CORRESPONDENCE

From:	Marijuana Licensing (CED sponsored)
To:	management@lmcak.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	Incomplete Application- Lazy Mountain Cultivation Co. license #17440
Date:	Thursday, October 11, 2018 11:00:21 AM
Attachments:	17440 Incomplete Application Letter.pdf image001.png

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Hello,

Your application has been reviewed, and attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any items from the Incomplete Letter.

Please let me know if you need any of the documents I have for this application. I want to make sure you receive this email and incomplete letter attached first.

Please send any documents/correspondence to marijuana.licensing@alaska.gov

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
Direct: (907) 754-3588
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

THE STATE of ALASKA
GOVERNOR BILL WALKER

Department of Commerce, Community, and Economic Development

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

October 11, 2018

PMBT, LLC
DBA: Lazy Mountain Cultivation Co.
Via email: management@lmcak.com

Re: Limited Marijuana Cultivation Facility #17440

Dear applicant,

The AMCO Office has reviewed the documents submitted for the proposed marijuana establishment license referenced above. This letter is notice under 3 ACC 306.025(e)(2) that your application is incomplete and additional items are needed to complete the application. The additional items that need correction or resubmittal are listed below—please be sure to read the entire letter. **Please note that if the corrections and/or additional documents submitted in response to this letter are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure.**

- **MJ-00 Application Certifications**
  - Please correct the Licensee portion under Section 1 to say, PMBT, LLC, instead of PBMT, LLC, since that is what your online application says.
  - Please correct the Doing Business As portion under Section 1 to say, Lazy Mountain Cultivation Co., by adding the Co., since that is what your online application says.

- **MJ-01 Operating Plan**
  - Page 1: please correct the Licensee portion under Section 1 to say, PMBT, LLC, instead of PBMT, LLC, since that is what your online application says.
  - Page 1: please correct the Doing Business As portion under Section 1 to say, Lazy Mountain Cultivation Co., by adding the Co., since that is what your online application says.
  - Page 11: For the sample label provided, the warning statements must be word for word as written in the regulations. Be very specific and make sure that they are verbatim. Some of your statements are correct, but the others are incorrect. Please correct accordingly. Here is an example of the wording in the regulations:
    (1) Marijuana has intoxicating effects and may be habit forming and addictive.
    (2) Marijuana impairs concentration, coordination, and judgment. Do not operate a vehicle or machinery under its influence.
    (3) There are health risks associated with consumption of marijuana.
    (4) For use only by adults twenty-one and older. Keep out of the reach of children.
    (5) Marijuana should not be used by women who are pregnant or breast feeding.

- **MJ-02 Premises Diagram**
  - Page 1: please correct the Licensee portion under Section 1 to say, PMBT, LLC, instead of PBMT, LLC, since that is what your online application says.
  - Page 1: please correct the Doing Business As portion under Section 1 to say, Lazy Mountain Cultivation Co., by adding the Co., since that is what your online application says.
  - Page 2: Please print and sign your name, and have this form notarized.
  - Please label Diagram 1.
  - Clearly label the storage area and surveillance room/area.
  - Diagram 1: outline/shade the entire perimeter/area of the proposed <u>licensed premises AND restricted access area</u> (use separate colors and labels, and provide a legend/key).
    - Note- the bathroom can be a part of the licensed premises, but it should not be designated as the restricted access area because restricted access areas need cameras, and bathrooms should not have cameras.
      - If preferred/applicable, you can label the bathroom as licensed premises, but not restricted.
        - Please make it consistent on all applicable diagrams.
  - On Diagram 2: saying that something is attached in this context means that it is attached to form MJ-02, which it is not. Additionally, the submitted deed is inadequate for proof of right to possession for the LLC (refer to the requested corrections below for Proof of Possession for Proposed Premises). Please reword the statement "Attached is a deed…" to say something along the lines of, the lease (or deed) was submitted with the application showing ownership of the address/property…

- **MJ-04 Cultivation Supplemental**
  - Page 1: please correct the Licensee portion under Section 1 to say, PMBT, LLC, instead of PBMT, LLC, since that is what your online application says.
  - Page 1: please correct the Doing Business As portion under Section 1 to say, Lazy Mountain Cultivation Co., by adding the Co., since that is what your online application says.
  - Page 2, Section 4.1: While comparing the square footage from this answer to your diagram, I noticed that the numbers are slightly different, such as 198 sq ft and 197 sq ft; and 300 sq ft and 298 sq ft. Please provide a detailed answer that is congruent with the diagram(s) from MJ-02; be very specific. This box on the MJ-04 is to describe what is outlined on the MJ-02 and it must be easily decipherable and comparable. Please correct accordingly.
    - Additionally, please provide the overall square footage in your answer.
  - Page 3, Section 4.6: please describe the marijuana cultivation facility's gases, including carbon dioxide management, to be used.
  - Page 6, Section 8.1: the warning statements must be word for word as written in the regulations. Be very specific and make sure that they are verbatim. Some of your statements are correct, but the others are incorrect. You may refer to the requested corrections above for the warning statements for your MJ-01. Please correct accordingly.
  - Page 6, Section 8.2: the warning statements must be word for word as written in the regulations. Be very specific and make sure that they are verbatim. Please correct accordingly.

- Page 7: For the sample label provided, the warning statements must be word for word as written in the regulations. Be very specific and make sure that they are verbatim. Please correct accordingly.

- **MJ-07 Public Notice Posting Affidavit**
  - Please correct the Licensee portion under Section 1 to say, PMBT, LLC, instead of PBMT, LLC, since that is what your online application says.
  - Please correct the Doing Business As portion under Section 1 to say, Lazy Mountain Cultivation Co., by adding the Co., since that is what your online application says.

- **MJ-08 Local Government Notice Affidavit**
  - Please correct the Licensee portion under Section 1 to say, PMBT, LLC, instead of PBMT, LLC, since that is what your online application says.
  - Please correct the Doing Business As portion under Section 1 to say, Lazy Mountain Cultivation Co., by adding the Co., since that is what your online application says.

- **MJ-09 Statement of Financial Interest**
  - Page 1: please correct the Licensee portion under Section 1 to say, PMBT, LLC, instead of PBMT, LLC, since that is what your online application says.
  - Page 1: please correct the Doing Business As portion under Section 1 to say, Lazy Mountain Cultivation Co., by adding the Co., since that is what your online application says.

- **Proof of Possession for Proposed Premises**
  - I will need proof of right to possession for the LLC. I know you submitted a warranty deed, but we need proof that the LLC has the right to the proposed premises.
  - If you are going to provide a commercial lease, the lease must be a legally binding lease and it should include the following:
    - An acknowledgment from the landlord/lessor that the premises will be used as a marijuana establishment, and
    - A disclaimer that the landlord/lessor may not take possession or remove marijuana from the premises, and AMCO will be contacted in the event that this is necessary.

- **Entity Documents**
  - Please file the Initial Report for the LLC with the Division of Corporations, Business, & Professional Licensing (CBPL). https://www.commerce.alaska.gov/web/cbpl/

It is very important that you submit the above corrections and/or documents in a timely manner so that AMCO staff has adequate time to review the corrections and/or additional documents which must be found to be complete within 90 days of the date of this letter.

Respectfully,

Jacqlene Drulis

Jacqlene Drulis, Occupational Licensing Examiner

For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	"Bryan Maley"; "management@lmcak.com"
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application- Lazy Mountain Cultivation Co. license #17440
Date:	Tuesday, January 08, 2019 8:52:00 AM
Attachments:	image001.png

Good morning,

Thank you for the corrections. Everything appears to be in order, except for a few additional items (there is no need to re-notarize your forms unless you prefer to do so):

*Note- Your 90-day deadline to have your application completed is tomorrow, January 09, 2019. Please submit your corrections by close of business (4pm) tomorrow, in order to meet this deadline.

- **State Business License**
  - Please renew your State Business License.

- **MJ-02: Premises Diagram**
  - Diagram 1:
    - I understand what your green outline for your Licensed Premises is intending to show; however, since the outline goes outside of the building, as is, it shows that you are requesting for a portion of the outside of the building to be licensed. The outline must be tightly around the perimeter of the proposed licensed premises. Please adjust the green outline so that it is tightly around the perimeter of the building.
    - Additionally, in your Legend/Key, the Restricted Access Area outline appears to be yellow, while the actual outline of the building appears to be orange. Please fix the yellow outline in the Legend/Key so that it is orange instead of yellow.
    - Furthermore, my apologies, I did not address this in the original Incomplete Letter; where does the stairwell lead to? Is there a door somewhere in the stairwell separating the licensed premises from upstairs? Or, are you planning to include the upstairs as part of the restricted access area? I see in your Legend/Key the reference to, "Wall; entire area above is restricted access"; what does this mean exactly? Please clarify on your diagram.

- **MJ-04: Cultivation Supplemental**
  - Page 2, Section 4.1: I see that you provided the square footage of the Grow Area #1 and #2, but also please provide the overall square footage <u>under cultivation</u> in your answer (according to your MJ-04, it looks like it should be 495 sq. ft.).

- **Proof of Possession for Proposed Premises**
  - The disclaimer of, "the landlord/lessor may not take possession of or remove marijuana from the premises, and AMCO will be contacted in the event that this is necessary" applies to multiple situations, more specifically, if the tenant goes into default or the like; so, it must specifically say that the landlord/lessor may not take possession of or

remove marijuana from the premises, and AMCO will be contacted in the event that this is necessary. Not necessarily that the tenant will be allowed to take possession or remove marijuana from the property. Please correct your wording accordingly.

Please send any documents/correspondence to marijuana.licensing@alaska.gov

Respectfully,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Bryan Maley <management@lmcak.com>
Sent: Thursday, January 03, 2019 10:38 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application- Lazy Mountain Cultivation Co. license #17440

Hi Jacqlene,

Please see the attached documents in reference to the identified corrections needed to be made.

Summary of amendments:

MJ-00
- Pg. 1 - Licensee & DBA name corrected

MJ-01
- Pg. 1 - Licensee & DBA name corrected
- Pg. 11 - warning label verbiage corrected

MJ-02
- Pg. 1 - Licensee & DBA name corrected
- Pg. 2 - Name printed & signed w/ Notary
- Diagram 1
  - Labels and colors expanded to clearly display restricted access area, licensed area, etc.
- Diagram 2
  - Removed language "attached is a deed..", to "a deed was submitted with the application…"

MJ-04
- Pg. 1 - Licensee & DBA name corrected
- Pg. 2 Section 4.1
  - Square footage matches what is labeled on diagrams
  - Included detail to clearly outline what is on MJ-02
- Pg. 3 Section 4.6 - Included language to state no gases will be used
- Pg. 6 Section 8.1 & 8.2 - warning label corrected
- Pg. 7 - warning label corrected

MJ-07

- Pg. 1 - Licensee & DBA name corrected

MJ-08

- Pg. 1 - Licensee & DBA name corrected

MJ-09

- Pg. 1 - Licensee & DBA name corrected

Proof of Possession for Proposed Premises

- Included deed (attached) between Land Owner (Tim Maley) & PMBT, LLC (Tim Maley) w/ disclaimer and aknowledgement for marijuana cultivation on premises, and no removal of marijuana except by PMBT, LLC…. AMCO will be contacted if anyone besides PMBT removes/touches marijuana…

Entity Documents

- Attached screenshot of Initial Report Filing for the LLC

I understand you are OOO until Monday. Please feel free to reach out via email or phone if any immediate questions arise from this.

Thanks,
Bryan

On Wed, Jan 2, 2019 at 10:52 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Okay, sounds good.
>
> Jane
>
> **From:** Bryan Maley <management@lmcak.com>
> **Sent:** Wednesday, January 02, 2019 10:51 AM
> **To:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
> **Subject:** Re: Incomplete Application- Lazy Mountain Cultivation Co. license #17440
>
> Hey Jane,
>
> Thanks. I will drop if off today, and send a follow up note to her.
>
> Bryan
>
> On Wed, Jan 2, 2019 at 10:49 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:
>
> > Hello, Bryan,
> >
> > Jacqlene is out of the office until Monday. You will have to just drop off the packet if you come in today, unless you want to wait until Monday when she is back.

Jane

From: Bryan Maley <management@lmcak.com>
Sent: Wednesday, January 02, 2019 10:46 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application- Lazy Mountain Cultivation Co. license #17440

Hey Jacqlene,

Happy New Year!

My father, Tim Maley, and I were hoping to come drop off the amended package today. Aiming to arrive around 1:30pm. I know you wanted a little head up prior to us arriving. If you're busy, I will leave it with the front desk.

Please do let me know if you have any questions.

Thanks,
Bryan

On Thu, Dec 6, 2018 at 8:36 AM Bryan Maley <management@lmcak.com> wrote:

> Okay, terrific - will call you at 2pm!
>
> And for the application drop - yes makes sense! I should've been more clear, and meant say "highlight specific areas of question/concern related to the incomplete feedback". So that should work great.
>
> Talk soon.
>
> Bryan
>
> Get Outlook for iOS
>
> ---
>
> **From:** Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
> **Sent:** Thursday, December 6, 2018 12:32 PM
> **To:** Bryan Maley
> **Cc:** Marijuana Licensing (CED sponsored)
> **Subject:** RE: Incomplete Application- Lazy Mountain Cultivation Co. license #17440
>
> Hi Bryan,
>
> A call at 2pm works best for me.
>
> When you come in to drop off the corrections, we aren't able to do a comprehensive review of the application at that time (it generally takes longer than 15 minutes and we must review applications/corrections in the order in which they were received), but we can definitely meet and address any specific concerns/questions you might have.

I look forward to speaking with you at 2pm!

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Bryan Maley <management@lmcak.com>
Sent: Thursday, December 06, 2018 8:18 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application- Lazy Mountain Cultivation Co. license #17440

Hi Jacqlene,

Wow! Couldn't imagine being on the 16 floor... glad to hear everyone's okay.

Many thanks for the quick response and proving your direct line. I think we can assess the questions via phone, and when coming in to submit, maybe a 15 minute page-turn to ensure everything is clear and complete?

How does a call at 10am work for you?

Can also do 2pm if the above time conflicts.

Thanks,
Bryan

Get Outlook for iOS

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Wednesday, December 5, 2018 8:33 PM
To: Bryan Maley
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Incomplete Application- Lazy Mountain Cultivation Co. license #17440

Good afternoon,

You may email your questions to this email, you may call my direct line 907-754-3588, or you may come to the office, whichever you prefer. We are back in the office now after being closed for a few days from the earthquake. Being on the 16th floor during the earthquake was quite scary, but we are all safe. I hope you are recovering well from the earthquake.

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501

From: Bryan Maley <management@lmcak.com>
Sent: Wednesday, December 05, 2018 7:17 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Re: Incomplete Application- Lazy Mountain Cultivation Co. license #17440

Hi There,

Thank you for sending this over. I have made the corrections, however I would like to ensure I have done so correctly (few outstanding questions), but the office is closed due to the earthquake - hope everyone is alright.

I have until Jan 9th to get this "complete"(90 days from receiving incomplete application notice/corrections). I would like to get this submitted back to you this week. Please let me know the best way of contacting an amco - marijuana reviewing agent, to get this submitted and completed.

Thanks,
PMBT

907-351-7791 - Bryan

On Thu, Oct 11, 2018 at 3:00 PM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

Hello,

Your application has been reviewed, and attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

Please make sure to read the entire letter. If the submitted corrections are not found to be complete, your application will be returned to you in accordance with 3 AAC 306.025(e)(1), and you will need to file a new application and pay a new fee should you wish to continue pursuing licensure. Essentially, we will accept corrections one time within your 90-day deadline period. Feel free to call or email if you need clarification on any items from the Incomplete Letter.

Please let me know if you need any of the documents I have for this application. I want to make sure you receive this email and incomplete letter attached first.

Please send any documents/correspondence tomarijuana.licensing@alaska.gov

Thank you,

Jacqlene Drulis
Occupational Licensing Examiner
Alcohol & Marijuana Control Office
Direct: (907) 754-3588
550 West 7th Avenue, Suite 1600
Anchorage, Alaska 99501