



Marijuana Control Board
Meeting Minutes
November 14, 2017
Third Judicial District
Dena'ina Center, Kahtnu #1 Meeting Room
600 West 7th Avenue
Anchorage, Alaska

● **ADMINISTRATION**

9:02am

A. Call to Order

B. Roll Call

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

Legal Counsel Present:

Harriet Milks, Assistant Attorney General

C. Approval of Agenda

*Mark Springer moves to approve the agenda and table item D.
Brandon Emmett seconds the motion.
None opposed, motion carries.*

D. Approval of the September 14-15, 2017 Meeting Minutes

Tabled until the January 2018 meeting.

TAB 1

● **BOARD GOVERNANCE**

9:03am

Nick Miller states that he has joined AMIA.

All other Board members state that they have no changes to any potential conflicts.

Peter Mlynarik states that he recused himself from an Alaska Association of the Chiefs of Police meeting when they were talking about a comment regarding marijuana.

● **EXECUTIVE SESSION**

9:06am

Mark Springer moves to go into executive session for the agenda items A and B.

Harriet Milks clarifies that both matters are adjudicatory matters.

Brandon Emmett seconds the motion.

None opposed, motion carries.

Mark Springer moves to come out of executive session.

10:00am

Brandon Emmett seconds the motion.

None opposed, motion carries.

Loren Jones moves the following motion: The Marijuana Control Board, in accordance with AS 44.64.060, declines to adopt the proposed decision issued on September 29, 2017, and instead orders under AS 44.64.060(e)(2) that the case be returned to the administrative law judge to issue a revised decision that strikes the paragraph contained on pages 14-15.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Mark Springer moves to adopt the settlement agreement with Dankorage, LLC.

Brandon Emmett seconds the motion.

Motion carries unanimously.

- A. 10154: Alaska Green Glacier Gardens, LLC:** Alaska Green Cross
211 E Dimond Blvd, Unit A, Anchorage

Denial of license application; OAH Case No. 17-0444-MCB

- B. 10306: Dankorage, LLC:** Dankorage, LLC
2812 Spenard Road, Anchorage

Settlement Agreement for OAH Case No. 17-0293-MCB

License #12289:	Raven Buds
Licensee:	Carol Bolt; Dave A Mullis; Kerri A Mullis
License Type:	Limited Marijuana Cultivation Facility
Premises Address:	2441 Lawlor Road, Cabin C Fairbanks, AK 99709
Local Government:	Fairbanks North Star Borough

License denied on September 14, 2017

Bill Satterberg, legal counsel for Raven Buds, and Kerri Mullis, appellant, identify themselves for the record. Mr. Satterberg passes out a documentation packet to the Board members and clarifies that his client is not planning a lawsuit. He requests that Loren Jones and the Board consider whether Mr. Jones should recuse himself due to his former involvement with the Graf Center.

Bill Satterberg reads items from the documentation pertaining to leasing of the property and stating that the Graf Center is a residential youth facility, not a recreation or youth center. He states that the Tanana Chiefs does not own the property that the Graf Center is located on and, thus, Raven Buds is not within 500 feet of the treatment facility.

Bill Satterberg states that his client's compromise is to move the facility to the westerly portion of its property, which would make it more than 500 feet from the easterly portion of the Tanana Chiefs property. He requests that the Board enable his client to amend her application to reflect the change today.

Kerri Mullis states that she has been neighbors with the Graf Center for years and has never had issues, but they need to push forward to get Raven Buds running.

Loren Jones states that he worked for the state at the time and, under the State Ethics Act, he had a potential conflict for five years, which means that his conflict would have ended in 2008.

Harriet Milks states that the Chair is the ethics advisor under the Executive Ethics Act.

Peter Mlynarik states that he does not believe that Mr. Jones has any ethical problem in this situation.

Brandon Emmett states that one of the issues that he had was prevention of access to the facility. He asks the applicant to clarify if she would actually be allowed to go over the property or not.

Bill Satterberg states that the issue is addressed in the packet he provided: it has been concluded that the road is a public access road and not a private drive.

Peter Mlynarik asks who the controller is for the property west of Lawlor Road.

Bill Satterberg states that it is not known at this point, except that it is clear that Tanana Chiefs does not control that property.

Peter Mlynarik and Brandon Emmett agree that the Board needs to know who has control over that property.

Nick Miller states that he has gone through the packet, and he can't find any legal documentation that shows that Tanana Chiefs has right to the property in question.

Kerri Mullis plays a video about the Graf Center to the Board.

Peter Mlynarik asks if anyone from the Tanana Chiefs Conference (TCC) is on the phone. Nobody from the TCC appears to be present.

Brandon Emmett moves to table the matter until the next meeting.

Mark Springer seconds the motion and clarifies that the Board is tabling the informal conference. He states that the January meeting should be an opportunity for all parties to participate.

Motion carries unanimously.

● PUBLIC TESTIMONY

10:57am

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 are advised to pre-register by emailing marijuana@alaska.gov no later than November 13, 2017, with their intent. The Board may hear testimony from public who have not pre-registered, but those who have pre-registered will be given preference for the time available. 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. The call-in number is 1-800-315-6338, code 69176#.

Brian Coyle, Steep Hill Alaska, passes out documentation to the Board members and provides testimony about testing of marijuana to ensure the safety of consumers. He states that there are inaccurate test results coming from the other testing facility in Alaska. He requests that the Board and AMCO enforcement investigate the inconsistencies in test results.

Cary Carrigan is not present for public testimony.

Jana Weltzin, legal counsel for marijuana licensees, provides testimony regarding the inability to revoke marijuana handlers cards. She requests that the Board ask staff to start considering whether people are traveling out of state to take care of sick family [when determining residency]. She states that she receives emails from staff on the weekends and requests that the Board limit the amount of work that is delegated to staff, as she's concerned that they will burn out and quit.

Mark Malagodi, CannTest, provides testimony regarding reporting of total THC. He states that the current testing procedures for single-serving edibles is arbitrary and recommends a change. He adds that CannTest takes its testing very seriously and stands by its testing.

Jonathan Rupp, CannTest, echoes Dr. Malagodi's statements and asks that the Board come up with some number to determine homogeneity.

Mike Steele, Talkeetna resident, provides testimony about Talkeetna enforcement and crime prevention.

Allison Twiug (inaudible), Talkeetna resident, provides testimony about Talkeetna and the lack of law enforcement.

David Straub, Alaska Precision, provides testimony about his establishment and testing results.

Tracy Vacca, The New Frontier Research, provides testimony about proficiency testing.

Tina Smith, Midnight Greenery, provides testimony about the marijuana mailbox and about Peter Mlynarik.

● DIRECTOR BRIEFING

A. Director's Report

11:26am

TAB 3

Erika McConnell provides updates on staffing, audits, Metrc training, regulations, and board guidance materials available on the AMCO website. She states that she is seeking Board concurrence on staff's interpretation of "controlling interest" for purposes of determining when a transfer application would be necessary.

Brandon Emmett states that it seems a bit burdensome for these companies to refile their applications and go through every bit of the procedure over again every time they bring on or lose a shareholder.

*Mark Springer states that he does not have a problem with the interpretation.
Brandon Emmett states that he concurs, as Ms. McConnell clarified his questions.*

*Peter Mlynarik asks if any Board members are opposed to this interpretation.
None opposed, the Board supports staff's interpretation of "controlling interest".*

Erika McConnell requests that the Board address at what point the public notice (for a marijuana application) becomes stale. She states that the alcohol program requires that the public notice of an application be provided within 60 days of submission of the application. She adds that there is no such requirement for marijuana, so some applications have been submitted over a year after the public notice was provided.

Mark Springer asks if the Board should open a regulations project to mirror the alcohol process. The Board members and staff discuss the idea of opening a regulation project to address the issue.

Sarah Oates suggests that the Board open a regulation project conceptually, and then let the staff bring forward a specific proposal via draft language at the next meeting.

Peter Mlynarik states that he is in favor of this idea, and the other Board members nod in agreement.

Erika McConnell states that she has not had time to do much work on the approved products spreadsheet.

Erika McConnell recommends that the Board create a scoping committee comprised of Board members, representatives from testing facilities, some other licensees, representatives from DEC

and other state agencies, and AMCO staff to determine what improvements need to be made to testing regulations.

The Board members voice support for Ms. McConnell's proposal to create a scoping committee. Brandon Emmett volunteers to be a part of the committee.

Erika McConnell informs the Board that she told an applicant that it could not apply for two limited marijuana cultivation facility licenses at the same location with the same licensee, as that would be considered a standard marijuana cultivation facility.

Nick Miller states that the regulations do not preclude a licensee from doing so, so it should be allowed.

Peter Mlynarik concurs.

Loren Jones states that he thinks the Board should be informed if this is applicable with any application.

Erika McConnell provides revenue and expenditure information to the Board. She states that applications must be complete and any other documents for the board must be submitted to our office by January 5, 2018, to be on the January agenda.

● **LUNCH** **12:00pm**

● **ENFORCEMENT UPDATE** **1:03pm**

A. Enforcement Report **TAB 4**

Chief Investigator James Hoelscher updates the Board about enforcement items, including relationships with other agencies and statistics. He requests that the Board consider amending 3 AAC 306.720(e) to extend the video surveillance recording retention period from 40 to 180 days.

Mark Springer moves to open a regulations project to amend 3 AAC 306.720(e) to extend the retention period.

Loren Jones seconds the motion.

The Board members discuss the motion.

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

James Hoelscher states that enforcement has been requiring marijuana product manufacturing facilities to provide photos of the actual products once they've been issued licenses.

The Board members agree to discuss changes to Form MJ-05 (Tab 14) to address the issue.

James Hoelscher states that all of the inspection forms have been updated to allow for either motion sensors or glass break sensors on windows to meet the security alarm requirements.

James Hoelscher asks the Board if customer loyalty programs would be allowable, as long as no marijuana has been given away for free.

The Board members voice approval.

James Hoelscher states that enforcement has not written any violations for the loyalty programs, as long as no marijuana is given away for free and promotion of overconsumption does not occur.

James Hoelscher states that retail licensees have reported customers are attempting to return defective one-time-use disposable vape pens with unused marijuana concentrate product still inside. The product cannot be removed from the pen, thus rendering it unusable. According to METRC Support, this is a problem with vape pens in all states and the system does allow for returns. He asks the Board if retailers can accept a returned pen for a refund.

Nick Miller describes how retail marijuana stores handle this issue by destroying the product and entering information into Metrc. He states that he believes this is a policy issue.

James Hoelscher agrees with Mr. Miller's statement.

James Hoelscher states that he knows there has been a lot of emphasis placed on non-licensees, and he has been working with local law enforcement agencies to stop some of this activity from happening.

Brandon Emmett asks if the Board has a mechanism for levying fines to tax or fine unlicensed individuals for selling marijuana illegally.

Erika McConnell states that 3 AAC 306.840(a) gives the Board the authority to levy fines.

Nick Miller moves to give Mr. Hoelscher the power he needs to start imposing civil fines against unlicensed individuals who are selling marijuana.

James Hoelscher clarifies that the procedure would be for enforcement to issue notices of violation and then bring them to the Board to impose the fines.

Nick Miller moves to give Mr. Hoelscher the direction to start taking action against unlicensed individuals who are selling marijuana.

Brandon Emmett seconds the motion.

None opposed, motion carries.

● **RECESS**

1:43pm

● **ENFORCEMENT UPDATE**

B. Notices of Violation Issued and Licensee Responses

2:12pm

TAB 5

James Hoelscher states that the enforcement team has not received responses from Coyote and Toad's or JWS Enterprises. He and Investigator Kendrick Whiteman answer Board questions about some of the NOVs in this tab.

Peter Mlynarik asks if the staff has any specific concerns that they would like the Board to address.

Erika McConnell states that the staff is concerned that two licensees have not given any sort of response or indication that the issues have been resolved.

Peter Mlynarik states that he would like the director to contact Coyote and Toad's and JWS Enterprises and request responses to the NOVs to bring back to the Board in January.

The Board members nod in agreement.

C. License #10056:	Red Run Cannabis Company, LLC	2:26pm	<u>TAB 6</u>
Licensee:	Red Run Cannabis Company, LLC		
License Type:	Retail Marijuana Store		
Premises Address:	5455 Kenai Spur Highway, Suite B Kenai, AK 99611		
Local Government:	City of Kenai		

Notice of Violation #AB17-0408 for Advertising

Marc Theiler, Red Run Cannabis Company, identifies himself for the record and answers questions from the Board. He states that this is not considered an advertisement, as supported by the Sixth Circuit Court, as it is intended to provide information and not to engage a transaction. He states that other retail marijuana stores have this exact flier up in their shops, and adds that he immediately took his down and will not put it back up.

*Mark Springer moves to dismiss the NOV.
Brandon Emmett seconds the motion.
Motion carries, 3-2 (Loren Jones and Peter Mlynarik vote No).*

D. License #11140:	Fat Tops, LLC	2:36pm	<u>TAB 7</u>
Licensee:	Fat Tops, LLC		
License Type:	Retail Marijuana Store		
Premises Address:	36380 Murray Lane Soldotna, AK 99669		
Local Government:	Kenai Peninsula Borough		

Notices of Violation #AB17-0384 for Employees Without ID Badges; #AB17-0387 for Inventory Tracking System (issued to Cultivation Facility License #11138); #AB17-0395 for Advertising

Lance Wells, attorney for Fat Tops, LLC, David Parker, Fat Tops, and Investigator Jeff Rukes identify themselves for the record, speak to the Board about the issues raised in the three NOVs, and answer Board questions.

*Mark Springer moves to table the NOV on 09/28/17 to our next meeting.
Brandon Emmett seconds the motion.
None opposed, motion carries.*

*Mark Springer moves to dismiss the NOV of 09/05/17 case AB17000395 for the violation of advertising.
Brandon Emmett seconds the motion.
Mark Springer states that the reasoning is that there was awareness of enforcement of the existence of that sign, and it was not considered a violation until a complaint was lodged, and because he had been told previously by the property owner that the sign was okay where it was.
David Parker states that he has moved the sign.
Peter Mlynarik states that it is still a violation and that the landowner did not file a complaint because it's probably the State of Alaska. He states that he does not see a reason to dismiss the NOV when it's still a violation.
Loren Jones suggests that enforcement looks at and talks with DOT.*

Nick Miller states that he is reluctant to dismiss a notice of violation, as we need to have a strong regulated market, and he has concerns.

Erika McConnell states that if the Board is going to be dismissed notices of violations that are “honest mistakes”, then they are going to be dismissing a lot of them. She adds that she does not recommend setting this as the standard.

Motion fails, 3-2 (Brandon Emmett and Mark Springer vote Yes).

E. License #10268:	Flying High Investments, LLC	3:16pm	<u>TAB 8</u>
Licensee:	Flying High Investments, LLC		
License Type:	Standard Marijuana Cultivation Facility		
Premises Address:	14.7 Mile McCarthy Road Chitina, AK 99566		
Local Government:	None		

Notice of Violation #AB17-0402 for Inventory Tracking System; Transportation; Business Records

Lance Wells, attorney for Flying High Investments, LLC, James Fejes, Flying High Investments, and Investigator Joe Hamilton identify themselves for the record. Mr. Wells provides a handout to the Board members and speaks to the Board about the issues raised in the NOV. Mr. Wells, Mr. Fejes, and Investigator Hamilton answer Board questions about the violation.

Brandon Emmett asks what exactly the licensee is supposed to do in a situation like this. Erika McConnell states that the transfer manifest can be updated up until the time that the marijuana is received by the receiving licensee. She adds that it is concerning that Mr. Fejes put a note on his copy (of the transport manifest) but not on the copy that he left with the receiving store.

Investigator Amanda Stonecipher states that on the Grass Station 49 manifest, Mr. Fejes did not indicate that he would be stopping at another licensed establishment first, as required by regulation. She adds that it is very concerning that one of the receiving licensees informed Investigator Stonecipher that the receiving licensee knew in advance that Mr. Fejes would be flying, which is contradictory to his story. The notes on the receiving licensee’s copy were not made until well after the drop off occurred, and at the request of Mr. Fejes.

Erika McConnell asks Mr. Fejes if he had claimed that he hadn’t go to Juneau, and that he had an agent go to Juneau and deliver product to other licensees.

James Fejes says yeah.

Erika McConnell asks Mr. Fejes to clarify that he has employees who transfer between other licensees.

James Fejes states that he has some friends who work in the industry and who said they would go to Juneau for him.

Erika McConnell asks Mr. Fejes about his text that said, “I just landed from a delivery in Juneau.” She asks whether or not he was in actually in Juneau.

James Fejes states that he was not, that he wanted to make it seem like he was the guy to go to and super busy, and not just in Anchorage with his friends. He adds that he guesses he should have done the travel manifest a teeny bit differently on that one to say that he stopped in Chena, but that it was just a short stop.

Erika McConnell states that if Mr. Fejes is consciously texting things to other licensees that aren't the truth, then it's hard to understand how we can understand what the truth is.

James Fejes answers Board questions about the travel and manifests.

No action.

● **RECESS** **4:07pm**

● **MEETING RESUMES** **4:22pm**

E. License #10268:	Flying High Investments, LLC	3:16pm	<u>TAB 8</u>
Licensee:	Flying High Investments, LLC		
License Type:	Standard Marijuana Cultivation Facility		
Premises Address:	14.7 Mile McCarthy Road Chitina, AK 99566		
Local Government:	None		

Notice of Violation #AB17-0402 for Inventory Tracking System; Transportation; Business Records

Lance Wells asks what the resolution of the Flying High Investments violation was. Peter Mlynarik states that there was no action, so the notice of violation stands.

● **LICENSING UPDATE** **4:22pm**

A. Licensing Report **TAB 9**

Sarah Oates provides updates to the Board regarding staff workloads and hires, and transfer license applications. She asks if they Board would be interested in opening a regulation project regarding acceptable types of alarm systems.

The Board members agree that the record is clear enough and that a regulation project is not necessary.

Sarah Oates informs the Board that drafts of updated application forms can be found in Tabs 10-15 for consideration. She recommends that the Board consider delegating to the director and staff the authority to revise and update all forms as the staff and/or Board deems necessary.

The Board members discuss the possibility of delegating form updates to the staff.

B. Forms Approval

1. MJ-01: Marijuana Establishment Operating Plan

TAB 10

*Mark Springer moves to approve MJ-01, Tab 10.
Brandon Emmett seconds the motion.*

Nick Miller states that section 9 is concerning to him – that applicants be required to describe their advertising and signage. He states that he would just prefer to have this section removed.

Sarah Oates states that the signage question (9.1) is an existing question on the current forms, so that is not a change. She adds that question 9.2 regarding advertising is an addition that would bring the forms into alignment with the regulations. She states that the original forms should have had an advertising question, as 3 AAC 306.020(c)(6) specifically states, pertaining to all marijuana establishments, that there must be a description of the proposed marijuana establishment's plans for signage and advertising. She states that an amendment to the language of that question would be fine, but that there needs to be some sort of question regarding advertising for all marijuana establishments on the form unless the Board wants to do a regulation change to remove the requirement.

Nick Miller moves to amend the form to bring the language in 9.2 to be more in alignment with the regulations.

*Loren Jones moves to table the motion before the Board for Tab 10 and to table Tabs 11-15 until a telephonic meeting at the call of the Chair.
Mark Springer seconds the motion.*

Nick Miller withdraws his motion.

Motion to table carries unanimously.

● EXECUTIVE SESSION

4:52pm

A. 10154: Alaska Green Glacier Gardens, LLC: Alaska Green Cross 211 E Dimond Blvd, Unit A, Anchorage

Denial of license application; OAH Case No. 17-0444-MCB

Mark Springer moves to go back into executive session to consider the matter of Alaska Green Glacier Gardens, LLC.

Brandon Emmett seconds the motion.

None opposed, motion carries.

Mark Springer moves to leave executive session.

Brandon Emmett seconds the motion.

None opposed, motion carries.

Mark Springer moves that the Marijuana Control Board adopts this decision as final under the authority of AS 44.64.060(e)(1). Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with AS 44.62.560 and Alaska R. App. P. 602(a)(2) within 30 days after the date of distribution of this decision.

Peter Mlynarik asks Mr. Springer to read the OAH number.

Mark Springer reads OAH No. 17-0444-MCB.

Brandon Emmett seconds the motion.

Motion carries unanimously.

● **ADJOURN**

4:55pm

Marijuana Control Board
Meeting Minutes
November 15, 2017
Third Judicial District
Dena'ina Center, Kahtnu #1 Meeting Room
600 West 7th Avenue
Anchorage, Alaska

● **ADMINISTRATION**

10:31am

- A. Call to Order
- B. Roll Call

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

Legal Counsel Present:

Harriet Milks, Assistant Attorney General

● **APPLICATIONS FROM PREVIOUS MEETINGS**

A. Tabled Applications

1. License #12769:	Secret Garden Cannabis	10:32am	<u>TAB 16</u>
Licensee:	Axion Enterprises, LLC		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	726 E 15 th Avenue, Suite 2 Anchorage, AK 99501		
Local Government:	Municipality of Anchorage		
For Consideration:	Resubmitted products tabled at September 2017 meeting		

Jana Weltzin, legal counsel, and James Thornton, applicant, identify themselves for the record, clarify that the products were tabled and not the license application itself, and answer Board questions about the products.

*Mark Springer moves to approve the products proposed by license #12769 with delegation.
Brandon Emmett seconds the motion.*

Mark Springer reminds the applicant that he will need to send production-line photos of the products to the AMCO office once he is operational.

Peter Mlynarik states that the warnings on the labels are not verbatim.

Jana Weltzin states that she will make sure that the warnings are verbatim.

Mark Springer moves to approve Cotton Mouth Candy with delegation.

Brandon Emmett seconds the motion.

Sarah Oates reminds the Board that Mr. Springer's original motion seemed to include all products.

Mark Springer amends his original motion to approve each product individually.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Mark Springer moves to approve Secret Honey Sticks.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Mark Springer moves to approve Pot Brownies.

Brandon Emmett seconds the motion.

Loren Jones states that the photo provided of the product does not have ganache topping, as indicated in the product description.

Motion carries unanimously.

Mark Springer moves to approve Greenhouse Specials.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Mark Springer moves to approve Snicker Doobies.

Brandon Emmett seconds the motion.

Peter Mlynarik states that the name of the product is very much like a brand name.

Motion carries, 4-1 (Peter Mlynarik votes No).

Mark Springer moves to approve THC Truffles.

Brandon Emmett seconds the motion.

Mark Springer states that when someone has a multiple-component product like this, he would like to see a cutaway view and an external shot.

Motion carries unanimously.

Mark Springer moves to approve Garden Gummies.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Mark Springer moves to approve Chocolate Ganja Bar.

Brandon Emmett seconds the motion.

Loren Jones states that adding other ingredients like whole nuts or raspberries is going to make the product look different.

Motion carries unanimously.

*Mark Springer moves to approve Comfort Caramels.
Brandon Emmett seconds the motion.
Motion carries, 4-1 (Peter Mlynarik votes No).*

- 2. License #10005: Rosie Creek Farm 11:00am TAB 17**
Licensee: RCFC, LLC
License Type: Standard Marijuana Cultivation Facility
Premises Address: 2659 Livingston Loop
Fairbanks, AK 99709
Local Government: Fairbanks North Star Borough
**For Consideration: Operating plan change and licensed premises change
tabled at July meeting.**

Mark Springer moves to approve the operating plan change and the licensed premises diagram change for license #10005 with delegation.

Brandon Emmett seconds the motion.

Jana Weltzin, legal counsel, and Mike Emmers, licensee, identify themselves for the record and answer Board questions.

Mark Springer states that he would like to include as part of the delegation that if the Board approves these changes, then a new MJ-01 and MJ-04 must be submitted showing the approved changes.

Jana Weltzin states that this is just for the operating plan change, as she and her client have gone back to the drawing board for the premises diagram. She states that she agrees with the director's suggestion to submit the MJ-15 without the changes associated with the MJ-14 regarding the vegetable farm.

Motion to approve with delegation carries unanimously.

Sarah Oates states that the original motion was to approve the operating plan change and the licensed premises diagram change, and she didn't hear an amendment to the motion to remove the licensed premises diagram change from consideration. She recommends making the record clear.

Mark Springer moves to reconsider action on #10005.

Loren Jones seconds the motion.

Motion carries unanimously.

Mark Springer moves to approve the operating plan change for license #10005 with delegation to include the licensee submitting a new MJ-01 and MJ-04.

Brandon Emmett seconds the motion.

Motion carries unanimously.

- 3. License #12173: Northern Lights Cultivation 2 11:06am TAB 18**
 Licensee: Jesse Hoyt and Jacob G Rodriguez
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 4705 N Tongass Highway, Apartment 1
 Ketchikan, AK 99901
 Local Government: City of Ketchikan
For Consideration: New license application tabled at September meeting.

Mark Springer moves to approve license #12173 Northern Lights Cultivation 2 with delegation.

Brandon Emmett seconds the motion.

Jesse Hoyt and Jake Rodriguez identify themselves for the record.

Loren Jones states that the application was tabled at the September meeting because the Board had many questions, and the Board had also requested that the applicant address the concerns from the City of Ketchikan. He asks whether the applicants were instructed to address the issues, and he asks the applicants whether they addressed the City's issues. He doesn't see in the packet where those issues have been addressed.

Erika McConnell states that the staff has included everything that the applicant has given staff.

Jake Rodriguez states that they needed to get a building permit, and that they did that.

Loren Jones asks if the applicants have submitted that information to the AMCO staff.

The applicants state that they did not.

Brandon Emmett states that looking at the floor plans, it still looks like they are very back-of-the- napkin, so to speak. He acknowledges that an engineer can be really expensive, but that he would like to see a little more, at least on graph paper and with more detail so the Board can understand where things actually are.

Erika McConnell reminds the Board that the City's protest was received too late to be considered.

Mark Springer asks the applicant if he has a business license with the Ketchikan Gateway Borough.

Jesse Hoyt states that they do.

Mark Springer states that they do not have a picture of the neighborhood.

Peter Mlynarik states that in MJ-04, they have the square feet but no dimensions.

Motion to approve the license with delegation fails unanimously.

- 4. License #13487: The Connoisseur 11:16am TAB 19**
 Licensee: The Connoisseur, LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 3200 W Top of the World Circle, Unit A
 Wasilla, AK 99654
 Local Government: Matanuska-Susitna Borough
For Consideration: PFD Residency Ruling Appeal

Mark Springer moves to approve license #13487 The Connoisseur with delegation.

Brandon Emmett seconds the motion.

Mathew Chambers, applicant, identifies himself for the record and answers Board questions about his application.

Mark Springer states that the delegation will include approval from the Mat-Su Borough.

Motion carries unanimously.

B. Tabled Hander Course Provider Applications

1. MHCP 022: **Alaska Marijuana Handler Certification 11:22am** **TAB 20**
Applicant: Cannabis Integration/Evan Erickson

Mark Springer moves to approve Alaska Marijuana Handler Certification MHCP 022 with delegation.

No second.

Brandon Emmett and Nick Miller recuse themselves from discussion and voting.

Mark Springer moves to table MHCP 022 until the next meeting.

Peter Mlynarik seconds the motion.

Loren Jones states that he's a no vote on tabling, as this is the second time this has come back.

Mark Springer withdraws his motion to table.

Motion to approve fails unanimously (3-0, Brandon Emmett and Nick Miller recused).

● **BOARD CONSIDERATION**

A. CannTest (#10009) Report **11:24am**

Brandon Emmett and Nick Miller rejoin the meeting.

Jonathan Rupp and Mark Malagodi, CannTest, identify themselves for the record and provide the Board with an update about their operations and procedures.

B. License #12830: **Arcticanna** **11:30pm** **TAB 21**

Licensee:

Nadia Ispas

License Type:

Limited Marijuana Cultivation Facility

Premises Address:

756 Davenny Drive
Fairbanks, AK 99712

Local Government:

Fairbanks North Star Borough

For Consideration:

Licensed premises/restricted access area issues

Mark Springer moves to approve license application #12830 Arcticanna with delegation.

Brandon Emmett seconds the motion.

Nadia Ispas, applicant, identifies herself for the record.

The Board members, staff, and applicant discuss the fact that the premises diagram indicates that the entire licensed premises is not a restricted access area and is, essentially, a noncontiguous premises.

The Board members discuss the possibility of tabling the application to have the applicant choose one of the two areas to be the licensed premises.

Nadia Ispas asks if it would be okay if she made the entire premises a restricted access area.

Brandon Emmett moves to table.

Mark Springer seconds the motion.

Brandon Emmett states that this would give the applicant some time to navigate the issues and determine solutions, rather than denying the application outright.

Mark Springer echoes that the issue of the two noncontiguous separate spaces is problematic.

Peter Mlynarik adds that the lease only says that it's for the two rooms, and not for the whole house.

Motion to table carries unanimously.

C. License #13249:	X-Tracted Laboratories	11:51am	<u>TAB 22</u>
Licensee:	Royal Mountain Extracts, LLC		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	38957 S Commercial Drive Talkeetna, AK 99676		
Local Government:	Matanuska-Susitna Borough		
For Consideration:	Concerns related to percentage-based lease; Objections received		

Mark Springer moves to approve application #13249 X-Tracted Laboratories with delegation.

Brandon Emmett seconds the motion.

Jana Weltzin, personal counsel for Joe and Dan, Harry Carowin with Eagle River Professional Tax Services (for the lease issues), and licensees Joe McAneney and Dan Nelson identify themselves for the record. Jana Weltzin clarifies that Mr. Carowin is also an attorney but isn't licensed in Alaska.

Jana Weltzin states that Harry has prepared an amendment to the lease, and that the landlords are becoming residents in January 2018.

Harry Carowin explains the reasoning for the percentage-based lease, and talks to the Board about existing regulations and the Administrative Procedure Act. He states that his clients have prepared an addendum to switch to a flat monthly rent until the landlords qualify as residents and are eligible to be licensees.

Mark Springer asks if the current applicants are acting as placeholders.

Jana Weltzin states that the applicants and landlords will eventually be partners together, and that the original lease was attempting to memorialize that. She adds that when the time comes that the landlord qualify as licensees, the Board will be seeing transfer paperwork to add them.

Nick Miller asks what the percentages of ownership will be at the time of the conversion rights.

Harry Carowin states that at the time of the conversion rights, then (the landlords) would be entitled to an 80% profits interest in Royal Mountain Extracts.

Jana Weltzin states that Sam and Christina would each hold 40%.

Harry Carowin states that there is no restriction in the regulations to what percentage of profits interest is permissible. He adds that the landlords have made substantial capital investments. He states that the landlords are Alaska residents.

Nick Miller states that he understands the lease portion, but that if he were to be a landlord for a restaurant, invest money into the buildout for the restaurant, and receive a percentage of the profits as rent, there would not be a later conversion to make him an owner of a restaurant at a later time. He adds that he is concerned about the appearance, and it appears that the Board is setting up individuals who do not currently qualify for a license to move into a license when they make the dates.

Harry Carowin states that this would not happen unless and until they meet the requirements of the Board and file a transfer of controlling interest.

Harriet Milks states that these individuals are not now residents of the state of Alaska under (the Board's) rules, and that they might never. She adds that what they have here is a lease where the landlord would receive 80% of the business, and that whether the Board would want to allow that would be policy call. She states that the Board has made it very clear that it wants to know who grows, manufactures, and sells marijuana in state, and it's a policy decision for the Board if it wants to allow for 80% of a business to be run by people who don't now qualify for residency.

Harry Carowin states that there is no requirement that a landlord be an Alaska resident to receive a profits interest in a lease. He reminds the Board that there is an addendum which makes the rent a flat rate and does not include a profits interest.

Peter Mlynarik states that the main question is who control these licenses, and that the current rules are that Alaskans control them.

Harriet Milk requests that the applicants provide clarification regarding the packing of their products that shows that they are made in other states.

Joe McAneney states that they are purchasing packaging from the companies and will change the name to say Alaska.

Jana Weltzin states that no profits will be transferred to Sam and Christina until they are sitting here in front of the Board with a transfer application, and the Board says they are approved.

Loren Jones states that the statement does not appease his concerns, as the Board is being asked to approve a license as a placeholder for people who do not qualify for a license today.

Brandon Emmett states that the optics here are really bad, as there's an 80% interest held by people who are not Alaska residents, and then all of the products are those of a Seattle company. He adds that it looks like they are just trying to bring a business up from another state.

Joe McAneney states that they are just licensing intellectual property from other people – the packaging and methods. The products themselves will be made in Alaska. Joe McAneney stated that the reason why all of this is spelled out is to try to provide transparency to the Board.

Christina Tersine identifies herself for the record and states that she is from Wisconsin. She adds that she has no affiliation with Refine Seattle.

The Board members agree to take a lunch break before receiving public comment on this application.

● LUNCH 12:30pm

● MEETING RESUMES 1:33pm

C. License #13249: X-Tracted Laboratories 11:51am TAB 22
Licensee: Royal Mountain Extracts, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 38957 S Commercial Drive
Talkeetna, AK 99676
Local Government: Matanuska-Susitna Borough
**For Consideration: Concerns related to percentage-based lease;
Objections received**

*Joe McAneney, licensee, requests to have the application tabled until the January meeting in order to resolve the Board's concerns about licensee ownership.
Brandon Emmett moves to table the application until the January meeting.
Mark Springer seconds the motion.*

D. License #13329: R.C.H. Cultivation 1:36pm TAB 23
Licensee: Charles R Hnilicka III and Ryan A Hallsten
License Type: Standard Marijuana Cultivation Facility
Premises Address: 2745 Hanson Road, Unit A
Fairbanks, AK 99709-3940
Local Government: City of Fairbanks
For Consideration: PFD Residency Ruling Appeal

*Mark Springer moves to table application 13329 R.C.H. Cultivation until the PFD issue is resolved.
Brandon Emmett seconds the motion.
Motion carries unanimously.*

E. License #13663: Arctic Farm, LLC 1:37pm TAB 24
Licensee: Arctic Farm, LLC
License Type: Limited Marijuana Cultivation Facility
Premises Address: 2967 Rex Street
Houston, AK 99694
Local Government: City of Houston
For Consideration: Concerns related to percentage-based lease

*Mark Springer moves to approve license 13663 Arctic Farm with delegation.
Brandon Emmett seconds the motion.
Jonathan Cortez and Cameron Rollins, applicants, identify themselves for the record, address the staff and Board's concerns about the percentage-based lease, and answer Board questions.
Motion carries, 3-2 (Loren Jones and Peter Mlynarik vote No).*

● **OPERATING PLAN CHANGES**

- A. License #10009:** **CannTest, LLC** **1:53pm** **TAB 25**
Licensee: CannTest, LLC
License Type: Marijuana Testing Facility
Premises Address: 620 E Whitney Road, Suite B
Anchorage, AK 99501
Local Government: Municipality of Anchorage

Mark Springer moves to approve the operating plan changes for license #10009 CannTest with delegation.

Brandon Emmett seconds the motion.

Mark Springer adds to the requirement that the licensee complete a new MJ-01 to the satisfaction of the director.

Jonathan Rupp, licensee, identifies himself for the record and answers Board questions.

Motion carries unanimously.

- B. License #10080:** **Dream Green Farms** **1:55pm** **TAB 26**
Licensee: DGF Enterprises, Inc.
License Type: Standard Marijuana Cultivation Facility
Premises Address: 2939 Porcupine Drive
Anchorage, AK 99501-3118
Local Government: Municipality of Anchorage

Mark Springer moves to approve the operating plan changes for license #10080 Dream Green Farms with delegation.

Brandon Emmett seconds the motion.

Jana Weltzin, legal counsel, and Ken Knight, applicant, identify themselves for the record.

Motion carries unanimously.

- C. License #10082:** **Einstein Labs** **1:57pm** **TAB 27**
Licensee: Einstein Enterprises, Inc.
License Type: Marijuana Product Manufacturing Facility
Premises Address: 2939 Porcupine Drive, Suite B
Anchorage, AK 99501-3118
Local Government: Municipality of Anchorage

Mark Springer moves to approve the operating plan changes for license #10082 Einstein Labs with delegation.

Brandon Emmett seconds the motion.

Jana Weltzin, legal counsel, and Ken Knight, applicant, identify themselves for the record and answer Board questions about the changes.

Mark Springer states that he does not consider this to be a new product needing approval.

Loren Jones asks if different types of carrier oils could affect testing.

Brandon Emmett states that it would not.

Motion carries unanimously.

Erika McConnell informs the Board that this licensee has requested that certain pieces of his application be designated as confidential, included his entire MJ-05, as well as any future approved MJ-15s and MJ-16s. She requests that the Board consider that to be too broad, and that the licensee bring specific portions of those documents that he is requesting to be confidential for proprietary reasons.

Erika McConnell and Jana Weltzin explain to the Board that the procedures they have come up with include having the Board examine the documents in an executive session, and have the Board determine whether it's in the public interest to have them be public, or whether they should be kept confidential.

The Board members state and nod that they agree with these procedures.

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|---------------------------|--|---------------|----------------------|
| D. License #10293: | AK Fuzzy Budz | 2:07pm | <u>TAB 28</u> |
| Licensee: | AKGLD, LLC | | |
| License Type: | Standard Marijuana Cultivation Facility | | |
| Premises Address: | 2612 Eagle Street
Anchorage, AK 99503 | | |
| Local Government: | Municipality of Anchorage | | |

Mark Springer moves to approve the operating plan changes for license #10293 Alaska Fuzzy Budz with delegation.

Brandon Emmett seconds the motion.

Rich Beezley, employee, and James Millhouse, licensee, identify themselves for the record and answer Board questions.

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|---------------------------|--|---------------|----------------------|
| E. License #10301: | R.C. Tinderbox, LLC | 2:10pm | <u>TAB 29</u> |
| Licensee: | R.C. Tinderbox, LLC | | |
| License Type: | Marijuana Concentrate Manufacturing Facility | | |
| Premises Address: | 7801 King Street
Anchorage, AK 99518 | | |
| Local Government: | Municipality of Anchorage | | |

Mark Springer moves to approve the operating plan changes for license #10301 R.C. Tinderbox with delegation.

Brandon Emmett seconds the motion.

Nick Miller recuses himself from discussion and voting.

Jana Weltzin, legal counsel, and Chris Euscher, licensee, identify themselves for the record and answer Board questions.

Motion carries unanimously.

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|---------------------------|--|---------------|----------------------|
| F. License #10828: | Glacier Extracts | 2:12pm | <u>TAB 30</u> |
| Licensee: | Glacier Extracts, LLC | | |
| License Type: | Marijuana Product Manufacturing Facility | | |
| Premises Address: | 8639 Toloff Street, Suite 3
Anchorage, AK 99507 | | |
| Local Government: | Municipality of Anchorage | | |

Nick Miller rejoins the meeting.

Mark Springer moves to approve the operating plan changes for license #10828 Glacier Extracts with delegation.

Brandon Emmett seconds the motion.

Jana Weltzin, legal counsel, and Dr. (Matthew) Peterson identify themselves for the record and answer Board questions.

Motion carries unanimously.

● **NEW MARIJUANA PRODUCTS**

A. License #10271:	Top Hat Concentrates, LLC	2:16pm	<u>TAB 31</u>
Licensee:	Top Hat Concentrates, LLC		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	2315 Industrial Boulevard, Suite B Juneau, AK 99801		
Local Government:	City and Borough of Juneau		

Mark Springer moves to approve the products for license #10271 Top Hat Concentrates, LLC with delegation.

Brandon Emmett and Nick Miller recuse themselves from discussion and voting.

Loren Jones seconds the motion.

John Nemeth identifies himself for the record and answers Board questions.

Motion carries unanimously.

B. License #10301:	R.C. Tinderbox, LLC	2:20pm	<u>TAB 32</u>
Licensee:	R.C. Tinderbox, LLC		
License Type:	Marijuana Concentrate Manufacturing Facility		
Premises Address:	7801 King Street Anchorage, AK 99518		
Local Government:	Municipality of Anchorage		

Brandon Emmett rejoins the meeting (Nick Miller remains recused).

Mark Springer moves to approve the new products for license #10301 R.C. Tinderbox with delegation.

Brandon Emmett seconds the motion.

Harriet Milks asks the Board members to state for the record why they will be recusing themselves.

Brandon Emmett states that he will be recusing himself from any discussion and voting on an application or item coming from a director of the Alaska Marijuana Industry Association.

Nick Miller states that he will be recusing himself from any discussion and voting on an application or item coming from a director of the Alaska Marijuana Industry Association or Anchorage Cannabis Business Association.

Jana Weltzin, legal counsel, Chris Euscher, licensee, and an (inaudible) employee, identify themselves for the record and answer Board questions.

Motion carries unanimously.

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS**

- A. License #12253:** **AKO Farms, LLC** **2:29pm** **TAB 33**
Licensee: AKO Farms, LLC
Premises Address: 1210 Beardsley
Sitka, AK 99835
Local Government: City and Borough of Sitka

Nick Miller rejoins the meeting.

Mark Springer moves to approve license 12253 AKO Farms with delegation.

Brandon Emmett seconds the motion.

Justin Brown, applicant, identifies himself for the record and answers Board questions.

Motion carries unanimously.

- B. License #12461:** **Guest Services, LLC** **2:35pm** **TAB 34**
Licensee: Guest Services, LLC
Premises Address: 12668 & 12696 W Westen
Houston, AK 99694
Local Government: City of Houston

Mark Springer moves to approve application 12461 Guest Services, LLC with delegation.

Brandon Emmett seconds the motion.

Lance Wells, legal counsel, and Jonathon Guest, applicant, identify themselves for the record and answer Board questions.

Motion carries unanimously.

- C. License #12618:** **Hempco, LLC** **2:39pm** **TAB 35**
Licensee: Hempco, LLC
Premises Address: 43280 Kenai Spur Highway
Nikiski, AK 99635
Local Government: Kenai Peninsula Borough
For Consideration: Conditions pursuant to 3 AAC 306.060(b)

Mark Springer moves to approve license 12618 Hempco, LLC with delegation and Kenai Peninsula Borough conditions.

Brandon Emmett seconds the motion.

Andy Toth, Toby Foster, and Jenny Foster, applicants, and Lance Wells, legal counsel, identify themselves for the record and answer Board questions.

Loren Jones points out that all members certified that they did not plan to apply for any other marijuana licenses, yet language on other documents indicates otherwise.

Toby Foster states that some changes have been made, and that the entire premises will be a restricted access area besides Crew A.

Lance Wells hands out diagrams to the Board members.

Loren Jones requests that the delegation include an explanation as to how movement between the areas will be monitored for security reasons.

Sarah Oates states that the delegation should also include that the applicant submit a revised diagram that shows the added restricted access areas.

Mark Springer agrees to add that to the delegation.

Motion carries unanimously.

● **BREAK** 2:50pm

● **MEETING RESUMES** 3:02pm

D. License #12904: **Grass Frontier Farms** **TAB 36**
Licensee: KAD, LLC
Premises Address: 7596 W Carmel Road
Wasilla, AK 99623
Local Government: Matanuska-Susitna Borough

*Mark Springer moves to approve license 12904 Grass Frontier Farms with delegation.
Brandon Emmett seconds the motion.
Anthony Mann, Mark Pierce, and Amilee Pasco, members, identify themselves for the record and answer Board questions.
The applicants state that they have made changes to their premises diagrams since the application was complete.
Loren Jones adds to the delegation that the new premises diagram will need to be approved by staff.
Motion carries unanimously.*

E. License #13221: **Green Valley Enterprises** **3:10pm** **TAB 37**
Licensee: ForgetMeNot Enterprises, Inc.
Premises Address: 8505 Old Dairy Road, Suite 2
Juneau, AK 99801
Local Government: City and Borough of Juneau

*Mark Springer moves to approve license 13221 Green Valley Enterprises with delegation.
Brandon Emmett seconds the motion.
Jana Weltzin, legal counsel, and Dr. Norvin Perez, applicant, identify themselves for the record and answer Board questions.
Loren Jones states that he is concerned about the fact that this facility and the other license applications for this licensee are located in the same building as an urgent care, which Dr. Perez is the doctor for. He asks if families who enter the urgent care are going to be recorded by the security cameras for the marijuana establishments.
Jana Weltzin and Norvin Perez states that the marijuana establishments will have completely separate entrances from the urgent care, and patients will not be recorded.
Norvin Perez states that he has not filed for a PFD in a while, so he had to file a Form MJ-18 for residency. He adds that he has lived in Juneau for ten years.
Mark Springer states that he is concerned about the fact that the urgent care is not indicated anywhere in the MJ-02s.
Jana Weltzin states that she will provide another MJ-02 that shows the layout and businesses within the entire strip mall.
Motion carries, 3-2 (Mark Springer and Peter Mlynarik vote No).*

F. License #13416: **Happy Trees, LLC** **3:38pm** **TAB 38**
Licensee: Happy Trees, LLC
Premises Address: 2750 Picket Place
Fairbanks, AK 99709
Local Government: Fairbanks North Star Borough

*Mark Springer moves to approve license 13416 Happy Trees, LLC with delegation.
Brandon Emmett seconds the motion.
Lance Wells, legal counsel, and Ryan Castle, applicant, identify themselves for the record and answer Board questions.
Ryan Castle states that the plans submitted to the Fire Marshal will split the area into two.
Sarah Oates states that when applicants make changes to a diagram from what is presented to the Board, staff requires that the applicant submit a Form MJ-14.
Brandon Emmett adds to the delegation that the applicant submit a copy of Form MJ-14 that shows what the actual layout of the licensed premises will be.
Motion carries unanimously.*

G. License #13588: **AKfunding, LLC** **3:51pm** **TAB 39**
Licensee: AKfunding, LLC
Premises Address: 12975 W Horizon Way
Houston, AK 99694
Local Government: City of Houston

*Mark Springer moves to approve license 13588 AKfunding, LLC with delegation.
Brandon Emmett seconds the motion.
James Hess, member, identifies himself for the record and answers Board questions.
Motion carries unanimously.*

H. License #13603: **AK Green Bee, Inc.** **4:00pm** **TAB 40**
Licensee: AK Green Bee, Inc.
Premises Address: 2364 Badger Road
North Pole, AK 99705
Local Government: Fairbanks North Star Borough

*Mark Springer moves to approve license 13603 AK Green Bee, Inc. with delegation.
Brandon Emmett seconds the motion.
Regina Humes, Isaac Humes, and Monique Daigle, applicants, identify themselves for the record and answer Board questions.
Erika McConnell passes out a resolution from the Fairbanks North Star Borough to the Board members that recommends that the Board approve with two conditions: that the applicant have a valid conditional use permit, and that the applicant construct a six-foot sight obscuring fence along the rear property line in order to buffer residential uses and protect the residential character of the neighborhood.
Mark Springer moves to add the Fairbanks North Star Borough conditions to the approval with delegation.
Brandon Emmett seconds the motion.*

*Lois Maxwell, neighborhood resident, provides testimony in opposition to the license.
Laura Freeman, neighborhood resident, provides testimony in opposition to the license.*

*Robert Irons, neighborhood resident, provides testimony in opposition to the license.
Barbara (inaudible), neighborhood resident, provides testimony in opposition to the license.
Cyrus Freeman, neighborhood resident, provides testimony in opposition to the license.
Scott Winter, treasurer of the neighboring church, provides testimony in opposition to the license.
Crystal Beacher provides testimony that the watershed concerns should not be an issue.
(inaudible) Tabernacle provides testimony in opposition to the license.
Krista Dyer, neighborhood resident, provides testimony in opposition to the proposed location of the license and clarifies that the neighborhood is not opposing marijuana in general.*

Peter Mlynarik states that because of the amount of public testimony in opposition to this license, it would be nice to have a hearing.

Motion carries, 3-2 (Mark Springer and Peter Mlynarik vote No).

● BOARD COMMENTS

Loren Jones passes out a document to the Board members and reads it for the record, which includes the following motion: "I move that the Marijuana Control Board postpone any action on the onsite consumption regulations at the November 2017 meeting; that the regulations be sent to a subcommittee of the Board and that this subcommittee report back to the Board at the April 2018 meeting."

Mark Springer seconds the motion.

Harriet Milks states that if the Board is going to be inviting participation from individuals separate from the public to discuss this matter, then the Board needs to withdraw the current regulation project. She adds that the Board could put out a scoping notice.

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

Brandon Emmett and Loren Jones volunteer for the subcommittee.

Erika McConnell states that staff could make time on the 28th and 29th of this month to continue this meeting and get through the rest of the agenda. The meeting would take place in the crime lab. The Board members agree to the dates and location.

Erika McConnell states that it seems like the Board should be scheduling three-day meetings.

The Board members thank the staff for their hard work.

Loren Jones requests that the staff give some thought to handling NOV's where the licensee has requested an informal conference with the Board; that they maybe be handled apart from regular meetings.

Peter Mlynarik apologizes to the licensees whose applications were not reviewed during these two days.

● **NEXT MARIJUANA CONTROL BOARD MEETING**

Agenda deadline for January 24-25 meeting: January 5, 2018

● **ADJOURN**

5:09pm

*Mark Springer moves to adjourn.
Brandon Emmett seconds the motion.
None opposed, motion carries.*

Minutes prepared by:



Sarah D. Oates
Program Coordinator