



**Marijuana Control Board  
Meeting Minutes  
September 11, 2019  
Second Judicial District  
Our Savior's Lutheran Church, 507 Bering Street  
Nome, Alaska**

● **ADMINISTRATION**

1:00 pm

**A. Call to Order**

**B. Roll Call**

**Board Members Present**

*Mark Springer, Chair, Rural Member*

*Nick Miller, Industry Member*

*Christopher Jaime, Public Safety Member*

*Bruce Schulte, Public Member*

**Board Members Absent**

*Loren Jones, Public Health Member*

**Staff Present**

*Erika McConnell, Director*

*Mikal Martin, Records and Licensing Supervisor*

**Counsel Present**

*Harriet Milks, Assistant Attorney General*

**C. Approval of Agenda**

*Nick Miller moves to approve the agenda.*

*Christopher Jaime seconds the motion.*

*None opposed, motion carries.*

**D. Approval of the May 15, 2019 Meeting Minutes**

**TAB 1**

*Mikal Martin states that the Tab numbers in the July 10-12 meeting minutes are incorrect.*  
**Nick Miller moves to approve the May 15, 2019 meeting minutes.**  
**Christopher Jaime seconds the motion.**  
**None opposed, motion carries.**

**E. Approval of the July 10-12, 2019 Meeting Minutes**

**TAB 2**

**Nick Miller moves to approve the July 10-12, 2019 meeting minutes with the Tab number changes as stated by Mikal Martin.**  
**Christopher Jaime seconds the motion.**  
**None opposed, motion carries.**

● **BOARD GOVERNANCE**

**1:02pm**

*Harriet Milks explains the purpose of Board Governance to the board.*  
*No changes are declared.*  
*Mark Springer states that he is running for City Council in Bethel but he does not find it to change his status.*

● **PUBLIC TESTIMONY**

**1:03 pm**

For this period of public testimony, comment is limited to issues not on this agenda and that are not proposed regulations. Written comments may also be submitted to the board for review during its next regular meeting via [marijuana@alaska.gov](mailto:marijuana@alaska.gov). The call-in number is 1-800-315-6338, code 69176#. (Testimony on agenda items may occur when that item is addressed during the meeting. Testimony on regulations projects shall only occur when an oral hearing is publicly noticed.)

*Caleb Saunders, AMIA Director, testifies regarding the METRC changes and states that he feels changes to METRC are de-facto regulation changes and any changes should go through the regulations process and be approved by the board. The AMIA feels that under AS 17.38.150 the recent changes are overreaching. The AMIA asks the MCB to reverse the gross weight and harvest batch changes.*

*Mark Springer asks for clarification regarding the changes and if they are made by METRC.*

*Caleb Sanders states that AMCO requested the changes.*

*Mark Springer asks AMIA to send correspondence to the board.*

*Bruce Schulte asks for specifics regarding what has occurred.*

*Caleb Sanders clarifies that it is the gross weight rather than the weight of cannabis only that is now required and it is overly burdensome. He states that providing more information for the board to read rather than going off of his memory will be beneficial.*

*Nick Miller states that he would like to discuss this more.*

*Mark Springer states that this was asked about at the last meeting; the board can discuss it during a later report.*

*Barrett Goodale, Good LLC echoes concerns regarding gross weight in METRC. He discusses the required gross weight changes and bulletin 021 which states that the batch must stay together and must be*

tracked in METRC with each room move. He also states that this is a violation of the regulation requirements, if this backdoor regulation change is allowed it could have further ramifications. The changes should be considered overreach and he feels that the changes should be going through the regulations process to allow the industry members and public the opportunity to comment.

Jana Weltzin states that today is 9/11 and welcomes Bruce Schulte back to the board. She thanks Jane Sawyer for her work and congratulates her on her new position and echoes the AMIA statement regarding METRC changes. She suggests that during legislative requests the board should consider adding additional staff members such as a deputy director or separate the offices.

Mark Springer opens the phones.

Sam Hanson testifies via phone. Regarding the Matanuska-Susitna she borough discusses 2017 comments by Mark Springer and his opinion that NOVs are a Fix it Ticket. She discusses odor violations and how they are only issued NOVs when the odor is observed by the enforcement staff. She discusses the numbers of cultivation facilities and proximity to homes, the disparity between the number of NOVs issued in the Matanuska-Susitna Borough versus the number issued in Anchorage. She states that AMCO has no ability to enforce things in the valley and urges the board to create an on-call compliance officer position in the valley.

Lacy Wilcox TCH Alaska in Juneau testifies via phone. She states that her comments are not reflective of the staff's work but that she wants to speak on the overreach on the part of AMCO staff regarding the METRC changes that were not approved by the board or run through the Administrative Procedure Act. She references the gross weight requirement, harvest batch movement and remediation symbol on the child safe packages that have been repacked. She discusses that the transportation and advertisement committees that have not been publicized. She states that the overreach is inefficient and ineffectual.

Christopher Jaime thanks Sam Hanson for her concern and states that it is an issue that he would like to look at the enforcement ramifications of what she has discussed.

● **DIRECTOR BRIEFING**

**1:20 pm**

**A. Director's Report**

**TAB 3**

Erika McConnell summarizes her report in Tab 3.

She asks the board about the 2017 change that allows quality control for product manufacturing and cultivation licenses. She is concerned that there is a product manufacturing licensee that passed product to another manufacturer who then provided it to staff to do quality testing. She asks the board for clarification regarding that matter.

Mark Springer states that the intent was quality control for a business to tell the potential purchaser the "experience" with the product. It was not his intention for product quality control that it be passed to another license and then provided for quality control. He thinks it is clear that it is for an employee of the facility at which the product or cultivation was created or grown.

Erika McConnell states that an advisory can be sent if that's the board interpretation.

Nick Miller states that the intent is for these license types to do testing on their own product, he hadn't considered transferred products as described above and he states as long as they're getting the testing information back he doesn't see this as a problem; particularly for small establishments.

*He agrees that it wasn't the original intent but emphasizes that he doesn't see a problem with the proposed operations.*

*Christopher Jaime states he has a problem with it; they can use customer feedback if necessary.*

*Nick Miller states that the reason is so that before a large batch is produced a customer wants the product. He likes the idea of a larger sample size for quality control.*

*Mark Springer states that as far as the manufacturer goes it could be a manufacturer where none of the employees consume. If the licensee wants to get some experience feedback, it is preferable that it be done by someone who is an industry employee with a handler's card. There are commercial concerns that he has.*

*Bruce Schulte states he supports a more liberal interpretation of this matter. He finds there to be legitimate ways to share products between licensees and if clarification is provided he would like to see it to come from the board rather than from staff.*

*Mark Springer suggests that if there's a need for guidance, this may be considered at the next meeting on the agenda as a possible regulation. He directs the Director to advise that the products must be tested at this time by people employed by the establishment in which they are made or grown.*

*Bruce Schulte states that the last paragraph implies that the samples could leave one licensed premises to go to another.*

*Erika McConnell confirms that she will bring this matter to the next meeting. She asks about a product manufacturer licensee transporting product into another product manufacturer who re-packaged and then distributed to retailers. She asks if the board has concerns regarding this matter.*

*Mark Springer states that manufacturers may transfer product to other manufacturers and he finds that clearly allowed. He asks if it is part of a new product that has been approved, and then asks for a more tangible example.*

*Erika McConnell states that the referenced situation is different from being a component in another product. She offers to provide details at the next meeting.*

*Bruce Schulte asks if consideration of this matter is held to the next meeting, if the licensees are having business flow interrupted.*

*Erika McConnell states that it should not impact licensees before the next meeting.*

*Mark Springer asks for more detail because right now he states that the regulation allows it. That if someone is just rebranding a cartridge it's not covered in regulation but it won't cause considerable damage if the board does not address the matter immediately.*

*Erika McConnell brings up the vaping related respiratory illnesses that have been occurring. She states that 5 people have died and 400 have gotten sick. She reads part of an FDA release regarding vaping and states that AMCO has instigated an investigation of vape oil product to identify products that may have concerns and she wants to present them to the board. She asks if there is direction to staff regarding this issue.*

*Mark Springer thanks Erika McConnell and states that this is why testing programs are so important and this is part of why the products are scrutinized so closely.*

*Erika McConnell continues summarizing her report in Tab 3.*

*Regarding the question of and/or in the testing scientific director requirements, Mark Springer states that he believes the matter to be important and that he supports a regulations project.*

*Nick Miller asks if the board can discuss the METRC changes.*

*Erika McConnell states that last year the board discussed if there should be a regulations amendment regarding what is required in METRC. She finds one of the problems to be that METRC is a brand of product that tracks inventory. A different company may be selected when the new Request for Proposal is sent out. To write METRC specific regulations would mean they needed to rewrite the regulations at the time that another company is chosen. At the last meeting there was comment that no notice regarding the gross weight change was provided. During Chief Hoelscher's report there was information regarding notice of the change. She states that James Hoelscher is available to talk about that change and why it was made; she was entirely unaware of the changes regarding batches staying in the same room. She states that these don't seem to be requested from staff, and she will put more information in her report for the next meeting. She states that they must comply with the tracking system but she finds there to be a conflict between the specifics of the METRC software and the regulations.*

*Nick Miller states that the "latest features" were very problematic for business operations. He would like to discuss more with James Hoelscher to see if he requested the changes. He asks if there is a list of requested features from METRC and asks that the board approve these features. He states that the new ones bother the business process, enhancements to METRC are fine but the board should see and determine if they are necessary. He wants to talk to James Hoelscher to see if he made the request and if so why.*

*James Hoelscher is present via phone and answers board questions regarding the METRC changes. Regarding the gross vs net weight issue, he states that this was discussed last year in late summer/early fall with Kelly Jenkins being present. The regulations require that the inventory tracking system should include type, amount and weight. Since the request was made, upon discussion with weights and measures, that scale weight should be trusted for packages and for marijuana.*

*Erika McConnell clarifies that the receiving licensee would also need to know the tare weight of the package.*

*James Hoelscher states that they would and that they would get the tare weight by putting a vessel or container on a scale, tare the weight and then add the packages to get the total marijuana weight. The gross weight would be with the container. By doing the gross weight it will be able to be verified without taking it out of the package. He states that this is not a new thing, it is to help licensees verify proper acceptance of count and weight. He references that the type, amount, and weight need to be verified.*

*Mark Springer asks for questions regarding weights and none are posed. He asks about the requirement that a harvest batch be kept in the same room.*

James Hoelscher states that this was in METRC bulletin 21 and METRC is used by multiple states and sometimes the changes are not intended specifically for Alaska. He states that the distribution date was the 23<sup>rd</sup> but that he never received it. Glancing thorough it he sees that there are new features that say "if applicable". Some states are requiring harvests to stay in the same room but Alaska and AMCO do not. In the past if METRC has done something at AMCO's request they put it at the top in Red for the bulletin. He is unsure why it was not sent to AMCO, he will do research and he will submit a supplemental report.

Mark Springer requests an advisory from AMCO stating which METRC bulletins apply to Alaska. He wants to get guidance out to the industry to show which bulletins are applicable to Alaska.

Nick Miller states that he wishes the board to allow licensees to ignore the new features in bulletin 21 until AMCO reviews them and if they wish them to be used they are brought to the board for approval or disapproval. He finds that the appropriate course of action.

Bruce Schulte supports what Nick Miller has suggested. He has more questions for the Director and James Hoelscher, and offers to work on a resolution for the board before Friday.

Erika McConnell offers to put Bulletin 21 on the board laptops if necessary.

James Hoelscher asks that the action is carefully worded to avoid directing the industry to ignore things that are required.

Mark Springer agrees.

## **B. Legislative Requests**

**TAB 4**

Erika McConnell summarizes Tab 4 and asks if the board wishes to continue their previous requests.

Mark Springer states that the definition of local government does not allow for consideration of tribal governments. He states that they should be recognized and included in the legislative requests. He also states that a native corporation may want to apply for a license but would be unable to because not all shareholders are Alaska residents. He finds this to prevent a significant component of the Alaskan economy from participation in the industry. Additionally he believes that the board should ask for more money, particularly for the enforcement increase to service the valley and he knows that the office needs more staff as well.

Bruce Schulte states that the tax structure is the biggest issue but he isn't sure about the others and he asks that the board prioritize the requests. He proposes that a discussion is had on Friday to focus the ask.

Mark Springer agrees to discuss this matter again later.

## **● ENFORCEMENT BRIEFING**

**2:11 pm**

### **A. Enforcement Supervisor's Report**

**TAB 5**

James Hoelscher summarizes his report as listed in Tab 5. He apologizes to Fairbanks because their investigator in Fairbanks has been given orders to assist with the fires in Talkeetna and the Sterling Highway. An investigator will soon be flying to Fairbanks to do some inspections. He anticipates there

*being a Fairbanks investigator starting next week. Regarding his statistics, he states that in the first column the date should not be the 28<sup>th</sup>, it should be the 23<sup>rd</sup>.*

*Mark Springer states that there are a lot of handler cards, 6,567 handler cards are active per James Hoelscher.*

*Bruce Schulte mentions the number of jobs that this must be promoting.*

*Mark Springer asks about the ratio between alcohol and marijuana work.*

*James Hoelscher states that they try to do 50/50. However there are more inspections or walk-throughs for alcohol and marijuana inspections take substantially more time. Time division is about 70% marijuana but at times it can flip depending on the focus and board requested investigations for renewals and active licensees. The division is probably consistently 60% of staff time is dedicated to marijuana.*

*Mark Springer asks about the concerns in the Valley with cultivation odor complaints not receiving NOV's and how many more staff he would need to meet the needs of wider concerns outside of Anchorage.*

*James Hoelscher states that he doesn't find it to be a secret he's been an advocate for those suffering from odor complaints. This is one of the biggest concerns from non-marijuana users. He states that at one time an establishment in Anchorage with odor complaints pushed a neighboring business out. These issues occur more frequently when pressure changes occur. Sometimes it's about filters not being changed and/or ineffective. Odor complaints are investigated as possible but it's about what's important to spend time on. He is more concerned with diversion, METRC issues and that type of problem. There are 5 Anchorage investigators and usually 1 or 2 are on the Peninsula or in the Valley. Time is of the essence for odor complaints because if the odor dissipates, no NOV can be written. This is why other agencies can report those things to AMCO so that staff can write violations. He finds partnering with other agencies to be beneficial. Any additional staff would be appreciated. He absolutely sympathizes because he knows it's intrusive and staff is doing its best. He doesn't know if, for weekends, callouts would be useful. The manpower to cover 24 hour shifts would require 7 officers with overlapping shifts. One investigator is insufficient to cover a shift on their own. He's happy to listen to solutions but asks that the board does not add an additional burden.*

*Bruce Schulte asks about the Anchorage incident where the neighboring business was forced to move. He states that this is a big deal and asks if the Municipality took action.*

*James Hoelscher states that they always cc the local land use people on complaints or NOV's but he is unaware of other action taken.*

*Bruce Schulte asks about the percentage of time taken to respond to odor complaints.*

*James Hoelscher states that without looking at the data he is unable to provide a specific number. He states that it is a lot more than they should be dealing with and reminds the board that the NOV's are the staff's way to bring things to the board's attention and the board is the only one who can provide additional sanctions regarding this matter. He references the fine schedule and states that there is no repercussion for odor complaints at this time.*

*James Hoelscher asks for clarification on advertisement and license name requirements. For Example: Northern Skies Edibles vs Northern Skies on packaging. He asks the board how closely the licensees should adhere to the regulations regarding operating under the name on file for labeling purposes.*

*Mark Springer states that if he had a business with the words "budz" he would want to have any other business with the name "budz" in it use their full name. He states that Delta Air Service is separate from Delta Air Lines. He expects people to use their correct name in all circumstances.*

*Bruce Schulte states that this is an opportunity for the board to set a direction. He does not propose specific language but that he finds the 'reasonable person' standard appropriate here. He does not find this a health and safety issue particularly regarding the words 'and' and 'LLC'. He offers to help with a resolution for the board to consider on Thursday or Friday.*

*Harriet Milks states that there is another factor, these are businesses and there is a concept regarding "confusion in the workplace" and confusion on the part of the consumer.*

*Mark Springer states that he will attempt to get back to this matter if possible.*

*James Hoelscher asks about a piece of jewelry with a marijuana bud encased in resin and asked if they could sell it in the retail store. He references "wasted" marijuana and states that the epoxy coated marijuana is rendered unusable. He states that he sees people wearing gold covered marijuana buds and this would apply to that as well.*

*Mark Springer states that there is a solid definition of what marijuana and marijuana products are. The board does not have a lot of jurisdiction over additional items sold in a retail store and he feels that this type of product does not seem to be an issue for the store. However, if a cultivator wants to start wasting marijuana encasing the leaf in epoxy is not an approved waste method.*

*Bruce Schulte states that this sounds like commerce.*

*Mark Springer states that this is an example of how the board has no problem with giving staff guidance.*

*Harriet Milks states that for the record she spoke with Mr. Hoelscher and she finds the number of people who would try smoking the locket to be small and it's not a consumable product. She sees no legal issue with determining that plasticized marijuana buds are not marijuana in any legal sense.*

Break is called at 2:38pm.

Meeting resumes at 2:55pm.

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

**TAB 6**

*Mark Springer asks if any of the NOVs need action.*

*James Hoelscher states that there are many NOVs that are disturbing and may need action.*

*Mark Springer states that there are 68 pages of NOVs. He asks James Hoelscher to characterize the NOVs and asks him to highlight the more disturbing ones.*

*Erika McConnell states that at least one will be an accusation against two licensees. There are many related to Houston Grass Station and Calm n Collective.*



*Mark Springer states that there are tax NOV's and there are a couple that may need further enforcement action.*

*Christopher Jaime states that he has not reviewed them.*

*Mark Springer States that the NOV is an opportunity to learn from the other licensees mistakes.*

● **LICENSING BRIEFING**

**2:58 pm**

**A. Licensing Report**

**TAB 7**

*Mikal Martin summarizes her report.*

*Mark Springer summarizes the numbers of current active licenses available in Tab 7. He states that the industry continues to grow.*

● **OVERVIEW OF REGULATORY REVIEW**

**3:00 pm**

**Amy Demboski, Assistant Commissioner, Department of Commerce, Community and Economic Development**

*Amy Demboski provides a letter to the board and summarizes her letter about the statewide regulatory reform project. She discusses establishing a working group regarding the challenges facing the industry and the tax structure. She states that the budget concerns are present.*

*Mark Springer asks about the tax discussion in the working group and asks about the other issues presented.*

*Amy Demboski states that enforcement and the black market are big issues, it is the industry's perspective that the local law enforcement is not helping AMCO enough to mediate the black market.*

*Mark Springer asks if she believes enforcement has peace officer powers.*

*Amy Demboski states he will not drag her down that road.*

*Mark Springer asks about any other concerns and industry suggestions.*

*Amy Demboski states that the working group has not gone over the regulatory discussion. She states that this is a new industry and regulatory changes will be required but they haven't discussed it yet.*

*Mark Springer asks about keeping the cannabis industry Alaskan and asks if this is relevant to opening investment to outside of Alaska.*

*Amy Demboski states that those conversations have not happened yet but as part of the Alaska development team they are looking at all things. When she was given the directive to identify impediments to business the marijuana industry was not singled out and that type of conversation will occur. She finds federal issues with opening marijuana to interstate commerce. Having discussions regarding the tax structure is a reasonable step.*

Mark Springer states that that has been a concern since day 1.

Bruce Schulte states that since 2014 he has advocated for diminishing the black market by developing a healthy robust alternative. He welcomes the commitment on the part of the administration to do this and he believes black market is strengthened by over regulation. There is opportunity and imperative to focus the regulations to achieve the reasonable goals of successful commerce.

Erika McConnell informs the board that the memos have been added to the board laptops for the 5:00 hearings. [Unrelated]

● **REGULATIONS**

3:13 pm

**A. Proposed Projects**

**1. Board Requests**

Nick Miller requests, regarding the advertising committee, that the board get industry participation. He states that industry participation would be very helpful to bring robust discussion regarding the regulations. He asks the board to support the request to the industry to volunteer for the committee.

Mark asks if Loren Jones is present via phone. (He is not.)

Harriet Milks suggests that alternatives to Nick Miller's requests are to establish a working group which may require public notice. An alternative is a scoping notice requesting input on a certain matter, regulations themselves or specific questions, to capture industry and non-industry opinions. She offers to assist the board in drafting a scoping notice.

Mark Springer states that that is a good suggestion. He references regulations "seasons" or going chapter by chapter.

Bruce Schulte asks what the scope would look like.

Harriet Milks clarifies that it would be a public notice similar to that of a meeting that says the Marijuana Control Board wants to receive input on issues related to advertising and then provide an outline. They could limit the time and anyone interested could comment then the board could meet and digest the information. It's essentially a call for information.

Mark Springers states that there is public concern regarding the lack of opportunity to testify regarding regulations. There is a fairly strict process for public testimony. There is opportunity here to streamline regulations so that the board can review the public's thoughts.

Erika McConnell states that a scoping notice may be very relevant to this type of regulation as she finds this type of thing to be impactful on non-industry members.

Mark Springer states that one option is to require testing laboratories to post a bond. This would protect the public health and protect the industry. He does not request anything be opened at this time.

**Nick Miller and Harriet Milks discuss that the board has directed counsel to help create a scoping notice for the advertising soliciting public input.**

Nick Miller states that the advertising committee only has one board member at this time and he asks for another board member to assist him.

Harriet requests that a wish list of topics for the scoping notice be sent to her.

**Bruce Schulte states that with the proviso of the scoping notice, he offers to be on the committee.**

Harriet states that the lack of meetings is part of the purpose of the scoping notice.

**~~B. Drafts for Board Review, Pending Public Comment Opportunity~~**

**~~1. Umbrella Categories for Products~~ TAB 8**

~~Status: Initial draft for board consideration~~

~~Potential Board Actions: Amend and/or put out for public comment~~

Erika McConnell summarizes Tab 8.

Regarding product names: She asks that the board require the product name on the form to be used on the product label and possibly in METRC. The board may wish to allow the strain name to change if necessary or the board may require the product name be set and allow a sub-label with the strain name/ flavor.

Mark Springer states that Loren Jones is not present and asks if the board objects to tabling regulations until Loren Jones is present.

**Mark Springer states that the regulations are tabled until after the executive session on 9/12/19 to allow Loren Jones to be present.**

**~~2. Infants on Premises~~ TAB 9**

~~Status: Initial draft for board consideration~~

~~Potential Board Actions: Amend and/or put out for public comment~~

**~~3. Application and Renewal Date~~ TAB 10**

~~Status: Initial draft for board consideration~~

~~Potential Board Actions: Amend and/or put out for public comment~~

**~~C. Public Comments Received~~**

**~~1. Out-of-State Investment in Testing Facilities~~ TAB 11**

~~Status: Adopted in May 2019~~

~~Potential Board Actions: Reconsider to review proposed revised language~~

**~~2. Testing Oversight~~ TAB 12**

~~Status: Public comment period closed September 5, 2019~~

~~Potential Board Actions: Vote to adopt; OR~~

~~Substantially amend and put out for public comment~~

**~~3. Handler Permit Revocation~~ TAB 13**

~~Status: Public comment period closed September 5, 2019~~

~~Potential Board Actions: Vote to adopt; OR~~

● MARIJUANA HANDLER PERMIT EDUCATION COURSE – THREE YEAR REVIEW 3:32 pm

A. MHCP 017: Alaska Marijuana Institute TAB 14  
Applicant: Good Enterprises – Mae Good  
Initial Board Approval: September 7, 2016

*Mae Good is present via phone.*

**Nick Miller moves to approve the renewal of MHCP 017.**

**Bruce Schulte seconds the motion.**

*Mark Springer asks about any changes or items of significance in her application.*

*Mae Good states that they try to design the course to be easy to log into. There are quizzes after each module and then there is a final test based on the quizzes.*

*Nick Miller asks when the last update to the course was.*

*Mae Good states that it was updated at the end of August.*

**None opposed, motion carries.**

● APPLICATIONS FROM PREVIOUS MEETINGS 3:34 pm

A. Previous Board Action Taken

*Erika McConnell summarizes Tabs 15, 16, 17, 18 and 19; stating that they request to extend the abeyance timeframes. She states that they were reviewed at the time before the regulation allowing for conditional protests became effective. She states that previously the board has re-voted to approve the license applications with delegation to provide the time to resolve the conditional protests. She encourages them for 15-19 to change the denial to approval with delegation.*

*Mark Springer asks if he can lump them and then asks for motion to approve with delegation Tabs 15-19.*

**Nick Miller so moves.**

**Bruce Schulte seconds the motion.**

*Mark Springer reads Tabs 15-19 into the record.*

**None opposed, motion carries.**

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|---|--|-----------------------------|
| <p><b>1. License #12437:</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Governments:<br/> <b>For Consideration:</b></p> | <p><b>Alaska Cannabis Exchange, LLC</b><br/> Alaska Cannabis Exchange, LLC<br/> Retail Marijuana Store<br/> 2906 Spenard Road<br/> Anchorage, AK 99503<br/> Municipality of Anchorage<br/> <b>Request to extend abeyance timeframe.</b></p>  | <p><b><u>TAB 15</u></b></p> |
| <p><b>2. License #15016:</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Governments:<br/> <b>For Consideration:</b></p> | <p><b>Clear Cut Cannabis</b><br/> Shotnine LLC<br/> Retail Marijuana Store<br/> 1133 E 68th Ave<br/> Anchorage, AK 99518<br/> Municipality of Anchorage<br/> <b>Request to extend abeyance timeframe.</b></p>  | <p><b><u>TAB 16</u></b></p> |
| <p><b>3. License #15019:</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Governments:<br/> <b>For Consideration:</b></p> | <p><b>The Tree House AK</b><br/> BH2, LLC<br/> Retail Marijuana Store<br/> 341-d Boniface Parkway<br/> Anchorage, AK 99504<br/> Municipality of Anchorage<br/> <b>Request to extend abeyance timeframe.</b></p>  | <p><b><u>TAB 17</u></b></p> |
| <p><b>4. License #20532:</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Governments:<br/> <b>For Consideration:</b></p> | <p><b>Cultivated Confections</b><br/> CC Enterprises, Inc<br/> Marijuana Product Manufacturing<br/> 7731 Schoon Street, Unit A<br/> Anchorage, AK 99518<br/> Municipality of Anchorage<br/> <b>Request to extend abeyance timeframe.</b></p>                                       | <p><b><u>TAB 18</u></b></p> |
| <p><b>5. License #20983:</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Governments:<br/> <b>For Consideration:</b></p> | <p><b>King Street Cannabis Co</b><br/> King Street Management, Inc<br/> Retail Marijuana Store<br/> 8430 Laviento Drive, Suite A<br/> Anchorage, AK 99515-1914<br/> Municipality of Anchorage<br/> <b>Request to extend abeyance timeframe.</b></p>                                | <p><b><u>TAB 19</u></b></p> |
| <p><b>6. License #21069:</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Governments:<br/> <b>For Consideration:</b></p> | <p><b>Wildflower</b><br/> Three Sisters, LLC<br/> Retail Marijuana Store<br/> 158 Alimaq Drive<br/> Kodiak, AK 99615<br/> City of Kodiak, Kodiak Island Borough<br/> <b>City of Kodiak does not protest with the condition that the sale of edible products is prohibited.</b></p> | <p><b><u>TAB 20</u></b></p> |

*Erika McConnell summarizes Tab 20.*

Mark Springer asks for motion to apply the condition, in accordance with the City of Kodiak request that they not be permitted to sell edibles.

Bruce Schulte asks if a representative for this license is present.

Jana Weltzin, counsel, states that they knew this and that's why the MJ-03 only talked about concentrate and flower and they agree to abide by the condition.

**Bruce Schulte moves to approve the license with delegation and requested condition.**

**Nick Miller seconds the motion.**

**None opposed, motion carries.**

Jana Weltzin asks if at some point products are allowed; how the conditions would be removed.

Erika McConnell explains the request for removal of conditions process.

Bruce Schulte asks if they can approve with the conditions until the city lifts the ban.

Harriet Milks states that the condition is not a board condition and doing that would make the matter more complicated.

**B. Tabled**

**3:42 pm**

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|--|---|----------------------|
| <b>1. License #10577 &amp; #10578:</b> | <b>Alaskan Leaf, LLC</b>  | <b><u>TAB 21</u></b> |
| Licensee:                              | Alaskan Leaf, LLC   |                      |
| License Type:                          | Standard Marijuana Cultivation Facility and Retail Marijuana Store  |                      |
| Premises Address:                      | 1211 West 36 <sup>th</sup> Avenue, Suite A<br>Anchorage, AK 99503   |                      |
| Local Government:                      | Municipality of Anchorage   |                      |
| <b>For Consideration:</b>              | <b>Appeal of denial of MJ-14 regarding shared marijuana storage space between co-located cultivation facility and retail store, Tabled from July meeting.</b> |                      |

Erika McConnell summarizes Tab 21 and references the regulation related to this matter that is scheduled for consideration.

Jana Weltzin, counsel, states that perhaps the regulation didn't make the agenda because of publications. She asks that this matter be tabled until the regulations project is considered.

Mark Springer ask for motion to table.

**Bruce Schulte offers the motion to table.** He asks if tabling it is keeping someone from conducting business.

Jana Weltzin states that she client is okay with tabling this matter.

**Nick Miller seconds the motion.**

**None opposed, motion carried. Matter is tabled.**

**2. License #12511**

**Rosie Creek Farm**

**TAB 22**

Licensee: RCFC, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 2659 Livingston Loop  
Fairbanks, AK 99709  
Local Governments: Fairbanks North Star Borough  
**For Consideration: Products Tabled at February and May 2019 meetings.**

*Jana Weltzin, counsel, states that the employee who developed these products is no longer with the company and the client wishes to withdraw the request for approval.*

*Mark Springer asks for 'note' about the withdrawal.*

~~**3. License #16991: Stoney Moose Kitchens** **TAB 23**  
Licensee: E & M Holdings, LLC  
Premises Address: 9737 Mud Bay Road, Suite 104  
Ketchikan, AK 99901  
Local Government: Ketchikan Gateway Borough  
**For Consideration: Products Tabled at February 2019 meeting.**~~

Applicants are not present at this time, see consideration below.

**C. Licenses in "Pending Inspection" Status for Over Six Months**

**TAB 24**

Item 3 is considered first.

**License #10252: Popeyes Emporium II**  
Licensee: Popeyes Emporium II, LLC  
License Type: Retail Marijuana Store  
Premises Address: 3231 Spenard Road, Unit 1  
Anchorage, AK 99503  
Approved by MCB: September 14, 2017  
License issued: September 14, 2018  
Before MCB: February 21, 2019 – "probate for death of individual is stalling the acquisition of a new lease"

*Jana Weltzin, counsel, states that the property was in probate and they are no longer in probate, and moving forward.*

*Erika McConnell asks for the date that they anticipate being active.*

*Jana Weltzin says January or February of 2020.*

*Erika McConnell suggests that they provide an update at the January board meeting.*

*The board agrees to a January update.*

Item 7 is considered.

**License #14252: Primate Rock Harvest, Inc.**  
Licensee: Primate Rock Harvest, Inc.

License Type: Limited Marijuana Cultivation Facility  
Premises Address: 2276 Sunshine Avenue  
Fairbanks, AK 99709  
Approved by MCB: August 16, 2018  
License issued: January 18, 2019

*Jana Weltzin, counsel, states that they are installing security cameras so as soon as that's done they'll be able to go and they anticipate being ready in about two months.*

Item 8 is considered.

**License #10898:** **AK Slow Burn Cannabis Outlet**  
Licensee: AK Slow Burn Cannabis Outlet, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 2042 E 3<sup>rd</sup> Avenue, Suite A  
Anchorage, AK 99501  
Approved by MCB: July 12, 2017  
License issued: January 25, 2019

*Jana Weltzin, counsel states that the licensee needs to open the retail first, they anticipate another year realistically. She offers an update in 4 months.*

*Mark Springer states that the applicant should come in person to the Anchorage meeting.*

**1. License #10057:** **Alaskan Cannabis Outfitters**  
Licensee: Great White Bear, LLC  
License Type: Retail Marijuana Store  
Premises Address: 41945 Sterling Highway  
Homer, AK 99603  
Approved by MCB: April 5, 2017  
License issued: November 22, 2017  
Before MCB: June 14, 2018 – construction update provided  
February 21, 2019 – anticipate inspection end of May 2019  
July 10, 2019 – Board requested September report

*Applicant is present via phone and they state that there is an inspection scheduled for the 18<sup>th</sup>.*

**2. License #13776:** **Alaska Skunkworks, LLC**  
Licensee: Alaska Skunkworks, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 37331 S Talkeetna Spur Road  
Talkeetna, AK 99676  
Approved by MCB: April 5, 2018  
License issued: August 9, 2018  
Before MCB: February 21, 2019 – anticipate inspection in August

*Mac Dolecki, applicant, provides an update via phone. They are in the process of plumbing and they anticipate 3-4 weeks each for electrical and plumbing, etcetera. They anticipate being ready for inspection in 3-3.5 months. He discusses with the board that there is active construction on the building.*



~~3. License #10252: Popeyes Emporium II~~

Considered above.

**4. License #11547: Cloudberry Cannabis**

Licensee:	Joseph D Shimek; Lily A Shimek
License Type:	Retail Marijuana Store
Premises Address:	3307 Spenard Road Anchorage, AK 99503
Approved by MCB:	April 5, 2017
License issued:	August 1, 2017
Before MCB:	April 4, 2018 – anticipate build-out done by June 2018 February 21, 2019 – applicant not present May 2, 2019 – anticipate being operational August 1, 2019 – board requires “positive report” at September meeting regarding operations

*Lily A Shimek is present via phone. She states that the bad news is that they aren't moving yet but that the landlord expects improvements to be complete in 3 weeks. They will require additional construction and have prepaid inventory and accessories. Their target date is the end of October for inspection. She confirms that it is the same for 11635.*

**5. License #11635: Cloudberry Partners**

Licensee:	Joseph D Shimek; Lily A Shimek
License Type:	Standard Marijuana Cultivation Facility
Premises Address:	3307 Spenard Road Anchorage, AK 99503
Approved by MCB:	May 15, 2017
License issued:	August 10, 2017
Before MCB:	April 4, 2018 – anticipate build-out done by “a little beyond” June 2018 February 21, 2019 – applicant not present May 2, 2019 – board requires report in September 2019

*Via phone, Dave Shimek, landlord, states that the cultivation is different than the retail. The funds for completing both are not present. He has possibilities to remedy this such as a partner to bring in additional money.*

*Mark Springer asks if there is any progress on the cultivation.*

*Dave Shimek states that there is 80 thousand dollars' worth of upgraded electrical installed which is about half of the cultivation expense items.*

*Mark Springer asks how aggressively they are looking for a license or lease partner.*

*Dave Shimek states that it's a partner in the license.*

*Mark Springer asks for update on the cultivation at the November meeting.*

*Dave Shimek states that he finds that November is too soon to expect them to be ready. There are two more possibilities for securing new funding. He states they're looking at 6 months.*

~~6. License #12125: Alaska Marijuana Gardens (AMG)~~

Licensee: ~~Alaska Wild Coyote, Inc.~~  
License Type: ~~Standard Marijuana Cultivation Facility~~  
Premises Address: ~~838 Bonanza Avenue~~  
~~Anchorage, AK 99518~~  
Approved by MCB: ~~July 13, 2017~~  
License issued: ~~April 23, 2018~~  
Before MCB: ~~February 21, 2019~~ — anticipate opening in about 5 months (June 2019)

Not present at this time.

~~7. License #14252: Primate Rock Harvest, Inc.~~

Considered above.

~~8. License #10898: AK Slow Burn Cannabis Outlet~~

Considered above.

**9. License #17873: Freedom 49 Farms**  
Licensee: Freedom Farms 49, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 12510 West Westen Drive  
Houston, AK 99694  
Approved by MCB: December 20, 2018  
License issued: January 25, 2019

*Via phone Greg Lango, applicant, states that construction is only waiting for water tanks (3 weeks) and that he anticipates having a November inspection.*

**D. Licenses in “Delegated” Status for Approximately One Year**

**3:59 pm**

**TAB 25**

The board considers item 4.

**License #13864: Simple House, LLC**  
Licensee: Simple House, LLC  
Premises Address: 6511 Hemlock Drive  
Wasilla, AK 99654  
Approved by MCB: April 5, 2018  
**Pending: Fire Marshal approval.**  
Before MCB: May 2, 2019 – applicant provided status; board requested July update  
July 10, 2019 – applicant’s counsel provided status; board requested September update

*Jana Weltzin, counsel, states that it's a fire inspection that is holding up the license. They are scheduled for a walkthrough in September. The Fire Marshal states that once inspections are requested they are currently 3-4 days from the inspection occurring.*

Items 9 & 10 are considered.

<b>License #13613:</b>	<b>Puffin AK</b>
Licensee:	RDA Enterprise, LLC
License Type:	Retail Marijuana Store
Premises Address:	200 W 68th Avenue, Unit A1 Anchorage, AK 99518
Approved by MCB:	June 15, 2018
<b>Pending:</b>	<b>Municipality of Anchorage protest.</b>
Before MCB:	July 10, 2019 – applicant recently had child which delayed project; board requested September update

<b>License #13614:</b>	<b>Puffin AK</b>
Licensee:	RDA Enterprise, LLC
License Type:	Standard Marijuana Cultivation Facility
Premises Address:	200 W 68th Avenue, Unit A2 Anchorage, AK 99518
Approved by MCB:	June 15, 2018
<b>Pending:</b>	<b>Municipality of Anchorage protest.</b>
Before MCB:	July 10, 2019 – applicant recently had child which delayed project; board requested September update

*Jana Weltzin, counsel, states that the applicant is considering transferring the license to another person due to the pregnancy/baby and states that the applicant's father owns the building.*

Item 16 is considered.

<b>License #16015:</b>	<b>Bluffside Gardens</b>
Licensee:	Bluffside Gardens, LLC
License Type:	Limited Marijuana Cultivation Facility
Premises Address:	39700 S Parks Highway Talkeetna, AK 99676
Approved by MCB:	August 16, 2018
<b>Pending:</b>	<b>Fire Marshal approval.</b>

*Jana Weltzin, counsel states that they're working to complete the Fire Marshal application but that the Fire Marshal's review queue is long. They don't have a good guess as to when they will be able to move forward and can come back in November. She confirms that no Fire Marshal approval has yet been received.*

<b>1. License #12580:</b>	<b>Brown Owl's Cultivation</b>
Licensee:	Winazar, LLC
License Type:	Limited Marijuana Cultivation Facility
Premises Address:	320 Wright Lane Fairbanks, AK 99712
Approved By MCB:	September 14, 2017

**Pending:** **Fire Marshal approval.**  
Before MCB: December 20, 2018 – applicant’s counsel requests to provide report at next meeting  
February 21, 2019 – financial issues; report in May requested  
May 2, 2019 – applicant not present  
July 10, 2019 – applicant not present

Applicant is not present at this time.

*Director McConnell states that the board can either give the applicant another opportunity and warn them that they must be present to explain, or revoke approval now.*

*Mark Springer states that the applicants have not been present since February.*

*Bruce Schulte proposed to notice the applicant that they must be present in November or approval may be revoked.*

*Erika McConnell and Christopher Jaime discuss notices.*

**Mark Springer states that they will be sent a letter warning of possible revocation.**

**2. License #13202:** **Matanuska Finest**  
Licensee: Hybrid, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 905 S Vicki Way C  
Wasilla, AK 99654  
Approved by MCB: September 14, 2017  
**Pending:** **Municipality of Anchorage protest.**  
Before MCB: December 20, 2018 – applicant anticipates completion in 3 months (March 2019); board requests applicant send note of explanation to director

*Erika McConnell states that this application has been rescinded.*

**3. License #12680:** **Glacier Bay Farms**  
Licensee: Carol J. Waldo  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 17 Helms Loop Spur  
Haines, AK 99827  
Approved By MCB: April 5, 2018  
**Pending:** **Fire Marshal approval.**  
Before MCB: May 2, 2019 – applicant provided status; board requested July update  
July 10, 2019 – anticipates October opening; board requested September update

*Carol Waldo is present via phone. She discusses that some of the materials are on back order and they still anticipate October inspection.*

*Mark Springer requests that they return to the board for consideration in November if not inspected.*

~~4. License #13864: Simple House, LLC~~

Considered above.

- 5. License #11960: Last Frontier Joint Operations, LLC**  
Licensee: Last Frontier Joint Operations, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 7180 Revilla Road, Suite 100  
Ketchikan, AK 99901  
Local Government: Ketchikan Gateway Borough  
Approved By MCB: May 7, 2018  
**Pending: DEC approval.**  
Before MCB: July 10, 2019 – applicant not present

*Via Phone Mike Kaiser, licensee, discusses the DEC approval with the board which is almost complete, their water test is anticipated within two weeks and inspection will be called for then.*

- 6. License #13881: AlasKind, LLC**  
Licensee: AlasKind, LLC  
Premises Address: 278 East Bias Drive  
Fairbanks, AK 99712-2501  
Approved by MCB: May 7, 2018  
**Pending: Fire Marshal approval.**  
Before MCB: July 10, 2019 – applicant not present

Applicant is not present at this time.

*Mark Springer asks if the Fire Marshal provides approval directly to the AMCO office.*

*Erika McConnell confirms that the form is sent to the office.*

- 7. License #14706: Denali Herb Company**  
Licensee: DHC, LLC  
Premises Address: 1328 E Fairview Loop Road, Suite A  
Wasilla, AK 99654  
Approved by MCB: May 7, 2018  
**Pending: Fire Marshal approval.**  
Before MCB: July 10, 2019 – building still under construction; board requested September update

Applicant is not present at this time.

- 8. License #13310: AK Cultivations**  
Licensee: Charles J Campbell & Justin J Bacher  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 2611 South Desiree Circle  
Wasilla, AK 99654  
Approved By MCB: June 14, 2018  
**Pending: Fire Marshal approval.**  
Before MCB: July 10, 2019 – applicant not present

Applicant is not present at this time.

~~9. License #13613: Puffin AK~~

~~10. License #13614: Puffin AK~~

Items 9 & 10 Considered above.

**11. License #12895: Bigfoot Bud Company, LLC**  
Licensee: Bigfoot Bud Company, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 46813 Pintail Avenue  
Kenai, AK 99611  
Approved by MCB: August 16, 2018  
**Pending: Fire Marshal approval.**

Applicant is not present at this time.

**12. License #13827: Chongkee Farms, LLC**  
Licensee: Chongkee Farms, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 691 Brewster Street  
Fairbanks, AK 99712  
Approved by MCB: August 16, 2018  
**Pending: Fire Marshal approval.**

*Daniel Brower is present via phone.*

*Erika McConnell states that the office has been notified that according to the Fire Marshal this establishment is currently non-compliant.*

*Daniel Brower states that the builder suggested that due to movement in the grow facility he not attach the buildings. He states that he will move the building to match the plans and discusses the resubmission and Fire Marshal approval requirements.*

*Mark Springer states that the board will request his presence in November if not inspected.*

**13. License #14227: Galactic Herb**  
Licensee: Theodore C Delaca  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 595 Henry Hahn Court  
Fairbanks, AK 99712  
Approved by MCB: August 16, 2018  
**Pending: Fire Marshal approval.**

*Theodore Delaca is present via phone. He states that he is making corrections to his plan review.*

*Mark Springer asks for update in November.*

Theodore Delaca states that he anticipates resolution of this matter by the end of the month.

<b>14. License #15530:</b>	<b>Budmasters Limited Partnership</b>
Licensee:	Budmasters Limited Partnership
License Type:	Limited Marijuana Cultivation Facility
Premises Address:	32685 S McKinley View Drive Talkeetna, AK 99676
Approved by MCB:	August 16, 2018
<b>Pending:</b>	<b>Fire Marshal approval.</b>

Tina Williams, applicant, is present via phone. She discusses the pending Fire Marshal approval with the board.

Mark Springer asks for an additional update in November.

<b>15. License #15546:</b>	<b>Daliwoda Investments #1</b>
Licensee:	Daliwoda investments, Inc.
License Type:	Standard Marijuana Cultivation Facility
Premises Address:	807 Landing Road North Pole, AK 99705
Approved by MCB:	August 16, 2018
<b>Pending:</b>	<b>Fire Marshal approval.</b>

Applicant is not present at this time.

~~**16. License #16015: Bluffside Gardens**~~

Considered above.

Break is called at 4:16 pm.  
Meeting resumes at 4:29 pm.

● **BOARD CONSIDERATION**

**4:29 pm**

<b>A. License #10098:</b>	<b>Raspberry Roots</b>	<b><u>TAB 26</u></b>
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	
<b>For Consideration:</b>	<b>Review of MJ-22b requests.</b>	

Jana Weltzin, counsel is present in person, Kimberley Kole, licensee is present via phone.

Erika McConnell summarizes Tab 26. She states that categorizing it all as leaf/trim when it isn't is a concern and an accusation/investigation is forthcoming. She discusses the amount of time that accusations take but she believes an accusation will be brought within 2 weeks. She asks the board not to act until the accusation is issued.

*Jana Weltzin states that some issues come back to this being the first month of operation. She finds some of these things written not to be true. She states that a 30/70 percent split is appropriate and that they paid the appropriate tax. She references a self-report of the unapproved transfer and the amount of time that it has taken to get a response. The product is losing economic viability. If the request is not approved the due process rights of this licensee may be violated. She states that the accusation should be separated from this matter and requests that this request still be heard. No product was diverted, no tax fraud occurred, and their taxes are current. She asks for resolution.*

*Mark Springer asks how the failed product is being stored.*

*Kimberley Kole states it is stored in plastic freezer bags in a dark room but product degradation keeps occurring. She states that Erika McConnell is not responsive to emails. She summarizes the contacts attempted with Erika McConnell regarding this and similar matters.*

*Jana Weltzin states again that the accusation should be separate from this request due to the degradation of product.*

*Kimberley Kole states that at the time "immature bud" did not exist. She again discusses the artificial 70/30 split and how she is not evading taxes and all product is in the facility. No illegal activity has occurred although mistakes were made.*

*Jana Weltzin asks Kimberley Kole to explain how the 4 grams were taken for testing.*

*Kimberley Kole states that she sent the 4 grams of bud and flower out for testing and sent the most bud like products for testing. This option has been closed in METRC at this time.*

*Mark Springer states that a hearing is occurring at 5:00 and with that in mind this discussion should be continued.*

*Bruce Schulte asks Kimberley Kole if 34 kilos were harvested initially and he asks if part of it was destroyed or all in storage.*

*Kimberley Kole states that the initial weight is wet weight, one of the packages has bud rot but nothing has been wasted yet. She states that the Rainbow Rolls of shake are pre-rolls from the bottom of the deli jars were wasted and were a separate product. No other items were wasted.*

*Bruce Schulte asks what the issue is, product is sitting there.*

*Jana Weltzin states that 7 packages have been moved already.*

*Bruce Schulte asks Erika McConnell if there is impropriety in addition to the unapproved transfer and inaccurate accounting of the plant proportions for tax purposes and METRC purposes.*

*Erika McConnell confirm that there is.*

*Mark Springer states that tomorrow morning executive session is occurring and then regulations. This license will be taken up as soon as they convene after the executive session.*

*Meeting is recessed at 4:51pm.*



**Marijuana Control Board  
Meeting Minutes Continued  
September 12, 2019**

● **ADMINISTRATION**

8:57 am

**A. Call to Order**

**B. Roll Call**

**Board Members Present**

*Mark Springer, Chair, Rural Member*

*Loren Jones, Public Health Member*

*Nick Miller, Industry Member*

*Christopher Jaime, Public Safety Member*

*Bruce Schulte, Public Member*

**Staff Present**

*Erika McConnell, Director*

*Mikal Martin, Records and Licensing Supervisor*

**Counsel Present**

*Harriet Milks, Assistant Attorney General*

● **EXECUTIVE SESSION**

8:58 am

*Mark Springer states that Executive Session is being convened.*

***Bruce Schulte moves to go into Executive Session.***

***Nick Miller seconds the motion.***

***None opposed, motion carries.***

**A. License #19616:**

Licensee:

License Type:

Premises Address:

Local Governments:

**Buds Below Zero**

Nangiaqtuuvik, LLC

Retail Marijuana Store

4326 Laura Madison Street

Barrow, AK 99723

City of Utqiagvik; North Slope Borough

**Stipulated Agreement, Proposed Decision and Order**

*9:12 the board exits Executive Session.*

***Bruce Schulte moves to exit Executive Session.***

***Nick Miller seconds the motion.***

**None opposed, motion carries.**

Mark Springer summarizes the purpose of the executive session and reads the stipulated agreement into the record.

**Bruce Schulte moves to adopt the stipulated agreement.**

**Nick Miller seconds the motion.**

**None opposed, motion carries.**

● **BOARD CONSIDERATION**

9:15 am

<b>A. License #10098:</b>	<b>Raspberry Roots</b>	<b>Tab 26</b>
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	
<b>For Consideration:</b>	<b>Review of MJ-22b requests.</b>	

*Jana Weltzin, counsel, is present and Kimberley Kole is present via phone.*

*Erika McConnell again summarizes the information in Tab 26 and the previous discussion regarding this matter.*

*James Hoelscher states he is present via phone.*

*Mark Springer and Erika McConnell discuss the concerns brought to the board in this tab and the above discussion.*

*Kimberley Kole confirms that the one run of product occurred but that the product was destroyed. She again discusses the timeline of requests to Erika McConnell for the benefit of Loren Jones and states that she has been previously told that an Accusation is forthcoming with no action. [Not present for previous discussion.]*

*Jana Weltzin states that her main concerns regarding the accusation being considered before it is issued is that she is concerned that the licensee is being punished for something that is not related to the matter at hand. She also feels that it is unfair for the licensee to be not responded to for this long.*

*Bruce Schulte asks staff about the accusation.*

*Erika McConnell states that she is not comfortable speaking on the accusation matters at this time as it is not appropriate to pre-discuss the accusation. She confirms that it is unrelated to the matter at hand.*

*Jana Weltzin states that she agrees that it is premature to address the accusation that has not been issued.*

*Mark Springer states that when the idea of extraction of failed bud and flower was brought to the stated reasons were that, the amount could be a significant amount of product and there is an assumption that*

*the entire batch is unsellable. It was pointed out to the board that they could allow for economic recovery from the loss of the batch(es). The extraction process should sterilize the contamination and make a valuable product. He states that the licensee is holding custody of a significant amount of marijuana that did not pass laboratory tests from as far back as October 2018. He states that the applicant should have received timely response from the office.*

**Nick Miller moves to approve the 28 MJ-22b forms for Raspberry Roots license 10098.  
Bruce Schulte seconds the motion.**

*Nick Miller states that this product has sat at a facility for almost a year losing value every day and he hopes that staff and the board respond to licensees in a timely manner; 11 months is too long.*

**Bruce Schulte proposes to amend the motion to stipulate that the board will not apply sanctions regarding the 8 prematurely transferred batches.  
Nick Miller seconds that amendment.**

*Bruce Schulte states that he would like to wrap this up and not keep the licensee worrying. He believes that the state owes the licensee that concession.*

*Christopher Jaime asked the Director if the correspondence started in July.*

*Erika McConnell states that the July correspondence was different from this matter. She goes on to state that she does not dispute the timeline and apologizes to Kimberley Kole. She discusses her reasons for being delayed in her responses due to workload and states that there are procedures in place to try to reserve time during the week to more promptly respond to these types of requests and she recognizes that this is unacceptable. She again apologizes.*

*Christopher Jaime states that he agrees with the original motion but does not want to undercut enforcement.*

*Mark Springer agrees with Christopher Jaime.*

**Bruce Schulte states that given Christopher Jaime and Mark Springer's comments he withdraws the amendment.  
Nick Miller agrees to the withdrawal.**

*Nick Miller states that this was self-reported and he finds this to go a long way. He agrees with the amendment as it was proposed.*

**Regarding the main motion; none opposed, motion carries.**

*Jana Weltzin asks if there is a time frame they need to wait to begin the extraction.*

*Erika McConnell confirms they can start moving forward with extraction immediately.*

● **REGULATIONS**

9:40 am

**A. Drafts for Board Review, Pending Public Comment Opportunity**

## 1. Umbrella Categories for Products

**Tab 8**

Status: Initial draft for board consideration  
Potential Board Actions: Amend and/or put out for public comment

*Erika McConnell summarizes Tab 8 which addresses several items.*

*Regarding product names-She asks that the board require the product name on the form to be used on the product label and possibly in METRC. The board may wish to allow the strain name to change if necessary or the board may require the product name be set and allow a sub-strain name/flower.*

*Regarding ingredients- staff wants to know if a single product should allow ingredient changes to a product such as flavor changes or marijuana type used in a product (i.e. cannabis oil from their store or cannabis oil from another licensee or butter vs oil). Licensees ask that a single ingredient and the packaging be varied under a single product approval. Deciding appropriate parameters for an ingredient swap out is difficult, particularly when writing the regulation.*

*Mark Springer states that as he thinks about this and then thinks about the governors streamlining of regulations, the boards concern is the cannabis ingredient. Beyond that, if the recipe is for the hard candy, he's not sure if the separate flavors need to be approved. There is an opportunity for the board to decide what a big difference versus a small difference is. Flavoring doesn't impact public health and safety. He sees that different states have different rules.*

*Loren Jones states that he agrees about flavoring but that it's difficult to put parameters on ingredients. The public health is a concern for labeling if the label changes by ingredient(s). These are not regulated at a federal level, the board sets standards for the labeling. If pumpkin spice flavoring is added, what if there is there an allergen in there? He sees the difficulty allowing that in regulation. He expects to see labels for any and all allergens and urges caution in this matter. Maybe there can be a part added stating that "common allergens" require labels.*

*Mark Springer states that the he agrees labeling has to be a strong component to the regulation and this is a worthwhile thing to work on.*

*Erika McConnell continues to summarize the tab. The third issue is the production process. Current regulation requires the submission of the processes to be used; standard production procedures, the proposed procedures, and a detailed manufacturing process for each product. The level of detail required needs some work by the board, particularly regarding proprietary information in processes. She states that the issue is complicated by the lack of knowledge of processes by board staff. For some product types there is an intermediate product made in METRC that is not an approved product. The bottom line questions is what is the board's intent for the individual products coming to the board for approval? The issue of the ingredients in vape products are a good example of why all products are reviewed. She then explains the changes to the regulation and says that the requirement for METRC to include the product name may be amended.*

*Loren Jones asks, regarding concentrates and products are, similar processes create kief shatter etc. He has been told that sometimes the product comes out looking different and is therefore given a different name. He has a hard time approving different products that have the same processes but that can look entirely different on the back end. He is concerned about things like tinctures that have alcohol vs those*

*that don't in a single approved product. He is struggling with consistency and finds this to be a good start. He can't improve what's provided in the tab and suggests that it go out for public comment so manufacturers can make suggestions.*

**Loren Jones moves to put out the regulations project "Umbrella Categories for Products" for public comment for 45 days.**

**Bruce Schulte seconds the motion.**

*Bruce Schulte asks if the matter of the production process requirements is being addressed in the proposed change.*

*Erika McConnell confirms that it is not.*

*Bruce Schulte states that he is fine with the regulation but that the process question should be addressed at a later time.*

*Harriet Milks asks Erika McConnell, regarding the definition change of product, if the intention is to limit that definition to products approved by the board.*

*Bruce Schulte states that that is one of the changes he would like to see. He is uncomfortable with redefining statute in regulation which this broaches. Maybe the conversation could occur later and he sees conflict there.*

*Erika McConnell reads the statute and states that it is a broad definition that captures multiple things. It does not address what the product the board is approving is. Sometimes the production process can give you different looking items. The intent was to provide the board more consistency to allow specificity. It was intended to define what the board wishes to approve.*

*Harriet Milks states that she agrees that the board cannot redefine statutes but that the board can interpret the terms. If the regulatory definition is amended it can get difficult if they try to define all products. For now it may be sufficient to address those products that the board approves. One suggestion is to say "a marijuana product that is approved by the board must have..."*

*Mark Springer and Harriet Milks discuss if that would be a substantive change (it would).*

*Mark Springer asks for additional discussion, none is brought forward.*

**None opposed, motion carries.**

## 2. Infants on Premises

Tab 9

Status: Initial draft for board consideration  
Potential Board Actions: Amend and/or put out for public comment

*Mark Springer summarizes Tab 9.*

***Bruce Schulte moves to put regulations project “Infants on Premises” out for public comment. Nick miller seconds the motion.***

*Loren Jones states that, as written, this only allows this exception in a retail facility, but there are some small manufacturers that may want this exception and he asks why it’s retail only.*

*Erika McConnell explains that it’s not only for retail stores, the change to 710(c) talks about restricted access and carves out those “over one year and under 21” the intent was that the changes under this apply to all license types.*

*Mark Springer considers an issue regarding the access restricted in marijuana store and where someone can bring a baby when they go shopping. He asks if allowing someone under 1 into a restricted area trumps access through the front door. He states that he is supportive of the breastfeeding matter for employees but the board does not want to allow nursing moms into the retail to purchase. Otherwise he has no problem.*

*Nick Miller does not share Mark Springers concern. He does not feel it necessary to make everyone change their signs to state 1-21.*

*Loren Jones agrees with Nick Miller, he thinks that the change should address employees and dependents rather than consumers. He states that he does not support putting it out for public comment until the employee vs client issue is addressed.*

*Bruce Schulte has concerns regarding the person bringing a child into the unrestricted retail store area vs a restricted access area. He’s okay with putting it out for comment as written at this time.*

*Harriet Milks states that the way to achieve that is to put out the 710(c) amendment and skip the amendments to 325.*

*Loren Jones states that this would address most of his concerns.*

***Loren Jones moves to amend the motion to remove the changes at .325.***

***Christopher Jaime seconds the motion.***

*Nick Millers states that he understands the concerns but he would like to leave it in to hear the public’s thoughts on the subject.*

*Bruce Schulte states that there is no public harm to allowing a child into a retail establishment. He is opposed to removing this.*

***Regarding the amendment:***

**Bruce Schulte and Nick Miller vote no, Christopher Jaime, Loren Jones, and Mark Springer vote yes. The amendment carries 3-2.**

**Regarding the main motion as modified; none opposed, motion carries.**

**3. Application and Renewal Date**

**Tab 10**

Status: Initial draft for board consideration  
Potential Board Actions: Amend and/or put out for public comment

*Erika McConnell summarizes Tab 10.*

*3 AAC 306.035(a) could be deleted if they want to move forward with the previous interpretation.*

*Loren Jones asks about the “complete renewal application” and states that until the application is deemed complete, the application is not usually considered “complete”.*

*Erika McConnell states that Loren Jones brings up good point. She states that the way that staff currently addresses the matter is if the application is not complete the applicant gets a short period of time to complete it before assessing the late fee. However, if the deficiencies are not corrected the late fee is assessed.*

*Loren Jones asks about the “electronically” piece being removed.*

*Erika McConnell states that the original intent was for all things to be submitted electronically but that there are many forms that need to be submitted that are not done through myAlaska. They are accessed electronically but they can be printed and mailed, therefore she found it to be clearer to remove that section.*

**Bruce Schulte moves to put out the regulations project “Application and Renewal Date” for public comment.**

**Nick Miller seconds the motion.**

*Christopher Jaime and McConnell discuss .925 and the necessity for amendment.*

*Erika McConnell states that this does not need to change.*

**None opposed, motion carries.**

**B. Public Comments Received**

**10:37 am**

**1. Out-of-State Investment in Testing Facilities**

**11**

Status: Adopted in May 2019  
Potential Board Actions: Reconsider to review proposed revised language

*Harriet Milks summarizes Tab 11 and discusses the Department of Law review of this regulation. The language adopted by the board “commitment to invest equity” is unquantifiable and in regulation it is*

*important to avoid possible ambiguity or difference in interpretation. How is this measured? Department of Law suggested some language provided in the Memorandum in Tab 11.*

*Mark Springer asks for procedural clarification.*

*Loren Jones states that the board would need to amend their adoption and put back out for comment.*

*Erika McConnell clarifies that it would not be adopted, the procedure would be to rescind, amend, and put out for public comment.*

***Loren Jones moves to rescind previous action, change the language to the Department of Law suggested language and put the amended project out for comment.***

***Christopher Jaime seconds the motion.***

*Loren Jones states that he is bothered by the suggested “e” because it seems very vague but he bows to Law’s belief.*

*Mark Springer states that they do need substantial leeway to make their decision.*

***None opposed, motion carries.***

Break is called 10:43 am.

Meeting resumes 10:53 am.

## **2. Testing Oversight**

**Tab 12**

Status: Public comment period closed September 5, 2019

Potential Board Actions: Vote to adopt; OR  
Substantially amend and put out for public comment

*Erika McConnell summarizes Tab 12 and confirms that the testing working group has reviewed the compliance document.*

*Steve Crupi, Quality Systems Manager at the Environmental Health Lab, is present via phone.*

*Nick Miller and Steve Crupi discuss the comment received related to the 7 Quality Control samples required, quality assurance, and that quality control documents are not new. They’ve been in there since the 1980’s.*

*Steve Crupi asks for further time to revise the document to take the public comments into account.*

*Mark Springer asks if the manual is adopted by adopting the regulation (it is) and asks how long the amendment will take.*

*Steve Crupi asks for 1-2 weeks to update it but if the labs are consulted it will depend on their availability.*

*Erika McConnell states at the last meeting the board directed for changes to be made and then put out for comment.*



Harriet Milks states that the issue at hand is that the document is adopted by reference so it's needed for comment.

Steve Crupi states that another matter gleaned is there is a misunderstanding of the purpose of the quality control steps. He wishes to work with the labs to create understanding.

Harriet Milks states that the board could put it off to the next meeting or call a special meeting if necessary.

**Mark Springer asks for a meeting at the call of the chair after Steve Crupi contacts the labs and makes changes. He and Harriet Milks discuss the required process.**

Mark Springer states that the project will be considered at the call of the chair.

Steve Crupi and Harriet Milks discuss the notice required for the meeting.

### 3. Handler Permit Revocation

13

Status: Public comment period closed September 5, 2019  
Potential Board Actions: Vote to adopt; OR  
Substantially amend and put out for public comment

Erika McConnell summarizes Tab 13.

**Loren Jones moves to adopt the regulations project "Handler Permit Revocation" as written.  
Nick Miller seconds the motion.  
None opposed, motion carries.**

The board considers the items remaining from 9/11/2019 under Tabs 24 and 25.

<b>License #12125:</b>	<b>Alaska Marijuana Gardens (AMG)</b>
Licensee:	Alaska Wild Coyote, Inc.
License Type:	Standard Marijuana Cultivation Facility
Premises Address:	838 Bonanza Avenue Anchorage, AK 99518
Approved by MCB:	July 13, 2017
License issued:	April 23, 2018
Before MCB:	February 21, 2019 – anticipate opening in about 5 months (June 2019)

The applicant gives an update via phone, and states that inspection is anticipated in 2-3 months.

No representatives from the other licenses are present.

Mark Springers asks for the director to contact these licensees if not present.

Erika McConnell suggests if this is the 2<sup>nd</sup> or more meeting that the applicant(s) are not present she be allowed to tell them that there may be consequences if they do not attend the next meeting.

*Bruce Schulte asks for a definition of severe consequences.*

*Mark Springer and Erika McConnell discuss that she may say the board “may consider revocation.”*

*Erika McConnell clarifies that the applicants are notified via email that their licenses are up for consideration per regulation.*

*Bruce Schulte asks if when the emails are sent is the email sent they are sent with a read receipt.*

*Erika McConnell states that delivery receipts and read receipts may not work but that usually they are used.*

*Bruce Schulte asks for delivery receipts to be requested in these situations.*

<b>B. License #10165:</b>	<b>Good LLC</b>	<b><u>TAB 27</u></b>
Licensee:	Good LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	1949 Frank Avenue Fairbanks, AK 99701	
Local Government:	Fairbanks North Star Borough	
<b>For Consideration:</b>	<b>Products issues.</b>	

*Erika McConnell summarizes Tab 27. She discusses previous board approval of GOOD Coconut Cooking Oil for retail sale (recommend approval to restrict to wholesale to product manufacturers).*

*Barrett Goodale and Jana Weltzin are present in person.*

*Barrett Goodale addresses section (d) (4) and states that clarifying the intent to only sell for wholesale was just missed.*

*Jana Weltzin states that there is some product on retail shelves. She asks that the retails be allowed to finish selling the product with the understanding that no more would be sold.*

*Bruce Schulte asks about the concern, it being sold for retail as stand-alone edible product.*

*Erika McConnell and board discuss the concern in this matter and regulatory requirement.*

***Mark Springer asks for a motion to amend the previous approval of Good Coconut Cooking Oil to allow only in-house and wholesale only.***

***Bruce Schulte so motions.***

***Nick Miller seconds the motion.***

*Nick Miller asks if this is done, if the remaining products can be sold.*

***Nick Miller moves to amend the motion to allow the sale of the remaining product.***

***Bruce Schulte seconds the amendment.***

**Christopher Jaime votes no, Nick Miller, Bruce Schulte, Mark Springer and Loren Jones vote yes.**

**Regarding the main motion; none opposed, the motion carries as amended.**

*Erika McConnell discusses the second issue which centers on what constitutes a single product. She discusses the approved product name, and how it is listed in METRC. Other manufacturers submit these similarly processed products with different end products as separate products. No AMCO action has been taken and staff asks for clarification on how to address this situation.*

*Barrett Goodale states that this issue is related to the umbrella categories. He addresses the packaging and labeling requirements that do not say that the contents must be labeled with the product name as listed on the form. He states that there is a difference between items and final products listed in METRC. He states that licensees should not be regulated by regulations that are not in place yet. He finds that they have followed the approved operating plan and violated no regulations.*

*Jana Weltzin states that the MJ-05 discusses wax or shatter but another attachment to the MJ-05 that has not been included in the packet described the possible product changes based on the process.*

*Barrett Goodale states that depending on the process the texture can be changed based on the many different types of marijuana going in. He states that the difference is the texture. There is a description on the package of the texture. The batch number identifies each grouping.*

*Mark Springer asks if they are populating METRC with these 'items' that aren't manufactured.*

*Barrett Goodale states that those 'items' are created and used to differentiate between the products. This is for inventory tracking more specifically. It assists with retail sales and description.*

*Erika McConnell states that the item tab must have a registration before a production batch of the item may be made and discusses the METRC tracking. She further states that METRC can be tracked back to the flower or plants but the product cannot be traced back to the approved product.*

*Loren Jones asks if in the 16 products listed vs the 9 approved, are any of the additional products out in the stores under the "not approved" labels, if there has been push back from retail stores stating that they are not approved products. Loren Jones states that the limits may be pushed on this matter.*

*Jana Weltzin confirms that they are being retailed, she states that in 2018 the labels were sent to enforcement including the subcategories and nothing was said.*

*Mark Springer asks for Erika McConnell's suggestion.*

*Erika McConnell states that the fact that 8-9 of the products being sold as products to retail stores are under a single approval which makes it difficult to make the connection to the approved product. She finds it inconsistent with how the board has approved other licensee's products. There is an argument that the licensee indicated they were making wax and shatter but the other things were not mentioned. She asks that more distinction of products be required. She states this would be related to how things are going forward. She states that the board could approve current operations with a caveat about the possible future change in regulations regarding this matter.*

*Bruce Schulte asks if these products are on a shelf and have been labeled and tested.*

*Erika McConnell confirms that they are and have been.*

*Bruce Schulte states that the public health has been protected, this topic is going out for public comment, and he sees no value in sanctioning the retailer at this time. Maybe the board needs to look into METRC and provide more latitude.*

*Christopher Jaime states that there does need to be consistency and this should be addressed.*

*Mark Springer asks for suggestions.*

*Barrett Goodale states that all products involve the same ingredients and the name descriptor is for public knowledge, they state that they put the ppm of butane on the label. He understands the concerns and asks if changing the admin labels to include the approved name in METRC would resolve the concern.*

*Jana Weltzin offers to add "N-butane concentrate" on each label.*

*Mark Springer asks if the label be brought to the board for the consideration, he offers to review this during the testing regulation meeting.*

*Erika McConnell states that that is up to the board.*

*Barrett Goodale states that these are 'descriptions' which are allowed.*

*Bruce Schulte states that staffs should be enforcing what is written. They should default to not impinging on commerce except in public health concerns.*

*Jana Weltzin asks about the METRC labeling suggestion.*

*Erika McConnell states that it would allow AMCO to apply to board approval but it does not address the inconsistency with other approvals.*

*Christopher Jaime asks about previous product approvals.*

*Bruce Schulte states that this is one of the earliest products to have been approved and now it has come full circle.*

***Nick Miller moves to have the licensee update METRC descriptors to allow the products be tied back to the approved product.***

***Bruce Schulte seconds the motion.***

***None opposed, motion carries.***

**The board considers Tab 23 at this time because the licensee is present.**

**License #16991:**

Licensee:

Premises Address:

**Stoney Moose Kitchens**

E & M Holdings, LLC

9737 Mud Bay Road, Suite 104

**Tab 23**

Local Government: Ketchikan, AK 99901  
**For Consideration:** Ketchikan Gateway Borough  
**Products Tabled at February 2019 meeting.**

*Eric Riemer, licensee, is present via phone.*

*Erika McConnell states that this product has an 'and/or' approval and the recent decisions have not allowed 'and/or' proposals.*

*Mark Springer states that there are interesting product names.*

*Eric Riemer states that the solvents have different extractive properties for the herbs and he wants to use either one. The consumer may not be interested in an alcohol tincture or vice versa and he wanted to offer the product to those who may not want a specific base but the process is the same regardless of the base.*

*Mark Springer states that the labeling does not differentiate. There is no indication if the product contains glycerin or alcohol. He is dissatisfied with the sample label. He asks what the MCT oil is. (It is a carrier oil.)*

*Christopher Jaime asks why this is not two separate products.*

*Erika McConnell states that this seems like two products.*

*Mark Springer asks if both these bases are approved products. (They are.)*

*Eric Riemer states the ingredients section would indicate the difference.*

*Loren Jones states that the regulations require a sample of the label, no ingredients are listed in the sample label. Most products with ingredient lists are included in the sample labels.*

*Eric Riemer states all products are labeled with ingredients. He offers to amend and include ingredients with two separate lists.*

*Mark Springer states that he does not want to label by delegation.*

*Bruce Schulte asks if ingredients are required to be listed by the regulation, and states that they are discussing enforcing something that is not currently written.*

*Mark Springer states that at this time there are two discreet ingredients that are approved and that in the umbrella project it allows licensees to swap one THC ingredient for another one. He is more comfortable approving Sex Drive-with Glycerin **or** Sex Drive- With THC infused alcohol.*

*Nick Miller states that all they should care about is the approved product being used. He states that once a product becomes food and ingested, the board should only care about if an approved and tested marijuana product is used. All other labeling is regulated federally.*

*Eric Riemer states that he intends to produce the alcohol and glycerin product "versions".*

Mark Springer references the regulation that states that alcohol is one product and glycerin is another product. He states that there should be separate products for both bases. They should be differentiated by name as well IE (a and g) identifiers. He asks if the alcohol cooks off. (It does.) Mark Springer asks for applications for each individual product.

Bruce Schulte offers that the board appears to be okay with the products in general but his impression is that either would be approved. He asks if they approved using them both and asking them to label it.

Mark Springer states it will not be a lot of time and effort to submit the new products.

Bruce Schulte asks when this matter will be discussed.

Mark Springer says at the special meeting and clarifies that it is how the board has handled this mater in the past. He states that this is not a particular difficulty for the person and serves the public interest.

Eric Riemer states that what he is hearing is that the product submittals are duplicated to separate the alcohol and glycerin bases and indicate the glycerin and alcohol containers. He asks if the fee for each item will be assessed.

Mark Springer states that the new product fees will not be assessed, the board will address via phone at special meeting.

Break for lunch is called at 12:04 pm.  
Meeting resumes at 1:08 pm.

<b>C. License #10:</b>	<b>JWS Enterprises</b>	<b><u>TAB 28</u></b>
Licensee:	James W Strassburg	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	3000 West Tongass Narrows Ketchikan, AK 99901	
Local Government:	Ketchikan Gateway Borough	
<b>For Consideration:</b>	<b>Licensee requests refund of late renewal fee.</b>	

James Strassburg, licensee, is present via phone.

Erika McConnell summarizes Tab 28.

Mark Springer asks Strassburg to speak.

James Strassburg summarizes his appeal as written in the tab. He believes that AMCO had everything necessary, and he was not attempting to be nefarious. He finds the \$1,000 fee to be unfair and he believes the application was complete. He finds there to be an administrative speed trap and it will cost him money.

Mark Springer thanks Strassburg for his testimony.

Bruce Schulte asks if the application was complete in every other respect.

*Erika McConnell states that the application was as complete as possible besides that issue. She confirms that the residency is not a concern.*

*Bruce Schulte asks if the only matter for consideration is the late fee.*

*Erika McConnell confirms that it is.*

***Bruce Schulte moves to waive the late fee.***

***Nick Miller seconds the motion.***

*Bruce Schulte states that the licensee has done everything expected of him. He appreciates staffs efforts but he finds it not right to assess the fee over this.*

*The board discusses when the address was reassigned.*

*Mark Springer asks about the 3002 address.*

*James Strassburg discusses that the addresses were originally the same for all of his buildings, he went to the borough for a matter and they stated that each building would need a different address. He discusses the address changes.*

*Mark Springer asks what day the 1<sup>st</sup> of July was (Monday) and asks if the individual was in Ketchikan on the first of July (he was not).*

***Loren Jones, Bruce Schulte, and Nick Miller vote yes, Christopher Jaime and Mark Springer vote no. Motion carries 3-2.***

<b>D. License #19624:</b>	<b>Studio 420 AK</b>	<b><u>TAB 29</u></b>
Licensee:	420 Enterprises, LLC Co.	
License Type:	Retail Marijuana Store	
Premises Address:	4608 Spenard Road, Suite E Anchorage, AK 99502	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Reconsideration of license denial; Municipality of Anchorage protests pending approved municipal marijuana license and special land use permit.</b>	

*Erika McConnell summarizes Tab 29.*

***Bruce Schulte moves to approve the license with delegation.***

***Nick Miller seconds for discussion.***

*Bruce Schulte states that he met the requirements of the application and he appears to be a suitable candidate.*

*Abe Spicola and Tammy Thinoi are present via phone.*

*Abe Spicola discusses the courtview mistakes that were made, and the fees that have been assessed and paid.*

*Mark Springer states that he was asking for the applicant to discuss his actual application.*

*Harriet Milks leaves the room at 1:35 pm.*

*Abe Spicola summarizes his application including community response to his application and answers board questions regarding his “art themed establishment” and how no leisure visits is reconciled (no loitering, the art theme is that local artists will paint marijuana for the shop which will be for sale and provide merchandise), ID check location (door greeter will check ID and the budtender will check ID), access, and control. He states that Tammy Thinoi will be the main store manager, Abe Spicola is only an assistant.*

*Mark Springer states that he is pleased that the board received additional information on this situation.*

***Bruce Schulte, Nick Miller, and Mark Springer vote yes, Loren Jones and Christopher Jaime vote no. Motion carries 3-2.***

<b>E. License #20844:</b>	<b>Token Up</b>	<b><u>TAB 30</u></b>
Licensee:	907 Promos, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	Mile Post 1313.8 Alaska Highway Tok, AK 99780	
Local Government:	No Local Government	
<b>For Consideration:</b>	<b>Petition; objections and comments received.</b>	

*Johnathan Guest and Donald Davisson III, applicants, are present with Jessika Smith, assistant counsel. Lance Wells, legal counsel, is present via phone.*

*Erika McConnell summarizes Tab 30 and urges the board to revisit the issue of petitions in the near future due to the difficulty of the petition determination. It is very difficult to find the number of qualifying individuals within a radius and to determine addresses for these people.*

*Harriet Milks returns at 1:50 pm.*

*Mark Springer asks about the street names and addresses.*

*The applicants state that there are some places, without street names, that are not on the map. And then answer board questions regarding ties to Tok, premises address and location, and nearby businesses (iron dog skidoo, salvage yard/gas station).*

*Christopher Jaime states that he is sympathetic to the applicants, marijuana is divisive for communities and he is concerned about the number being difficult to determine.*

*Jessika Smith states that the demographer information is not correct. She offers to discuss the number of people present and the alternative calculation she suggests.*



*Mark Springer states that he would like the individual to be near the microphone. There are lots of numbers regarding this matter.*

*Discussion occurs regarding the mathematical statistics for this matter and how they should be presented.*

*Loren Jones states that he feels it not to be in his best interests to debate the statistics. He asks the purpose of why this application is deemed incomplete. He finds it in the board's role to either agree with staff or overrule staffs determination. He finds this unnecessary, either the attorney or director can explain what the decision is for today.*

*Bruce Schulte asks if this is the only incomplete related to signatures (it is), and does the board have the opportunity to be complete and deem the application acceptable.*

*Erika McConnell states that the application can be deemed complete and acted upon if the board so chooses.*

*Bruce Schulte states that the petition process is very complicated and he wishes to provide some leeway.*

*Mark Springer references the appeal letter.*

*Jessica Smith states that there is communication not included in the Tab and asks for the opportunity to present her case to the board. She discusses her statistical figures suggested and writes the statistical calculations used on paper. She shows the board the google maps dots where houses were showing 413 houses present that held people based on the applicants. She discusses pin drops and the difficulty in determining the number of houses based on the "pin drop" method. Further, she feels that the Demographers number is incorrect based on the percent of people in the Census Designated Place of Tok that are over 21 based on the census data number. She believes that the Demographer considered the entire Census Designated Place rather than the appropriate sub-section. She argues that the number should be calculated at 80% of the Tok Census Designated Place statistical numbers. Proposal 1 is that 80% of the Census Designated Place population is in the 5 mile radius. Proposal 2 is that the marked maps be used to confirm the number of households. She states that the Fairbanks Daily News Miner was not allowed as a "newspaper of general circulation" by the AMCO office and no radio station would air the notice. The only acceptable option was to mail out public notice to each PO Box within the Tok postal system, she finds this contributes to the disproportionate volume of responses and states that over 800 public notices were mailed to individual households. She states that the demographer is wrong.*

*Mark Springer states that the point is made.*

*Erika McConnell discusses the way that signatures were evaluated. She states that there is a map available that shows how the majority of people in that Census Designated Place are near the post office.*

*The board discusses the petition signatures and individual applicant's access to registered voters.*

*Christopher Jaime asks about the comments section and if all comments are provided.*

*Erika McConnell states that there is a difference between a comment and objection and that everything specific to this application is in the tab.*

*Christopher Jaime states that there are no comments in support of the application in the tab.*

*Applicants discuss that the signatures indicate support and that he was unaware that there should be comments provided in support. They state that they have contacted the people objecting to create a line of communication.*

*Mark Springer asks about the comment saying that there are 3 radio stations in Tok with NPR from Canada and discussed the refusal to advertise by the radio.*

*Christopher Jaime states that the applicants have done an outstanding job and a substantial amount of work.*

***Bruce Schulte moves to accept the number of signatures submitted as meeting the requirement. Nick Miller seconds for discussion.***

*Bruce Schulte applauds their efforts and states that early on this type of community was known to be problematic for licensees. He believes that every effort has been made to meet the regulatory requirement.*

*Christopher Jaime states that effort does not equal regulation, and the numbers that are present do not seem sufficient.*

*Mark Springer clarifies that it is approving the number of signatures as being an acceptable number of signatures under 306.030(b). He asks when this process began.*

*The applicants state that signatures began to be collected in March and they went back to each house multiple times and did work to get support.*

*Jessika Smith states that they are not asking the board to count effort, but confirm that the number of signatures are sufficient.*

*Bruce Schulte states that this is complicated.*

*Nick Miller states that he deals with this type of population issue quite frequently and he agrees with the numbers that Jessika Smith has presented. He believes the driving up and down the road to be the most accurate way to determine population.*

*Mark Springer states that if these numbers are found sufficient, if someone wants to take the board to court it would be on the objector to prove them to be incorrect.*

*Erika McConnell states that the demographer has confirmed that he has been clear in understanding that the 5 mile radius does not include the entire Census Designated Place of Tok. The demographer states that only 60 adults in the Census Designated Place live outside the radius which would make 800 qualifying people in the radius.*

*Mark Springer states that he will put a lot of weight on the demographer's numbers.*

*Jessika Smith states that the goalpost keeps changing and she feels her numbers to be viable. She references the 7 signatures collected by a previous petitioner for a cultivation less than 5 miles away from the proposed location of this establishment.*

*Erika McConnell states that since there is clearly going to be a special meeting it may be appropriate to table this matter pending more information from the demographer and the board can take more time to reflect and more information can be provided.*

*Bruce Schulte states that if this is tabled a number needs to be determined to give the applicants a target to hit.*

*Jessika Smith states that unless the deadline is extended, the signatures are expired. She asks that the board accept one of the numbers, find the application complete, and only table the application for consideration of the comments.*

*Harriet Milks states that one of the issues is consistency, if an applicant is denied, the appeal is expensive and time consuming. Her thought is that if the board wishes to consider it at a later time it is not a bad idea. She does not think putting parameters on the decision is right, Jessika Smith brought up the other application approved less than 5 miles away and she wishes to investigate that matter.*

*Mark Springer states that he is familiar with that application. He asks if they put this application off to possibly hear from the state demographer, can the board get a motion to accept the petition as presented for further review to keep the signatures "alive" then the board could take action based on the signatures. If more were necessary would the board be able to say that they do not need to duplicate signatures.*

***Bruce Schulte withdraws his previous motion, and moves to accept the signatures provided thus far and keep them under consideration as stated above.***

*Loren Jones states lots of time has been wasted today, to have so many people without a government complicates everyone's lives but at the same time the rules must apply. He doesn't mind tabling and accepting the signatures submitted to date. Tok may be the only community this size with this problem, the board needs to move on but accept the signatures so they don't need to attain the same signatures again.*

***Nick Miller seconds the motion.  
None opposed, motion carries.***

*The board confirms that further hearing on the matter will occur at the call of the chair.*

Break is called at 2:52 pm.  
The meeting resumes at 2:59 pm.

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS** **3:00 pm**

<b>A. License #20716:</b>	<b>ACP, LLC</b>	<b><u>TAB 31</u></b>
Licensee:	ACP, LLC	
Premises Address:	Tract B Block 2 Lot 13 (Shop/Warehouse) Port Alexander, AK 99836	

Local Government: City of Port Alexander

*Lance Wells, counsel, is present via phone.*

*Mikal Martin and Erika McConnell state that the license application will need to be reconsidered at the next meeting due to a public objection received.*

*Mark Springer states that the board will need to consider this matter again at the next meeting.*

*Lance Wells states that he is concerned that an objection will hold up the entire application.*

*Bruce Schulte proposes to take the matter up again the next morning (Friday September 13<sup>th</sup>) at 9 am to allow staff time to provide the objection to the board.*

● **NEW LIMITED MARIJUANA CULTIVATION FACILITY APPLICATIONS** **3:04 pm**

<b>A. License #19984:</b>	<b>Alaska Forget Me Not Farms, LLC</b>	<b><u>TAB 32</u></b>
Licensee:	Alaska Forget Me Not Farms, LLC	
Premises Address:	1540 N Shoreline Drive, Hangar I Wasilla, AK 99654-6666	
Local Government:	Matanuska-Susitna Borough	

***Nick Miller moves to approve the application with delegation.  
Bruce Schulte seconds the motion.***

*Stuart Wells, applicant, is present via phone, summarizes his application, and discusses the construction pending. He states that a final inspection could occur in two weeks or less and then answers board questions regarding tax concerns and understanding, experience, premises diagram with “potential hemp farm” listed on the building, and any restrictions regarding co-located hemp and marijuana facilities.*

*Harriet Milks states that the hemp regulations have not been adopted yet but that there are generally less restrictive than those for marijuana.*

*Loren Jones states that for the record the board does not have concern if the applicant becomes a legal industrial hemp licensee, he simply has concerns regarding the plant similarity. Crosspollination is concerning.*

*The applicant states that he probably won’t do the hemp farm, it was an ongoing thought but that the hemp regulations have not yet been adopted. He answers questions regarding the establishment not being a residence, and the nearby structure(s).*

***None opposed, motion carries.***

<b>B. License #21092</b>	<b>Johnny Dae Farms, LLC</b>	<b><u>TAB 33</u></b>
Licensee:	Johnny Dae Farms, LLC	
Premises Address:	59913 S. Airpark Place Willow, AK 99688-9703	
Local Government:	Matanuska-Susitna Borough	

**Bruce Schulte moves to approve the application with delegation.  
Nick Miller seconds the motion.**

*Dotty Hammack, applicant, and Dustin White, master grower, discuss their application and answer board questions regarding “processing” not being part of restricted access area, bathrooms, and experience.*

*The board determines that clarification that the processing area is restricted access is included in delegation.*

**None opposed, motion carries.**

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

**3:16 pm**

<b>A. License #20366:</b>	<b>Great Northern Cannabis</b>	<b><u>TAB 34</u></b>
Licensee:	Great Northern Retail Stores, Inc.	
Premises Address:	2600 E. Tudor Road Anchorage, AK 99507-1134	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Municipality of Anchorage conditionally protests pending municipal marijuana license and special land use permit.</b>	

*John Redden, counsel, is present via phone.*

*Nick Miller states that the applicants have representatives on the Alaska Marijuana Industry Association board and he must recuse himself.*

*Mark Springer agrees with his recusal. Nick Miller is recused from voting and consideration of the application for license 20366.*

**Loren Jones moves to approve the application with delegation.  
Bruce Schulte seconds the motion.**

*Counsel summarizes the application and answers board questions regarding number of licensees, and location.*

**None opposed, motion carries.**

Nick Miller rejoins meeting.

<b>B. License #21170:</b>	<b>Green Zone</b>	<b><u>TAB 35</u></b>
Licensee:	L&A Cannabis, LLC	
Premises Address:	543 Bison Street Kotzebue, AK 99762	
Local Government:	City of Kotzebue, Northwest Arctic Borough	
<b>For Consideration</b>	<b>Comment(s) received.</b>	

Erika McConnell states that a comment has been received stating that the separation distance has not been met. She requests that the delegation include staff investigation of the assertions of distance issues. She discusses the separations with the board and agrees to look at the other license present in Kotzebue as well at the board's request.

**Loren Jones to approve the application with delegation including confirmation of the distance issues. Bruce Schulte seconds the motion.**

Jana Weltzin, counsel, and applicant Dae An discuss the application and distances.

Jana Weltzin states that the sensitive use was identified in the application and was 560 feet away and that there is another marijuana establishment within that vicinity. She discusses with the board that this is the second location at which these applicants have applied. She states that the local government will vote on this location on September 24<sup>th</sup>.

The applicant and counsel discuss the application and answer board questions regarding premises ownership, pending items, and other licenses in the area.

**None opposed, motion carries.**

<b>C. License #21227:</b>	<b>Kusko Kush</b>	<b><u>TAB 36</u></b>
Licensee:	Essenkay, LLC	
Premises Address:	781 3 <sup>rd</sup> Avenue	
	Bethel, AK 99559	
Local Government:	City of Bethel	

Jana Weltzin, counsel, and Jared Karr, counsel, are present in person.

Lori Strickler, city clerk for City of Bethel, is present via phone.

**Nick Miller moves to approve the new license application with delegation. Bruce Schulte seconds the motion.**

Jared Karr and the applicant summarize the application and answer board questions regarding residency, experience, property ownership, and civil litigation regarding a lease (counsel requests separate consideration of that matter).

Lori Strickler states that the timeframe for protest will expire October 13, the board needs to be aware that the lease prohibits any violation of state or federal law, and she states that the city will consider this application on September 24<sup>th</sup>.

**None opposed, motion carries.**

<b>D. License #21417:</b>	<b>Cosmic SeaWeed, LLC</b>	<b><u>TAB 37</u></b>
Licensee:	Cosmic SeaWeed, LLC	
Premises Address:	261 East Bunnell Avenue	
	Homer, AK 99603	
Local Government:	City of Homer, Kenai Peninsula Borough	

**For Consideration:**

**Objection(s) and comment(s) received.**

*Christina Logan, applicant, is present via phone.*

**Nick Miller moves to approve the application with delegation.**

**Bruce Schulte seconds the motion.**

*The applicant summarizes application and answers board questions regarding location of manufacturing license, location of requested license, how the manufacturing is going, status of construction, what else will be in the building (they plan to have a managers apartment in that area), possible Onsite Consumption Endorsement area as part of license at this time (it is not at this time, Onsite Consumption Endorsement area is a later stage that is not currently part of the premises and there will be a secured locked door until the upstairs is licensed), and location of the deck (second floor).*

*The board and staff discuss the Kenai Peninsula Borough conditions.*

*The applicant discusses the objection, photos are of two lots down the street and not their property.*

**None opposed, motion carries.**

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS 3:44 pm**

**A. License #20438:**

**Happy Valley**

**TAB 38**

Licensee:

Happy Valley, L.L.C.

Premises Address:

Lot 12, Big Boulder Creek Sub

Haines, AK 99827

Local Government:

Haines Borough

*Jana Weltzin, counsel is present, and Timothy Thomas, applicant, is present via phone.*

**Nick Miller moves to approve the application with delegation.**

**Bruce Schulte seconds the motion.**

*Counsel and applicant summarize the license application and answer board questions regarding planned manufacturing.*

*The board expresses concern with the MJ-01 that states that only Tim will enter things in METRC and conflicting statements regarding METRC entries being done by multiple people are listed elsewhere, the resolution of this within-application conflict is to be included in delegation.*

*The applicant answers additional board questions regarding size and location of proposed premises, things that will be done in the shop outside of the licensed premises area (personal shop), the entrance to the premises requiring that an individual enter through the rest of the shop, and camera placement requirements.*

*The board and applicant discuss the products; "Happy Valley Cannabis Coconut Oil" is for in-house use or wholesale. Board discusses the trim bud or kief situation and determines that it is acceptable because the*

end product is tested. It is pointed out that “Happy Valley Gummies” has several flavors proposed under a single “gummy” and the suggestion to refrigerate for freshness is discussed.

**Bruce Schulte moves to approve products “Happy Valley Cannabis Coconut Oil” and “Happy Valley Tincture”.**

**Nick Miller seconds the motion.**

**None opposed, motion carries.**

**Bruce Schulte moves to approve the remaining products except the Caramel products.**

**Nick Miller seconds the motion.**

Loren Jones states that in the product “Happy Valley Salted Coconut Caramels” they are proposing to use coconut oil or tincture; he states that for consistency delegation include separation of products containing the either/or statements.

The board agrees that delegation must include separation of the two types of “Happy Valley Salted Coconut Caramels” and putting the items on separate applications for those using coconut oil and tincture.

Loren Jones states that as a foodie caramels with coconut milk will taste much different from the tincture.

Jana Weltzin, offers to separate them and clarifies that this is only in reference to the caramels.

Staff and the board clarify that the caramels must be resubmitted as two new pages to the MJ-05 and it will be reviewed once submitted.

**None opposed, motion carries.**

Bruce Schulte states that the caramels were left out of the approval, and he asks if the board can’t just approve the coconut caramels with coconut oil instead.

Counsel offers to resolve the matter with staff.

Regarding the main motion.

**None opposed, motion carries.**



● NEW LICENSE APPLICATIONS FOR RELATED APPLICANTS

4:02 pm

<b>A. License #20439</b>	<b>Alaskan Grown Cannabis</b>	<b><u>TAB 39</u></b>
Licensee:	Alaskan Grown Products LLC	
Premises Address:	230 Tundra Way Bethel, AK 99559	
Local Government:	City of Bethel	
<b>For Consideration:</b>	<b>Protest from the City of Bethel due to; lack of a conditional use permit, the premises not being in compliance with zoning regulations, and additional premises safety concerns.</b>	

*Lori Strickler, city clerk for the City of Bethel, is present via phone.*

*Kalla Peacock, applicant, and Jana Weltzin, counsel, are present.*

*Lori Strickler states that the shared space with the triplex is a health and safety concern and the fire chief is concerned with the fire stuff also no Conditional Use Permit application has been submitted. She discusses the city's protest with the board.*

*Mark Springer reads the protest out loud.*

*Jana Weltzin states that for the last Bethel application a Conditional Use Permit was submitted over a month ago. October 1<sup>st</sup> is an opt-out vote in Bethel and they were hoping to wait to save time and money if the opt-out was approved. Regarding the life and fire safety issues, they are working with the Fire Marshal to clarify and rectify the safety issues.*

*Loren Jones states that there is no recourse besides upholding the protest unless it's arbitrary capricious and unreasonable.*

*Jana Weltzin states that it is a conditional protest.*

*Loren Jones states that his solution is that rather than taking action on this, the application be tabled to the November meeting.*

*Erika McConnell states that during that time City of Bethel could clarify if they find this to be a conditional protest.*

*Bruce Schulte asks the applicant about the premises and code analysis occurring. He states that the board could approve the application with delegation.*

*Loren Jones states that the board has been told that they must uphold the protests received unless arbitrary capricious or unreasonable; the interim time if tabled will allow the City of Bethel time to express if this is a conditional protest or not.*

*Mark Springer states that he agrees with Jones, tabling is wise.*

***Bruce Schulte moves to table this license application to the November meeting.  
Christopher Jaime seconds the motion.***

**None opposed, motion carries.**

<b>B. License #20440:</b>	<b>Alaskan Grown Cannabis</b>	<b><u>TAB 40</u></b>
Licensee:	Alaskan Grown Products LLC	
Premises Address:	1510 Chief Eddie Hoffman Highway, Connex Bethel, AK 99559	
Local Government:	City of Bethel	

*Kalla Peacock, applicant, and Jana Weltzin, counsel, are present.*

**Bruce Schulte moves to approve the application with delegation.  
Christopher Jaime seconds the motion.**

*Mark Springer asks about the establishment, the ATCO building, and the location of the telephone pole.*

*The applicant discusses his application with the board and answers board questions about capitol, experience in rural Alaska, financial interest, and location.*

*Lori Strickler states that she shows a different protest period that ends in October. She states that a Conditional Use Permit has not been received yet and a protest will be submitted. She discusses the address issue and states that City review is not complete.*

*Loren Jones states that the only comment he has is that the premises diagram is sparse. He asks that delegation include more detail in the diagram including where the ID will be checked.*

**Loren Jones, Christopher Jaime, Nick Miller, and Bruce Schulte vote yes, Mark Springer votes no.  
Motion carries 4-1.**

<b>C. License #21084</b>	<b>Alaskan Grown Cannabis</b>	<b><u>TAB 41</u></b>
Licensee:	Alaskan Grown Products LLC	
Premises Address:	TNST BRW USS 4615 BLK 34 LOT 8 Utqiagvik, AK 99723	
Local Government:	City of Utqiagvik, North Slope Borough	

*Kalla Peacock, applicant and Jana Weltzin, counsel, are present.*

**Bruce Schulte moves to approve the application with delegation.  
Nick Miller seconds the motion.**

*Jana Weltzin states that the local government doesn't allow for concentrates or edibles, she discuss viability of a shop in the area. Applicant and counsel answer board questions regarding local option, employees, and anticipated products for sale (pre-rolls and flower).*

*Loren Jones discusses the language in the application regarding the concentrate prohibition and that many pre-rolls include concentrates. He wants to make sure that the applicant knows that any pre-rolls are not allowed to include concentrates.*

*Applicant and counsel answer additional questions regarding DEC food safety permit, and water plans (holding tanks).*

**None opposed, motion carries.**

Break is called at 4:35 pm.  
Meeting resumes at 4:42 pm.

● **OWNERSHIP TRANSFER APPLICATIONS**

**4:42 pm**

<b>A. License #16006:</b>	<b>Arctic Bakery, LLC</b>	<b><u>TAB 42</u></b>
Licensee:	Arctic Bakery, LLC David Lanning 12.5%, Sandra Lanning 12.5% Robert Parr 25%, Shawn Evans 25%, Morgan Evans 25%.	
License Type:	<del>Standard Marijuana Cultivation Facility</del>	
Premises Address:	1409 Well Street Fairbanks, AK 99701-2822	
Local Government:	City of Fairbanks, Fairbanks North Star Borough	
Transferor:	Arctic Bakery, LLC DBA Arctic Bakery, LLC Brian Simpson 25%, David Lanning 6.25%, Morgan Evans 12.5%, Nellie Scott 25%, Robert Parr 12.5%, Sandra Lanning 6.25%, Shawn Evans 12.5%.	

**Nick Miller moves to approve the transfer with delegation.  
Bruce Schulte seconds the motion.**

*Jana Weltzin, counsel is present to discuss the application. She summarizes the percentages requested and answers board questions regarding the change.*

*David Lanning, designated licensee, is present via phone.*

*The board and staff confirm that the products need to be re-approved in the course of the transfer.*

*Counsel states that the only new products are the “Northern Star Chocolates”.*

*David Lanning states that there are 5 flavors of chocolate proposed, made with already approved distillate oil and a new wide spectrum oil for consideration.*

*Mikal Martin clarifies that this is a Marijuana Product Manufacturing Facility, not a Standard Marijuana Cultivation Facility.*

*Erika McConnell asks about the various cannabinoids and confirms that they are naturally present in marijuana.*

**Nick Miller moves to approve new product “Wide Spectrum Oil”.  
Bruce Schulte seconds the motion.  
None opposed, motion carries.**

**Nick Miller moves to approve products “Northern Stars – Dark Chocolate”, “Northern Stars – Dark Chocolate Sea Salt”, “Northern Stars – Milk Chocolate Espresso”, “Northern Stars – Milk Chocolate”, and “Northern Stars – Dark Chocolate Espresso”.**

**Bruce Schulte seconds the motion.**

**None opposed, motion carries.**

**Regarding the main motion; none opposed, motion carries.**

*Loren Jones states that the ownership change is unrelated to the new products and that it should be separated in the future. He asked about fees for new products and states that new products and transfers should be two separate proposals and discussions for the board. In the future these things should be separated.*

*Jana Weltzin states that the previous application reduced the number of products.*

*Loren Jones states that this is a transfer and products should be separate.*

*David Lanning states that from their point of view the whole application is re-licensing them from the beginning.*

Meeting is recessed 4:55 pm.

**Marijuana Control Board  
Meeting Minutes Continued  
September 13, 2019**

● **ADMINISTRATION**

9:01 am

**A. Call to Order**

**B. Roll Call**

**Board Members Present**

*Mark Springer, Chair, Rural Member*

*Loren Jones, Public Health Member*

*Nick Miller, Industry Member*

*Christopher Jaime, Public Safety Member*

*Bruce Schulte, Public Member*

**Staff Present**

*Erika McConnell, Director*

*Mikal Martin, Records and Licensing Supervisor*

**Counsel Present**

*Harriet Milks, Assistant Attorney General*

The board considers the new Standard Marijuana Cultivation Facility license application for ACP LLC that was tabled from 9/12.

<b>License #20716:</b>	<b>ACP, LLC</b>	<b><u>TAB 31</u></b>
<b>License type:</b>	<b>Standard Marijuana Cultivation Facility</b>	
Licensee:	ACP, LLC	
Premises Address:	Tract B Block 2 Lot 13 (Shop/Warehouse) Port Alexander, AK 99836	
Local Government:	City of Port Alexander	

*Lance Wells, counsel, Patricia Pfiester, applicant and Jake Markey, project manager, are present via phone. Jessika Smith, assistant counsel is present in person.*

*Mark Springer states that this matter will be on the agenda again in November for the objection received.*

***Nick Miller moves to approve the application with delegation.  
Bruce Schulte seconds the motion.***

*Applicant and manager discuss their experience and business plan, and answer board questions regarding location of Port Alexander, industry in the area, alcohol local option, business plan, internet access and METRC, power source, economic viability, and employment opportunities for the community.*

Mark Springer states that the objection will be considered in November.

**None opposed, motion carries.**

Bruce Schulte asks why the objection must be considered in November and the board discusses.

The board presents the opportunity for applicants that were previously not present to speak.

Brown Owl, license 12580 is not present.

Jana Weltzin states that she is no longer counsel for this license.

Erika McConnell reminds the board that they have already provided direction to her regarding this matter.

AlasKind LLC, license 13881 is not present.

The board states that they will receive one more chance in November to be present and staff should inform them that it's important that they attend.

Denali Herb Company, 14706, is not present at this time (consideration below).

The board states that they will be provided an additional opportunity to speak in November.

No officials from the other licenses previously up for consideration are present at this time.

● **LICENSE RENEWAL APPLICATIONS**

9:18 am

**A. Delinquent in the Payment of Taxes Due**

**TAB 43**

Erika McConnell summarizes Tab 43 and asks for board direction on how to address the issue; does the board wish to address this issue in this way? Accusations are difficult and time consuming to write.

Loren Jones agrees that action is difficult regarding this matter, he sees little value in suspension of licenses for back taxes but he doesn't want to double penalize them. He knows that NOVs are issued and he discusses an advisory notice as listed in the fine schedule. He believes it is in the board's rights to notify the applicants that they are behind and violating rules and that they need to get current. He asks the director to keep a running list with notices and if there is a payment plan AMCO get notified of the payment plan. Notice that they will be going to the board and then making a determination would be made at the time of consideration.

Mark Springer states that the board could take the DOR Correspondence regarding delinquencies and post it on the website. He would like to see these on the agenda each time. The amount of money this is relevant to is high. He finds the publication on the website to be impactful.

Bruce Schulte states that he agrees with Loren Jones, pulling the license is a bad solution. He states that the taxes are concerning. At some point it would be helpful for the individuals to provide

*information regarding why they are delinquent. If they feel that they are subject to special circumstances it may be useful to discuss.*

*Mark Springer offers a 1 hour public hearing on tax difficulties.*

*Erika McConnell states that putting out anything is time and effort, NOVs are the same amount of time as a new type of notice. She finds NOVs to be an appropriate way to notify them of these matters. She argues that an actual violation occurs and an NOV is appropriate.*

*Mark Springer agrees that it is also a good point, if it's a violation, neglect would be occurring if they were not notified. It would need to be egregious to discuss revocation over taxes. He states that these taxes are for product sold.*

*Loren Jones states that there are other issues over taxes, the City & Borough of Juneau publishes in their paper who is delinquent in sales taxes which has not boosted their collections. City & Borough of Juneau requires a separate license and if they are delinquent in their sales tax they only provide notice in this manner once a year. City & Borough of Juneau could take separate action regarding the nonpayment of taxes from the Marijuana Control Board. Licensees need to know that it's not just state issues but it's local issues such as taxes that may be arising as well. If the people could be present to discuss with the board then the board would know. It's important that licensees understand that they are required to pay the taxes.*

*Bruce Schulte states that not having banking available to licensees probably makes this matter more difficult. He takes it very seriously that the director has asked for assistance in action going forward. The board has agreed not to pull the license, but what if there is a threshold at which no product can be transported.*

*Mark Springer states that there were people who discussed issues where all cash was used and taxes were not paid but another harvest would pay the tax. Not allowing them to transfer would not allow them to do 2/3 of their licensed actions.*

*Bruce Schulte states that he wants licensees to be successful but there is a problem here. The agreement is that they must pay the taxes. He is pained by the tax structure issues but at some point action must be taken.*

*Christopher Jaime asks about a summons to the people with tax issues for the November meeting, he discusses the number of NOVs for tax issued.*

*Mark Springer states that he would like to see some people come before them, problems occur with sales for small and large cultivators, the market is very competitive and some people don't realize what they're getting into. Lots of things impact the cash flow of a business. He would like to hear from cultivators. The board should continue to issue NOVs to those delinquent according to DOR. The board does not revoke based on NOVs.*

*Bruce Schulte asks what the threshold for an accusation is.*

*Mark Springer states that there is no currently stated threshold for revocation.*

*Erika McConnell states that she started with the 3<sup>rd</sup> NOV previously but maybe before a threshold for accusations is discussed, the threshold for coming before the board can be discussed and accusations can be addressed at another time.*

*Bruce Schulte states that this may be a way to get people to come onto a payment plan. Something must be done.*

*Mark Springer states that he doesn't have a problem asking everyone to appear either personally or telephonically before the board.*

*Loren Jones states that there is a threshold 3-4 out of 6 months mandates an appearance. If Bruce Schulte is correct they'll show a payment plan or won't show. He finds it may be more difficult for limited cultivations to have consistent income and may need to be considered differently based on the cyclical nature of their business. Half of the last 6 months or more and currently delinquent would be his suggested requirements for bringing them before the board.*

*Mark Springer states NOV's should still be issued, and provide the board with a list of NOV's and correspondence with the Department of Revenue.*

*Erika McConnell offers to separate tax NOV's from the other NOV's when bringing them to the board.*

*Mark Springer states he wishes to hear from everyone on the list.*

*Loren Jones states that if the license has been delinquent for 3 of the 6 months, a letter should be sent to the licensee stating that the matter is being considered, and board "expects them to be there".*

*Erika McConnell asks about posting the DOR letters on the website.*

*Loren Jones says he doesn't see any value in that particularly given the amount of staff time it would take.*

*Nick Miller agrees.*

*Erika McConnell thanks the board.*



**B. Notices of Violation Received**

9:52 am

***Nick Miller moves to approve all renewals with the opportunity for amendments.  
Loren Jones seconds the motion.***

***Loren Jones would like to pull Tabs 45, 53, 66, 69, 72, 86 & 110.***

***To approve all renewals Tab 44-114 without 45 (10026), 53 (10147), 66 (10314), 69 (10671), 72 (10856), 86 (11519), & 110 (14736).***

***None opposed, motion carries.***

(Below, Tabs 113 (17692), 114 (20113) & 95 (12448) are also removed from the approval and separate consideration occurs.)

- |                           |  |                      |
|---------------------------|--|----------------------|
| <b>1. License #10005</b>  | <b>Rosie Creek Farm</b>  | <b><u>TAB 44</u></b> |
| Licensee:                 | RCFC, LLC  |                      |
| License Type:             | Standard Marijuana Cultivation Facility  |                      |
| Premises Address:         | 2659 Livingston Loop<br>Fairbanks, AK 99709  |                      |
| Local Government:         | Fairbanks North Star Borough   |                      |
| <b>For Consideration:</b> | <b>Notice of violation regarding delinquency of marijuana excise tax liability – response received; notice of violation regarding improper product transfer – response received.</b> |                      |
|                           |  |                      |
| <b>2. License #10026</b>  | <b>Rainforest Farms, LLC</b>   | <b><u>TAB 45</u></b> |
| Licensee:                 | Rainforest Farms, LLC  |                      |
| License Type:             | Standard Marijuana Cultivation Facility  |                      |
| Premises Address:         | 5763 Glacier Highway<br>Juneau, AK 99801   |                      |
| Local Government:         | City and Borough of Juneau   |                      |
| <b>For Consideration:</b> | <b>Notice of violation regarding delinquency of marijuana excise tax liability – response received.</b>  |                      |

*Loren Jones states that these individuals have been delinquent for 4 out of the 6 months and there was a hearing regarding this license and an unapproved transfer.*

*Erika McConnell states that she believes the license application is still in the works.*

*Christopher Jaime and Loren Jones discuss the transfer/purchase and tax information.*

*Erika McConnell clarifies that the hearing was for the retail store and she believes the transfer is for the retail only.*

Vote below.

- |                          |   |                      |
|--------------------------|---|----------------------|
| <b>3. License #10027</b> | <b>Black Rapids LLC</b>                 | <b><u>TAB 46</u></b> |
| Licensee:                | Black Rapids LLC                        |                      |
| License Type:            | Standard Marijuana Cultivation Facility |                      |

Premises Address:	721 Cloud Road North Pole, AK 99705	
Local Government:	Fairbanks North Star Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding posting advertisements for marijuana on Facebook without the required warnings.</b>	
<b>4. License #10037</b>	<b>Arctic Herbery</b>	<b><u>TAB 47</u></b>
Licensee:	7107 Ventures, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	7107 Arctic Boulevard Anchorage, AK 99518	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Notice of violation regarding a sample jar of marijuana being stolen (self-reported) – response received.</b>	
<b>5. License #10043</b>	<b>Alaskan Greenery</b>	<b><u>TAB 48</u></b>
Licensee:	Michael R Liljedahl	
License Type:	Limited Marijuana Cultivation Facility	
Premises Address:	3250 Richardson Highway Valdez, AK 99686	
Local Government:	City of Valdez	
<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received.</b>	
<b>6. License #10063</b>	<b>Bob’s Morning Bear Cultivation</b>	<b><u>TAB 49</u></b>
Licensee:	Brennan J Norden	
License Type:	Limited Marijuana Cultivation Facility	
Premises Address:	21725 Evelyn May Street Kasilof, AK 99610	
Local Government:	Kenai Peninsula Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received; notice of violation regarding transportation/METRC entry – response received.</b>	
<b>7. License #10073</b>	<b>Alaskan Blooms, LLC</b>	<b><u>TAB 50</u></b>
Licensee:	Alaskan Blooms, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	2448 Arvilla Street, Buildings A, B, & C Fairbanks, AK 99709	
Local Government:	Fairbanks North Star Borough	
<b>For Consideration:</b>	<b>Residency pending. Two notices of violation regarding delinquency of marijuana excise tax liability – one response received to April NOV.</b>	
<b>8. License #10097</b>	<b>Raspberry Roots</b>	<b><u>TAB 51</u></b>
Licensee:	Raspberry Roots, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	501 Raspberry Road, Suite 101	

Local Government: Municipality of Anchorage  
**For Consideration:** **Notice of violation regarding posting marijuana advertisements on social media without the required warning statements – response received.**

**9. License #10122** **Stoney Creek Growers, LLC** **TAB 52**  
Licensee: Stoney Creek Growers, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 33485 Vinewood Lane  
Seward, AK 99664  
Local Government: Kenai Peninsula Borough  
**For Consideration:** **Two notices of violation regarding delinquency of marijuana excise tax liability – response received with renewal.**

**10. License #10147** **Permafrost Distributors** **TAB 53**  
Licensee: Chase R Griffith  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 54200 Leonard Drive  
Nikiski, AK 99611  
Local Government: Kenai Peninsula Borough  
**For Consideration:** **Two notices of violation regarding delinquency of marijuana excise tax liability – response received.**

*53 & 86 considered at this time. Chase Griffith states that they are either payed or on a payment plan. About this time last year he had a similar situation. 10147 is current and the other one is on a payment plan.*

*Chair entertains motion to reconsider Tabs 113, 114 and 95.*

***Bruce Schulte moves to reconsider board action on licenses 113 (17692), 114 (20113) and 95 (12448). Nick Miller seconds the motion.***

They will be considered in order.

***Bruce Schulte moves to approve Tabs 53 (10147) & 86 (11519). Loren Jones seconds the motion. None opposed, motion carries.***

***Loren Jones moves to approve renewal of 10026 Tab 45. Nick Miller seconds the motion. None opposed, motion carries.***

- |  |   |                             |
|--|---|-----------------------------|
| <p><b>11. License #10161</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Government:<br/> <b>For Consideration:</b></p> | <p><b>The Frost Frontier</b><br/> The Frost Frontier, LLC<br/> Standard Marijuana Cultivation Facility<br/> 8535 Dimond D Circle, Unit C<br/> Anchorage, AK 99515<br/> Municipality of Anchorage<br/> <b>Three notices of violation regarding odor complaints – response received.</b></p>  | <p><b><u>TAB 54</u></b></p> |
| <p><b>12. License #10163</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Government:<br/> <b>For Consideration:</b></p> | <p><b>The 420</b><br/> Susan J Burrell<br/> Retail Marijuana Store<br/> 307 N. Nordic Drive<br/> Petersburg, AK 99833<br/> Petersburg Borough<br/> <b>Notice of violation regarding omitting the warning statements from an advertisement – response received.</b></p>  | <p><b><u>TAB 55</u></b></p> |
| <p><b>13. License #10165</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Government:<br/> <b>For Consideration:</b></p> | <p><b>Good LLC</b><br/> Good LLC<br/> Marijuana Product Manufacturing Facility<br/> 1949 Frank Avenue<br/> Fairbanks, AK 99701<br/> Fairbanks North Star Borough<br/> <b>Notice of violation regarding transportation of marijuana products and packaging – no response received.</b></p>   | <p><b><u>TAB 56</u></b></p> |
| <p><b>14. License #10166</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Government:<br/> <b>For Consideration:</b></p> | <p><b>Good LLC</b><br/> Good LLC<br/> Standard Marijuana Cultivation Facility<br/> 1949 Frank Avenue<br/> Fairbanks, AK 99701<br/> Fairbanks North Star Borough<br/> <b>Notice of violation regarding an odor complaint – no response received; notice of violation regarding an error made when manifesting a transport in METRC (self-reported) – no response received.</b></p> | <p><b><u>TAB 57</u></b></p> |
| <p><b>15. License #10174</b><br/> Licensee:<br/> License Type:<br/> Premises Address:<br/><br/> Local Government:<br/> <b>For Consideration:</b></p> | <p><b>Parallel 64 LLC</b><br/> Parallel 64 LLC<br/> Standard Marijuana Cultivation Facility<br/> 2128 N Post Road<br/> Anchorage, AK 99504<br/> Municipality of Anchorage<br/> <b>Notice of violation regarding transport of marijuana in checked baggage on an airplane and labeling of package – response received.</b></p>   | <p><b><u>TAB 58</u></b></p> |

<p><b>16. License #10201</b>  Licensee:  License Type:  Premises Address:   Local Government:  <b>For Consideration:</b></p>	<p><b>Happy Cannabis</b>  Kelsey J Martinsen; Sarinee Nuamnui  Standard Marijuana Cultivation Facility  225 South Front Street  Wrangell, AK 99929  City and Borough of Wrangell  <b>Two notices of violation regarding delinquency of marijuana excise tax liability – response received with renewal.</b></p>	<p><b><u>TAB 59</u></b></p>
<p><b>17. License #10236</b>  Licensee:  License Type:  Premises Address:   Local Government:  <b>For Consideration:</b></p>	<p><b>Cannabaska</b>  AlaskaSense, LLC  Retail Marijuana Store  521 W. Tudor Road, Unit 201  Anchorage, AK 99503  Municipality of Anchorage  <b>Notice of violation regarding improper METRC tracking – no response received; notice of violation regarding selling untested marijuana to the public (self-reported) – response received.</b></p>	<p><b><u>TAB 60</u></b></p>
<p><b>18. License #10237</b>  Licensee:  License Type:  Premises Address:   Local Government:  <b>For Consideration:</b></p>	<p><b>AlaskaSense, LLC</b>  AlaskaSense, LLC  Standard Marijuana Cultivation Facility  521 W. Tudor Road, Unit 202  Anchorage, AK 99503  Municipality of Anchorage  <b>Notice of violation regarding transfer of untested marijuana to a retail store (self-reported) – response received; two notices of violation regarding METRC errors – no response received; three notices of violation regarding odor complaints – no response received.</b></p>	<p><b><u>TAB 61</u></b></p>
<p><b>19. License #10248</b>  Licensee:  License Type:  Premises Address:   Local Government:  <b>For Consideration:</b></p>	<p><b>Isidore</b>  Isidore, LLC  Standard Marijuana Cultivation Facility  5200 A Street, Suite 100  Anchorage, AK 99518  Municipality of Anchorage  <b>Notice of violation regarding an unapproved transfer of controlling interest in the license – response received.</b></p>	<p><b><u>TAB 62</u></b></p>
<p><b>20. License #10299:</b>  Licensee:  License Type:  Premises Address:   Local Government:</p>	<p><b>R.C. Tinderbox, LLC</b>  R.C. Tinderbox, LLC  Standard Marijuana Cultivation Facility  7801 King Street  Anchorage, AK 99518  Municipality of Anchorage</p>	<p><b><u>TAB 63</u></b></p>

**For Consideration:** **Two notices of violation regarding delinquency of marijuana excise tax liability – response received.**

**21. License #10302** **The House of Green** **TAB 64**  
Licensee: BAM Greeneries, Inc.  
License Type: Retail Marijuana Store  
Premises Address: 3105 Minnesota Drive, Upper Level  
Anchorage, AK 99503  
Local Government: Municipality of Anchorage  
**For Consideration:** **Notice of violation regarding the marijuana inventory tracking system – response received.**

**22. License #10308** **Greendreams Cultivation** **TAB 65**  
Licensee: Birchie J Walter; Tammy L Walter; Steve Baskin  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 680 Winch Road  
Fairbanks, AK 99712  
Local Government: Fairbanks North Star Borough  
**For Consideration:** **Notice of violation regarding delinquency of marijuana excise tax liability – response received.**

**23. License #10314** **Alaskan Blooms, LLC** **TAB 66**  
Licensee: Alaskan Blooms, LLC  
License Type: Retail Marijuana Store  
Premises Address: 2443 Arvilla Street  
Fairbanks, AK 99709  
Local Government: Fairbanks North Star Borough  
**For Consideration:** **Residency pending.**  
**Notice of violation regarding an advertisement about selling marijuana or marijuana product in a quantity exceeding the daily limit – response received.**

*Applicant states that this NOV was addressed at the July meeting and the NOV was why the board discussed the totals allowed. Essentially the NOV was dismissed because a gray area was created by the language. The licensee responded and the matter was addressed at the July meeting.*

*Loren Jones states that he assumes that this is a retail, and that the delinquent taxes for the other license, and asks for more information on the taxes.*

*Karen Lowery is present via phone. She states that they have satisfied a payment plan and are current on the matter.*

***Bruce Schulte moves to approve with delegation.***

***Loren Jones seconds the motion.***

***None opposed, motion carries.***

- |                           |   |                      |
|---------------------------|---|----------------------|
| <b>24. License #10481</b> | <b>Goldhill Gardens</b>   | <b><u>TAB 67</u></b> |
| Licensee:                 | Robert M Mikol  |                      |
| License Type:             | Standard Marijuana Cultivation Facility   |                      |
| Premises Address:         | 2941 "C" Goldhill Road<br>Fairbanks, AK 99709   |                      |
| Local Government:         | Fairbanks North Star Borough  |                      |
| <b>For Consideration:</b> | <b>Notice of violation regarding delinquency of marijuana excise tax liability – response received with renewal.</b>  |                      |
|                           |   |                      |
| <b>25. License #10592</b> | <b>Alaska Cannabis Cultivators</b>  | <b><u>TAB 68</u></b> |
| Licensee:                 | Branden Roybal  |                      |
| License Type:             | Standard Marijuana Cultivation Facility   |                      |
| Premises Address:         | 3665 Worrell Avenue<br>Fairbanks, AK 99701  |                      |
| Local Government:         | Fairbanks North Star Borough  |                      |
| <b>For Consideration:</b> | <b>Two notices of violation regarding delinquency of marijuana excise tax liability – no response received; one notice of violation regarding transportation – response received.</b> |                      |
|                           |   |                      |
| <b>26. License #10671</b> | <b>Alaska Cannabis Exchange, LLC</b>  | <b><u>TAB 69</u></b> |
| Licensee:                 | Alaska Cannabis Exchange, LLC   |                      |
| License Type:             | Standard Marijuana Cultivation Facility   |                      |
| Premises Address:         | 1805 & 1807 West 47 <sup>th</sup> Avenue<br>Anchorage, AK 99503   |                      |
| Local Government:         | Municipality of Anchorage   |                      |
| <b>For Consideration:</b> | <b>Three notices of violation regarding odor complaints – response received; one notice of violation regarding delinquency of marijuana excise tax liability.</b>                     |                      |

*Aaron Ralph is present via phone and answers board questions regarding the complaints. He states that the carbon being used requires a learning curve, and explains that the odor complaints occur during harvest time and that they don't always smell the odor before the NOV is issued but that they do try to replace filters if it gets smelly. The applicant has been working to try to determine which type of filter is more useful. He discusses the taxes and states that he has only been delinquent on taxes based on an error that was made and he's only owed approximately \$210 in taxes. He discusses the amount of tax liability being a consideration.*

*Bruce Schulte states that these filters can be really effective until they are not. He asks if there is now a schedule for filter replacement.*

*The applicant states that he does but that the factors can change substantially and filters can be okay for 4-6 months.*

***Bruce Schulte moves to approve with delegation.***

***Loren Jones seconds the motion.***

***None opposed, motion carries.***

<b>27. License #10747:</b>	<b>Great Northern Cultivation, Inc.</b>	<b><u>TAB 70</u></b>
Licensee:	Great Northern Cultivation, Inc.	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	2341 Cinnabar Loop Anchorage, AK 99507	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Notice of violation regarding odor complaints – response received.</b>	
<b>28. License #10799</b>	<b>Calm N Collective</b>	<b><u>TAB 71</u></b>
Licensee:	Calm N Collective LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	13886 W. Parks Highway Houston, AK 99694-0085	
Local Government:	City of Houston, Matanuska Susitna Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received; notice of violation regarding discrepancies in METRC plant count vs. what was on site and an employee not having a handler permit in their possession – response received; notice of violation regarding health and safety standards – response received.</b>	
<b>29. License #10856</b>	<b>Raspberry Roots, LLC</b>	<b><u>TAB 72</u></b>
Licensee:	Raspberry Roots	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	501 Raspberry Road, Suite 102 Anchorage, AK 99501	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Notice of violation regarding unauthorized virtual transfers in METRC (self-reported) – response received.</b>	

*Loren Jones asks if this is the issue that was dealt with on Tab 26. (It is not)  
Jana Weltzin, counsel is present.*

*Mark Springer discusses the virtual transfer issue with the Director.*

*Jana Weltzin points out that this was a self-reported violation.*

*Bruce Schulte asks about what actually happened.*

*Erika McConnell states that product was transferred with the wrong unit of measurement, therefore they had to retransfer and that METRC should match what actually happened. The board discusses what happened and what should have happened and what occurred.*

*Erika McConnell clarifies to Bruce Schulte that the statute discusses what type of license can transfer product. She explains the “backflow” necessity and how it’s used.*

***Loren Jones moves to approve with delegation.***



**Bruce Schulte seconds the motion.  
None opposed, motion carries.**

- |  |  |                      |
|--|--|----------------------|
| <b>30. License #10865</b><br>Licensee:<br>License Type:<br>Premises Address:<br><br>Local Government:<br><b>For Consideration:</b> | <b>AK Rime</b><br>AK Rime, LLC<br>Marijuana Product Manufacturing Facility<br>5200 A Street, Suite 101<br>Anchorage, AK 99518<br>Municipality of Anchorage<br><b>Notice of violation regarding an unapproved transfer of controlling interest of the license – response received.</b>  | <b><u>TAB 73</u></b> |
| <b>31. License #10866</b><br>Licensee:<br>License Type:<br>Premises Address:<br><br>Local Government:<br><b>For Consideration:</b> | <b>AK Frost</b><br>AK Frost, LLC<br>Retail Marijuana Store<br>5200 A Street, Suite 102<br>Anchorage, AK 99518<br>Municipality of Anchorage<br><b>Notice of violation regarding an unapproved transfer of controlling interest of the license – response received.</b>  | <b><u>TAB 74</u></b> |
| <b>32. License #10873</b><br>Licensee:<br>License Type:<br>Premises Address:<br><br>Local Government:<br><b>For Consideration:</b> | <b>The Stoney Moose</b><br>E & M Holdings, LLC<br>Retail Marijuana Store<br>127 Stedman Street<br>Ketchikan, AK 99901<br>City of Ketchikan, Ketchikan Gateway Borough<br><b>Two notices of violation regarding METRC errors (one self-reported) – one response received; one notice of violation regarding advertising (self-reported) – response received with renewal.</b> | <b><u>TAB 75</u></b> |
| <b>33. License #10883</b><br>Licensee:<br>License Type:<br>Premises Address:<br><br>Local Government:<br><b>For Consideration:</b> | <b>Rainforest Cannabis</b><br>Gary Croy; Lorraine Kolanko; Jason Kolanko<br>Retail Marijuana Store<br>726 Water Street<br>Ketchikan, AK 99901<br>City of Ketchikan, Ketchikan Gateway Borough<br><b>Notice of violation regarding a package of marijuana not being tracked in METRC during transfer – response received.</b>   | <b><u>TAB 76</u></b> |
| <b>34. License #10958</b><br>Licensee:<br>License Type:<br>Premises Address:<br><br>Local Government:                              | <b>Green Life Supply LLC</b><br>Green Life Supply, LLC<br>Standard Marijuana Cultivation Facility<br>511 30 <sup>th</sup> Avenue<br>Fairbanks, AK 99701<br>City of Fairbanks, Fairbanks North Star Borough   | <b><u>TAB 77</u></b> |

<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received.</b>	
<b>35. License #10959</b>	<b>Green Go, LLC</b>	<b><u>TAB 78</u></b>
Licensee:	Green Go, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	101 Post Road Anchorage, AK 99501	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Three notices of violation regarding odor complaints – two responses received.</b>	
<b>36. License #10975</b>	<b>Satori</b>	<b><u>TAB 79</u></b>
Licensee:	Baker Industries, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	221 East 5 <sup>th</sup> Avenue Anchorage, AK 99501	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Residency pending. Notice of violation regarding licensed premises alternation – response received; notice of violation regarding failure to check ID – response received.</b>	
<b>37. License #11031</b>	<b>Green Degree</b>	<b><u>TAB 80</u></b>
Licensee:	Kerby’s Corporation	
License Type:	Retail Marijuana Store	
Premises Address:	2301 South Knik-Goose Bay Road #1B Wasilla, AK 99654	
Local Government:	Matanuska-Susitna Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding advertisement of marijuana on social media without required warnings – response received.</b>	
<b>38. License #11138</b>	<b>Fat Tops, LLC</b>	<b><u>TAB 81</u></b>
Licensee:	Fat Tops, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	36380 Murray Lane Soldotna, AK 99669	
Local Government:	Kenai Peninsula Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received.</b>	
<b>39. License #11140</b>	<b>Fat Tops, LLC</b>	<b><u>TAB 82</u></b>
Licensee:	Fat Tops, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	36380 Murray Lane Soldotna, AK 99669	
Local Government:	Kenai Peninsula Borough	

**For Consideration:** **Two notices of violation regarding the license and restricted access area signs not posted, and the marijuana inventory tracking system – response received.**

- 40. License #11303** **Hollyweed 907** **TAB 83**  
Licensee: YNY Investment LLC  
License Type: Retail Marijuana Store  
Premises Address: 2429 E. 88<sup>th</sup> Avenue  
Anchorage, AK 99507  
Local Government: Municipality of Anchorage  
**For Consideration:** **Notice of violation regarding marijuana samples, quality control sampling – response received.**
- 41. License #11413** **Denali Dispensaries, LLC** **TAB 84**  
Licensee: Denali Dispensaries, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 4603 Pittman Road  
Wasilla, AK 99623  
Local Government: Matanuska-Susitna Borough  
**For Consideration:** **Notice of violation regarding odor complaints – response received.**
- 42. License #11488** **Alaska Tasty Cannabis, LLC** **TAB 85**  
Licensee: Alaska Tasty Cannabis, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 2397 Tamara Avenue  
Fairbanks, AK 99701  
Local Government: Fairbanks North Star Borough  
**For Consideration:** **Notice of violation regarding delinquency of marijuana excise tax liability – response received.**
- 43. License #11519** **Permafrost Distributors** **TAB 86**  
Licensee: Chase R Griffith  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 32630 June Drive  
Sterling, AK 99672  
Local Government: Kenai Peninsula Borough  
**For Consideration:** **Two notices of violation regarding delinquency of marijuana excise tax liability – no response received.**

Considered above with Tab 53 (10147).

- 44. License #11605** **Stoned Salmon Farms** **TAB 87**  
Licensee: Always Redeye, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 2005 Anka Street  
Juneau, AK 99801  
Local Government: City and Borough of Juneau

<b>For Consideration:</b>	<b>Two notices of violation regarding delinquency of marijuana excise tax liability – no response received.</b>	
<b>45. License #11611</b>	<b>Kushtopia</b>	<b><u>TAB 88</u></b>
Licensee:	Prestige Worldwide Management, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	1044 South Old Glenn Highway Palmer, AK 99645	
Local Government:	Matanuska-Susitna Borough	
<b>For Consideration:</b>	<b>Residency pending.</b> <b>Two notices of violation regarding delinquency of marijuana excise tax liability – response received.</b>	
<b>46. License #11614</b>	<b>AK Joint</b>	<b><u>TAB 89</u></b>
Licensee:	Alaska Joint Ventures, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	7801 Schoon Street, Unit F	
Local Government:	Municipality of Anchorage	
<b>For Consideration:</b>	<b>Notice of violation regarding improper transfer of marijuana products – response received.</b>	
<b>47. License #11617</b>	<b>Alaska Jane</b>	<b><u>TAB 90</u></b>
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	
<b>For Consideration:</b>	<b>Notice of violation regarding METRC entry – response received with renewal.</b>	
<b>48. License #11927</b>	<b>Green Life Supply LLC</b>	<b><u>TAB 91</u></b>
Licensee:	Green Life Supply, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	511 30 <sup>th</sup> Avenue Fairbanks, AK 99701	
Local Government:	City of Fairbanks, Fairbanks North Star Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding an issue with POS software not accurately reporting data to METRC (self-reported) – no response received.</b>	
<b>49. License #11957</b>	<b>Last Frontier Joint Operations LLC</b>	<b><u>TAB 92</u></b>
Licensee:	Last Frontier Joint Operations LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	7180 Revilla Road, Suite 101	
Local Government:	Ketchikan Gateway Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received.</b>	

<b>50. License #12022</b>	<b>Green Degree</b>	<b><u>TAB 93</u></b>
Licensee:	Hempire Corp.	
License Type:	Limited Marijuana Cultivation Facility	
Premises Address:	3361 W Machen Road (The Garage) Wasilla, AK 99623	
Local Government:	Matanuska-Susitna Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received.</b>	
<b>51. License #12303</b>	<b>Peninsula Botanicals</b>	<b><u>TAB 94</u></b>
Licensee:	Peninsula Botanicals, LLC	
License Type:	Limited Marijuana Cultivation Facility	
Premises Address:	1030 Angler Drive, Unit B Kenai, AK 99611	
Local Governments:	City of Kenai, Kenai Peninsula Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding waste disposal – response received.</b>	
<b>52. License #12448</b>	<b>Will's World</b>	<b><u>TAB 95</u></b>
Licensee:	Will's World, LLC	
License Type:	Limited Marijuana Cultivation Facility	
Premises Address:	12151 E. Palmer-Wasilla Hwy, Unit 1C Palmer, AK 99645	
Local Government:	Matanuska-Susitna Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding an odor complaint – response received.</b>	

*Jana Weltzin counsel is present in person and discusses the property taxes, the landlord per the lease is responsible for the payment of property taxes. Arrangements are being made for payment.*

*Erika McConnell discusses the possible problems with approving this renewal with delegation. It's possible this delegation is not resolved.*

***Mark Springer clarifies it would to be approve with delegation (will need to go back before the board if the Matanuska-Susitna Borough Protest is not lifted by the next meeting).***

***Loren Jones so moves.***

***Bruce Schulte seconds the motion.***

***None opposed, motion carries.***

<b>53. License #12618</b>	<b>Alaskan Cannabis Company</b>	<b><u>TAB 96</u></b>
Licensee:	Hempco, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	43280 Kenai Spur Highway, Units A, B, C, & D Nikiski, AK 99635	
Local Government:	Kenai Peninsula Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding delinquency of marijuana excise tax liability – response received with renewal.</b>	

- 54. License #12805** **Sunrise Gardens** **TAB 97**  
 Licensee: Purple Quail LLC  
 License Type: Limited Marijuana Cultivation Facility  
 Premises Address: 14017 West Sunrise Drive  
 Big Lake, AK 99652  
 Local Government: Matanuska-Susitna Borough  
**For Consideration: Notice of violation regarding delinquency of marijuana excise tax liability – response received.**
- 55. License #12808** **Tundra Jane** **TAB 98**  
 Licensee: ACF Ventures, Inc.  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 2429 E. 88<sup>th</sup> Avenue, Suite 300  
 Anchorage, AK 99507  
 Local Government: Municipality of Anchorage  
**For Consideration: Notice of violation regarding waste disposal – response received with renewal.**
- 56. License #12872** **Greenstar, Inc.** **TAB 99**  
 Licensee: Greenstar, Inc.  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 54843 Kenai Spur Highway  
 Nikiski, AK 99635-9999  
 Local Government: Kenai Peninsula Borough  
**For Consideration: Two notices of violation regarding delinquency of marijuana excise tax liability – response received.**
- 57. License #13217** **Glacier Valley Shop** **TAB 100**  
 Licensee: ForgetMeNot Enterprises, Inc.  
 License Type: Retail Marijuana Store  
 Premises Address: 8505 Old Dairy Road, Suite 1  
 Juneau, AK 99801  
 Local Government: City and Borough of Juneau  
**For Consideration: Notice of violation regarding marijuana samples, quality control sampling – response received.**
- 58. License #13221** **Green Valley Enterprises** **TAB 101**  
 Licensee: ForgetMeNot Enterprises, Inc.  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 8505 Old Dairy Road, Suite 2  
 Juneau, AK 99801  
 Local Government: City and Borough of Juneau  
**For Consideration: Two notices of violation regarding delinquency of marijuana excise tax liability – response received with renewal.**
- 59. License #13257** **Alaska Growth** **TAB 102**  
 Licensee: Alaska Growth, LLC

License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	49787 Island Lake Road Nikiski, AK 99635	
Local Government:	Kenai Peninsula Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding introduction of seeds without prior approval – response received.</b>	
<b>60. License #13374</b>	<b>Knik Glacier Gardens</b>	<b><u>TAB 103</u></b>
Licensee:	Knik Gardens, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	25930 E. Knik River Road Palmer, AK 99645	
Local Government:	Matanuska-Susitna Borough	
<b>For Consideration:</b>	<b>Two notices of violation regarding delinquency of marijuana excise tax liability – response received with renewal.</b>	
<b>61. License #13487</b>	<b>The Connoisseur</b>	<b><u>TAB 104</u></b>
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	
<b>For Consideration:</b>	<b>Notice of violation regarding transfer of a marijuana package exceeding five pounds – response received.</b>	
<b>62. License #13577</b>	<b>Fiberflite</b>	<b><u>TAB 105</u></b>
Licensee:	Darren H Phillips	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	120 Jarvis Street, Unit C Sitka, AK 99835	
Local Government:	City and Borough of Sitka	
<b>For Consideration:</b>	<b>Two notices of violation regarding delinquency of marijuana excise tax liability – response received with renewal.</b>	
<b>63. License #13697</b>	<b>Wakin Bakery</b>	<b><u>TAB 106</u></b>
Licensee:	SFA, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	218 Kelly Drive Ketchikan, AK 99901	
Local Government:	Ketchikan Gateway Borough	
<b>For Consideration:</b>	<b>Two notices of violation regarding the marijuana inventory tracking system, required laboratory testing, and transportation – response received.</b>	
<b>64. License #13949</b>	<b>Grass Station 49</b>	<b><u>TAB 107</u></b>
Licensee:	The Grass Station, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	3505 Airport Way, Suite A	

Local Governments: Fairbanks, AK 99709  
**For Consideration:** City of Fairbanks, Fairbanks North Star Borough  
**Notice of violation regarding transportation – response received.**

**65. License #14073** **Black Bear Nursery** **TAB 108**  
Licensee: Black Bear Enterprises, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 6209 Mike Street, Unit 2C  
Anchorage, AK 99518  
Local Government: Municipality of Anchorage  
**For Consideration:** **Notice of violation regarding an odor complaint – response received.**

**66. License #14581** **AK Best Buds LLC** **TAB 109**  
Licensee: AK Best Buds LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 9551 S Starlight Lane  
Wasilla, AK 99623  
Local Government: Matanuska-Susitna Borough  
**For Consideration:** **Notice of violation regarding delinquency of marijuana excise tax liability – response received.**

**67. License #14736** **The Happy Harvest Company, LLC** **TAB 110**  
Licensee: The Happy Harvest Company, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 2301 South Knik-Goose Bay Road #2  
Wasilla, AK 99654  
Local Government: Matanuska-Susitna Borough  
**For Consideration:** **Two notices of violation regarding an odor complaint and delinquency of marijuana excise tax liability – response received.**

*Charles Oman is present via phone. He answers board questions regarding odor complaints and tax liability (paid).*

***Loren Jones moves to approve the renewal with delegation.***

***Bruce Schulte seconds the motion.***

***None opposed, motion carries.***

**68. License #15594** **Cold Creek Extracts** **TAB 111**  
Licensee: Cold Creek Extracts LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 7801 Schoon Street, Unit L & M  
Anchorage, AK 99518  
Local Government: Municipality of Anchorage



**For Consideration:** Notice of violation received for waste disposal, six notices of violation regarding METRC errors (some self-reported) – responses received.

**69. License #16213** **Alaskan Kush Company** **TAB 112**

Licensee: Alaskan Kush Company LLC  
License Type: Retail Marijuana Store  
Premises Address: 159 S Franklin Street  
Local Government: City and Borough of Juneau

**For Consideration:** Notice of violation regarding transfer not being accepted in a timely manner (self-reported) – no response received.

**70. License #17692** **Mr. Happy Farms LLC** **TAB 113**

Licensee: Mr. Happy Farms LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 3900 N. Sierra Street  
Wasilla, AK 99654  
Local Government: Matanuska-Susitna Borough

**For Consideration:** Notice of violation regarding odor complaints – response received.  
North Lakes Community Council objects to license renewal due to the establishment’s proximity to an elementary school.  
Objections and comments received.

*Erika McConnell states that the comments and objections are in the file.*

*Jana Weltzin, counsel, states that the letter of response wasn’t done in time to make it to the packet but she provides copies to the board.*

*Mark Springer asks if this was considered recently (it was at the July meeting).*

*Bruce Schulte and Erika McConnell discuss the confirmation that the lots abut each other. Technically the separation is only 60 feet from the lot line. However, it all comes down to how the shortest pedestrian route is considered. This created a regulations project headed by Loren Jones, Nick Miller, and Erika McConnell; they are still working on the project.*

*Jana Weltzin explains the NOV for odor.*

*Matthew Shelton is present via phone and answers board questions regarding when the odor complaint occurred and what he has done to resolve the NOV.*

*Sam Hansen, board member of North Lakes Community Council, is present via phone. She discusses her objections, provides information from the Borough, and references that it’s the distance to the school lot line that should be considered.*

*Bruce Schulte asks if one or both of these properties are in the Matanuska-Susitna Borough (both) and asks about the distance between the physical structures.*

*Jana Weltzin summarizes the argument that the property between the two is not a practical pedestrian route due to brush and trees present.*

*Bruce Schulte discusses the aerial photo and the distance between the establishment and cul-de-sac.*

*Loren Jones discusses how the boundaries and distances are calculated. He points out that currently it is to the boundary of the school property not the front door.*

*Bruce Schulte states that the regulation states that it's the pedestrian route and the woods are not a 'pedestrian' route. He finds the applicant not to have been dishonest in his application.*

*Mark Springer discusses for the record that a couple of the objections/comments are anonymous and reads some of them.*

*Jana Weltzin points out that there have been no police calls regarding the matters discussed.*

*Matthew Shelton discusses that the stolen car was random and had just slid into the driveway. He states that it was not related to the facility.*

*An additional commenter states that the car was driven to the lot and then the perpetrator ran into the woods. She asserts that the theft ring is related to the area and references an aggressive Facebook page that the licensee is part of. She discusses that neighbors are afraid of this licensee.*

*Board and counsel discuss that the theft ring has been caught.*

*Christopher Jaime states that he voted no for this licensee, the regulations speak for themselves and it should be a no.*

*Jana Weltzin discusses the "pedestrian route" issue with the board.*

*Melody McCullah testifies via phone and states that she supports the business. The school route is only by road, and most parents drive their children because they are out of the zone. She has never experienced odor and she thinks the license should be allowed. The objectors are 'busy bodies'. She states that there is a big fence around the playground.*

*Bruce Schulte asks about the fence and asks if it's possible to walk to the school grounds through the woods.*

*Melody McCullah states that it is not possible. The only entrance is from Wasilla-Fishhook road.*

*Christopher Jaime states that fences mean nothing.*

*Caleb Sanders, provides comment in person. He states that the rules being made are "as a crow flies" and "pedestrian route". He discusses the meaning of a "pedestrian route".*

*Mark Springer states that this licensee was discussed in July and he asks for motion.*

Bruce Schulte leaves the room.

Break is called at 11:00 am.

Meeting resumes 11:10 am.

***Bruce Schulte moves to approve with delegation.  
Nick Miller seconds the motion.***

*Bruce Schulte states that there has been lots of testimony in this matter but that he is looking at the current regulation that defines the measurement as the “shortest pedestrian route”. He feels that this property meets the requirement. He addresses risk to youth and states that the playground appears to be fenced off and he believes that he does not see a rational basis for denying this renewal based on an overly restrictive interpretation of the rules.*

*Mark Springer states that when the license was first approved in December 2018 the license passed unanimously.*

*Erika McConnell clarifies that no one was aware of the location situation in December.*

*Mark Springer states that “School Ground” and Pedestrian Route matters are under discussion. He finds breaking a trail impedes this access being a pedestrian route. He gives very little weight to anonymous comments.*

*Nick Miller states that lots was done in July and the fact that the past measurements having been done show the distance is over 500 feet and he will support renewal.*

***Nick Miller, Bruce Schulte, and Mark Springer vote yes, Loren Jones and Christopher Jaime vote no.  
Motion carries 3-2.***

<b>71. License #20113:</b>	<b>High Rise, LLC</b>	<b><u>TAB 114</u></b>
Licensee:	High Rise, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	104 Center Avenue, Suite 102 Kodiak, AK 99615	
Local Governments:	City of Kodiak, Kodiak Island Borough	
<b>For Consideration:</b>	<b>Notice of violation regarding the marijuana inventory tracking system – response received with renewal. City of Kodiak approves renewal with the condition that prohibits the sale of edible products.</b>	

*Jana Weltzin counsel is present and Jack Schactl is present via phone. He answers board questions regarding the NOV.*

*Erika McConnell clarifies that the condition just needs to be carried through the renewal.*

***Bruce Schulte moves to approve with delegation and City of Kodiak conditions.  
Nick Miller seconds the motion.***

**None opposed, motion carries.**

*Mark Springer asks for the licensees that were no previously present again at this time, Denali Herb Company is present at this time and is considered*

<b>License #14706:</b>	<b>Denali Herb Company</b>
Licensee:	DHC, LLC
Premises Address:	1328 E Fairview Loop Road, Suite A Wasilla, AK 99654
Approved by MCB:	May 7, 2018
<b>Pending:</b>	<b>Fire Marshal approval.</b>
Before MCB:	July 10, 2019 – building still under construction; board requested September update

*Greg Stigen, Denali Herb Company, discusses the status of this application and states that they anticipate being inspected by the first of the year.*

*Mark Springer asks for update in November.*

*No additional missing entities are present at this time.*

**C. EXECUTIVE SESSION UNDER 44.62.310(c)(2)**

**11:25 am**

*Mark Springer states that the board will go into executive session, vote and then take lunch.*

*Erika McConnell states that these are 5 licensees with Criminal or Civil violations on their renewal applications. She states that the persons may allow public discussions. She asks if the board wishes to speak to each person and she clarifies that each person should be allowed to have the discussion on the record if they so choose.*

*Loren Jones states that he has no specific questions except that on Tab 119 (16006) there was an ownership transfer of this license. He has no objection to renewal on any except for Fairbanks Analytical (Tab 117 License #15124) that should be discussed in executive session.*

**Nick Miller moves to approve tabs 115 (11649), 116 (12062), 118 (15916), & 119(16006).**

**Loren Jones seconds the motion.**

**None opposed, motion carries.**

*Mark Springer states that for 15124 the board will call the individual to see if they wish to be considered under executive session or public discussion.*

<b>1. License #11649</b>	<b>K Beach Reef</b>	<b><u>TAB 115</u></b>
Licensee:	Ryan K Hall	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	42106 Kalifornsky Beach Road Soldotna, AK 99669	
Local Governments:	Kenai Peninsula Borough	

- |                           |   |                       |
|---------------------------|---|-----------------------|
| <b>2. License #12062</b>  | <b>Matanuska Medicine Woman, LLC</b>  | <b><u>TAB 116</u></b> |
| Licensee:                 | Matanuska Medicine Woman, LLC   |                       |
| License Type:             | Limited Marijuana Cultivation Facility  |                       |
| Premises Address:         | 13840 West Shangrila Avenue, Unit #1<br>Wasilla, AK 99623   |                       |
| Local Government:         | Matanuska-Susitna Borough   |                       |
| <b>For Consideration:</b> | <b>Notice of violation regarding a change of ownership without prior approval – response received with renewal.</b> |                       |
- 
- |                          |  |                       |
|--------------------------|--|-----------------------|
| <b>3. License #15124</b> | <b>Fairbanks Analytical Testing, LLC</b>           | <b><u>TAB 117</u></b> |
| Licensee:                | Fairbanks Analytical Testing, LLC                  |                       |
| License Type:            | Marijuana Testing Facility                         |                       |
| Premises Address:        | 1521 Stacia Street, Suite A<br>Fairbanks, AK 99701 |                       |
| Local Governments:       | City of Fairbanks, Fairbanks North Star Borough    |                       |

*Erika McConnell calls the individual in question and the individual states that they wish this matter to be considered under executive session.*

***Loren Jones moves to go into executive session.***

***Nick Miller seconds the motion.***

***None opposed, motion carries.***

Board enters executive session at 11:30 am.

Board exits executive session at 11:37 am.

***Bruce Schulte moves to leave executive session.***

***Loren Jones seconds the motion.***

***None opposed, motion carries.***

*Mark Springer asks Harriet Milks about there being a problem with renewing a suspended license.*

*Harriet Milks states that the board could move forward and renew this license.*

***Loren Jones moves to approve the renewal of license 15124.***

***Bruce Schulte seconds the motion.***

*Christopher Jaime states, related to the suspension, that they did receive correspondence regarding the response and Steve Crupi having reviewed the response.*

***Nick Miller, Bruce Schulte, Loren Jones and Mark Springer vote yes, and Christopher Jaime votes no.***

***Motion carries 4-1.***

- |                          |                              |                       |
|--------------------------|------------------------------|-----------------------|
| <b>4. License #15916</b> | <b>K Beach Reef</b>          | <b><u>TAB 118</u></b> |
| Licensee:                | Ryan K Hall                  |                       |
| License Type:            | Retail Marijuana Store       |                       |
| Premises Address:        | 42106 Kalifornsky Beach Road |                       |

Local Governments: Soldotna, AK 99669  
Kenai Peninsula Borough  
**For Consideration: Notice of violation regarding transportation – response received.**

**5. License #16006 Arctic Bakery, LLC TAB 119**  
Licensee: Arctic Bakery, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 1409 Well Street  
Fairbanks, AK 99701-2822  
Local Governments: City of Fairbanks, Fairbanks North Star Borough

Lunch is called at 11:39 am.  
Meeting resumes at 1:03 pm.

● **OPERATING PLAN CHANGES** **1:04 pm**

**A. License #10856: Raspberry Roots TAB 120**  
Licensee: Raspberry Roots, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 501 Raspberry Road, Suite 102  
Anchorage, AK 99501  
Local Government: Municipality of Anchorage

*Jana Weltzin, counsel, summarizes the change requested that updates the product “Canamo Capsules” potencies to add different packaging options.*

*Erika McConnell and Jana Weltzin clarify that the “and/or” or equivalent is referring to the capsule itself (non-THC ingredient) and any approved form of cannabis concentrate.*

*Mark Springer states he is not concerned about the capsule.*

*Bruce Schulte asks if the description of the capsules and contents are unchanged.*

*Jana Weltzin states that the only change is that there are 3 mg options beside the amount per package.*

*Mark Springer asks about the 5 and 3 mg difference of THC in a capsule being difficult to produce.*

*Jana Weltzin states that all capsules will be tested.*

**Bruce Schulte moves to approve the operating plan change.**

**Nick Miller seconds the motion.**

**None opposed, motion carries.**

**B. License #10886: Good Titrations TAB 121**  
Licensee: FSE, Inc.  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 1770 Donald Avenue, Suite B

Local Government: Fairbanks, AK 99701  
Fairbanks North Star Borough

*Jana Weltzin, counsel, summarizes the changes requested and discusses the “and/or” regarding vape oil vs distilled oil. The addition of MCT oil as a carrier is requested.*

*Loren Jones states that he wished to talk with Brandon Emmett about the vaping additives discussion that has recently arisen. He doesn’t see anything about vitamin E but he asks what a food grade terpene is.*

*Jana Weltzin states that her understanding is that a food grade terpene is a naturally derived terpene derived from bananas or strawberries.*

*Erika McConnell discuss that there are two processes under one product and she finds this to be two products.*

*Mark Springer states that if it’s the intention to sell distillate cannabis oil and non-distillate cannabis oil as discrete products it should be two products. However if it’s a matter of the cartridges being the same marketing they could allow it to be one product.*

*Jana Weltzin confirms that it is labeled separately.*

***Bruce Schulte moves to approve with delegation including submission of separate products. Nick Miller seconds the motion.***

*Jana Weltzin states that this has been previously approved as a single product.*

*Bruce Schulte asks if this entire thing was approved with the language. He asks why it is being seen again.*

*Erika McConnell discusses that “Cannabis Oil for Vaporization” was submitted and a change was submitted for non-distillate and distillate options. She sees this as different processes and different products.*

*Jana Weltzin states that this was brought forward to clarify, the language was approved in May but she offers to have two separate options and Erika McConnell can approve.*

***None opposed, motion carries.***

*Loren Jones states that the current product for Cannabis Oil for Vaporization it says cannabis oil and/or distilled cannabis oil. He states that the wording in the new product has changed; usually commas are not ands or ors. **The current language implies that both are in there. He finds this should be addressed in delegation.***

<b>C. License #16006:</b>	<b>Arctic Bakery, LLC</b>	<b><u>TAB 122</u></b>
Licensee:	Arctic Bakery, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	1409 Well Street	
	Fairbanks, AK 99701-2822	
Local Government:	City of Fairbanks. Fairbanks North Star Borough	

*Jana Weltzin counsel is present and states that the products have been reviewed in the course of the transfer already.*

<b>D. License #18493:</b>	<b>Petrichor, LLC</b>	<b><u>TAB 123</u></b>
Licensee:	Petrichor, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	3780 Leasure Street, Unit A Fairbanks, AK 99701	
Local Government:	City of Fairbanks, Fairbanks North Star Borough	

*Applicant, Grant Anderson is present and discusses the requested changes to packaging; for his drink, a child safe bottle doesn't work with carbonation and the child safe exit bag will have a bottle inside of it. He shows the board an example of the bag.*

*Erika McConnell asks if the person doesn't finish the soda will it be put back in the bag (yes).*

*Grant Anderson discusses the reseal-ability of the bottle.*

*Erika McConnell states that the board has required all other beverages to be child resistant.*

*Grant Anderson states that the pressurizing is a concern with the tamper/child resistant caps.*

*Mark Springer states that a bottle of coke is 50 PSI and discusses child resistance with the applicant.*

*Christopher Jaime asks how many designs have been considered (4).*

*Grant Anderson states that there is nothing in the market that would allow child resistant caps for carbonation.*

*Christopher Jaime clarifies that all liquids have been required to be child resistant.*

*Erika McConnell states that to date that is true.*

*Bruce Schulte states that the packaging and labeling regulations do not require the individual packages to be child resistant. He offers that the product is not required to be child resistant, and he finds this proposal consistent with the regulations.*

*Erika McConnell and Mark Springer discuss the requirement of a child-resistant top. (Nothing is in regulation.)*

***Bruce Schulte moves to approve the operating plan change as discussed.***

***Nick Miller seconds the motion.***

***None opposed, motion carries.***

Approval of second MJ-15 is considered below.

<b>E. License #18931:</b>	<b>Matanuska Bud, LLC</b>	<b><u>TAB 124</u></b>
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Licensee: Matanuska Bud, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 5540 N Bonnie Drive (North half of shop building)  
Palmer, AK 99645  
Local Government: Matanuska-Susitna Borough

*James Hole is present via phone and discusses his request with the board.*

***Nick Miller moves to approve the change.***

***Bruce Schulte seconds the motion.***

***None opposed, motion carries.***

**F. License #12536: Will's World TAB 125**  
Licensee: Will's World, LLC  
License Type: Marijuana Concentrate Manufacturing Facility  
Premises Address: 12151 E Palmer-Wasilla Highway, Unit 1C  
Palmer, AK 99645  
Local Government: Matanuska Susitna Borough

*Jana Weltzin Counsel is present in person and summarizes the package option change request.*

***Nick Miller moves to approve the change.***

***Bruce Schulte seconds the motion.***

***None opposed, motion carries.***

**G. License #13221: Green Valley Enterprises TAB 126**  
Licensee: ForgetMeNot Enterprises, Inc.  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 8505 Old Dairy Road, Suite 2  
Juneau, AK 99801  
Local Government: City and Borough of Juneau

*Roland Gray, general manager is present via phone, and he discusses the proposed change.*

***Nick Miller moves to approve the changes.***

***Bruce Schulte seconds the motion.***

***None opposed, motion carries.***

**H. License #13222: Southeast Essentials TAB 127**  
Licensee: ForgetMeNot Enterprises, Inc.  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 8505 Old Dairy Road, Suite 3  
Juneau, AK 99801  
Local Government: City and Borough of Juneau

Roland Gray, general manager, is present via phone, and discusses the proposed change.

**Nick Miller moves to approve the change.**

**Bruce Schulte seconds the motion.**

**None opposed, motion carries.**

● **NEW MARIJUANA PRODUCTS**

1:41 pm

<b>A. License #13839:</b>	<b>Frontier Manufacturing</b>	<b><u>TAB 128</u></b>
Licensee:	Sunnybrook Group, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	38436 S. Malaspina Loop Talkeetna, AK 99676	
Local Government:	Matanuska-Susitna Borough	

*Sibyl Atkins, licensee, is present via phone. She discusses the requested products.*

*Erika McConnell discusses with the board that the “or” reference is to another already approved product not the product at hand.*

**Nick Miller moves to approve new products “Frontier Sour Ganja Gummies” and “Peanut Budder Balls”**

**Bruce Schulte seconds the motion.**

**None opposed, motion carries.**

<b>B. License #18493:</b>	<b>Petrichor, LLC</b>	<b><u>TAB 129</u></b>
Licensee:	Petrichor, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	3780 Leasure Street, Unit A Fairbanks, AK 99701	
Local Government:	City of Fairbanks, Fairbanks North Star Borough	

*Licensee Grant Anderson discusses the products requested.*

*Erika McConnell clarifies that the product “Cannabis Oil” is only used for wholesale or internal use. Also product “Canna Concentrate” is only for internal use.*

*Mark Springer asks about the labeling for their drink products such as “Sol Infused Water” and he asks what the logo label is going to be like.*

*Grant Anderson states that they are cautious about the possibility of children attaining them and the labeling will be clear.*

*Applicant and the board discuss the pop sizes for product “Yeti Infused Ice Pop” and resalable bags; each pop is currently two servings.*

**Mark Springer states that he has trouble with a single pop having two servings. Applicant states that he is willing to reduce the serving size to 5 mg per pop.**

*Grant Anderson states that the process for these means that the onset of effects is within 15 minutes. He offers to have e the same language that is on the outside of the bags on each pop.*

*Mark Springer expresses concern about the child safety and labeling for water as well.*

***Nick Miller moves to approve all 8 requested products with delegation including the reduction of serving size per pop for the pops (reduced to one serving per pop).***

***Bruce Schulte seconds the motion.***

***Mark springer states he expects something like a Mr. Yuck sticker on the pops at a minimum and the applicant agrees.***

***None opposed, motion carries.***

*The board returns to Tab 123 (license 18493) to address the second MJ-15. Applicant, Grant Anderson, discusses that they are striking the language that says they will not do concentrates or extraction.*

***Nick Miller moves to approve the operating plan change.***

***Bruce Schulte seconds the motion.***

***None opposed, motion carries.***

Break is called 1:59 pm.

Meeting resumes 1:03 pm.

*Mark Springer states that he is returning to prioritization of legislative requests, guidance on business names, and the METRC developed changes to the program and how to handle them.*

*Regarding the METRC developed changes-*

*Mark Springer summarizes the concern that METRC will create new fields with a bulletin and it appears to apply to all states that METRC supplies services to.*

*Bruce Schulte suggests that the board resolve that METRC changes must be approved by the board before that they are required.*

*Mark Springer states that they wish to know more about the processes through, METRC particularly on the staff side of METRC.*

*Erika McConnell clarifies that the board wishes an orientation to the staff side of METRC.*

*Bruce Schulte asks for information on the licensee side as well.*

*Erika McConnell states that the intro to METRC class could be provided to the board.*

*Mark Springer asks how often METRC sends out bulletined changes that are not based on AMCO requested changes.*

*Nick Miller discusses the concerns regarding the batch being kept together and tracking it in METRC.*

*Phone connection issues at approximately 2:15, reconnection occurs.*

*Bruce Schulte asks if some of the features can be temporarily disabled (no).*

*Christopher Jaime states that the fields should have the capability to be disabled by the administrators from METRC.*

*Mark Springer asks for questions from the board to present to METRC.*

- 1) Can the board get a list of changes that have occurred since the contract has begun at the request of AMCO AND a full list of changes that have occurred.*

*Bruce Schulte states that that would be a starting point and the board can make a determination as to their efficacy.*

- 2) Nick Miller asks for a list of upcoming features and release dates.*

*Bruce Schulte asks if the bulletins are sent through METRC or AMCO.*

*Erika McConnell states that it's sent through METRC.*

*Christopher Jaime asks if there's a way to modify the contract to require that AMCO approves bulletins going out to licensees.*

*Erika McConnell States that she can look into the matter and discuss running changes through the AMCO office.*

*Christopher Jaime states the board must take control of this situation.*

*Bruce Schulte states that there is a section regarding all license types with permission.*

*Loren Jones states that before the board looks at the state contracts and system contracts, they need to consider many matters regarding them. He discusses the changes to the METRC procedures there may be a cost change for the state. He finds that the contract may not allow these requirements. He states that contract research must be done regarding what the board has authority to change. He understands user frustration but there may be a limited amount that the board can do. This may need to be addressed in the new Request For Proposal and urges caution.*

*Mark Springer states that changes that METRC has made it may be difficult to approve. As far as requested changes from AMCO the board may be able to identify it in house. He discusses some other changes in the bulletin.*

*Mark Springer states that the AMCO METRC specialist should review the METRC bulletin to see if AMCO needs to take action.*

*Bruce Schulte states that through this discussion this topic could become a huge time suck but there are licensees that have ongoing business needs he feels it appropriate to tend to the day to day needs of the licensees and ask METRC to address the concerns.*

*Nick Miller states that he believes that based on METRC's service of many states they can turn items on and off by state. He would like the board to consider giving the guidance that the "change room feature" button issue should not have a resulting NOV. The board would like to review changes before they are put out.*

*Mayor of Nome arrives and welcomes the board. (2:40 pm)*

*Erika McConnell summarizes her understanding of the board's request regarding METRC.*

*Nick Miller clarifies that "in house" means "the board".*

*Loren Jones states that some licensees may wish to use the feature; there should be caution exercised when disallowing use of features.*

*Erika McConnell states that METRC is complicated, there is only one licensee on the board with experience in METRC. She states that she knows it less well than she would like and she is concerned about the board members that are not licensees taking on the responsibility to review the METRC changes without certain knowledge that is gained by usage. She urges caution.*

*Mark Springer states that he's sure they will talk about METRC at the next meeting; the marijuana mailbox is open.*

*Nick Miller clarifies that no one will be issued an NOV for not using the METRC changes.*

*Mark Springer states that they will now discuss legislative requests and prioritization.*

*Tab 4 is now considered.*

*Mark Springer summarizes the requests.*

*Amy Demboski discusses when the tax structure changes will be proposed. She feels it will not be prepared for this session but perhaps the matter will be able to be considered.*

*Regarding the matter of transport between license types; a legislative fix to allow authorization of movement between license types including backflow.*

*Harriet Milks states that she feels this to be an oversight and simple fix.*

*Mark Springer asks if proposed language could be sent to the board in a memorandum and then if it's ok direct the director to supply the suggestion to the commissioner.*

*Regarding indemnification for minors where it would allow AMCO to recruit minors for attempted buys.*

*Bruce Schulte states that he does not support this because it blurs the line between AMCO as an enforcement agency, he finds it inappropriate for a regulatory board to enforce.*

*Harriet Milks states that AMCO is regulatory and quasi-judicial agency that has authorization to investigate and enforce.*

*Bruce Schulte and Harriet Milks discuss the authority for this matter.*

*Mark Springer asks if the troopers would need the same indemnification.*

*Erika McConnell explains that the indemnification applies to the minor, not the agency.*

*Loren Jones states that a lot of this is done in tobacco and alcohol and the prevention agencies worked with local law enforcement. He addresses Bruce Schulte's comments about vendors and the procedures for these checks and discusses that it is not 'entrapment'. The law enforcement officer makes the citation. Without this indemnification law enforcement is put in a difficult spot for this type of situation.*

Phone connection is lost, staff is unable to regain connection.

*Mark Springer states that due to lack of phone connection, the meeting will adjourn. Legislative requests, business names, marijuana mailbox, licensing matters, and wrap-up comment time will be addressed at a later meeting.*

***Bruce Schulte moves to adjourn.***

***Christopher Jaime seconds the motion.***

***None opposed, motion carries.***

● **ADJOURN**

2:59 pm

● ~~MARIJUANA MAILBOX~~

A. All correspondence received in the [marijuana@alaska.gov](mailto:marijuana@alaska.gov) inbox from April 13 to ~~June 21, 2019.~~ **TAB 130**

B. All correspondence received in the [marijuana@alaska.gov](mailto:marijuana@alaska.gov) inbox from June 22 to ~~August 23, 2019.~~ **TAB 131**

● ~~BOARD COMMENTS~~

● ~~NEXT MARIJUANA CONTROL BOARD MEETING~~

The next meeting is ~~November 13-15, 2019,~~ in Anchorage. All applications must be deemed complete and all other information for inclusion in the board's packets must be received by ~~October 25, 2019.~~