

*Sarah Oates asks whether the Kenai Peninsula Borough conditions would be included in the approval.*

*Mark Springer states that they are.*

*David Parker, applicant, and Lance Wells, attorney, identify themselves for the record and answer Board questions regarding the application and public objections.*

*No public testimony received.*

*Motion to approve with delegation and conditions carries unanimously.*

- 9. License #11319:** **Frontier Grow Labs, LLC** **3:08pm** TAB 16  
Licensee: Frontier Grow Labs, LLC  
Premises Address: 1725 Richardson Highway, Suite 108  
North Pole, AK 99705  
Local Government: Fairbanks North Star Borough

*Mark Springer moves to approve license #11319 Frontier Grow Labs, LLC with delegation.*

*Brandon Emmett seconds the motion.*

*Lawrence Bento identifies himself for the record and answers Board questions about his application.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

<b>10. License #11413:</b>	<b>Denali Dispensaries, LLC</b>	<b>3:15pm</b>	<b><u>TAB 17</u></b>
Licensee:	Denali Dispensaries, LLC		
Premises Address:	4603 Pittman Road Wasilla, AK 99623		
Local Government:	Matanuska-Susitna Borough		

*Mark Springer moves to approve license 11413 Denali Dispensaries, LLC with delegation.  
Brandon Emmett seconds the motion.*

*Brandon Bartlett and Bradley Bartlett identify themselves for the record and answer Board questions regarding the application and public objections.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

<b>11. License #11424:</b>	<b>Blue Bear Cannafarm</b>	<b>3:23pm</b>	<b><u>TAB 18</u></b>
Licensee:	Blue Bear Farms, LLC		
Premises Address:	2091 Andromeda Drive Fairbanks, AK 99712		
Local Government:	Fairbanks North Star Borough		

*Mark Springer moves to approve license 11424 Blue Bear Cannafarm with delegation.  
Brandon Emmett seconds the motion.*

*Terreisa Lane identifies herself for the record and answers Board questions regarding her application.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

<b>12. License #11611:</b>	<b>KushTopia</b>	<b>3:33pm</b>	<b><u>TAB 19</u></b>
Licensee:	Prestige Worldwide Management, LLC		
Premises Address:	1044 S Old Glenn Highway Palmer, AK 99645		
Local Government:	Matanuska-Susitna Borough		

*Mark Springer moves to approve license 11611 KushTopia with delegation.  
Brandon Emmett seconds the motion.*

*Phillip Izon, Kenneth Izon, and Andrew Roades identify themselves for the record and answer Board questions regarding the application.*

*The Board discusses concerns about incineration as a method of waste disposal. Mark Springer states that if the applicant mixes the waste with equal parts cardboard or other material before incineration, that it could technically be meeting the requirements in regulation.*

*Sarah Oates reads 3 AAC 306.740(d)(2) regarding delivery of mixed material to a permitted solid waste facility, incinerator, or other facility with approval of any applicable local government entity for the record.*

*Loren Jones states that he would like to add to the delegation that incineration of waste not occur until enforcement or staff is ensured that the applicant has any required permitting and is in compliance with those requirements.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

<b>13. License #11617:</b>	<b>Hunter Greens and Purples, LLC</b>	<b>3:50pm</b>	<b><u>TAB 20</u></b>
Licensee:	Hunter Greens and Purples, LLC		
Premises Address:	67927 Virginia Avenue Homer, AK 99603		
Local Government:	Kenai Peninsula Borough		
For Consideration:	Conditions pursuant to 3 AAC 306.060(b)		

*Mark Springer moves to approve license 11617 Hunter Greens and Purples, LLC with Kenai Peninsula Borough requirements and delegation. Brandon Emmett seconds the motion.*

*James Hunter identifies himself for the record and answers Board questions about the application and public objection.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

<b>14. License #11649:</b>	<b>K Beach Reef</b>	<b>3:55pm</b>	<b><u>TAB 21</u></b>
Licensee:	Ryan K Hall		
Premises Address:	42106 K Beach Road Soldotna, AK 99669		
Local Government:	Kenai Peninsula Borough		
For Consideration:	Conditions pursuant to 3 AAC 306.060(b)		

*Mark Springer moves to approve license 11649 K Beach Reef with Kenai Peninsula Borough requirements and delegation. Brandon Emmett seconds the motion.*

*Ryan Hall identifies himself for the record and answers Board questions about the application.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

● **RECESS**

**3:59pm**

*Brandon Emmett moves to recess until tomorrow.*

*Loren Jones seconds the motion.*

*None opposed.*

**Marijuana Control Board  
Partial Meeting Minutes  
April 5, 2017  
Third Judicial District  
Atwood Building  
Rooms 102 & 104  
Anchorage, Alaska**

**Board Members Present:**

Peter Mlynarik, Chair, Public Safety Member  
Mark Springer, Vice Chair, Rural Member  
Brandon Emmett, Industry Member  
Nick Miller, Industry Member  
Loren Jones, Public Health Member

**Staff Members Present:**

Erika McConnell, Director  
Sarah Oates, Program Coordinator  
Jedediah Smith, Local Government Specialist

**Legal Counsel Present:**

Harriet Milks, Assistant Attorney General

● **ADMINISTRATION**

9:15am

A. Call to Order

B. Roll Call

*Brandon Emmett  
Loren Jones  
Mark Springer  
Peter Mlynarik  
Nick Miller  
Erika McConnell  
Harriet Milks  
Jed Smith  
Sarah Oates*

*Mark Springer moves to suspend the rules to amend the agenda.*

*Brandon Emmett seconds the motion.*

*Mark Springer moves to move On-site Consumption Endorsement to follow all other regular business on the agenda, along with item H (Tab 52 – Random Sampling, Sampling for Quality Control, and Waste Disposal).*

*Brandon Emmett seconds the motion.*

*None opposed.*

*Chair Mlynarik states that the reasoning is to prioritize getting through the license applications.*

● **REGULATIONS**

**A. Proposed Regulations Projects**

1. Request from Representative Dean Westlake 9:16am TAB 44
  
2. New Proposed Projects from Board Members 9:17am  
*Brandon Emmett proposes to open a regulations project under 3 AAC 306.405 to clarify plant number upon initial inspection and opening for a cultivation facility.*  
*Mark Springer seconds the motion.*  
*Motion carries unanimously.*

*Loren Jones states that the issue regarding transportation using air cargo is something that the Board should think about.*

*The Board members discuss the request in Representative Westlake's letter.*  
*Mark Springer moves to open a regulation project under 3 AAC 306.010 to allow communities to appeal the 500-foot buffer zone if it, in fact, cannot be met by a potential licensee in a community.*  
*Brandon Emmett seconds the motion.*

*Chair Mlynarik states that the rules were put in place to protect certain facilities and centers, and that he cannot see how these centers are any less important in rural areas than they are in urban ones.*

*Harriet Milks reminds the Board that municipalities can only enact local ordinances that are more restrictive than state regulations and statutes.*

*The Board members discuss the motion.*

*Motion carries, 3-2 (Loren Jones and Chair Mlynarik vote No).*

*Mark Springer states that he will provide draft language and requests that the director contact Representative Westlake to inform him of the project.*

*Brandon Emmett moves to propose a regulation project under 3 AAC 306.100(c) resulting from the staff recommendation to delegate authority of a business name change.*

*Mark Springer seconds the motion.*

*The Board members agree that this was dealt with yesterday and would not require a regulation project.*

*Brandon Emmett rescinds his motion.*

*Brandon Emmett moves to open a regulation project under 3 AAC 306.555 to provide clarification to allow kief to be sold by cultivators.*

*Mark Springer seconds the motion.*

*The Board members agree that staff can include draft regulation changes in other articles to apply to the appropriate license types.*

*Motion carries unanimously.*

*Brandon Emmett states that he will work with staff on the project.*

*The Board members agree to consider the proposed regulations projects from yesterday's Enforcement Report that were tabled until today.*

Chief Investigator James Hoelscher recommends a regulation project to amend 3 AAC 306.355 to change “may” to “shall” and add “or” at the end of subsection (1).

Harriet Milks clarifies that the “or” in subsection (2) means that the entire list is treated as an “or”.

The Board members state and nod that they agree.

James Hoelscher recommends that the Board consider amending 3 AAC 306.805(d) to say that “A marijuana establishment that receives a notice of violation shall respond to the notice...” rather than “may respond”, which is how the language is written in alcohol regulations.

Harriet Milks agrees that the current language does not require a licensee to respond to a notice of violation. She suggests that the Board could have an advisory opinion or notice on the website, short of going through the process of changing the regulation, that advises licensees that where it says “may respond” in the regulation, the Board really wants to see a response.

Harriet Milks clarifies that the advisory opinion could not say that “may” means “shall”, only that it would be advising licensees that it would like to receive a response.

Mark Springer moves to instruct the director to publish a circular note that in 3 AAC 306.805(d), the Board encourages licensees in receipt of a notice of violation to respond orally or in writing to that notice.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Chair Mlynarik asks if the Board has any interest in changing the language in 3 AAC 306.355 as suggested at the end of James Hoelscher’s Enforcement Report.

Brandon Emmett states that he thinks that the existing language is fine.

Chair Mlynarik states that the Board needs to recess because the phones are not working.

● **BREAK** **10:00am**

● **MEETING RESUMES** **10:11am**

*No additional discussion or motion regarding the last proposal in the Enforcement Report.*

**B. Effect on Restriction of Sale (if Opt-out by Ordinance)** **10:12am**

1. Draft (No New Public Comments Received) **TAB 45**

*Mark Springer moves to adopt 3 AAC 306.250 as amended.*

*Brandon Emmett seconds the motion.*

*Motion carries unanimously.*

**C. Food Safety Permit** **10:13am**

1. Draft; New Public Comment Received **TAB 46**



*Mark Springer moves to adopt 3 AAC 306.315 and 3 AAC 306.520 as amended.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.*

**D. Ownership Change Requirements** **10:14am**

1. Draft (No New Public Comments Received) **TAB 47**

*Mark Springer moves to adopt 3 AAC 306.040 and 3 AAC 306.100 as amended.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.*

**E. Retail Marijuana Store Notice Requirements** **10:14am**

1. Draft; New Public Comment Received **TAB 48**

*Mark Springer moves to adopt new section 3 AAC 306.365.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.*

**F. Testing Requirements** **10:15am**

1. Draft (No New Public Comments Received) **TAB 49**

*Mark Springer moves to adopt 3 AAC 306.645 and 3 AAC 306.660 as amended.  
Brandon Emmett seconds the motion.  
Motion carries unanimously.*

*Erika McConnell excuses Sarah Oates from the meeting.* **10:16am**

**[NOTE: the following minutes are in agenda order, not the order in which the Board addressed the items.]**

● **NEW LIMITED MARIJUANA CULTIVATION FACILITY APPLICATIONS**

1. **License #10876:** **Hale Harvest** **TAB 22**  
Licensee: Joel H Zebill  
Premises Address: 18132 Loveall Loop  
Clam Gulch, AK 99568  
Local Government: Kenai Peninsula Borough  
For Consideration: Conditions pursuant to 3 AAC 306.060(b)

*Mark Springer moves to approve license #10876 with delegation and the Kenai Peninsula Borough conditions.  
Brandon Emmett seconds the motion.*

*Joel Zebill identifies himself for the record and answers Board questions regarding the application. Board members ask questions about aerial photograph and the existence of his building, the existence of sinks and bathrooms, whether the applicant has children because the*

*facility is at his home, whether or not he will have a retail store in the future, the security alarm system, and the use of the rooms within the licensed premises.*

*No public testimony received.*

*Motion to approve with delegation and conditions carries unanimously.*

- |                           |  |                      |
|---------------------------|--|----------------------|
| <b>2. License #10922:</b> | <b>Sparkle Farms Alaska</b>            | <b><u>TAB 23</u></b> |
| Licensee:                 | SFA, LLC                               |                      |
| Premises Address:         | 218 Kelly Drive<br>Ketchikan, AK 99901 |                      |
| Local Government:         | Ketchikan Gateway Borough              |                      |

*Mark Springer moves to approve license #10922 with delegation.  
Brandon Emmet seconds the motion.*

*Chris Wilhelm identifies himself for the record and answers Board questions regarding the application. Board members ask questions about a photograph of the licensed premises area and where exactly the licensed premises was located on the photograph. Board members asked where processing would take place, what areas are covered by cameras, and property ownership. The Board noted that the Board does not approve methods of transportation.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- |                           |   |                      |
|---------------------------|---|----------------------|
| <b>3. License #11519:</b> | <b>Permafrost Distributors</b>          | <b><u>TAB 24</u></b> |
| Licensee:                 | Chase R Griffith                        |                      |
| Premises Address:         | 32630 June Drive<br>Sterling, AK 99672  |                      |
| Local Government:         | Kenai Peninsula Borough                 |                      |
| For Consideration:        | Conditions pursuant to 3 AAC 306.060(b) |                      |

*Mark Springer moves to approve license #11519 with delegation and the Kenai Peninsula Borough conditions.*

*Brandon Emmet seconds the motion.*

*Chase Griffith identifies himself for the record and answers Board questions regarding the application. Board members ask questions about whether he already has an existing limited cultivation facility license and a retail license. The applicant states that he has an existing approved limited cultivating facility license but does not yet have a retail license. Loren Jones asks about the point of sale system mentioned in his application, which is not appropriate for a cultivation facility license. The applicant mentions using the Bio-Track system for inventory tracking. Board members ask about waste disposal, the location of his other license, camera placement, property ownership and the lease, and plant movement between his two cultivation licenses. Mr. Griffith indicates that he does not want to "move live plants around."*

*No public testimony received.*

*Motion to approve with delegation and conditions carries unanimously.*

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

- |                           |   |                      |
|---------------------------|---|----------------------|
| <b>1. License #10057:</b> | <b>Alaskan Cannabis Outfitters</b>        | <b><u>TAB 25</u></b> |
| Licensee:                 | Great White Bear, LLC                     |                      |
| Premises Address:         | 41945 Sterling Highway<br>Homer, AK 99603 |                      |
| Local Government:         | Kenai Peninsula Borough                   |                      |
| For Consideration:        | Conditions pursuant to 3 AAC 306.060(b)   |                      |

*Mark Springer moves to approve license #10057 with delegation and the Kenai Peninsula Borough conditions.*

*Brandon Emmet seconds the motion.*

*Bill Bear (applicant) and Ian (?) Bear identify themselves for the record and answer Board questions regarding the application. Loren Jones asks a question about the residential apartment on the second floor. The applicant states that nobody will live in the apartment and it will be used for storage. Chair Mlynarik reminds the applicant of the packaging regulations. Mark Springer asks if the applicant has a cultivation license. Loren Jones asks about the location of the ID check and the flow of customers through the facility.*

*No public testimony received.*

*Motion to approve with delegation and conditions carries unanimously.*

- |                           |  |                      |
|---------------------------|--|----------------------|
| <b>2. License #10067:</b> | <b>Green Leaf</b>                          | <b><u>TAB 26</u></b> |
| Licensee:                 | Green Leaf, Inc.                           |                      |
| Premises Address:         | 4612 Halibut Point Road<br>Sitka, AK 99835 |                      |
| Local Government:         | City and Borough of Sitka                  |                      |

*Mark Springer moves to approve license #10067 with delegation.*

*Brandon Emmet seconds the motion.*

*Aaron Bean (CEO) and Jana Weltzin (counsel) identify themselves for the record and answer Board questions regarding the application. Loren Jones notes the answer regarding how marijuana will be stored, managed, and disposed of is an answer for a cultivation facility, not a retail facility. The Board directs the applicant to provide an answer specific to the retail store. Loren Jones identifies another portion of the application that relates more to a cultivation facility than a retail facility. The applicant responds that he has both a cultivation and a retail facility with operating standards that apply to both. Chair Mlynarik notes that the label does not include the THC content. The applicant is aware that THC content must be on the label. Chair Mlynarik reminds the applicant of the packaging regulations. Loren Jones asks about the premises diagram and the layout of the building. The applicant clarifies that the area labeled "lounge" would be for onsite consumption should it be approved. The Board states that it is not approving onsite consumption at this time. The Board and the applicant discuss the layout of the premises. The Board requires a clearer diagram of the premises, including the stairs and the upstairs area.*



*Brandon Emmet seconds the motion.*

*James Harris identifies himself for the record and answers Board questions regarding the application. Board members ask questions about the location of their cultivation license, the pipe shop in the lobby of the retail store, and the security alarm system.*

*No public testimony received.*

*Motion to approve with delegation and conditions carries unanimously.*

- 6. License #10646:                      The Green Room AK                      TAB 30**  
Licensee:                                      Ferguson and Smith Enterprises, Inc.  
Premises Address:                      610 C Street #A7  
    Anchorage, AK 99501  
Local Government:                      Municipality of Anchorage

*Mark Springer moves to approve license #10646 with delegation.  
Brandon Emmet seconds the motion.*

*Adam Ferguson (President), Orlo Smith (Vice President,) and Katherine Ferguson (Secretary/Treasurer) identify themselves for the record and answer Board questions regarding the application. Board members ask questions about whether they have a cultivation license, waste disposal, and packaging requirements.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- 7. License #10866:                      AK Frost                      TAB 31**  
Licensee:                                      AK Frost, LLC  
Premises Address:                      5200 A Street, Suite 102  
    Anchorage, AK 99518  
Local Government:                      Municipality of Anchorage

*Mark Springer moves to approve license #10866 with delegation.  
Brandon Emmet seconds the motion.*

*Kyle Denton and Dave McConnell identify themselves for the record. Erika McConnell states for the record that she and Dave McConnell are not related. The applicants answer Board questions regarding the application. Board members ask whether they have a cultivation license.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- 8. License #10869:                      Grass Station 49                      TAB 32**  
Licensee:                                      The Grass Station, LLC  
Premises Address:                      1326 Cushman Street  
    Fairbanks, AK 99701

Local Government: City of Fairbanks

*Mark Springer moves to approve license #10869 with delegation.  
Brandon Emmet seconds the motion.*

*Mason Evans and Gary Evans identify themselves for the record and answer Board questions regarding the application. Board members ask questions about preventing employee diversion, procedures to prevent loitering, waste disposal, how sales will take place, packaging and labeling, the licensed premises diagram/restricted access area, and whether they are near the other applicant on Cushman Street discussed yesterday. The applicants state that their license number will be included on their labels.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- 9. License #10901: The High Expedition Company TAB 33**  
Licensee: The High Expedition Company  
Premises Address: 13465 E Main Street  
Talkeetna, AK 99676  
Local Government: Matanuska-Susitna Borough

*Mark Springer moves to approve license #10901 with delegation.  
Brandon Emmet seconds the motion.*

*Joseph McAneney and Dan Nelson, partners, and Jana Weltzin (counsel) identify themselves for the record. Mark Springer asks the applicants about their relationship with the community of Talkeetna. Mr. McAneney describes his involvement in the community. Ms. Weltzin distributes a letter to the board members regarding the various objections in the board packet. The applicant notes that they do not need a conditional use permit from the Matanuska-Susitna Borough due to an error in their code—the Borough Assembly voted to give nonconforming status to the establishment.*

*Brandon Emmett comments on public objections from Mr. Stoltz and others. Nick Miller has attended assembly meetings in the Matanuska-Susitna Borough and has noted that the applicants have attended the meetings and been very clear about their plans. Mark Springer and Joe McAneney discuss heroin needles, the residency of the applicants, and the location of the Salmon Center. Mark Springer asks the applicants about their views on the public objections. Joe McAneney gives his opinion on the public objections and explains why he has not filed lawsuits for slander and defamation. Joe McAneney mentions that they are working with the family of Ray Genet to restore the building's historical character.*

*Steve Bush (phone) states the facility is too close to various community uses including the Catholic church. He mentions that there was vandalism at the airport, and confrontation between Joe McAneney and members of the public in the street.*

*Holly Sheldon Lee (phone) states all the "old timers" have come to her office to send emails to the Board. She has almost 200 signatures of people who are against the facility. She accuses Joe McAneney of making untruthful statements. She mentions the heroin epidemic.*

*Greg Garris (phone) claims the separation distances are not met. He notices the change in the town atmosphere when he gets to town every few months. He objects to marijuana in downtown Talkeetna.*

*Art Wettanen (phone) is concerned about the effects of drugs on today's youth and speaks against the application.*

*Beth Valentine (phone) objects and states that she was unaware that the Assembly was going to grandfather in facility. She states that the deadlines for comments were not clear. She states that the separation distance from certain facilities is less than 500 feet.*

*Stacy Genet (phone) is part of the Ray Genet family and supports the application. She has received lots of support and states that Joe and Dan have been slandered.*

*Mike Stoltz (phone) notes that the Mat-Su Borough Assembly does not have to respond to the community council. He states that Talkeetna has no police and that causes community problems.*

*Christopher Rauchenstien (phone) opposes the application.*

*Donnie Wilson (phone) appreciates some of the community residents for supporting Talkeetna's historical character.*

*Forest Genet (phone) supports a regulated marijuana shop and has confidence in the applicants.*

*Gary Etherton (phone) states there is a drug problem in Talkeetna but it is not mainstream. He states that "real Alaska" is being replaced with a drug community that will hurt tourists.*

*Kerby Coman (phone) supports the application.*

*John Bender lives just outside of Talkeetna and is not concerned, as a parent, about the application. He supports a regulated facility and is more concerned about the negative impacts of the many alcohol establishments in Talkeetna.*

*Lee Babel does not live in Talkeetna and holds a cultivator license on the Kenai Peninsula. He encourages the Board to make a decision based on the regulations.*

*Robert Sheldon splits his time between Talkeetna and Anchorage. His family controls nearly 20 percent of the commercial main street frontage in Talkeetna. He has found his neighbors on main street do not object to the application. He feels that any legal business has a right to operate.*

*Brandon Emmett comments that the issue sounds more like localism and concerns about change rather than a problem with marijuana. He sees no reason to oppose the application.*

*Mark Springer asks the staff whether the grandfathering was a lesser standard than the Board's regulations. Harriet Milks states that it sounds like the grandfathering related to the conditional use rather than the separation distances. Jana Weltzin confirms that the grandfathering was about the conditional use.*

*Mr. Springer asks if the staff has measured the separation distances. Erika McConnell states that the staff has not. Generally the staff relies on the local governments to check separation distances, but occasionally staff does verify them. Harriet Milks confirms.*

*Chair Mlynarik states that the Board has the option to hold a public hearing. He notes there has been a great deal of comment on this application and proposes the Board hold a public hearing.*

*Nick Miller states that the borough has measured the distances. The conditional use process, which this application was exempt from, does not reduce the state's minimum distances. He evaluates whether the application meets the regulations. Chair Mlynarik notes that one evaluation criteria is whether the license is in the public interest. He notes that there has been more opposition on this application than any other he has seen.*

*Joe McAneney states that it seems much of the opposition is about him personally and that it seems arbitrary and capricious. He asks what the Board is hearing that is not arbitrary and capricious. He notes a letter of support from the community council and that the Mat-Su Borough did not protest. Dan Nelson comments that the borough measures well. Jana Weltzin states that the AMCO website provides direction on how to submit an objection and asserts that none of the objections were filed within the time limit for objections.*

*Mark Springer asks whether the proposed premises is within 500 feet of a school grounds, a recreation or youth center, a building in which religious services are regularly conducted, or a correctional facility. Joe McAneney states no. Mark Springer asks how close is a park. Joe McAneney states there is a park across the street. Brandon Emmett discusses his personal experience in the park across the street. There is no playground in the park.*

*Mark Springer asks about the vandalism at the airport. Dan Nelson states that he has never talked to many of the objectors. He states that 99 percent of what the Board has heard is lies. Mr. McAneney denies any involvement in the alleged vandalism.*

*Chair Mlynarik asks whether there is board interest in having a public hearing, which he would support. No board members respond.*

*Motion to approve with delegation carries 3-2 (Chair Mlynarik and Loren Jones vote No).*

**10. License #11000:**

**Chena Cannabis**

**TAB 34**

Licensee:	Arctic Greenery, LLC
Premises Address:	1725 Richardson Highway, Suite 101 North Pole, AK 99705
Local Government:	Fairbanks North Star Borough

*Mark Springer moves to approve license #11000 with delegation.  
Brandon Emmet seconds the motion.*

*Sherry Gilbert and Brandon Gilbert identify themselves for the record and answer Board questions regarding the application. Board members ask questions about the indication in the MJ-01 that marijuana will be dried and packaged in a designated area of the building and*



*whether that is an activity of their retail license, awareness of labeling requirements, and the available restroom.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

<b>11. License #11031:</b>	<b>Green Degree</b>	<b><u>TAB 35</u></b>
Licensee:	Kerby's Corporation	
Premises Address:	2301 South Knik-Goose Bay Road #1B Wasilla, AK 99654	
Local Government:	Matanuska-Susitna Borough	

*Mark Springer moves to approve license #11031 with delegation.*

*Brandon Emmet seconds the motion.*

*Kerby Coman identifies himself for the record and answers Board questions regarding the application. Board members ask questions about waste, the area of the store that is not part of the licensed premises, training to identify persons under the influence, labeling for the "total estimated amount of THC," and the licensed premises diagrams including the reception area and the stairs. In the reception area which is not part of the licensed premises, the applicant stated he will sell items that are not marijuana or marijuana products, and this area will be open to people under 21. The applicant confirms that all marijuana will be properly tested for potency.*

*Loren Jones notes that some portions of the narrative in the retail store application are about cultivation facilities.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

<b>12. License #11053:</b>	<b>True Dank</b>	<b><u>TAB 36</u></b>
Licensee:	True Dank, LLC	
Premises Address:	1550 Cushman, Suite A Fairbanks, AK 99701	
Local Government:	City of Fairbanks	

*Tabled on April 4, 2017.*

<b>13. License #11140:</b>	<b>Fat Tops, LLC</b>	<b><u>TAB 37</u></b>
Licensee:	Fat Tops, LLC	
Premises Address:	36380 Murray Lane Soldotna, AK 99669	
Local Government:	Kenai Peninsula Borough	
For Consideration:	Conditions pursuant to 3 AAC 306.060(b)	

*Mark Springer moves to approve license #11140 with delegation and the Kenai Peninsula Borough conditions.*

*Brandon Emmet seconds the motion.*

*David Parker identifies himself for the record and answers Board questions regarding the application. Board members ask questions about the cultivation facility being referenced in the retail store application, how products will be displayed and separated from the public, packaging and labeling, warning labels that are not verbatim, and checking of IDs. The applicant states he will have verbatim warning labels.*

*No public testimony received.*

*Motion to approve with delegation and conditions carries unanimously.*

- |                            |  |                      |
|----------------------------|--|----------------------|
| <b>14. License #11382:</b> | <b>Denali's Cannabis Cache, LLC</b>  | <b><u>TAB 38</u></b> |
| Licensee:                  | Denali's Cannabis Cache, LLC   |                      |
| Premises Address:          | M.M. 238.9 George Parks Highway, Suite 420<br>Denali National Park, AK 99755 |                      |
| Local Government:          | Denali Borough   |                      |

*Mark Springer moves to approve license #11382 with delegation.  
Brandon Emmet seconds the motion.*

*Kevin Schwan, owner, and Jason Brandeis, counsel, identify themselves for the record and answer Board questions regarding the application. Board members ask questions about whether or not the location is within Denali National Park, how liquid waste will be disposed of, and awareness of labeling requirements. The applicant states the premises is not within the national park.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- |                            |   |                      |
|----------------------------|---|----------------------|
| <b>15. License #11411:</b> | <b>Denali Dispensaries, LLC</b>                     | <b><u>TAB 39</u></b> |
| Licensee:                  | Denali Dispensaries, LLC                            |                      |
| Premises Address:          | 225 E 5 <sup>th</sup> Avenue<br>Anchorage, AK 99501 |                      |
| Local Government:          | Municipality of Anchorage                           |                      |

*Mark Springer moves to approve license #11411 with delegation.  
Brandon Emmet seconds the motion.*

*Bradley Bartlett, president, and Branden Bartlett, operations manager, identify themselves for the record and answer Board questions regarding the application. Board members ask questions about continuous video monitoring, the timing of the arming of the alarm system, camera coverage, awareness of labeling requirements, and whether or not there is a kitchen. The applicant states that the alarm system will be armed whenever the store is closed and that there is no kitchen.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

- 16. License #11509:** **Permafrost Distributors** **TAB 40**  
Licensee: Chase R Griffith  
Premises Address: 32630 June Drive  
Sterling, AK 99672  
Local Government: Kenai Peninsula Borough  
For Consideration: Conditions pursuant to 3 AAC 306.060(b)

*Mark Springer moves to approve license #11509 with delegation and the Kenai Peninsula Borough conditions.*

*Brandon Emmet seconds the motion.*

*Chase Griffith identifies himself for the record and answers Board questions regarding the application. Board members ask questions about security alerts when the business is closed, camera coverage, training to identify persons under the influence, preventing customer access to products before the sale, packaging and labeling, and the size of the font on the label.*

*No public testimony received.*

*Motion to approve with delegation and conditions carries unanimously.*

- 17. License #11547:** **CloudBerry Partners** **TAB 41**  
Licensee: Joseph D Shimek; Lily A Shimek  
Elijah Goodfarm; Sandor Brown  
Premises Address: 3307 Spenard Road  
Anchorage, AK 99503  
Local Government: Municipality of Anchorage

*Mark Springer moves to approve license #11547 with delegation.*

*Brandon Emmet seconds the motion.*

*Elijah Goodfarm and Sandor Brown identify themselves for the record and answer Board questions regarding the application. Board members ask questions about how the actual selling of the product works and how the product is kept secure, awareness of labeling requirements, the logbook that records the names of customers, differences in two narratives relating to visitors, and the reference to “unpackaged” marijuana being sent from a cultivator. The applicant states that they will not keep a log of customer names.*

*No public testimony received.*

*Motion to approve with delegation carries unanimously.*

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS**

- 1. License #10856:** **Raspberry Roots** **TAB 42**  
Licensee: Raspberry Roots, LLC  
Premises Address: 501 Raspberry Road, Suite 102  
Anchorage, AK 99501  
Local Government: Municipality of Anchorage

*Brandon Emmett recuses himself because the licensee is a founding member of the Alaska Marijuana Industry Association Board.*

*Mark Springer moves to approve license #10856 with delegation but reserves the right to address the specific products individually.*

*Nick Miller seconds the motion.*

*Kim Kole (applicant) and Jana Weltzin (attorney) are present to answer Board questions regarding the application.*

*Loren Jones asks about packaging, reminding everyone of yesterday's packaging discussion. He notes that the manufacturing regulations do not require that a manufacturing facility's packaging must be child-resistant. He also notes that this licensee's products are not in child-resistant packaging. He notes that a retail store would then be responsible for packaging the product in child-resistant packaging. He suggests that the applicant inform any retail stores who purchase their products that the retailer will be responsible for the child-resistant packaging.*

*Loren Jones notes that on most or all of the products, the label is an example label repeated for each product and does not list the actual ingredients of the product. Mark Springer raises a concern that some of the edibles are getting close to similarity with Snow Caps and Altoids. The applicant clarifies that nothing would be packaged in Altoid boxes.*

*Mark Springer moves to approve Canamo Capsules.*

*Nick Miller seconds.*

*No discussion.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canamo Shatter.*

*Nick Miller seconds.*

*No discussion.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canamo Crumble.*

*Nick Miller seconds.*

*Loren Jones notes that the application states that the product will be placed in an exit bag before leaving the licensed facility retail area.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canamo Kief.*

*Nick Miller seconds.*

*Loren Jones asks if the kief will be specifically purchased from a cultivator or will the applicant collect the kief from purchased bud/flower. Ms. Weltzin responds the applicant will use both methods to obtain kief. Loren Jones notes that the Board has opened a regulations project to address how kief is isolated and who may isolate it and sell it. Ms. McConnell states that her understanding is that kief that falls from bud/flower during the trimming process/shaker machines may be sold to a product manufacturer, but a product manufacturer may also isolate the kief from flower/bud that it purchases. The tax on kief was discussed but the decision lies with the Department of Revenue.*

*Loren Jones points out an unfinished sentence in the Packaging Description section.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canamo Sugar Wax.*

*Nick Miller seconds.*

*Loren Jones finds the missing end of the sentence from the previous product.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canamo Budder.*

*Nick Miller seconds.*

*Loren Jones notes that the packaging is not child-resistant or opaque.*

*Chair Mlynarik notes that it might be good to put on the website that the retailers must ensure compliance with the packaging regulations as the manufacturers are not required to.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve CRUX Vape cartridges.*

*Nick Miller seconds.*

*Loren Jones wonders how the cardboard case box can be made tamper-proof. Ms. Kole states that a type of tape may be placed on the cardboard to indicate whether or not it has been opened. The tape does not make the box child-proof. Ms. Kole states that she will make the boxes tamper-proof before it leaves her manufacturing facility.*

*Chair Mlynarik asks what the oil will be "cut with" as stated in the Product Description section. He raises a concern with each cartridge having 200mg of THC. The Board and the applicant discuss how much THC may be in each product that is not an edible.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Northern Delights Ganja Gummies.*

*Nick Miller seconds.*

*The Board directs the applicant to make the colors of the product more muted and delegates approval of the color changes to the Director.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Northern Delights Snow Caps.*

*Nick Miller seconds.*

*The Board discusses the appeal of Altoids to children. The Board directs the applicant to mute the colors and ensure the package does not resemble an Altoid container.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Northern Delights Marijuana Cookies.*

*Nick Miller seconds.*

*The Board asks some clarifying questions.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Northern Delights Bud Brownies.*

*Nick Miller seconds.*

*The Board asks some clarifying questions.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Cannabis Topical Oil.*

*Nick Miller seconds.*

*The Board and the applicant discuss whether someone who has applied marijuana oils to their skin could pass a drug test. Only anecdotal information is shared.*

*Loren Jones notes that the product is not intended to be sold to consumers, but was unsure of the packaging rules for selling to another licensee. The applicant identifies which other products will be made using Cannabis Topical Oil.*

*Loren Jones notes that the sample label does not match the Packaging Description.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Twisted Tundra Canna Ease.*

*Nick Miller seconds.*

*The Board directs that the label should contain a statement, "Not for Oral Consumption."*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Twisted Tundra Canna Smooth Lip Balm.*

*Nick Miller seconds.*

*Mark Springer asks how such a small tube will be labeled. The Board agrees that the required warnings may be located on a resealable bag in a size that is readable.*

*The Board states that a description of the resealable bag is a part of the delegation for this product.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canna Moose Turds.*

*Nick Miller seconds.*

*Chair Mlynarik asks how many pieces will be in each bag. The applicant responds that 10 pieces will be in one package.*

*Loren Jones notes that there are two different possible packages: burlap or a tin. Both would be placed inside the mylar bag. A label would be applied to the burlap bag when used.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canna Ease Bath Soak.*

*Nick Miller seconds.*

*The Board directs that the label should contain a statement, "Not for Oral Consumption."*

*The Board directs that the applicant inform Alaska Poison Control regarding this product, and add a statement on the label that directs people to call poison control if the product is consumed.*

*Motion to approve carries unanimously (4-0).*

*Mark Springer moves to approve Canna Sooth Massage Oil.*

*Nick Miller seconds.*

*Loren Jones notes that a lotion pump container can't be made child-proof and is very similar to products that are regularly found around the home. Loren Jones is concerned about this style of packaging and notes that the Board may need to address this at a later date, if problems arise.*

*Motion to approve carries unanimously (4-0).*

*No public testimony received.*

*Motion to approve with delegation carries unanimously (4-0).*

Licensee: AK Rime, LLC  
Premises Address: 5200 A Street, Suite 101  
Anchorage, AK 99518  
Local Government: Municipality of Anchorage

*Mark Springer moves to approve license #10865 with delegation.  
Brandon Emmet seconds the motion.*

*Kyle Denton and David McConnell identify themselves for the record. The Board agrees to evaluate each product.*

*Mark Springer moves to approve Sap.  
Brandon Emmett seconds.*

*Loren Jones asks about the amount of Sap and THC in each package—the application states that each package will contain between 0.5 grams and 1 gram of sap with total THC content ranging from 50 to 99 percent. Mr. Emmett states that he thinks the applicant means the product will contain between 50 and 99 percent THC and will be packaged in containers holding between 0.5 and 1 gram. The applicant states the product will contain between 250 and 1,000 milligrams of THC. The Board discusses whether the 50 milligram limit applies.  
Motion to approve carries, 4-1 (Loren Jones votes No).*

*Mark Springer moves to approve Shatter.  
Brandon Emmett seconds.*

*Chair Mlynarik asks how many milligrams of THC is in each package. Mr. Emmett states that approximately 5,600 milligrams of THC would be in each 7 gram lot.  
Motion to approve carries unanimously.*

*Mark Springer moves to approve Sap Caps.  
Brandon Emmett seconds.  
Mark Springer confirms that these are an edible.  
Motion to approve carries unanimously.*

*Mark Springer moves to approve Shatter Caps.  
Brandon Emmett seconds.*

*Mark Springer asks whether the capsules will be put directly into mylar bags. He notes that these capsules could be confused with other types of oil capsules and asks if the applicant has considered packaging in a bottle. Erika McConnell suggests that the board consider what types of packaging changes can be delegated to the director to approve and volunteers to bring delegation suggestions to a later meeting. The Board discusses packaging. The mylar bag is not child-resistant once opened. The Board delegates to the director the authority to approve a packaging change to a bottle for this product.  
Motion to approve carries unanimously.*

*Mark Springer moves to approve Tincture or Oil.  
Brandon Emmett seconds.*

*Mark Springer asks if the product is “tincture” or “oil” and notes it is an edible. The applicant states this is an additive to a soda or the like.  
Motion to approve carries unanimously.*

*Mark Springer moves to approve Shatter Vape.*

*Brandon Emmett seconds.*

*Chair Mlynarik asks what the ingredients are. The applicant explains the difference between shatter and sap. Loren Jones and the applicant discuss what "one-time use" means and the applicant states that the cartridges are not refillable but that customers may or may not buy a battery.*

*Motion to approve carries, 4-1 (Loren Jones votes No).*

*Mark Springer moves to approve Live Resin.*

*Brandon Emmett seconds.*

*The applicant states that the flower will not be dried and cured before the product is created but may be freeze dried. The Board and the applicant discuss weight and taxes. The product will be in a one-time use cartridge with or without a battery. Chair Mlynarik notes there is no mention of THC amount. The applicant states it will be under 75 percent. The Board notes the language needs to be added.*

*Motion to approve carries, 4-1 (Loren Jones votes No).*

*Motion to approve with delegation carries unanimously.*

**G. On-site Consumption Endorsement**

1. Testimony from the Department of Health and Social Services **TAB 50**

2. Drafts & Notes from Board Members **TAB 51**

**H. Random Sampling, Sampling for Quality Control, and Waste Disposal**

1. Draft **TAB 52**

*Mr. Emmett states that his flight is at 6:00pm and he does not believe he has time to discuss these items. The Board postpones action on the two remaining regulations projects.*

*Erika McConnell states that the NOV meetings are at 9am and 10am on April 13.*

*Mr. Emmett supports a meeting in early May. Chair Mlynarik asks how many applications could be considered at a May meeting. Erika McConnell indicates that at least a dozen applications are likely to be ready for board consideration but it depends on whether applicants submit their materials in a timely manner. She states that the conference room in the Atwood Building is reserved for May 15 and the meeting would be in person. Loren Jones states that he would need to stay over in order to participate in a Juneau Assembly meeting on the phone. The Board agrees to hold a meeting on May 15, 2017.*

*Brandon Emmett thanks the Board for their hard work and welcomes the new director. He looks forward to getting more licensees approved at the May meeting.*

*Loren Jones notes that every citizen has a right to have their opinions made known, and he does not think it is appropriate for members of a public board, such as the Assembly and this board, to ridicule people's opinions. The Board needs to accept people's sincere opinions whether or not the Board agrees with them or believes they are truthful and needs to show some respect for people willing to come forward. He thinks the Board lacked some of that on the Talkeetna issue.*



*Mark Springer appreciates Loren Jones' comments. He feels his concerns in the Talkeetna matter were allayed. He congratulates all the new licensees.*

*Nick Miller has no comments.*

*Chair Mlynarik agrees that everyone has the right to their opinion and the Board needs to respect that. He is disappointed that the Board did not give more credence to the public in the Talkeetna matter. Licenses may be denied in the public interest, not just because a specific regulation is not met. He does not know if the Talkeetna issue would have risen to that but recognizing the level of public interest, he feels the Board could have gotten a better sense of the issue through a public hearing. He thanks the staff for their hard work.*

*Chair Mlynarik declares the meeting adjourned.*

Minutes prepared by:



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Sarah D. Oates  
Program Coordinator

Minutes prepared and reviewed by:



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Erika McConnell  
Director