



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

**Department of Commerce, Community,
and Economic Development**

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

MEMORANDUM

TO: Marijuana Control Board DATE: May 1, 2019
FROM: Erika McConnell, Director RE: Tanana Herb Company, LLC,
#15814, Retail Store

In December of 2018, the board upheld the City of Fairbanks's protest of this new license application with a 120-day abeyance, which expired on April 23, 2019.

Due to supply issues with the premises renovations, the licensee requested, prior to the expiration of the abeyance period, a 60-day extension of the abeyance period, to June 22, 2019.



PO Box 81772
Fairbanks, AK 99708

(907) 388-8023
tananaherbcompany@gmail.com

4/10/19

State of Alaska
Alcohol & Marijuana Control Office
550 W 7th Ave, Ste 1600
Anchorage, AK. 99501

To AMCO staff:

I am writing to request an extension to the April 23, 2019 deadline I was provided by the AMCO board during the December 2018 meeting of the Board. The deadline was in reference to the City of Fairbanks protest of both my licenses #16091 and #15814. I am attaching a copy of the letter from your office, as well as an email between myself and the Director, which will provide the background to you easily.

The renovations are ongoing to obtain the Occupancy Permit required by the City of Fairbanks. By the time the AMCO board meets we will have completed all rough in inspections with the City of Fairbanks Building Department and will be close to completing the final inspections as well. Even though we are very close to meeting the Boards deadline it is possible that some of the finish construction materials we are waiting to arrive may take longer than expected. It may also take longer than expected to get the inspections completed as well as there can always be unexpected requests from the City building department officials that could take time to resolve.

Considering the above potential issues to our meeting the original deadline I would like to request an additional 60 days to complete the necessary renovations to receive the City of Fairbanks Certificate of Occupancy. With the granting of the additional 60 days I should be able to meet the requirement without having to come back to the Board with an additional request.

Thank you for your consideration,

Leslea Nunley
Tanana Herb Company, LLC
907-388-8023



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December 24, 2018

Tanana Herb Company, LLC
DBA Tanana Herb Company, LLC
Via: tananaherbcompany@gmail.com

Re: Tanana Herb Company, LLC, #16091 and Tanana Herb Company, LLC, #15814

Dear Tanana Herb Company, LLC:

At the December 20-21, 2018, meeting of the Marijuana Control Board in Anchorage, Alaska, the board rescinded their approval from October of 2018 and upheld the protest of your license applications by the City of Fairbanks with a 120-day abeyance. This means that the City of Fairbanks must withdraw its protest of your license applications by April 23, 2019; otherwise the applications are denied. The city protested the applications due to the lack of a certificate of occupancy.

Please contact marijuana.licensing@alaska.gov with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Erika McConnell".

Erika McConnell
Director

cc: License File
City of Fairbanks

From: McConnell, Erika B (CED) erika.mcconnell@alaska.gov
Subject: RE: City of Fairbanks license protest clarification
Date: March 20, 2019 at 10:55 AM
To: Leslea Nunley lesleanunley@me.com
Cc: Marijuana Licensing (CED sponsored) marijuana.licensing@alaska.gov

EM

Dear Ms. Nunley,

Thank you for resending your email!

If you think you might not meet the April 23 deadline, please submit a written request to extend the deadline stating the reasons why and how much additional time you are requesting. This request must be submitted before the April 23 deadline. If we receive this request, we will put it on the agenda for board consideration at the May 1-3 meeting.

While there is an adopted regulation to change the process regarding conditional protests, it is not yet effective, and when it becomes effective, it will not apply retroactively to past board actions.

If you have additional questions, please contact marijuana.licensing@alaska.gov.

Thank you,
Erika

Erika McConnell

Director
Alcohol & Marijuana Control Office
State of Alaska

From: Leslea Nunley <lesleanunley@me.com>
Sent: Wednesday, March 20, 2019 10:29 AM
To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Subject: City of Fairbanks license protest clarification

Director McConnell,

I had sent this email to you on March 3rd, when you were out of town. I'm not sure if you ever received it so if it looks like you've seen it before that is why.

Leslea Nunley

I have a procedural question regarding the Marijuana Control Boards action on our license due to the City of Fairbanks protesting the license until we receive a Certificate of Occupancy. I have attached the letter I received from your office advising me of my requirements.

I have received the permits from the City of Fairbanks Building Department last week and am now legally able to begin construction on the premises to try and meet the deadline of

April 23rd. As you know, many things can happen during construction phases that change even the best laid plans. I also understand that regulations have been submitted to change these requirements on licensees in this situation as it is understood the City's position is more of an approval with conditions instead of a protest to deny the license. I am not aware if that regulation has been adopted or how long that may take.

I have talked to the City Clerk and her understanding is that your office has been allowing extensions to the abeyance period for these situations. If I am not able to make the April 23rd deadline, but I am working diligently to meet the requirement and have made significant progress, is there an option for me to request an extension for completing this work to get the Certificate of Occupancy? Since there won't be another Board meeting until after April 23rd, if I can ask for an extension, do I just submit my request to you or is there a more formal method I will need to follow?

Thank you for your time in responding to my concerns,

Sincerely,
Leslea Nunley
Tanana Herb Company, LLC