



Marijuana Control Board
Meeting Minutes
May 7, 2018
Third Judicial District
Atwood Building
550 W 7th Avenue, Room 102
Anchorage, Alaska
Call-in Number: 1-800-315-6338, code 69176#

● **ADMINISTRATION**

A. Call to Order

9:00am

B. Roll Call

Board Members Present:

Mark Springer, Chair, Rural Member
Brandon Emmett, Vice Chair, 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

9:01am

Erika McConnell states that section A under executive session cannot be done today, so it will be pushed probably until June.

*Brandon Emmett moves to approve the agenda with item A (described above) stricken.
Nick Miller seconds the motion.
Motion carries unanimously.*

D. Approval of the April 4-6, 2018 Meeting Minutes

9:02am

TAB 1

*Brandon Emmett moves to approve the April 4-6, 2018 meeting minutes.
Loren Jones seconds the motion.
Motion carries unanimously.*

● **BOARD GOVERNANCE**

9:03am

Harriet Milks states that this is the time of the meeting when the Board members need to declare whether there are any changes in their personal, professional, or other relationships that could pose a potential ethical conflict.

Loren Jones states that he has no changes.

Brandon Emmett states that he has no changes.

Nick Miller states that he has no changes.

Mark Springer states that he has no changes.

● **EXECUTIVE SESSION**

- A. 10006 & 10012: Frozen Budz:** Destiny S Neade & Nick J Neade
3915 Peger Road, Fairbanks (Fairbanks North Star Borough)

Appeal of license revocations; OAH Case Nos. 17-1307-MCB and 18-0125-MCB

Item is postponed until a future meeting.

- B. 10188: The Green Pearl, LLC:** The Green Pearl, LLC
3678 S Wolverine Drive, Big Lake (Matanuska-Susitna Borough)

9:04am

Appeal of license denial; OAH Case No. 18-0262-MCB

*Brandon Emmett moves to go into executive session.
Nick Miller seconds the motion.
Motion carries unanimously.*

*Brandon Emmett moves to come out of executive session.
Loren Jones seconds the motion.
Motion carries unanimously.*

9:22am

Mark Springer states that the Board met with Judge Peterson from the Office of Administrative Hearings. He asks if there is motion to adopt the proposed decision.

*Brandon Emmett moves to adopt the proposed decision.
Nick Miller seconds the motion.*

Brandon Emmett moves to amend the proposed decision from 90 days to 120 days.

Nick Miller seconds the motion.

Motion to amend carries unanimously.

Motion to adopt as amended carries unanimously.

Mark Springer reads the following adopted order and decision:

“It is hereby ordered that

1. License #10188, issued to The Green Pearl, LLC is approved by the Board, with delegation.
2. The scope of delegation for the purposes of this Order is limited to confirmation that the licensee has met all obligations imposed by the Matanuska-Susitna Borough.
3. The delegation will expire 120 day after the date this Proposed Decision and Order is adopted by the board. If the licensee has not satisfied all Matanuska-Susitna Borough requirements within those 120 days, license #10188 will be denied without further notice, except that the licensee will have a right to a hearing as provided by 3 AAC 306.090.”

● REGULATIONS

A. Definition of Resident

9:31am

TAB 2

Status:

Adopted at January 25, 2018 meeting

Potential Board Action:

Reconsideration

Erika McConnell informs the Board that the regulatory change that was adopted in January would allow for someone to move out of state after obtaining a license, and removes any residency requirement after initial issuance of a license. She states this project undermines the Board's intent to only allow Alaska residents to hold marijuana licenses. She states that if the Board does intend to continue the Alaska residency requirement, then it should rescind this project and start with a new draft.

Loren Jones and Brandon Emmett state that they agree with the director.

Loren Jones moves that the Board agree with the recommendation from the director that it rescind its approval of this regulations project and direct the staff to propose language that would address concerns about emergency situations which may cause a licensee to need to be out of state longer than allowed by PFD eligibility rules.

Brandon Emmett seconds the motion.

Motion carries, 3-1 (Nick Miller votes No).

Loren Jones requests that the staff look at the totality of the regulations and the use of the MJ-18, and what might transpire if there are issues around residency that are not as easily resolved.

B. Trade Shows

9:39pm

TAB 3

Status:

Partially adopted at January 25, 2018 meeting

Potential Board Action:

Adopt change to 3 AAC 306.750

Brandon Emmett moves to adopt changes to 3 AAC 306.750 as described by the director (in her memo).

Loren Jones seconds the motion.

Erika McConnell states that due to an error in her memo (at the January meeting), the Board did not realize that this regulations project also included a change to 3 AAC 306.750, so it only adopted the changes to 3 AAC 306.760 in January.

Motion carries unanimously.

● **CBD DISCUSSION**

9:41am

TAB 4

Harriet Milks states that Senate Bill 6 changes the definition of marijuana to remove hemp, which means that this Board no longer has the authority to regulate hemp. She adds that the Bill creates a regulatory scheme under the Department of Natural Resources (DNR) with an immediate effective date, but that the regulations for that licensing scheme have not been adopted. She states that the Department of Natural Resources is now tasked with regulating CBD and overseeing enforcement, but that the Marijuana Control Board retains general authority over marijuana establishments which may (no longer legally) sell CBD products in their stores. She adds that CBD is still federally classified as a level I controlled substance.

Mark Springer states that if he were a licensee, he would probably remove the CBD products away from the marijuana products that are regulated by this Board.

Brandon Emmett states that growing hemp here in Alaska is going to present a bit of a challenge.

Loren Jones asks whether someone could be licensed under both (the Marijuana Control Board) and under DNR for production of CBD oil.

Harriet Milks states that the regulatory process for industrial hemp has only just begun, and that this Board could certainly weigh in on that process.

Brandon Emmett states that marijuana (product manufacturing) facilities would most likely be participating in producing those products.

Loren Jones states that this Board should pay very close attention to DNR's regulations process.

Harriet Milks states that the Department of Law is paying very close attention to this project.

● **APPLICATIONS FROM PREVIOUS MEETINGS**

A. License #12815:	Turnagain Manufacturing Company	9:55am	<u>TAB 5</u>
Licensee:	Turnagain Manufacturing Company		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	524 E 48 th Avenue, Unit 1 Anchorage, AK 99503		
Local Government:	Municipality of Anchorage		
For Consideration:	Products tabled at April 2018 meeting due to missing concentrates that will be used as ingredients in other products		

Licensee is not present; item will be considered at a later time.

● **BOARD CONSIDERATION**

A. License #10886:	Good Titrations	9:56am	<u>TAB 6</u>
Licensee:	FSE, Inc.		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	1770 Donald Avenue, Suite B Fairbanks, AK 99701		
Local Government:	Fairbanks North Star Borough		
Transferor:	FSE, Inc. (controlling interest)		
For Consideration:	Ownership transfer; undetermined residency of licensee		

Brandon Emmett recuses himself from voting and discussion as a Board member for this license.

Nick Miller moves to approve license 10886.

Loren Jones clarifies that this is for the transfer, and he seconds the motion.

Mark Springer states that this approval will be with delegation.

Jana Weltzin, legal counsel, and Brandon Emmett, licensee, identify themselves for the record and answer Board questions about the application.

Erika McConnell states that the residency of the licensee in question has since been determined, and that the staff has no other concerns.

Motion carries unanimously.

● **OWNERSHIP TRANSFER APPLICATIONS**

A. License #10156:	Herbal Instincts	10:01am	<u>TAB 7</u>
Licensee:	Timeless Adventures, LLC		
License Type:	Standard Marijuana Cultivation Facility		
Premises Address:	405 Ream Lane Fairbanks, AK 99712		
Local Government:	Fairbanks North Star Borough		
Transferor:	Elevated Innovations, LLC DBA Elevated Innovations, LLC		

Brandon Emmett rejoins the meeting.

Christopher Konopka and Jessica Huff identify themselves for the record and answer Board questions about the application.

Brandon Emmett moves to approve the ownership transfer for license 10156 with delegation.

Nick Miller seconds the motion.

Erika McConnell reminds the Board that it had determined that all areas within a licensed premises must be contiguous, and that she had promised the Board that she would notify licensees that they must come into compliance with this requirement by the renewal period. She adds that she regrets to inform the Board that she did not notify licensees, and that she plans to provide them with an extension.

Loren Jones and Mark Springer state that the delegation will include the requirement in the tab memo (that all fencing shown on the premises diagram, that surrounds the entire licensed premises, be fully constructed no later than August 31, 2018).

Motion carries unanimously.

B. License #10174:	Parallel 64, LLC	10:07am	<u>TAB 8</u>
Licensee:	Parallel 64, LLC		
License Type:	Standard Marijuana Cultivation Facility		
Premises Address:	2128 N Post Road Anchorage, AK 99504		
Local Government:	Municipality of Anchorage		
Transferor:	Parallel 64, LLC (controlling interest)		

Brandon Emmett moves to approve the transfer of license 10174 Parallel 64, LLC.

Nick Miller seconds the motion.

Mark Springer clarifies that the approval is with delegation.

Travis Jones, licensee, identifies himself for the record and answers Board questions.

Motion carries unanimously.

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS**

A. License #13881:	AlasKind, LLC	10:09am	<u>TAB 9</u>
Licensee:	AlasKind, LLC		
Premises Address:	278 East Bias Drive Fairbanks, AK 99712-2501		
Local Government:	Fairbanks North Star Borough		

Brandon Emmett moves to approve license 13881 AlasKind, LLC with delegation.

Nick Miller seconds the motion.

Aaron Heath, applicant, identifies himself for the record and answers Board questions about the application. He states that he will not be producing Hempcrete, as indicated on his application.

Loren Jones states that as part of the delegation, that production of Hempcrete be removed from the waste disposal section.

Aaron Heath states that he noticed that the color coding is mismatched from what is going to be built and what will be deconstructed.

Motion carries unanimously.

B. License #15403:	Worner Brothers Horticulture	10:16am	<u>TAB 10</u>
Licensee:	Worner Brothers Horticulture, LLC		
Premises Address:	32697 Sterling Highway Sterling, AK 99672		
Local Government:	Kenai Peninsula Borough		
For Consideration:	Conditions pursuant to 3 AAC 306.060(b)		

Applicant not present; application will be considered at a later time.

● **BREAK** **10:17am**

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS**

B. License #15403:	Worner Brothers Horticulture	10:33am	<u>TAB 10</u>
Licensee:	Worner Brothers Horticulture, LLC		
Premises Address:	32697 Sterling Highway Sterling, AK 99672		
Local Government:	Kenai Peninsula Borough		
For Consideration:	Conditions pursuant to 3 AAC 306.060(b)		

*Brandon Emmett moves to approve license 15403 Worner Brothers Horticulture with delegation and Kenai Peninsula Borough conditions.
Nick Miller seconds the motion.*

Jeff Worner, applicant, identifies himself for the record and answers Board questions about the application. He states that the Tank Room has a separate entrance from outside, and does not have a door to the licensed premises.

Loren Jones recommends that as part of the delegation, that staff look at the licensed premises diagram and determine whether the Tank Room should be included in the licensed premises and restricted access area, as there will be wastewater stored in that room.

Motion carries unanimously.

● **NEW LIMITED MARIJUANA CULTIVATION FACILITY APPLICATIONS**

A. License #14002:	CNE Development	10:43am	<u>TAB 11</u>
Licensee:	Charlene G Florence; Eric C Wiegmann		
Premises Address:	10985 Sterling Highway Ninilchik, AK 99639-0740		
Local Government:	Kenai Peninsula Borough		
For Consideration:	Conditions pursuant to 3 AAC 306.060(b)		

*Brandon Emmett moves to approve license 14002 CNE Development with delegation and Kenai Peninsula Borough Conditions.
Nick Miller seconds the motion.*

Eric Wiegmann and Charlene Florence, applicants, identify themselves for the record and answer Board questions about the application.

Motion carries unanimously.

B. License #14302: **Sherwood's Magical Forest** **10:46am** **TAB 12**
Licensee: Jesse Sherwood
Premises Address: 60390 Bryant Court
Homer, AK 99603
Local Government: City of Kachemak

*Brandon Emmett moves to approve license 14302 Sherwood's Magical Forest with delegation.
Nick Miller seconds the motion.*

Jesse Sherwood, applicant, identifies himself for the record and answers Board questions about the application.

Brandon Emmett moves to include in the delegation the requirement that the premises diagram be amended to include part of the "Check-In Room" as a restricted access area to facilitate moving of marijuana from one room to another, and to remove the bathroom from the restricted access area.

Nick Miller seconds the motion.

Motion carries unanimously.

Motion to approve with delegation carries unanimously.

● **APPLICATIONS FROM PREVIOUS MEETINGS**

A. License #12815: **Turnagain Manufacturing Company** **10:54am** **TAB 5**
Licensee: Turnagain Manufacturing Company
License Type: Marijuana Product Manufacturing Facility
Premises Address: 524 E 48th Avenue, Unit 1
Anchorage, AK 99503
Local Government: Municipality of Anchorage
For Consideration: Products tabled at April 2018 meeting due to missing concentrates that will be used as ingredients in other products

Brandon Emmett moves to consider products tabled at the April 2018 meeting due to missing concentrates that will be used as ingredients in other products.

Nick Miller seconds the motion.

None opposed, motion carries.

Seth Molen, licensee, identifies himself for the record and answers Board questions about the products.

Brandon Emmett moves to approve the products Cannabis Oil, Distillate Oil CBD, and Distillate Oil THC.

Nick Miller seconds the motion.

Motion carries unanimously.

Loren Jones states that the delegation for the edible products would include that staff be comfortable with the packaging being resalable to child-proof.

Brandon Emmett recommends that the licensee add the sentence to the packaging for Aww Snaps regarding the use of child-resistant exit packaging (which is in the description of the other products).

Loren Jones states that the same language about child-resistant packaging should be included for the packaging for GiggleBurst and GiggleDrops, and reminds the licensee that final photos of the products will need to be submitted to staff.

The Board members agree to add to the delegation that the colors for GiggleBurst and GiggleDrops be muted, and that the director review the photos of these products' colors.

Loren Jones states that the colors should not mute out the hand logo that is printed on the candies.

Brandon Emmett moves to approve Canna Caps, Aww Snaps, GiggleBurst, and GiggleDrops with delegation and conditions as outlined by the Board.

Nick Miller seconds the motion.

Motion carries unanimously.

● **NEW LIMITED MARIJUANA CULTIVATION FACILITY APPLICATIONS**

C. License #14427:	Elevated Heights, LLC	11:10am	<u>TAB 13</u>
Licensee:	Elevated Heights, LLC		
Premises Address:	26506 East Little Granite Creek Loop Sutton, AK 99674		
Local Government:	Matanuska-Susitna Borough		

Brandon Emmett moves to approve license 14427 Elevated Heights, LLC with delegation.

Nick Miller seconds the motion.

Darrell Niles and Keri Niles, applicants, identify themselves for the record and answer Board questions about the application.

Motion carries unanimously.

D. License #14579:	Smoking Joe's Terps Co.	11:18am	<u>TAB 14</u>
Licensee:	Smoking Joe's Terps Co.		
Premises Address:	24276 Moraine Vista Street Kasilof, AK 99610		
Local Government:	Kenai Peninsula Borough		
For Consideration:	Conditions Pursuant to 3 AAC 306.060(b)		

Brandon Emmett moves to approve license 14579 Smoking Joe's Terps Co. with delegation and Kenai Peninsula Borough conditions.

Nick Miller seconds the motion.

Jake Thom, applicant, identifies himself for the record and answers Board questions about the application.

Motion carries unanimously.

E. License #14706: **Denali Herb Company** **11:28am** **TAB 15**
Licensee: DHC, LLC
Premises Address: 1328 E Fairview Loop Road, Suite A
Wasilla, AK 99654
Local Government: Matanuska-Susitna Borough

*Brandon Emmett moves to approve license 14706 Denali Herb Company with delegation.
Nick Miller seconds the motion.*

Greg Stigen, applicant, and Jessica Smith, on behalf of the Law Offices of Lance Wells, identify themselves for the record and answer Board questions about the application.

The Board members voice concerns and ask the applicant why he is applying for two separate licenses (including 14707 Alaska Herb Company) rather than one.

Greg Stigen states that it seemed easier to do it this way, and informs the Board that the building has not yet been constructed. He informs the Board that he was told today by the Mat-Su Borough planner that the second limited cultivation facility (14707) would not meet local set-back requirements.

Jessica Smith requests that the Board proceed with this application but table consideration of the AHC, LLC application.

Erika McConnell states that the staff will bring forward at the next meeting draft regulatory language to easily convert a limited cultivation facility to a standard.

Motion carries unanimously.

F. License #14707: **Alaska Herb Company** **11:43am** **TAB 16**
Licensee: AHC, LLC
Premises Address: 1328 E Fairview Loop Road, Suite B
Wasilla, AK 99654
Local Government: Matanuska-Susitna Borough

Loren Jones moves to table Tab 16 Alaska Herb Company license 14707 (in response to the discussion under the previous tab).

Brandon Emmett seconds the motion.

Loren Jones states that it would be tabled until it gets brought back (by AMCO staff, at the request of the applicant).

G. License #14919: **Rasta Farms, LLC** **11:44am** **TAB 17**
Licensee: Rasta Farms, LLC
Premises Address: 47291 S Yancey Drive
Willow, AK 99688
Local Government: Matanuska-Susitna Borough

*Brandon Emmett moves to approve license 14919 Rasta Farms, LLC with delegation.
Nick Miller seconds the motion.*

Greg Tartisel, applicant, and Jessica Smith, on behalf of the Law Offices of Lance Wells, identify themselves for the record and answer Board questions about the application. Mr. Tartisel states that he has looked into changing the company and equipment used for security purposes.

Mark Springer states that the delegation will include the requirement that the applicant amend his operating plan to reflect this change.

Motion carries unanimously.

H. License #15223:	Rock Hard Nugz AK	11:50am	<u>TAB 18</u>
Licensee:	7G Unlimited, LLC		
Premises Address:	240 W Kristy Drive Wasilla, AK 99654		
Local Government:	Matanuska-Susitna Borough		

*Brandon Emmett moves to approve license 15223 Rock Hard Nugz AK with delegation.
Nick Miller seconds the motion.*

Robert Gustafson, applicant, and Jessica Smith, on behalf of the Law Offices of Lance Wells, identify themselves for the record and answer Board questions about the application.

Motion carries unanimously.

● **LUNCH BREAK** **11:56am**

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

A. License #10254:	AlaskaSense, LLC	1:01pm	<u>TAB 19</u>
Licensee:	AlaskaSense, LLC		
Premises Address:	217 E 4 th Avenue, Suite D Anchorage, AK 99501		
Local Government:	Municipality of Anchorage		

*Brandon Emmett moves to approve license 10254 AlaskaSense, LLC with delegation.
Nick Miller seconds the motion.*

Loren Jones states that he would rather postpone this until the other issue (regarding the accusation for another license held by this applicant) is resolved, as he would be a no vote today.

Jana Weltzin, legal counsel, states that the accusation that was served to the licensee on May 4 has to do with the cultivation facility and has nothing to do with the retail. Smadar Warden, applicant, is present but does not speak to the Board.

Loren Jones states that the severity of the accusation makes him question the business practices of the licensee.

*Loren Jones moves to table AlaskaSense license 10254 to a future date.
Brandon Emmett seconds the motion.*

Jana Weltzin requests that the motion specify that the application is postponed until the June meeting.

Loren Jones states that he doesn't have a problem with that.

Motion to table until the June meeting carries unanimously.

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|---------------------------|--|---------------|----------------------|
| B. License #13382: | East Rip | 1:06pm | <u>TAB 20</u> |
| Licensee: | Cook Inlet Cannabis Co. | | |
| Premises Address: | 10767 Kenai Spur Highway, Suite D
Kenai, AK 99611 | | |
| Local Government: | City of Kenai | | |

Brandon Emmett moves to approve license 13382 East Rip with delegation.

Nick Miller seconds the motion.

Ryan Tunseth, applicant, and Jana Weltzin, legal counsel, identify themselves for the record and answer Board questions about the application and the filed objections. Mr. Tunseth states that the City ultimately decided that the field was a mixed-used space and not a recreation or youth space.

Motion carries unanimously.

- | | | | |
|---------------------------|--|---------------|----------------------|
| C. License #13949: | Wishful Things, LLC | 1:16pm | <u>TAB 21</u> |
| Licensee: | Wishful Things, LLC | | |
| Premises Address: | 3505 Airport Way
Fairbanks, AK 99709-4761 | | |
| Local Government: | City of Fairbanks | | |

Brandon Emmett moves to approve license 13949 Wishful Things, LLC with delegation.

Nick Miller seconds the motion.

Mason and Gary Evans, consultants, and James Simpson, applicant, identify themselves for the record and answer Board questions about the application.

Motion carries unanimously.

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|---------------------------|-----------------------------------|---------------|----------------------|
| D. License #15061: | Winter Greens, LLC | 1:29pm | <u>TAB 22</u> |
| Licensee: | Winter Greens, LLC | | |
| Premises Address: | 75 Beach Road
Haines, AK 99827 | | |
| Local Government: | Haines Borough | | |

Brandon Emmett moves to approve license 15061 Winter Greens, LLC with delegation.

Nick Miller seconds the motion.

William Adams, applicant, identifies himself for the record, passes around photographs of his establishment to the Board members, and answers Board questions about the application.

Motion carries unanimously.

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS**

A. License #11960: **Last Frontier Joint Operations, LLC** **1:37pm** **TAB 23**
Licensee: Last Frontier Joint Operations, LLC
Premises Address: 7180 Revilla Road, Suite 100
Ketchikan, AK 99901
Local Government: Ketchikan Gateway Borough

Brandon Emmett moves to approve license 11960 Last Frontier Joint Operations, LLC with delegation.

Nick Miller seconds the motion.

Mike Keiser, applicant, identifies himself for the record and answers Board questions about the application.

The Board members and the applicant discuss concerns about the fact that the hall that connects the extraction room to the rest of the manufacturing facility is not included in the licensed premises, plus the fact that the applicant plans to store business records on the licensed premises of the cultivation facility (which is not included in the licensed premises for the manufacturing facility).

Sarah Oates states that the regulations allow for a cultivation facility and a product manufacturing facility to have shared licensed premises spaces, as long as the licensee is the same entity. She recommends that the Board add to the delegation the requirement that the applicant amend his premises diagram to include the entire area from the extraction room to the secure storage area, office, and vault in this premises along with the cultivation facility.

Mark Springer states that he agrees with this suggestion, and the other Board members nod. Mark Springer adds to the delegation the requirement that the applicant make all areas, except for the lavatory itself, restricted access.

Brandon Emmett moves to approve the products labeled Canna Butter, CO2 Extract, Bubble Hash, Crop Crème, and Shatter.

Nick Miller seconds the motion.

Loren Jones states that for Canna Butter in production procedure method 1, it needs to be really clear that the applicant will be adding a marijuana concentrate to the other ingredients, and not just bud or trim.

Motion carries unanimously.

Brandon Emmett moves to approve the products labeled Aurora Borealis Bars and Muddy Bights. Nick Miller seconds the motion.

Loren Jones states that the packaging for the Muddy Bights is not child resistant.

Mike Keiser states that he plans on putting this into a resealable Mylar bag.

Mark Springer states that that needs to be clear on the application. He adds that the standard production procedures for both products need to be made clear that if shatter will be the concentrate added, that it will be melted first.

Motion carries unanimously.

Brandon Emmett moves to approve the product called Vape Cartridge.

Nick Miller seconds the motion.

Motion carries unanimously.

Brandon Emmett moves to approve the products labeled LFJO Herby Italian Dressing and Southeast Spun Honey.

Nick Miller seconds the motion.

Mark Springer states that the applicant needs to provide a better view of what the demarcations on the bottles will look like.

Brandon Emmett requests that the delegation include that the staff examine the actual packaging before these products are sold.

The other Board members nod in agreement.

Mark Springer states that the delegation will include that the applicant show a reasonable representation on the label that these products contain cannabis.

Motion carries unanimously.

Brandon Emmett moves to approve the product Southeast Sours.

Nick Miller seconds the motion.

The Board members discuss concerns about the proposed shapes.

Mike Keiser states that he has had a joint-shaped mold made.

Brandon Emmett adds to the delegation the requirement that the applicant provide an accurate representation of what shapes will be used that the Board has agreed to, which includes joints, stars, and squares, but not any animal shapes.

Motion carries unanimously.

Nick Miller states that he is not comfortable with the applicant having a burning marijuana joint as the "J" in its sign.

Mike Keiser agrees to remove this from his sign.

Motion to approve the license with delegation carries unanimously.

● **BREAK**

2:42pm

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS**

B. License #14432:	Herban Extracts, LLC	3:04pm	<u>TAB 24</u>
Licensee:	Herban Extracts, LLC		
Premises Address:	14927 Kenai Spur Highway Kenai, AK 99611		
Local Government:	City of Kenai		

*Brandon Emmett moves to approve license 14432 Herban Extracts, LLC with delegation.
Nick Miller seconds the motion.*

Brandon Emmett asks whether City of Kenai is Kenai Peninsula Borough (for purposes for adding conditions to the license).

Mark Springer says no.

Sarah Oates clarifies that since the regulation change to have a second local government became effective, the staff has been sending notices to boroughs when an establishment is located within a city that is within a borough, and if a borough were to protest or request conditions for a license, that the staff would have to bring the application back to the Board for consideration.

Buddy Crowder, applicant, and Jana Weltzin, legal counsel, identify themselves for the record, pass out samples of empty packaging to the Board members, and answer Board questions about the application.

Loren Jones requests that the applicant revise the premises diagram to show a more specific area of where the in-house testing will occur, rather than most of the production area.

Brandon Emmett moves to approve all of the products (CO2 Concentrate Oil, Vape Cartridges – CO2 Concentrate Oil, Vape Cartridge with E-Pen Kit – CO2 Concentrate Oil, Wholesale CO2 Concentrate Oil – decarboxylated or not decarboxylated, Pull & Snap, Ethanol Concentrate Oil, Vape Cartridges – Ethanol Concentrate Oil, Vape Cartridge with E-pen Kit – Ethanol Concentrate Oil, and Wholesale Ethanol Concentrate Oil – decarboxylated or not decarboxylated.

Nick Miller seconds the motion.

Motion carries unanimously.

Motion to approve the license with delegation carries unanimously.

● BOARD COMMENTS

3:17pm

Erika McConnell states that Nick Miller had expressed concerns about the fact that accusation hearings are not required to be publicly noticed. She asks whether the Board would like her to schedule the next one during the next Board meeting.

The Board members agree that they would.

Loren Jones thanks the staff and states that he has noticed that many of the applications on this agenda were for establishments that have not been built. He asks whether or not the number of licenses that have been in delegation for long periods of time has been decreasing.

Erika McConnell states that she has not been closely tracking that number.

Loren Jones states that on the alcohol side, a community is required to report to AMCO when it has adopted a local option, but that requirement does not exist on the marijuana side. He states that the Board might want to think about the issue of not necessarily knowing about the restrictions until a license is protested.

Brandon Emmett thanks the staff.

Nick Miller states that he has no comments.

Mark Springer asks whether the staff could send a copy of the contract with Metrc to the Board members, as there is some interest in transparency of data to be made available to the public, so that the industry and legislature can make some use of it through analysis and reports.

Erika McConnell states that she would be happy to forward the contract to the Board, and she asks whether Mr. Springer is wanting to make the licensees' data available. She reminds the Board that Metrc will be coming to the June meeting in Anchorage to provide training, and that the Board should consider privacy concerns.

Mark Springer states that he would also like Investigator Bankowski to provide a run-down in June about how the staff uses Metrc.

Mark Springer thanks the staff and states that he shares concerns about whether an applicant's building is built yet.

Mark Springer states that he would like to bring up a regulations project for a table of violations, including a draft of what penalties would be, at the June meeting.

Erika McConnell requests that the Board allow the staff to bring the draft to the August meeting. Mark Springer states that that's fine.

● **NEXT MARIJUANA CONTROL BOARD MEETING**

3:34pm

Agenda deadline for June 13-15 meeting: May 25, 2018

Mark Springer asks how the applications are looking for the June meeting.

Sarah Oates states that the special meetings actually slow (processing of applications) down, as they require a lot of extra work of the staff. She adds that it's looking like about the same number of applications or less (than what were on this agenda) will be on the June meeting agenda.

Mark Springer states that the Board should probably not hold these special meetings anymore.

● **ADJOURN**

3:35pm

Brandon Emmett moves to adjourn.

Loren Jones seconds the motion.

None opposed, motion carries.

Minutes prepared by:



Sarah D. Oates
Program Coordinator