

● **NEW LICENSE APPLICATIONS FOR RELATED APPLICANTS**

A. License #15245:	North Star Gardens	2:41pm	<u>TAB 51</u>
Licensee:	North Star Gardens, Inc.		
License Type:	Standard Marijuana Cultivation Facility		
Premises Address:	5310 Commercial Boulevard, Suite 2A Juneau, AK 99801		
Local Government:	City and Borough of Juneau		

Jana Weltzin, legal counsel, Jamie Letterman, applicant, and Chris Letterman, manager, identify themselves and answer Board questions about the application.

Loren Jones states that he thinks that the drawings could use a lot more clarification as to what's going on and where.

*Brandon Emmett moves to approve license 15245 North Star Gardens with delegation.
Jeff Ankerfelt seconds the motion.
Motion carries unanimously.*

B. License #15246:	Thunder Cloud 9	2:49pm	<u>TAB 52</u>
Licensee:	Borealis Mountain, Inc.		
License Type:	Retail Marijuana Store		
Premises Address:	5310 Commercial Boulevard, Suite 2B Juneau, AK 99801		
Local Government:	City and Borough of Juneau		

*Brandon Emmett moves to approve license 15246 Thunder Cloud 9 with delegation.
Jeff Ankerfelt seconds the motion.
Motion carries unanimously.*

● **NEW MARIJUANA PRODUCTS**

A. License #11304:	Hollyweed 907	2:53pm	<u>TAB 53</u>
Licensee:	YNY Investment, LLC		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	2429 E 88 th Avenue Anchorage, AK 99507		
Local Government:	Municipality of Anchorage		

Jana Weltzin, legal counsel, identifies herself for the record and answers Board questions about the proposed products.

*Brandon Emmett moves that the Board approve CO2 Crumble, CO2 Sauce and Crystals, CO2 Shatter, and CO2 Wax.
Jeff Ankerfelt seconds the motion.*

Erika McConnell asks whether the product name actually has to be on the label; the regulations don't require it, but she wants to know if the Board wants it to be there.

Jim Dyer, packaging and labeling specialist, states that the product name would be under the strain.

Mark Springer states that the delegation will include that the licensee provide an updated label.

Jana Weltzin reminds the Board that licensees are required to submit photos of packaging and labeling, along with the actual products, to enforcement before selling them.

Motion carries unanimously.

*Brandon Emmett moves to approve the product called CO2 Vape Pen.
Jeff Ankerfelt seconds the motion.*

Loren Jones requests that at the next meeting, there be time scheduled for the tobacco people or public health to discuss vaping, including health effects, potential diversion, or access to youth.

Jim Dyer states that there are THC stickers that can be applied to the outside of the cartridges, but they can be peeled off.

Motion carries unanimously.

B. License #15594:	Cold Creek Extracts	3:06pm	<u>TAB 54</u>
Licensee:	Cold Creek Extracts, LLC		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	7801 Schoon Street, Unit L Anchorage, AK 99518		
Local Government:	Municipality of Anchorage		

Jason Brandeis, legal counsel, and Cade Inscho, licensee, identify themselves for the record and answer Board questions about the products.

Loren Jones states that the applicant has indicated that it might potentially use different types of concentrates for the products, and he asks whether the Board should restrict the concentrate to a specific one.

Sarah Oates states that she brought this issue to the Board during the June meeting in her report, and she had recommended that the Board allow for flexibility when it comes to just the concentrate. She states that due to supply, licensees have had to submit operating plan changes and pay fees to change the type of concentrate that will be used because the Board had limited the ingredient to a specific concentrate – this is expensive and time-consuming for licensees and staff.

Mark Springer states that whichever concentrate they would use would have to be indicated on the label.

Brandon Emmett moves to approve the product labeled Alaskan Rescue Balm with the requirement that the actual concentrate or concentrates used in each production batch be included on the label.

Jeff Ankerfelt seconds the motion.

Motion carries unanimously.

Brandon Emmett moves to approve the product Alaskan Honey Stix.

Jeff Ankerfelt seconds the motion.

Brandon Emmett states that the motion would have delegation that the label would include any all concentrates used in that particular production batch, including products that might be sourced from other concentrate or product manufacturers.

Jeff Ankerfelt agrees, as the second.

Motion carries unanimously.

● **OWNERSHIP TRANSFER APPLICATIONS**

A. License #11921:	Snow Capped Gardens, LLC	3:24pm	<u>TAB 55</u>
Licensee:	Snow Capped Gardens, LLC		
License Type:	Limited Marijuana Cultivation Facility		
Premises Address:	13150 East Soapstone Road Palmer, AK 99645		
Local Government:	Matanuska-Susitna Borough		
Transferor:	American Growers Company, LLC DBA American Growers Company, LLC		

Jeff Ankerfelt moves to approve the transfer of ownership.

Mark Springer clarifies that the approval is with delegation.

Brandon Emmett seconds the motion.

Martin Brown, applicant, identifies himself for the record and answers Board questions about the application.

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

● **BREAK**

3:30pm

● LICENSE RENEWAL APPLICATIONS

A. Delinquent in the Payment of Taxes Due

- | | | | |
|---------------------------|----------------------------------------------------------------|---------------|----------------------|
| 1. License #10073: | Alaskan Blooms, LLC | 3:42pm | <u>TAB 56</u> |
| Licensee: | Alaskan Blooms, LLC | | |
| License Type: | Standard Marijuana Cultivation Facility | | |
| Premises Address: | 2448 Arvilla Street, Building A, B, & C
Fairbanks, AK 99709 | | |
| Local Government: | Fairbanks North Star Borough | | |

Brandon Emmett moves to renew license application 10073 Alaskan Blooms, LLC with delegation.

No second.

Jana Weltzin, legal counsel, and Karen Lowry and Linden Anson, applicants, identify themselves for the record and answer Board questions about the application.

Jana Weltzin states that they are going to have one full payment plan for all of the taxes, and Kelly Mazzei from the Department of Revenue told her that 30 days should be adequate time to enter into the agreement.

Loren Jones moves that the Board deny the renewal with a 30-day abeyance, and if the Department of Revenue informs the Board that the licensee is no longer delinquent within the 30-day abeyance period, the license will be renewed.

Brandon Emmett seconds the motion.

Jana Weltzin asks whether the licensee will be able to operate during that 30 days.

Erika McConnell states that they will.

Motion carries unanimously.

- | | | | |
|---------------------------|----------------------------------------------------|---------------|----------------------|
| 2. License #10237: | AlaskaSense, LLC | 3:46pm | <u>TAB 57</u> |
| Licensee: | AlaskaSense, LLC | | |
| License Type: | Standard Marijuana Cultivation Facility | | |
| Premises Address: | 521 W. Tudor Road, Unit 202
Anchorage, AK 99503 | | |
| Local Government: | Municipality of Anchorage | | |
| For Consideration: | Notices of Violation Received | | |

Jana Weltzin, legal counsel, states that this licensee is no longer delinquent with the Department of Revenue, and she explains what happened on the tax end.

Brandon Emmett moves to renew license 10237 AlaskaSense, LLC with delegation.

Loren Jones seconds the motion.

Loren Jones states that come December, this licensee is on very very thin ice.

Mark Springer states that he tends to agree with Mr. Jones's sentiments.

Motion carries unanimously.

Erika McConnell asks the Board to clarify that if she receives notice from the Department of Revenue that either licensee has defaulted on its payment plan, that the Board would like her to bring this forward as an accusation.

The Board members voice and nod agreement with the director's proposed course of action.

B. Residency Requirement Not Met

1. License #12904:	Grass Frontier Farms	3:51pm	<u>TAB 58</u>
Licensee:	KAD, LLC		
License Type:	Standard Marijuana Cultivation Facility		
Premises Address:	7596 W Carmel Road Wasilla, AK 99623		
Local Government:	Matanuska-Susitna Borough		

Brandon Emmett states that his comments from the earlier discussion about the residency issue still stand.

Loren Jones moves – for process – that the Board approve the renewal of license 12904.

Brandon Emmett seconds the motion, for discussion.

Loren Jones states that based on the Board's discussion, that he would recommend that the Board vote no.

Lance Wells, legal counsel, identifies himself for the record. He states that at the time that this license was applied for, Mr. Pattee did meet the residency requirement. He adds that there are four other members who shouldn't be held responsible for one licensee's issue. He states that he would request that the license be approved for relicensing, but that Mr. Pattee would have to step down from this entity and the change of ownership would have to be filed within a certain number of days. He states that the licensees can't be responsible for one member.

Loren Jones withdraws his motion with the permission of the second and moves that the Board deny the renewal of this application with a 50-day abeyance so that they can go through the appropriate ownership change process with the director (to remove Mr. Pattee as a licensee), and if at the end of that 50 days, that process has not been completed satisfactorily, then the license would be denied.

Brandon Emmett states that that's acceptable to the second.

Sarah Oates asks Mr. Wells if the plan is for Mr. Pattee intends to distribute his shares equally among the remaining members.

Lance Wells states that he does.

Motion carries, 4-1 (Brandon Emmett votes No).

C. Notices of Violation Received

1. License #10005:	Rosie Creek Farm	4:01pm	<u>TAB 59</u>
Licensee:	RCFC, LLC		
License Type:	Standard Marijuana Cultivation Facility		
Premises Address:	2659 Livingston Loop Fairbanks, AK 99709		
Local Government:	Fairbanks North Star Borough		

Jana Weltzin, legal counsel, and Mike Emers, licensee, identify themselves for the record.

Loren Jones asks whether the Board has taken any action on these NOVs.

Jana Weltzin states that right before the last Nome meeting, Mr. Emers received a bunch of NOVs, some of which dated back to violations in 2016; the Board went through and addressed each individual one, and no action has been taken to date.

Erika McConnell states that she has indicated to the Board that she does intend to serve an accusation, but it is still on her list of things to do.

Loren Jones asks whether the issue around the premises diagram and the operating plan been fixed enough for the Board to know what's going on there.

Erika McConnell states that the office does have what appears to be the most recent information on file.

Loren Jones moves to approve the license renewal, knowing that if an accusation comes forward and processed are followed, the Board will be able to take action at that time.

Brandon Emmett seconds the motion.

Erika McConnell states that it came to the staff's attention that Mr. Emers had harvested marijuana in 2017, kept it over the winter, and has sold some of it this year. She would like to clarify with the licensee that at this time, the regulations require camera coverage on the licensed premises 24 hours per day, 365 days per year. She adds that the Board should inform the licensee any location where the marijuana is stored needs to have camera coverage at all times.

Mike Emers states that aside from the one camera that was crushed when a greenhouse collapsed, all cameras have been working all winter for the past two winters.

Motion carries unanimously.

● **RECESSED UNTIL 9:30AM AUGUST 17**

4:11pm

Marijuana Control Board
Meeting Minutes
August 17, 2018
Fourth Judicial District
Noel Wein Public Library Auditorium
1215 Cowles Street
Fairbanks, Alaska
Call-in Number: 1-800-315-6338, code 69176#

● **ADMINISTRATION**

9:33am

A. Call to Order

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
Jeff Ankerfelt, Public Safety Member

Staff Members Present:

Erika McConnell, Director
Sarah Oates, Program Coordinator

Legal Counsel Present:

Harriet Milks, Assistant Attorney General

● **LICENSE RENEWAL APPLICATIONS**

C. Notices of Violation Received

9:34am

Loren Jones moves that the Board approve the renewal applications for Tabs 60-97, with the exception of Tabs 69, 73, and 82.

Brandon Emmett seconds the motion.

Erika McConnell requests that the Board pull Tab 81, as a protest has since been received for that one.

Loren Jones amends his motion to also pull Tab 81.

Brandon Emmett seconds the amendment.

Motion carries unanimously, as amended.

Loren Jones moves to approve the renewal of license 10161.

Jeff Ankerfelt seconds the motion.

Loren Jones notes that this license has four NOV's, including three in calendar year '18. He asks whether the issues have been cleared up.

Erika McConnell states that she will have to get James Hoelscher on the line.

Loren Jones moves that the Board approve the renewal of the Cannabaska retail store application with the reminder that this license is on pretty thin ice.

Brandon Emmett seconds the motion.

Mark Springer reiterates that enforcement staff will continue to watch this licensee, as will the community.

Motion carries unanimously.

Loren Jones asks Mr. Hoelscher whether the licensee for 10161 The Frost Frontier has corrected the actions that have led up to the NOVs for inventory errors enough to where the Board would be okay with renewing the license.

James Hoelscher states that the owner has been very good about communicating with enforcement when a notice of violation was issued. He adds that he thinks a couple of the NOVs were by way of just being new to the industry, and he doesn't think it's a concern of enforcement if this license gets renewed because of the line of communication that the licensee has opened up with enforcement.

Loren Jones moves that the Board renew the license of The Frost Frontier license 10161.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Jana Weltzin, legal counsel for Danish Gardens, identifies herself for the record.

Brandon Emmett moves to approve the renewal of license 10310 Danish Gardens, LLC.

Erika McConnell reminds the Board that a protest of this license by the Municipality of Anchorage was received yesterday.

Jana Weltzin states that this is a smell issue for which the fines have already been paid in March of 2018, so Mandy should be sending an update to AMCO.

Loren Jones moves to uphold the protest from the Municipality of Anchorage on Danish Gardens license 10310 with a 30-day abeyance, and if the protest is lifted, then the license is renewed.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Loren Jones moves that the Board approve the renewal of license 10316 Denali 420 Recreationals.

Brandon Emmett seconds the motion.

Motion carries unanimously.

Loren Jones asks why there are so many pages for Tabs 88 and 96.

Sarah Oates states that those are the "binder" licenses, for which there are many licensees who each need to submit required certifications.

- 2. License #10009:** **CannTest, LLC** **TAB 60**
 Licensee: CannTest, LLC
 License Type: Marijuana Testing Facility
 Premises Address: 620 E Whitney Road, Suite B
 Anchorage, AK 99501
 Local Government: Municipality of Anchorage
- 3. License #10021:** **Enlighten Alaska, LLC** **TAB 61**
 Licensee: Enlighten Alaska, LLC
 License Type: Retail Marijuana Store
 Premises Address: 2600 Spenard Road
 Anchorage, AK 99503-8934
 Local Government: Municipality of Anchorage
- 4. License #10035:** **Arctic Herbery** **TAB 62**
 Licensee: 7107 Ventures, LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 7107 Arctic Boulevard
 Anchorage, AK 99518
 Local Government: Municipality of Anchorage
- 5. License #10037:** **Arctic Herbery** **TAB 63**
 Licensee: 7107 Ventures, LLC
 License Type: Retail Marijuana Store
 Premises Address: 7107 Arctic Boulevard
 Anchorage, AK 99518
 Local Government: Municipality of Anchorage
- 6. License #10063:** **Bob's Morning Bear Cultivation** **TAB 64**
 Licensee: Brennan J Norden
 License Type: Limited Marijuana Cultivation Facility
 Premises Address: 21725 Evelyn May Street
 Kasilof, AK 99610
 Local Government: Kenai Peninsula Borough
- 7. License #10082:** **Einstein Labs** **TAB 65**
 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
- 8. License #10097:** **Raspberry Roots** **TAB 66**
 Licensee: Raspberry Roots, LLC
 License Type: Retail Marijuana Store
 Premises Address: 501 Raspberry Road, Suite 101
 Anchorage, AK 99518
 Local Government: Municipality of Anchorage

- 9. License #10098:** **Raspberry Roots** **TAB 67**
Licensee: Raspberry Roots, LLC
License Type: Standard Marijuana Cultivation Facility
Premises Address: 501 Raspberry Road, Suites 101 & 102
Anchorage, AK 99518
Local Government: Municipality of Anchorage
- 10. License #10141:** **Coyote and Toad’s Garden, LLC** **TAB 68**
Licensee: Coyote and Toad’s Garden, LLC
License Type: Limited Marijuana Cultivation Facility
Premises Address: 100 Rio Faux Lobo
Skagway, AK 99840
Local Government: Municipality of Skagway
- 11. License #10161:** **The Frost Frontier** **TAB 69**
Licensee: The Frost Frontier, LLC
License Type: Standard Marijuana Cultivation Facility
Premises Address: 8535 Dimond D Circle, Unit C
Anchorage, AK 99515
Local Government: Municipality of Anchorage
- 12. License #10170:** **Green Degree** **TAB 70**
Licensee: Coman Farming Corporation
License Type: Limited Marijuana Cultivation Facility
Premises Address: 2301 South Knik Goose-Bay Road #1
Wasilla, AK 99654
Local Government: Matanuska-Susitna Borough
- 13. License #10220:** **Weed Dudes** **TAB 71**
Licensee: Anna M Cleaver
License Type: Retail Marijuana Store
Premises Address: 1321 Sawmill Creek Road, Suite #J
Sitka, AK 99835-9645
Local Government: City and Borough of Sitka
- 14. License #10230:** **Pakalolo Supply Company, Inc.** **TAB 72**
Licensee: Pakalolo Supply Company, Inc.
License Type: Standard Marijuana Cultivation Facility
Premises Address: 1851 Fox Avenue
Fairbanks, AK 99701-2725
Local Government: City of Fairbanks
- 15. License #10236:** **Cannabaska** **TAB 73**
Licensee: AlaskaSense, LLC
License Type: Retail Marijuana Store
Premises Address: 521 W Tudor Road, Unit 201
Anchorage, AK 99503
Local Government: Municipality of Anchorage

16. License #10245:	AK Slow Burn Cannabis Outlet	<u>TAB 74</u>
Licensee:	AK Slow Burn Cannabis Outlet, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	2042 E 3rd Avenue, Suite A Anchorage, AK 99501	
Local Government:	Municipality of Anchorage	
17. License #10266:	The Fireweed Factory, LLC	<u>TAB 75</u>
Licensee:	The Fireweed Factory, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	8415 Airport Boulevard, Space B Juneau, AK 99801	
Local Government:	City and Borough of Juneau	
18. License #10273:	Pine Street Cannabis Company	<u>TAB 76</u>
Licensee:	Croy's Enterprises, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	36130 Pine Street Soldotna, AK 99669-8524	
Local Government:	Kenai Peninsula Borough	
19. License #10278:	GoodSinse, LLC	<u>TAB 77</u>
Licensee:	GoodSinse, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	2604 Davis Road Fairbanks, AK 99709	
Local Government:	City of Fairbanks	
20. License #10293:	AK Fuzzy Budz	<u>TAB 78</u>
Licensee:	AKGLD, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	2612 Eagle Street Anchorage, AK 99503	
Local Government:	Municipality of Anchorage	
21. License #10306:	Dankorage, LLC	<u>TAB 79</u>
Licensee:	Dankorage, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	2812 Spenard Road Anchorage, AK 99503	
Local Government:	Municipality of Anchorage	
22. License #10307:	Alaska Fireweed	<u>TAB 80</u>
Licensee:	SEU, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	715 W 4 th Avenue Anchorage, AK 99501	
Local Government:	Municipality of Anchorage	

- 23. License #10310:** **Danish Gardens, LLC** **TAB 81**
 Licensee: Danish Gardens, LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 2430 Cinnabar Loop
 Anchorage, AK 99507-3138
 Local Government: Municipality of Anchorage
- 24. License #10316:** **Denali 420 Recreationals** **TAB 82**
 Licensee: Silverthorn Investment Group, LLC
 License Type: Retail Marijuana Store
 Premises Address: 2876 N Rex Road
 Houston, AK 99694
 Local Government: City of Houston
- 25. License #10489:** **Ester Horticulture and Research** **TAB 83**
 Licensee: John Collette
 License Type: Limited Marijuana Cultivation Facility
 Premises Address: 2960 Ester Dome Road
 Fairbanks, AK 99709
 Local Government: Fairbanks North Star Borough
- 26. License #10577:** **Alaskan Leaf, LLC** **TAB 84**
 Licensee: Alaskan Leaf, LLC
 License Type: Retail Marijuana Store
 Premises Address: 1211 West 36th Avenue, Suite A
 Anchorage, AK 99503
 Local Government: Municipality of Anchorage
- 27. License #10592:** **Alaska Cannabis Cultivators** **TAB 85**
 Licensee: Branden M Roybal
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 3665 Worrell Avenue
 Fairbanks, AK 99701
 Local Government: Fairbanks North Star Borough
- 28. License #10657:** **JWS Enterprises** **TAB 86**
 Licensee: James W Strassburg
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 3000 West Tongass Narrows
 Ketchikan, AK 99901
 Local Government: Ketchikan Gateway Borough
- 29. License #10671:** **Alaska Cannabis Exchange, LLC** **TAB 87**
 Licensee: Alaska Cannabis Exchange, LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 1805 & 1807 West 47th Avenue
 Anchorage, AK 99503
 Local Government: Municipality of Anchorage

30. License #10747:	Great Northern Cannabis, Inc.	<u>TAB 88</u>
Licensee:	Great Northern Cannabis, Inc.	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	2341 Cinnabar Loop Anchorage, AK 99507-3150	
Local Government:	Municipality of Anchorage	
31. License #10831:	High Bush Buds	<u>TAB 89</u>
Licensee:	High Bush Buds, Inc.	
License Type:	Retail Marijuana Store	
Premises Address:	36312 Irons Avenue, Suite 2 Soldotna, AK 99669	
Local Government:	Kenai Peninsula Borough	
32. License #10837:	Hillside Natural Wellness	<u>TAB 90</u>
Licensee:	Hillside Natural Wellness, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	8639 Toloff Street, Suite 1 Anchorage, AK 99507	
Local Government:	Municipality of Anchorage	
33. License #10873:	The Stoney Moose	<u>TAB 91</u>
Licensee:	E & M Holdings, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	127 Stedman Street Ketchikan, AK 99901	
Local Government:	City of Ketchikan	
34. License #10883:	Rainforest Cannabis	<u>TAB 92</u>
Licensee:	Gary Croy, Lorraine C Kolanko, & Jason C Kolanko	
License Type:	Retail Marijuana Store	
Premises Address:	726 Water Street Ketchikan, AK 99901	
Local Government:	City of Ketchikan	
35. License #10959:	Green Go, LLC	<u>TAB 93</u>
Licensee:	Green Go, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	101 Post Road Anchorage, AK 99501	
Local Government:	Municipality of Anchorage	
36. License #11053:	True Dank	<u>TAB 94</u>
Licensee:	True Dank, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	1550 Cushman, Suite A Fairbanks, AK 99701	
Local Government:	City of Fairbanks	

- 37. License #11617:** **Hunter Greens and Purples, LLC** **TAB 95**
 Licensee: Hunter Greens and Purples LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 67927 Virginia Avenue
 Homer, AK 99603
 Local Government: Kenai Peninsula Borough
- 38. License #11966:** **Great Northern Cannabis** **TAB 96**
 Licensee: Great Northern Cannabis, Inc.
 License Type: Retail Marijuana Store
 Premises Address: 541 W 4th Avenue
 Anchorage, AK 99501-2211
 Local Government: Municipality of Anchorage
- 39. License #13588:** **AKfunding, LLC** **TAB 97**
 Licensee: AKfunding, LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 12975 W Horizon Way
 Houston, AK 99694
 Local Government: City of Houston

● **OPERATING PLAN CHANGES**

- A. License #10279:** **GoodSinse, LLC** **9:59am** **TAB 98**
 Licensee: GoodSinse, LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 2604 Davis Road
 Fairbanks, AK 99709
 Local Government: City of Fairbanks
- Licensee is not present.*
- B. License #10301:** **R.C. Tinderbox, LLC** **10:00am** **TAB 99**
 Licensee: R.C. Tinderbox, LLC
 License Type: Marijuana Concentrate Manufacturing Facility
 Premises Address: 7801 King Street
 Anchorage, AK 99518
 Local Government: Municipality of Anchorage

Nick Miller recuses himself because both he and the licensee are on the Board for the ACBA.

Jana Weltzin, legal counsel, and Chris Euscher, licensee, identify themselves for the record and provide a summary of the requested changes.

Brandon Emmett moves to approve the operating plan change for license 10301 R.C. Tinderbox, LLC.

Loren Jones seconds the motion.

Motion carries unanimously.

Nick Miller rejoins the meeting.

C. License #10828:	Glacier Extracts	10:03am	<u>TAB 100</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		

Jana Weltzin, legal counsel, and Ashley Taborsky, operations manager, identify themselves for the record and provide a summary of the requested changes.

Erika McConnell states that this applicant is requesting that a delegation added to one of the products (to stamp the product with the THC symbol) be removed.

Brandon Emmett moves to approve the operating plan change for license 10828 Glacier Extracts. Jeff Ankerfelt seconds the motion.

The Board members discuss concerns about the potency of the bath bombs and the potential for misuse.

Ashley Taborsky states that they will be strictly marketed as topicals and would not taste good.

Sarah Oates states that she has to leave the meeting to catch her flight. 10:19am

Loren Jones states that for the products where the licensee is requesting options regarding the type of concentrate used, the delegation would have to include that whichever ingredient is being used must be that which is listed on the label.

Ashley Taborsky clarifies that for the CBD oil requests, she is asking that CBD be approved as an optional ingredient – essentially what they are trying to do with these products is to create a line that would have a few different variants of THC, and then a few different variations of CBD.

The Board members discuss concerns about the fact that CBD that is manufactured from hemp is now regulated by the Department of Natural Resources, and not by the Board.

Loren Jones asks if the Board has approved any of the current manufacturers to produce CBD oil. Erika McConnell states that it depends on the definition of CBD oil.

Brandon Emmett states that there are essentially three ways of making CBD oil: there are a few strains of marijuana that produce low amounts of THC with high amounts of CBD, there are many strains that are about 50/50 THC and CBD, and then there are places in Colorado and Kentucky that manufacture CBD isolate, which goes through stringent testing. He states that if a manufacturer is planning to use the CBD isolate that has passed mandatory testing in the state in which it was produced, then he would support the licensee using that isolate as an ingredient.

Harriet Milks states that if that CBD isolate comes from hemp, then it's not legal to be sold at this time in Alaska.

Jana Weltzin states that there is a 9th Circuit Court opinion that has come out that is in alignment with Ms. Milks' way of thinking on this. She states that her client is comfortable with using CBD that is extracted from marijuana plants and regulated by this Board, or CBD that is legally made from hemp at a future date in Alaska, or CBD that comes from out of state, whatever the Board tells the licensee to do.

Mark Springer states that he thinks the Board has to respect the will and intent of the legislature with respect to CBD regulation.

Loren Jones states that it would be his preference to get some kind of written briefing from Law that involves what (the Board) can and cannot do, and what it should or should not do, and what is the Board's level of purview with respect to CBD oil in Alaska.

Harriet Milks states that she would be happy to do that, but she cannot guarantee that it would be ultimately satisfying, as she does not think that there's a test that distinguishes whether a CBD oil's origin is from hemp or from marijuana. She adds that CBD that comes from hemp is not currently legal in the state of Alaska.

Brandon Emmett voices concerns about the fact that coffee shops and other stores are allowed to sell CBD oil from out of state, but that the Board is considering prohibiting manufacturers from doing so.

Mark Springer states that he's uncomfortable enough with the potential legal and political implications of this that he would request that the licensee withdraw its request to use CBD oil.

Harriet Milks states that she would like to invite someone from DNR, and perhaps the Assistant Attorney General that represents DNR, to come to perhaps the next Board meeting and explain the current legal status of CBD as far as they view it, since that's the agency that's going to be regulating hemp. She adds that in the meantime, the Board could adopt a policy of requesting licensees not to use CBD products that are made from hemp until there's further clarity, although the Board could not hold them to that. She clarifies that this board is not allowing anyone to sell CBD that is made from hemp.

Jana Weltzin states that the licensee is okay with withdrawing its request to use CBD oil, but that it could buy CBD oil that is produced from cannabis concentrate by a licensed marijuana product manufacturer in the state, tested and tracked in Metrc, and use that oil in its products.

Mark Springer recommends that she comes up with a way to make that clear in a request for the next meeting.

Brandon Emmett amends his motion that the applicant remove the reference to CBD oil specifically, but that all other ingredients would stand.

Jeff Ankerfelt seconds the amendment.

None opposed to the amendment.

Motion carries unanimously, as amended.

A. License #10279: **GoodSinse, LLC** **10:53am** **TAB 98**
Licensee: GoodSinse, LLC
License Type: Standard Marijuana Cultivation Facility
Premises Address: 2604 Davis Road
Fairbanks, AK 99709
Local Government: City of Fairbanks

Dan Peters, licensee, identifies himself for the record and provides a summary of the requested changes.

Brandon Emmett moves to approve the operating plan changes for license #10279 GoodSinse, LLC.

Loren Jones seconds the motion.

Motion carries unanimously.

D. License #11304: **Hollyweed 907** **10:58am** **TAB 101**
Licensee: YNY Investment, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 2429 E 88th Avenue
Anchorage, AK 99507
Local Government: Municipality of Anchorage

Jana Weltzin, legal counsel, identifies herself for the record, retracts the request for adding CBD as an additional ingredient for all edibles, and states that the other requested changes are an updated logo and the addition of a vacuum oven. She notes that she hopes the CBD issue is resolved quickly in order to prevent people from going to the black market for products.

The Board members discuss whether a business changing its logo would require an operating plan change to come before the Board.

Brandon Emmett moves to approve the operating plan changes for license #11304 Hollyweed 907.

Loren Jones seconds the motion and states that the motion acknowledges the withdrawal of the CBD, so the narrative will need to be updated and submitted to staff.

Brandon Emmett states that that's correct.

Mark Springer states that that will be included as delegation.

Motion carries unanimously.

E. License #12062: **Matanuska Medicine Woman, LLC** **11:01am** **TAB 102**
Licensee: Matanuska Medicine Woman, LLC
License Type: Limited Marijuana Cultivation Facility
Premises Address: 13840 W Shangrila Avenue, Unit #1
Wasilla, AK 99623
Local Government: Matanuska-Susitna Borough

Anthony Olivieri, licensee, identifies himself for the record and provides a summary of the requested changes.

Loren Jones cautions the licensee to watch his space allocation – to keep it under 500 sq ft.

Brandon Emmett moves to approve the operating plan changes for license #12062 Matanuska Medicine Woman, LLC.

Loren Jones seconds the motion and states that the list of fertilizers and pesticides needs to be run through DEC, and if DEC says any of them can't be used, then they will need to be removed. Motion carries unanimously.

F. License #13424:	Midnight Sun Manufacturing, LLC	11:04am	<u>TAB 103</u>
Licensee:	Midnight Sun Manufacturing, LLC		
License Type:	Marijuana Concentrate Manufacturing Facility		
Premises Address:	28011 Old Parks Highway Willow, AK 99688		
Local Government:	Matanuska-Susitna Borough		

Jana Weltzin, legal counsel, and Phil Schneider, licensee, identify themselves for the record and provide a summary of the requested changes.

Brandon Emmett moves to approve the operating plan change of license #13424 Midnight Sun Manufacturing, LLC.

Loren Jones seconds the motion.

Motion carries unanimously.

G. License #13697:	Wakin Bakery	11:06am	<u>TAB 104</u>
Licensee:	SFA, LLC		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	218 Kelly Drive Ketchikan, AK 99901		
Local Government:	Ketchikan Gateway Borough		

Licensee is not present.

● APPLICATIONS FROM PREVIOUS MEETINGS

A. Tabled

2. License #13910:	Alaskan Farmacy	11:07am	<u>TAB 22</u>
Licensee:	Charles T Elliott		
License Type:	Limited Marijuana Cultivation Facility		
Premises Address:	34049 Klondike Avenue E Sterling, AK 99672		
Local Government:	Kenai Peninsula Borough		
For Consideration:	Tabled at June 2018 meeting Conditions pursuant to 3 AAC 306.060(b)		

Applicant is not present for the meeting.

Mark Springer requests that the director let the applicant know that he really needs to be here, as the Board will deny the application if he is not present at the October meeting – which will be the third time that the application goes in front of the Board.

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

B. License #12766:	The Green Store Connection	11:09am	<u>TAB 45</u>
Licensee:	The Green Store, Inc.		
Premises Address:	3655 S Old Glenn Highway, Unit A Palmer, AK 99645		
Local Government:	Matanuska-Susitna Borough		

Applicants are not present for the meeting.

Loren Jones states that the MJ-02 talks about The Green Store nextdoor, and he requests that the director ask the licensee to address that at the next meeting when she sends the licensee a notice that the application was tabled.

● **OPERATING PLAN CHANGES**

G. License #13697:	Wakin Bakery	11:11am	<u>TAB 104</u>
Licensee:	SFA, LLC		
License Type:	Marijuana Product Manufacturing Facility		
Premises Address:	218 Kelly Drive Ketchikan, AK 99901		
Local Government:	Ketchikan Gateway Borough		

Chris Wilhelm, licensee, identifies himself for the record and provides a summary of the requested changes.

Erika McConnell states that at least some of the requested changes is to eliminate a defined total amount of THC and defined individual serving sizes for three types of cookies, and replacing that with three statements. She adds that this would provide more flexibility for the licensee, but the system, as set up, does not allow for this. She states that other licensees have requested specific options for additional serving sizes, which have been approved.

Chris Wilhelm states that he is requesting the flexibility to produce either a 1mg, 2.5mg, or 5mg cookie.

Mark Springer states that the licensee needs to put specific information in his request, and on the label, regarding THC contents and serving sizes.

Chris Wilhelm states that he understands.

Mark Springer asks whether the licensee has any problem with coming back to the Board in October with an improved proposal.

Chris Wilhelm states that it's not an issue and that the Board's requests are perfectly agreeable.

● **MARIJUANA MAILBOX**

- A. All correspondence received in the marijuana@alaska.gov inbox **11:27am** **TAB 105**
from May 26 – July 27, 2018.

Brandon Emmett states that there were a couple of questions that were asked of the Board from reporters, as well as one from the City of Dillingham asking if there is a liaison.

Erika McConnell states that she will check with the staff to make sure that the City of Dillingham has been connected with Jed Smith, AMCO's Local Government Specialist.

Mark Springer states that the staff should look into having a table at the Alaska Municipal League conference – the more outreach the Board can have at AML is great.

Brandon Emmett asks about the email question from a licensee regarding fingerprinting requirements.

Erika McConnell states that if it's the same licensee, then the applicant can submit one set of fingerprints for both applications, but if the licensee is different, then two sets of fingerprints would have to be submitted.

Mark Springer states that the Board does not have a seed bank.

● **DIRECTOR BRIEFING**

- B. **Legislative Requests** **11:32am** **TAB 3**

Erika McConnell asks for clarification regarding what message to give the Commissioner regarding tax structures.

Brandon Emmett states that he would request that (the Board) urge the legislature to change from an excise tax on marijuana sold by the cultivator to a point of sale retail tax as a percentage of that sale – this would allow the industry to remove the artificial price floor, would allow the price of marijuana to fall, and would ultimately make (the regulated market) more competitive with the black market. He adds that he thinks the State would ultimately capture more revenue.

Loren Jones states that he doesn't know that he would support that without seeing what some of the other tax structures might be. He states that he wants to know how it would affect local sales tax. He adds that the Board could be looking at the Department of Revenue to look at the tax structures that would be revenue neutral. He states that (the Board) would like to determine if there's a better tax structure that would allow the industry it regulates to be a little bit more robust, but he does not want to decrease the amount of tax revenue that goes toward certain divisions.

Erika McConnell asks whether it would be fair for her to suggest that either the Legislature, or that the Legislature direct the Department of Revenue, to examine potential changes to the tax structure to see whether a change that would be revenue-neutral, encourage a robust industry, and do a better job making the industry competitive with the black market could be found.

Loren Jones states that he thinks that would work for him.

Brandon Emmett states that he would be agreeable to that, too, and that the effective tax rate right now is just over 10%, which is not overly burdensome compared with other states; his issue is just with the tax structure.

Mark Springer suggests that the wording could say that the current tax structure impacts pricing, and in some cases, in a negative way.

● **BOARD DISCUSSION – HEARING PROCEDURES**

11:39am

TAB 106

Loren Jones states that he had requested this after going through the AlaskaSense process, he felt very uncomfortable about his lack of structure and how (the Board) looks at its own regulations, and how it decides under what rules it would determine what punishment. He states that he was asking for some ability for (the Board) to get some refresher and guidance regarding suspensions, revocations, and civil penalties. He adds that he thinks with the subcommittee, that hopefully they can bring back something to the Board to consider.

Harriet Milks states that that sounds like a very realistic plan, but she cautions that if the Board is expecting a guideline that is hard and fast, that it needs to be in regulation. She adds that she would be happy to work with the director to create a flowchart.

Loren Jones states that he thinks the Board needs to have some transparency.

● **BOARD COMMENTS**

11:46am

Loren Jones thanks the staff for their work and states that he hopes that the Board is creating a mechanism that is making their work more efficient.

Nick Miller thanks the staff and states that he is positive that the Board does not make the staff's jobs easier, but that the staff always have the Board members' support.

Jeff Ankerfelt thanks everyone for allowing him to be a part of this process, and states that it is his opinion that a well-regulated, healthy marijuana industry could be of a benefit to a lot of people in need, and could be a good-crime prevention tool.

Brandon Emmett welcomes Chief Ankerfelt and thanks him for his comments. He thanks the staff for their hard work, the public for attending, the industry for sticking with (the Board), and those on the phone for being respectful.

Mark Springer thanks Chief Ankerfelt for his comments. He thanks the staff for their hard work and states that (the Board) really depends on the staff a lot. He states that there has been some talk on

social media going after Board members, and that if someone has an issue with a particular Board member or thinks that there is an ethical issue, then that person should call the director or him (as the Chair) rather than spreading things around social media. He adds that he is happy to see that there are some more potential applicants in rural Alaska, and that he still thinks that the statute needs to be repaired to allow for federally-recognized tribes to apply for licenses. He states that the Board should really encourage applicants, particularly for new licenses, to try to get to (the Board) meetings.

The Board members agree to put a recommendation on the website that encourages applicants to make every effort to attend meetings in person when the Board is considering the applicant's license application, complex changes to approved licenses, or lots of products.

Harriet Milks adds that the issue is communication, not opportunity – the communication issues have delayed Board meetings or limited the information that gets to the Board.

● **NEXT MARIJUANA CONTROL BOARD MEETING**

Agenda deadline for October 16-17 meeting: September 28, 2018

● **ADJOURN**

11:59pm

Minutes prepared by:



Sarah D. Oates
Program Coordinator