THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

February 6, 2018

Timothy E Hamilton
DBA: Volcano Flower
Via email: volcano@alaska.net

Re: Limited Marijuana Cultivation Facility #13615

Dear applicant,

The AMCO Office is reviewing the documents submitted for the proposed marijuana establishment license referenced above. The following items need to be corrected and/or resubmitted**.** Please be sure to read the entire letter.

- **Online Application**
  - Obtain a new business license through Division of Corporations. This business license must show that the owner is Volcano Flower, LLC (the entity you stated by email you had formed).
  - When you obtain the new business license give me a call or email me with the business license number so I can change it in the system. I will then roll the application back to "New" status so that you can amend the online application. Updated Public Notice, Advertisement Notice, and Cover Page will generate; you will need these for your corrections.
  - Please note that I am not familiar with the entire process of forming entities or applying for business licenses with Division of Corporations. You will need to contact them if you have questions.

- **MJ-00 Application Certifications**
  - Submit new MJ-00 for each of you. Please note that the context of "Licensee" in Section 1 of this form is the name of the LLC. Use your updated cover page to guide you in this section.

- **MJ-01 Operating Plan**
  - Page 1-section 1: the licensee in this section is going to be Volcano Flower, LLC, please correct that.
  - Page 4, second box: please add to the answer and explain who will be contacted in case of breach of security.
  - Page 4, third box: please add to the answer in this box and explain how your alarm system will comply with activating it on all exterior doors and windows when the licensed premises is closed for business.

- Page 5, first box: since your wife is or will be a member of the LLC, please update the title "affiliate" in this box. ALSO, you are saying that only the two of you will be handling marijuana, but other than through the tracking system, is there any other procedures you will have in place to prevent diversion of marijuana?
- Page 5, second box: simply stating that the facility is at the end of the driveway does not suffice with the requirement that a marijuana establishment shall have policies and procedures in place to prevent loitering. Please expand upon your answer and describe your policies and procedures for preventing loitering.
- Page 11: since your wife is or will be a member of the LLC, please update the title "affiliate" in this box.
- Pages 12-13: your Waste Disposal plan does not comply with the regulations. Please re-visit 3 AAC 306.740 and describe how you will comply. For example, a three-day notice before rendering the marijuana waste unusable must be given in writing to enforcement, the waste must be stored during that waiting period, the waste must be ground, then mixed…, etc. please re-read the regulation. Marijuana waste cannot be incinerated in your wood stove as a form of waste disposal.
- Page 15, first box: please re-review 3 AAC 306.470 & 3 AAC 306.475 and describe how you will comply with those regulations. ALSO, provide a sample label that you will produce to comply with 3 AAC 306.470 & 3 AAC 306.475, include a sample of any logo(s) you will use.

- **MJ-02 Premises Diagram**
  - Page 1-section 1: the licensee in this section is going to be Volcano Flower, LLC, please correct that.
  - Please submit a Google-like aerial view diagram that very clearly (label) shows the proposed marijuana establishment, the property where it is or going to be, and what surrounds that building and property (what other buildings, business, etc.).
  - The diagram you submitted of the proposed cultivation needs little work:
    - It is a little too faded, for example, I cannot really see the porch.
    - Remove camera placements
    - What type of structure is it (write on the diagram)
    - Take a color pencil or marker and outline what will be the licensed premises and restricted access areas (essentially one color will be both, except, probably the porch). Label it.
    - Show storage
    - Show entrance/exit
    - Show dimensions, walls partitions, counters, windows, video surveillance room/area.
    - Call me if you have questions

- **MJ-04 Cultivation Supplemental**
  - Page 1-section 1: the licensee in this section is going to be Volcano Flower, LLC, please correct that.
  - Page 4, first box: the answer to this box must be congruent with the answer you provide in pages 12-13 of MJ-01.
  - Page 4, second box: please add to your answer in this box and describe how you will ensure that any odor will not be detectable by the public form outside the facility.

- Page 5: please add to the answer in this box and explain how you will comply with 3 AAC 306.455(c).
- Page 6: just reiterating, please provide sample(s) of the label(s) you will produce to comply with 3 AAC 306.470 & 3 AAC 306.475 including sample of any logo(s) you will use.

- **MJ-07 Public Notice Posting Affidavit**
  - You will need to re-post. Post the updated Public Notice at the proposed location and another conspicuous location for ten days. I will need a new MJ-07 filled out and signed in front of a notary after the posting has been done.
  - Use your cover page to guide you with section 1 of this form.

- **MJ-08 Local Government Notice Affidavit**
  - Notify your local government with the updated Public Notice which by now should be updated. I will need a new MJ-08 filled out and signed in front of a notary.
  - Use your cover page to guide you with section 1 of this form.

- **MJ-09 Statement of Financial Interest**
  - Submit new MJ-09 for each of you. Please note that the context of "Licensee" in Section 1 of this form is the name of the LLC. Use your updated cover page to guide you in this section.

- **Publisher's Affidavit**
  - You will need to advertise as the LLC applying for the license. Take the updated Advertisement Notice (as mentioned above, under Online Application) to a newspaper of regular circulation and run the ad once a week for three consecutive weeks (like you did with the original application). I will need the publisher's affidavit for that.

- **Proof of Possession for Proposed Premises**
  - I will need proof of right to possession for Volcano Flower, LLC (the entity you stated by email you had formed). I know you submitted a tax bill, but we need proof that the LLC has the right to the proposed premises.
  - If you are going to provide a commercial lease, the lease must be a legally binding lease and it should include the following:
    - An acknowledgment from the landlord/lessor that the premises will be used as a marijuana establishment, and
    - A disclaimer that the landlord/lessor may not take possession or remove marijuana from the premises and AMCO will be contacted (this is usually under the "Default" section).

- **Entity Documents**
  - Please provide the LLC's Operating Agreement.
  - File your Initial Report for Volcano Flower, LLC (the entity you stated by email you had formed).

- **Fingerprint Card**

- Please submit fingerprint card for Anne Hamilton, along with a check or money order for $47 for the background check.

- **Applicant's Residency**
  - Timothy and Anne, will you be applying for the Permanent Fund Dividend this year? If so, is it possible that you can do it right away, then let me know. If you are not applying then let me know so I can send you form MJ-18.

If we do not receive your completions within 90 days, per 3 AAC 306.025(f), you must file a new application and pay a new fee.

Respectfully,

Jane Sawyer, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov