



Marijuana Control Board

Meeting Minutes

May 1-3, 2019

Third Judicial District

3301 Eagle Street, Room 104 (Midtown Job Center)

Anchorage, Alaska

● ADMINISTRATION

9:02 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

Board Members Absent

Christopher Jaime, Public Safety Member

Staff Present

Erika McConnell, Director

Mikal Milton, Records and Licensing Supervisor

Counsel Present

Harriet Milks, Assistant Attorney General

C. Approval of Agenda

Nick Miller moves to approve the agenda.

Loren Jones seconds.

None opposed, motion carries.

The Board agrees to assume that every motion has a second for the duration of the meeting.

D. Approval of the February 20-22, 2019 Meeting Minutes

TAB 1

**Loren Jones moves to approve the February 20-22, 2019 Meeting Minutes
None opposed, motion carries.**

● **BOARD GOVERNANCE**

9:05am

*Harriet Milks explains the reasons for Board Governance.
Loren Jones and Nick Miller report no changes.*

Mark Springer states that he lives in Bethel and talks to Mr. Miller about his store. He is giving advice to individuals to apply for licenses that have not yet submitted applications.

Loren Jones asks Harriet Milks about the requirement for unanimity when only 3 board members are present.

Erika McConnell confirms that the majority of the whole membership must approve licenses and products but that the regulations do not fall into the category. All votes on licenses and products must be unanimous due to the number of board members present.

Loren Jones states that he will not vote in favor of all applications on the agenda, he is concerned that those applications may pass on other board configurations. He asks for an alternative.

Harriet Milks suggests that the board listen to the testimony and, if necessary, table to the next meeting when all board members are present.

● **PUBLIC TESTIMONY**

9:08 am

Public testimony 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. The call-in number is 1-800-315-6338, code 69176#.

Dr. Jennifer Walter-Gray and Dr. Charles Gray are present in person to testify regarding the Great Alaska Kush Company, 10190. Charles Gray testifies that there has been patient loss due to the Marijuana establishment moving in next to his establishment. He finds that the objections were not filed with the file. He states that he spoke with Campbell Anderson and he "couldn't find" the objections that were submitted. He states that he spoke with Jane Sawyer regarding the "failed to complete" status for Great Alaska Kush Company. He testifies that his wife sees many children in her practice. He states that his establishment is a facility that provides services to children. He finds it not right that business has such a negative impact on his business. He states that he has all of the objection letters that were signed for Feb 15 2019. He references several copies of the certified letters and objections received for this licenses. He provides these documents to the board.

Mark Springer states that no action will be taken at this time but that he understands the testimony. He states that there is no legal mechanism by which the license could be revisited. Harriet Milks states that this matter cannot be discussed now. She states that at this time nothing can be done.

Jana Weltzin, JDW Associates, is present in person to testify. She states that the assembly is hearing the land use permit with the Muni on the 21st for the above license. She thanks the staff

for their incredible performance at this time. She states that enforcement has been really helpful. She provides testimony regarding a letter sent to the MJ mailbox. Her testimony discusses the problem when individuals are not allowed to breast feed in facilities or have their babies in the facility. She references the historical value of men over women in industry. She finds this inequity disturbing and feels that the regulations prohibit new mothers from employment. She requests a regulations project that has a designated area for breast feeding.

Brandon Emmett, AMIA President, states that he agrees with Weltzin's comments are important and that there must be an exception for individuals who have children from birth to 1st grade should be allowed in the office areas of the workplace. He states that the board has been more consistent in product approval but he brings attention to the AMIA member with a disapproved product. The board notes that this product is on the agenda, his comment is withdrawn. He states that the AMIA would support the creation of a transportation committee to discuss transportation and "hubbing" and to allow for the back-flow of product. He states that the AMIA is going to DC next week and appreciates that AMCO tried to come to DC.

Loren Jones asks about the backflow comment- if a business rejects a delivery, the delivery agency delivers it back to the originating establishment. The second's scenario is waste from retail or manufacturing being brought back to the cultivation for disposal.

Brandon Emmett states that there are many situations where backflow may be appropriate. IE vertically integrated businesses and retail establishments having stale product that is returned to the manufacturer. He states that there are times where a transposition error occurs and that it is fixable in metric but not by regulation.

Loren Jones states that a week ago a Top Hat Concentrate licensee became a member of the Juneau chamber of Commerce and gave a presentation. He references the presenter stating that establishments are not required to follow advertising laws if they are advertising in industry publications. He states that he wants to make sure that the AMIA knows that this mis-information is out there.

Brandon Emmett states that he will be speaking with the presenter regarding the advertisement usage of cartoonish figures. He references the readership of publications. He does not advocate for cartoon like figures in advertising.

Ryan Thorpe, Arctic Herbery, states that he agrees with Jana Weltzin that the industry does have problems with the babies of employees not being allowed on premises.

*The phone is opened to public testimony-
No one is present via phone to testify.*

Brandon Emmett, licensee, FSE Inc., Product Manufacturing Facility, asks for clarifications regarding manifests and virtual transfers. He thanks Enforcement for their work. He urges Enforcement to combat the black market, specifically in Fairbanks. He states that the biggest competition for retailers is the black market, not other licensed manufacturers. He is not for harsh penalties to low-level dealers but he does believe that the big operators should be shut down.

Mark Springer asks about Brandon Emmet's guess regarding the amount of money from black market sales.

Brandon Emmett states that the monetary break down is about a 1-1 ratio for money earned. It's mostly concentrates that are sold on the black market.

Kerby Coman, Green Degree, requests definitions for "recreation or youth center", particularly the "guidance" or "training" portions. "School grounds" should also be better defined. He references regulations projects he would like to see revived- open consumption event permit and mobile vending for industry events. He discusses "juicing the leaves" of marijuana – there is not currently a process by which testing can be done in time to get the leaves "juiced"- freezing makes them un-juice-able. He asks for a function be created to allow the transfer of untested product to a manufacturer to allow for juicing- this also applies to "live rosin".

● EXECUTIVE SESSION

9:43am

**Loren Jones moves to go into executive session.
None opposed, motion carries.**

All participants and staff exit the room.

A. Cannabis Classic Proposed Settlement Agreement

Appeal of Fine; OAH Case No. 18-0779-MCB

The board exits executive session.

**Loren Jones moves to accept the proposed settlement.
Nick Miller seconds the motion.**

Mark Springer reads the settlement, a \$2500 fine total, \$500 for violation of AS 17.30.040 and \$2,000 for violation of AS 17.38.070 with the first payment of \$1250 within 24 hours and the other \$1250 payment by close of business May 31 2019. The respondents agree not to organize or sponsor an event in the state of Alaska where participants are invited to consume marijuana or marijuana products on public property for 5 calendar years or until such an event is legally permissible. Failure of the respondent to pay or violation constitutes default and if defaulted, the board may use the legal recourse set forth in the agreement.

None opposed, motion carries.

● DEPARTMENT OF LABOR PRESENTATION

9:53am

TAB 2

A. Rhonda Gerharz, Investigator IV, Workers Compensation Division, Department of Labor and Workforce Development

Rhonda Gerharz is present in person to testify and presents the information presented in Tab 2. She states that David Price, Juneau investigator, is on the phone as an industry contact. She provides his phone number 465-5875 and his email is david.price@alaska.gov. She points out that workers compensation is mandatory for all workers. Exemptions are not industry related, they are individual related by business ownership or type of work. The definition of "independent contractor" has been amended not to include any employee as an independent contractor. She states that upcoming,

business owners (not sole proprietors or partners in a partnership) are not exempt from requiring insurance. Limited Liability Company members and executive officers of corporations with less than 10% ownership are not exempt.

Loren Jones asks for clarification – they are allowed to add additional people to the workers compensation but not required. He states that there are only 2-3 businesses where there is nested ownership.

Rhonda Gerharz states that only individuals can be exempt, entire companies cannot be exempt. DOL must be managed separately, it depends on the type of work done. She states that employers are required to post notice of insurance, they are required to report an injury within 10 days of knowledge of the injury and that knowledge of the injury doesn't need to come from the worker. All injuries must be reported. There is no legal way for an employee to waive workers compensation. Premiums may not be charged to the individual.

Mark Springer asks if there is a specific definition of "injury".

Rhonda Gerharz states that the definition includes any illness or injury. She advocates for the Alaska Occupational Safety and Health program.

David Price speaks via phone and states that he is present for the industry. He states that his office wishes to be proactive rather than reactive.

Mark Springer states that Department of Labor is present as an enforcement and informational entity. He states that everyone should remember that employees are the most important assets to the industry.

● **PUBLIC HEALTH UPDATE**

10:09am

TAB 3

A. Eliza Muse, Public Health Specialist, Division of Public Health, Department of Health and Social Services

Eliza Muse is present in person to testify. She summarizes the report in Tab 3.

Mark Springer asks about the percentage of taxes received due to the bill referenced. She states that the program will get 2.5 million a year. She states that only a 1/3 of the fund will be spent this year.

Mark Springer and Eliza Muse discuss industry involvement in the process, the DHHS is involving the industry in the process.

Eliza Muse states that there is correlation discussed but that it is NOT causation.

Lauren Jones asks about how they are defining "alternative" schools.

Eliza Muse states that the definitions of 'alternative' schools are any schools where students are placed who are unable to flourish in the 'traditional' school system.

Mark Springer states that the State of Alaska has tracked a lot of information regarding public drug abuse information etc. even unrelated to marijuana so the data can be trusted.

Eliza Muse states that some other states review charts for information regarding hospitalizations. She asks the board for a data use agreement to access the retail sales data.

Erika McConnell states that there is a draft data use agreement later in the agenda.

Loren Jones moves to address Tab 6 directly after this presentation so that the expert can be present for consideration.

None opposed, motion carries.

Mark Springer and Eliza Muse discuss the definition of “dual diagnosis”. Springer asks if there is a discussion in place to complete chart review data analysis. Eliza Muse states that there is not a current plan but the information would be good to receive.

Loren Jones cautions, regarding treatment data, that most treatment centers track their official diagnosis but that the official treatment data won't list the marijuana as the main concern due to financial impetus and that chart reviews are vital.

Mark Springer asks for more than yearly updates.

Draft Data Use Agreement with Department of Health and Social Services

TAB 6

Erika McConnell summarizes Tab 6.

Loren Jones states that the collecting of this information makes sense, he asks who will program the extraction of the data. Will they have direct access or access to data that has been extracted and who will program the extraction?

Erika McConnell states that the easiest way to do this would be allow the DHSS to have read-only access. She states that the SQL server would be used to extract the data. She is unsure at this point who would do the data extraction but it would probably be either DHSS or METRC.

Loren Jones states that the agreement should include information regarding any contractor used to extract data. He states that the programmers may be able to selectively extract data. The office must understand the questions asked and how the data is collected/extracted.

Eliza Muse states that the data use agreement will need to be renewed annually but at this time DHSS has an individual who has SQL server access.

Nick Miller asks about data aggregation and states that he is concerned about licensee privacy. He requests that more information be provided and that if someone is paid to extract the data, METRC should be contracted.

Mark Springer states that the data gathering is important but then asks if Eliza Muse can return in July. He asks to table the matter. He asks that there be a purpose expressed in the agreement, including what's in it for AMCO and how it helps fulfill the board's responsibility. He asks for a model concept to give more information regarding how the information is aggregated, particularly regarding regions with a single establishment within a reporting area.

Eliza Muse states that the data suppression thresholds are very strict. She hopes that the board will also find the extracted data usable.

The matter is tabled until July.

● **HTBX INTERNATIONAL PRESENTATION**

10:48am

TAB 4

A. Anita Burke, Co-founder and Chief Operating Officer

Anita Burke is present in person to speak. She summarizes the information in Tab 4. She provides information regarding public/private partnerships and the products that her company provides; both temporary and permanent units are available. She addresses the air handling system. There are some data collection methods available through a partnered phone app with the hot boxes. She offers to provide statistics with the board after her presentation. She discusses intoxication and talks about the Research and Development collaborating with TIPS to develop a marijuana and cannabis intoxication identification program. Denver regulators have offered to discuss regulation with the AMCO office and Marijuana control board. The hot box comes with waste management and intoxication programs and partnered applications.

She states that she will send AMCO the information for her presentation.

Break is called. Meeting resumes 11:13 am.

● **DIRECTOR BRIEFING**

11:13am

A. Director's Report

TAB 5

Erika McConnell summarizes Tab 5.

Loren Jones asks what the board can do asks what the role of the commissioner of commerce is and the attorney general discussing the ARMS/APSIN problem with the agencies with authority.

Erika McConnell and the board discuss the current status of the ARMS/APSIN request.

Erika McConnell states that the board chairs have been told that they may ask for an attorney general (AG) opinion.

Harriet Milks confirms that the opinion request could be from the MCB or ABC & MCB. She clarifies that there is not a statutory prohibition on the board requesting an AG opinion.

Patryce McKinney and Steve Crupi with DEC are present if the board wishes to hear from them regarding the oversight of testing facilities. Department of Law has agreed that another state agency may contract for testing. Tab 15 will contain more details.

Erika McConnell brings a question to the board listed in Tab 5 regarding applications for manufacturers and growers. The section in question refers to fertilizers, chemicals and gasses and is separate from the pesticides that are put on plants. She asks the board how detailed the responses in the section should be. IE: Should it be "variety of approved nutrients from multiple companies" or does the applicant need to provide a full product list? If it's a list the board will need to review any changes. Additionally, chemicals listed, should the chemicals only be chemicals that are put on plants or are cleaning chemicals included? She offers that the board can return to the subject later in the meeting if they desire.

Erika McConnell states that the regulation spreadsheet will be posted on the website shortly as she had previously missed including it in the board tabs. She states that she plans on bringing regulation drafts to the July meeting. She addresses changes to the tax reporting section, prior to January 1, 2019 the reported number was the amount of taxes assessed based on metric data. Beginning January 1, 2019, the number is the amount assessed based on tax returns filed with the department.

Mark Springer states that total retail sales since the inception of the legal marijuana program are \$225,438,842 and that the dollar capture is substantial. He asks what's happening to the tax money received.

Kelly Mazzei, tax manager for the State of Alaska testifies that 25% goes to education 50% to recidivism reduction and the remaining 25% goes to the general fund.

Mark Springer asks if the director can invite the departments to which the tax money is going to speak at the July board meeting.

Loren Jones states that the director's comment about the number of taxpayers – he asks if the numbers can be amended reviewed. He references the licensing reports and asks about the number of people presented. He finds the number of people listed to be inequitable between the two sets of statistics.

Erika McConnell states that there are differences based on the number of harvests received in a month.

Loren Jones and Erika McConnell discuss number of cultivators versus the number of licensees that pay taxes.

Kelly Mazzei states that they filter out the zero returns when reporting.

Springer asks about the approximate compliance with filing the zero returns.

Kelly Mazzei states that they can review METRC to determine if there are taxable transfers.

Mark Springer asks that Kelly Mazzei write a letter that AMCO can provide to licensees stating that they are required to file a zero tax return.

Kelly Mazzei states that they track it based on when they see a new owner present in METRC or after the board meeting and then contact them individually.

Loren Jones states that there are sometimes cultivators with poor crops and the zero filings may be useful information to the AMCO.

Kelly Mazzei offers to see if there is a way to produce the number of tax payers and help investigate the reasons for the discrepancy.

B. Draft Data Use Agreement with Department of Health and Social Services **TAB 6**

Considered above.

C. S.3032 The STATES Act **TAB 7**

Mark Springer states that this tab is available for public information.

D. Massachusetts Social Equity Program Information **TAB 8**

Mark Springer encourages anyone interested in a robust diverse cannabis industry to review Tab 8; he summarizes the information provided in the tab. He references the closed demographic currently in the Alaskan industry. He asks the industry to help out minority entrepreneurs.

E. Draft Policy on Newspaper of General Circulation

TAB 9

Erika McConnell summarizes Tab 9. She states that the ABC Board pointed out the “paying subscribers” portion and states that the ABC Board revised the policy to amend that portion. They also noted that there are certain places that radio advertisements are available. She states that there are smaller communities that it may be more appropriate to advertise on the radio.

Nick Miller states that he has comment, the “paid subscription” list is a problem. He’s disappointed to not see the Alaska Journal of Commerce. He states that the online news is widely available and almost no one reads the physical paper anymore.

Erika McConnell states that the board could determine that the Journal of Commerce is of general circulation but she does not find it to publish news of “general interest”. She states that this requirement is in regulation and that the board can change it to amend the notice requirements through regulation.

Harriet Milks concurs and states that the only case law is from 1976, and it is within the board’s authority to look at this issue.

Loren Jones states that he has communicated with staff regarding this matter. He addresses the display ads versus legal want ads. He states that frequently conditional use permits can be used by the local government to provide the public comment time. He is concerned about online advertisement.

Nick Miller clarifies that the newspapers could be published online.

Loren Jones states that it’s hard to find the want ads online unless you’re looking. He has no objection to the paper publications, he finds it cheaper to publish in a paper than it would be to work through the electronic platforms necessary to go through this process.

Mark Springer states that the newspaper can help prove that the advertisement ran. He asks to change the final bullet point to include region (not city borough or municipality).

Nick Miller asks about the paying subscription list removal.

Erika McConnell agrees to revise the policy.

F. Resolution Regarding Separation of Personal-Use and Commercial Marijuana

TAB 10

Erika McConnell summarizes Tab 10.

Mark Springer states he understands why this resolution it is being requested.

Loren Jones states that the “small amounts” language be worded to clarify that it must be validly purchased. He supports the testing but finds that it should be from a cultivator. The material shouldn’t be from a home grown facility.

Nick Miller states that Loren Jones' proposed amendment is unnecessary.

Loren Jones states that purchased products will already be tested.

Erika McConnell states that there is another complicating factor, that samples from national testing facilities can be used to test the products.

Loren Jones states that this matter must be addressed now rather than in July. He states that the

Mark Springer references "starts" that are allowable when a cultivator begins operations.

Erika McConnell states that this can wait to the DEC regulation.

Lunch is called 12:10pm.

Meeting resumes 1:02 pm.

● **ENFORCEMENT BRIEFING**

1:03 pm

A. Enforcement Supervisor's Report

TAB 11

James Hoelscher summarizes his report in Tab 11.

He asks the board if it is acceptable to have an approved product changed to have a different color or packaging from what has been approved by the board. Particularly the addition of logos from the cultivator to already-approved packaging.

Loren Jones states that he looked into the matter, he states that product manufacturing is the one portion where a clear understanding of the label is received. He states that when he approves a product, he is not approving a specific label. The board has specified changes to labeling that are required but that they don't generally approve a label so specifically to preclude these types of changes. He doesn't have a problem with the manufacturing label and retail label both being on the product. He doesn't feel this to be a problem the board could address without changing how labels have been reviewed. This would be a matter of regulations change.

Mark Springer states that it must be shown who manufactures the product.

Erika McConnell states that the board did open a packaging and labeling regulations project at the last meeting. If this matter is a regulation matter, the board can address it in the regulations project. She addresses that the packaging itself is specifically approved by the board, but that the label is presented as a "sample label".

Loren Jones states that it should be addressed in regulation. He states that the board should not make any large changes to policy.

Mark Springer states that the matter is more of a technical/industry driven matter than enforcement.

James Hoelscher states that he does not believe that it is intent to dupe AMCO. The problem is that there are complaints regarding packaging that cannot be addressed if there is not an updated packaging photograph provided to AMCO.

Mark Springer states that this is the type of concern where maybe the board should get more input from the industry into the marijuana mailbox, if the regulation is not available for public comment then the board wishes to hear information anyway.

Nick Miller addresses product numbers.

Erika McConnell states that the board has suggested product numbers.

James Hoelscher asks the board about online video ads; how can you be sure that individuals are primarily over 21 online for advertising? Web based video is not addressed in regulation.

Mark Springer states that there is no way to suggest that you can say a website is only viewed by individuals over 21.

James Hoelscher asks if the web should be an advertising option for marijuana. He states that he is worried about the appearance that enforcement interprets the law.

Mark Springer states that this matter goes into the regulation of commerce.

Loren Jones states that there are some services that require a certification of over 18, or others that only allow individuals over a certain age to view certain content. This may cause some entities to refuse to advertise because of the implication that it is adult only content.

James Hoelscher summarizes the statistics present in his report. He provides his position on APSIN/ARMS. He finds the goals of AMCO Enforcement to be in line with the Department of Public Safety. He states that the "concurrency" required from the DPS changes depending on the director, recently special commissions have been required. He finds there to be no legitimate reason to deny AMCO officers their special commissions. Four investigators have special commissions expiring at the end of the month. He references the statute that charges AMCO enforcement with monitoring the black market. He discusses enforcements direction to not charge individuals under the alcohol laws and he is concerned with enforcement of actual laws or aspirational laws. He is concerned with enforcements ability to do their job being significantly impacted by this matter.

Mark Springer states that he hears and understands James Hoelscher concerns and that the board will do their best to address the issue. He asks if discussions have occurred about classing.

James Hoelscher states that there have been investigator meeting discussions. There is no solid information, all information provided so far is rumors. He does not support moving the enforcement teams under one roof.

B. Notices of Violation Issued and Licensee Responses

TAB 12

Loren Jones addresses concerns regarding two NOV's- one was the three day wait time, and the other was the individual who asked why the NOV was presented so late. This is a timing issue. James Hoelscher and Loren Jones discuss timing of issuance of NOVs, there are enforcement difficulties with odor complaints.

James Hoelscher states that there is a mechanism by which the plants can be destroyed sooner, the matter should have been brought to the attention of the Director. James Hoelscher states that the burden of proof falls to the individual. Enforcement makes it a point to address infestations as soon as possible.

Nick Miller asks what the regulation says regarding the destruction of plants. They state that the applicant must “give the board notice” three days before.

Mark Springer states that the matter was a matter of genetics not infestation, and that there must be a difference between immediately destroying plants and holding them.

James Hoelscher states that he understands the necessity for doing something about the plants in a situation like this, but there are enforcement concerns with this type of situation.

Erika McConnell states that the board should encourage licensees to respond to NOVs.

Mark Springer asks licensees to respond to NOVs, and states that the responses are important to the board and enforcement.

James Hoelscher asks that the board clarify the NOV response requirement by clarifying the regulation. He believes that the response to the violation should be mandatory.

Loren Jones states that his concern with the NOV response requirement, is that if the matter is serious the board receives an accusation. He asks if there is something between a violation and accusation. Severe issues should be brought to the board specifically.

James Hoelscher discusses the escalation of NOVs to accusations and that responses can help Enforcement understand what has occurred. He addresses virtual transfers and states that reoccurring virtual transfers are pretty frequent and they shouldn't be. Licensees should respond to NOVs.

Erika McConnell points out the NOV where there are 40+ grams differential between what was on hand or what was in METRC. She states that accusations are very time consuming. If licensees can provide sensible explanations to NOVs it can save time on everyone's part.

Loren Jones states that if something must be specifically addressed it should be brought specifically to the board.

Mark Springer asks for an item similar to the product spreadsheet or a list of NOVs to make it easier for the board.

James Hoelscher agrees to present the information this way.

● **LICENSING BRIEFING**

2:05 pm

A. Licensing Report

TAB 13

Mikal Milton Summarizes tab 13 and discusses the application statuses with the board.

Mark Springer asks for a list of current licenses and staff explains that this information is available on the AMCO website.

Break is called 2:10 pm.

Meeting resumes 2:23 pm.

A. Proposed Projects

1. Board Requests

Nick Miller states that he was looking at the list of regulations projects and Brandon Emmett was assigned to many of them that must be reassigned.

Erika McConnell summarizes the reason for individuals being listed and states that it doesn't really need to be reassigned because the individual listed is just the person who made the motion.

Nick Miller states that he would like to address the concerns raised by the industry regarding young families and breastfeeding.

Mark Springer states that he would like to see more industry suggestions for regulations. He states that the public comment period and process should be under discussion.

B. Drafts for Board Review, Pending Public Comment Opportunity

1. Tracking and Grading

TAB 14

Status: Staff revisions
Potential Board Actions: Amend and/or put out for public comment

Erika McConnell summarizes Tab 14. She points out that a "retesting" regulations project for passed tests was opened during the last meeting but that the retesting matter was lumped in with this tab.

Nick Miller moves to put out for public comment.

Loren Jones states that one section addresses batches not to exceed 10 pounds; tax changed how they tax the different parts of the plant. He asks about the effect of batches on this tax change and the difference in testing between batch and parts of the plant.

Erika McConnell states that one of the original proposals was to require grading of harvests to separate bud/flower from leaf/trim separately. There were comments from small cultivators that the grading would require lots more testing on a batch. A testing batch will be taxed at the rate of the highest taxed item in the bag.

Jed Smith, Local Government Specialist with AMCO is present in person for questions regarding the testing working group.

Loren Jones asks that, regarding C and D, should there be a cap on the number of requests to retest that can be made?

Erika McConnell states that she always requires a good reason for retest. She is stingy on retests. She finds that there are not multiple requests to retest for the same reason from product manufacturers because they refine and fix their process to address the reasons for retesting.

Erika McConnell points out that the regulation package includes a statement that if a cultivation facility is transferring product to a licensed product manufacturer the product does not need to be tested first.

Loren Jones states that he is concerned about that part, he states that the manufacturer should be aware that they should inspect the untested product that they are receiving. He asks how much of that type of transfer occurs.

Erika McConnell states that this will happen frequently. She states that everything a manufacturer does is based on getting plant from cultivators to extract etc. Some manufacturers may negotiate with their suppliers for additional testing. She asks for comments from product manufacturers.

Mikal Milton confirms that there are 23 active-operating product manufacturers.

None opposed, motion carries.

2. Testing Oversight

TAB 15

Status: Initial draft of staff proposal
Potential Board Actions: Amend and/or put out for public comment

Erika McConnell asks the DEC representative to appear before the board.

Patryce McKinney, Chief of the Environmental Health Laboratory and Steve Crupi Laboratory Quality Systems Manager for DEC are present in person to speak. Christina Carpenter Director of the Division of Environmental Health is present in the room.

Erika McConnell summarizes Tab 15.

Steve Crupi discusses the compliance document, it provides standard protocols to ensure quality assurance and quality control in the testing facility.

Mark Springer states that this partnership is a good move. He asks how many environmental laboratories are in Alaska.

Steve Crupi states that there are 3 labs in Alaska.

Erika McConnell finishes summarizing the tab.

Nick Miller moves to put out for public comment.

None opposed, motion carries.

3. On-Site Consumption Clean-up

TAB 16

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

Erika McConnell summarizes Tab 16.

Nick Miller asks about multiple licenses, are they held by the same owners or can three licensees in one building count as "freestanding" still?

Erika McConnell states that there is a pattern where retail licenses are held by a different entity than the cultivation, and that there is no provision regarding licensee currently included.

Loren Jones states that he has an issue with the definition of “freestanding” being amended in this way. The original law does not make provisos for businesses of the same type.

Harriet Milks states that she has reviewed the smoking bill and freestanding is not defined by additional businesses. It is not listed in the definition and the board has the right to interpret the statute.

Erika McConnell reads the freestanding requirement for the record “Freestanding means a building that is not supported by another structure and does not share ventilation or internal airspace with an adjoining structure and smoke from the building cannot travel into the adjoining structure.”

Mark Springer states that it appears that the definition only discusses the building itself and not businesses present in the structure(s). If a regulatory error is made Department of Law will catch it.

Harriet Milks states that the authority for the board to interpret is the board’s statute, not statutes of other regulatory bodies. She discusses the review process for regulations. She reminds the board that if there is a provision that is not approved by DOL, the rest of the project can go forward.

Nick Miller moves to put the project out for public comment.

Loren Jones no, motion carries 2-1.

C. Public Comments Received

1. Out-of-State Investment in Testing Facilities

TAB 17

Status: Public comment period closed April 12, 2019
Potential Board Actions: Vote to adopt; OR
Substantially amend and put out for public comment

Erika McConnell summarizes Tab 17.

Loren Jones moves to adopt regulations project “Out-of-State Investment in Testing Facilities”.

None opposed, motion carries.

2. Fine Schedule

TAB 18

Status: Public comment period closed April 12, 2019
Potential Board Actions: Vote to adopt; OR
Substantially amend and put out for public comment

Erika McConnell summarizes Tab 18.

Loren Jones moves to hold (table) regulations project “Fine Schedule” to the next board meeting and to allow him to resolve the matter with the director before the next meeting.

Mark Springer states that this matter can be very impactful to the industry and he requests an hour for oral public comment at the next board meeting.

None opposed, motion carries.

3. Denial of License Application

TAB 19

Status: Public comment period closed April 12, 2019
Potential Board Actions: Vote to adopt; OR
Substantially amend and put out for public comment

Erika McConnell summarizes Tab 19.

**Loren Jones moves to adopt project “Denial of License Application”
None opposed, motion carries.**

4. Handler Courses

TAB 20

Status: Public comment period closed April 12, 2019
Potential Board Actions: Vote to adopt; OR
Substantially amend and put out for public comment

Erika McConnell summarizes Tab 20.

**Loren Jones moves to adopt project “Handler Courses”
None opposed, motion carries.**

Loren Jones states that the interior cover of the MJ regulations has a list of regulations changes made recently. He asks about handler cards are issued every year and asks whose responsibility it is to make sure that handlers understand regulatory changes. How does AMCO notify cardholders about regulatory changes?

Loren Jones and Erika McConnell discuss the requirements for regulatory knowledge from cardholders.

● APPLICATIONS FROM PREVIOUS MEETINGS 3:21pm

A. Previous Board Action Taken

1. License #10901: The High Expedition Company TAB 21
Licensee: The High Expedition Company – Joseph McAneney 100%
License Type: Retail Marijuana Store
Premises Address: 13465 E Main Street
Talkeetna, AK 99676
Local Governments: Matanuska-Susitna Borough
Transferor: The High Expedition Company – Joseph McAneney 50% and
Dan Nelson Jr. 50%
For Consideration: Transfer of controlling interest; Matanuska-Susitna Borough protests pending payment of license review fee, borough marijuana taxes, and issuance of flood hazard development permit.

Erika McConnell summarizes Tab 21.

Jana Weltzin, counsel, is present in person and gives an update regarding the protest.

Applicant, Joseph McAneney is present via phone, he states that the payment plan is to be in place within 30 days.

Counsel requests 60 days abeyance.

**Loren Jones moves to reconsider the February approval, deny the license and uphold the protest with a 60 day abeyance.
None opposed, motion carries.**

2. License #11731:	AK Slow Burn Cannabis Outlet	<u>TAB 22</u>
Licensee:	AK Slow Burn Cannabis Outlet, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	1551 E Tudor Road Anchorage, AK 99507	
Local Governments:	Municipality of Anchorage	
For Consideration:	Request to extend abeyance timeframe.	

Erika McConnell summarizes Tab 22.

Jana Weltzin, counsel, is present in person and states that the wrong community council was noticed originally and that part of the delay is that he is presenting at both councils. The request is to extend the abeyance to September 1, 2019.

Loren Jones expresses concern regarding the length of the requested extension to the abeyance.

Jana Weltzin states that the SLUP application is not scheduled for consideration by the municipality until the SLUP application is complete. She states that part of the delay is because of the municipality processes.

Erika McConnell references the current project to allow these issues to be resolved in delegation rather than abeyance. She does not have a concern regarding the 6 month abeyance.

**Nick Miller moves to extend the abeyance period to September 1 2019.
None opposed, motion carries.**

3. License #13949:	Grass Station 49	<u>TAB 23</u>
Licensee:	The Grass Station, LLC – Gary Evans 50% and Mason Evans 50%	
License Type:	Retail Marijuana Store	
Premises Address:	3505 Airport Way, Suite A Fairbanks, AK 99709	
Local Governments:	City of Fairbanks; Fairbanks North Star Borough	
Transferor:	Wishful Things, LLC – Gary Evans 49% and James Simpson 51%	
For Consideration:	Transfer of ownership; Department of Labor- Employment Security objects.	

Erika McConnell summarizes Tab 23 and states that the objection was lifted.

No further action is required at this time.

4. License #15768:	Aurora Borealis Cannabis Company	<u>TAB 24</u>
Licensee:	Sharon I Thompson	
License Type:	Limited Marijuana Cultivation Facility	
Premises Address:	16756 E Moose Hollow Avenue Talkeetna, AK 99676	
Local Governments:	Matanuska-Susitna Borough	
For Consideration:	Matanuska-Susitna Borough protests pending payment of real property taxes and Borough’s license review fee.	

Erika McConnell summarizes Tab 24. She states that the ABC Board has provided 30 days to resolve tax issues but it’s up to the board.

Sharon Thompson, applicant, is not present to testify at this time.

Loren Jones moves to reconsider the board's previous approval, uphold the protest and deny the application with a 30 day abeyance. He suggests it be a 90 day abeyance period for staff to have time to contact the applicant.

McConnell clarifies that the abeyance period only begins once the abeyance letter is sent, not the date of the board action.

None opposed, motion carries.

Loren Jones asks about taxes and payment plans, and asks about how the protests are decided regarding taxes.

Erika McConnell states that it is up to the local government to create the policies regarding protests for taxes. She states that the board could institute a discussion about the nature of the protests.

Loren Jones states that the delegated status could hold the application for a year.

Erika McConnell states that thought should be put into the matter.

5. License #15814:	Tanana Herb Company, LLC	<u>TAB 25</u>
Licensee:	Tanana Herb Company, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	1200 Well Street Fairbanks, AK 99701-2835	
Local Governments:	City of Fairbanks; Fairbanks North Star Borough	
For Consideration:	Request to extend abeyance timeframe.	

Sam Hachey, representative for license is present in person and Leslea Nunley, applicant, is present via phone.

Nick Miller moves to extend the abeyance to the requested deadline of June 22 2019.

None opposed, motion carries.

6. License #16091:	Tanana Herb Company, LLC	<u>TAB 26</u>
Licensee:	Tanana Herb Company, LLC	
License Type:	Marijuana Concentrate Manufacturing Facility	
Premises Address:	1200 Well Street Fairbanks, AK 99701-2835	
Local Governments:	City of Fairbanks; Fairbanks North Star Borough	
For Consideration:	Request to extend abeyance timeframe.	

Sam Hachey, representative for license is present in person and Leslea Nunley, applicant, is present via phone.

Nick Miller moves to extend the abeyance period to June 22, 2019.

None opposed, motion carries.

7. License #17452:	Bristol Bay Bud Company	<u>TAB 27</u>
Licensee:	Bristol Bay Bud Company, LLC	
License Type:	Standard Marijuana Cultivation Facility	

Premises Address: 2439 S Ridgecrest
Wasilla, AK 99623
Local Governments: Matanuska-Susitna Borough
For Consideration: Matanuska-Susitna Borough protests pending issuance of conditional use permit and Matanuska-Susitna Borough business license.

Jason Brandeis, counsel, is present via phone and he discusses the protest with the board. He requests a 2 month abeyance.

Mark Springers suggests a 90 day abeyance, Jason Brandeis counters with 120 days.

Loren Jones moves to reconsider the previous approval, deny the license and uphold the protest with a 120 day abeyance.

None opposed, motion carries.

8. License #19178:	Higher By Bad Gramm3r, LLC	<u>TAB 28</u>
Licensee:	Higher By Bad Gramm3r, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	1204 N Hyer Spur Road Palmer, AK 99645	
Local Governments:	Matanuska-Susitna Borough	
For Consideration:	Matanuska-Susitna Borough protests pending issuance of conditional use permit.	

Applicant is not present.

Mark Springer states that this matter is tabled until the applicant is present.

B. Tabled **3:44pm**

1. License #10886:	Good Titrations	<u>TAB 29</u>
Licensee:	FSE, Inc.	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	1770 Donald Avenue, Suite B Fairbanks, AK 99701	
Local Governments:	Fairbanks North Star Borough	
For Consideration:	Products tabled at February 2019 meeting.	

Request for ethical determination by Nick Miller (Applicant and board member are members of the AMIA board).

Mark Springer states that he does not find a conflict that requires recusal.

Brandon Emmett, licensee and Jana Weltzin, counsel are present in person to discuss their products. Loren Jones states that the labeling for product Canna Bath Bomb should say not for consumption.

Loren Jones moves to approve all 5 proposed products for Good Titrations with delegation that includes the non-edible/not for consumption statement be added on the packaging of the Canna Bath Bomb.

Brandon Emmett clarifies that the current establishment will not produce these products, once the build out space is requested these products will be manufactured.

None opposed, motion carries.

2. License #12318	Anchorage Bowl, LLC	<u>TAB 30</u>
Licensee:	Anchorage Bowl, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	4000 Spenard Road Anchorage, AK 99517	
Local Governments:	Municipality of Anchorage	
For Consideration:	Products tabled at December 2018 meeting.	

Applicant is not present yet.

*Break is called. 3:48pm
Meeting resumes at 3:59pm.*

*Applicant, Shelton Landon, is present in person.
Erika McConnell summarizes Tab 30.*

Mark Springer asks about the Edible (THC RTD "Ready To Drink").

The applicant asks what information he can provide.

Loren Jones states that the Canna-Balm should have a label that says not for consumption. He also addresses the "Doggy Nips" and states that he is unhappy with the item looking like a dog treat due to the implications that it should be fed to an animal.

Applicant clarifies that the label states for human consumption only.

Mark Springer asks that the warning be on the front as well.

***Nick Miller moves to approve all 12 products with delegation including the delegation to add the warning "not for consumption" to the product AK Canna-Balm packaging and the addition of the "for human consumption only" on the front as well as back of the packaging for product "Doggy Nips".
None opposed, motion carries.***

3. License #12511	Rosie Creek Farm	<u>TAB 31</u>
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 2019 meeting.	

*Jana Weltzin is present in person and asks that the board table consideration of the products to the July meeting.
The board accepts the request.*

4. License #14359	Tip Top, LLC	<u>TAB 32</u>
Licensee:	Tip Top, LLC	
License Type:	Retail Marijuana Store	

Premises Address: 233 E 5th Avenue, Suite 1
Anchorage, AK 99501
Local Governments: Municipality of Anchorage
For Consideration: Municipality of Anchorage protests pending an approved municipal license and special land use permit.

Applicant is not present at this time.

5. License #16991: Stoney Moose Kitchens TAB 33
Licensee: E & M Holdings, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 9737 Mud Bay Road, Suite 104
Ketchikan, AK 99901
Local Governments: Ketchikan Gateway Borough
For Consideration: Products tabled at February 2019 meeting.

Applicant is not present at this time, he is on the airplane.

6. License #17176 State of Mind Cannabis Company TAB 34
Licensee: HS Enterprises LLC
License Type: Retail Marijuana Store
Premises Address: 33508 Lincoln Avenue, #C
Seward, AK 99664
Local Governments: Kenai Peninsula Borough
For Consideration: Tabled at December 2018 meeting until the premises diagrams for liquor licenses 2720 and 4254 have been revised via AB-14.

Applicant, David Hettick, is present via phone.

Erika McConnell summarizes Tab 34.

Applicant summarizes his application and answers board questions regarding location and experience.

Loren Jones asks about the premises diagram changes and the required separation between liquor license premises and Marijuana licensed premises.

The board and director discuss the premises diagrams.

The applicant answers additional questions regarding entrances and whether or not they are required to go through the bar or visa-versa.

Mark Springer states that the diagrams are hard to understand.

Applicant confirms that there is no public access between the two, and discusses the operating hours related to the bar (unrelated).

Nick Miller moves to approve license 17176 with delegation & Kenai Peninsula Borough conditions. None opposed, motion carries.

7. License #18173

Alaska’s Latitude 61

TAB 35

Licensee: Vickie L Fenster
 License Type: Marijuana Product Manufacturing Facility
 Premises Address: 2201 Nissen Drive
 Palmer, AK 99645
 Local Governments: Matanuska-Susitna Borough
For Consideration: Multiple objections received.

Applicant, Vickie Fenster, is present in person. She provides a folder of reference materials to the board.

Erika McConnell summarizes Tab 35.

Applicant answers board questions regarding the objections, the Home Owners Association meeting where her application was approved, product bundling (in marketing) which was discussed at previous meeting, and change to the testing process.

Erika McConnell clarifies that the bundling may occur to retail stores as long as the purchase limit is still adhered to.

Applicant answers board questions regarding source of marijuana for manufacture, licensed premises, access to the basement (daylight basement, separate access), restricted access versus non restricted access areas, product names, and reduction of product list, packaging for products.

Loren Jones states that the product name listed only lists the formula but it appears that her products also include words like “ointment” or “salve”.

Mark Springer states that the product name should include the identifier such as “salve” or “ointment”, he requests delegation include this identifier.

***Nick Miller moves to approve license 18173 with delegation.
None opposed, motion carries.***

***Nick Miller moves to approve all 6 products with delegation including the requested delegation above regarding the additional identifier on the product name.
None opposed, motion carries.***

8. License #19372:

Red Run Cannabis Cultivators, LLC

TAB 36

Licensee: Red Run Cannabis Cultivators, LLC
 License Type: Marijuana Product Manufacturing Facility
 Premises Address: 12516 Kenai Spur Highway, Suite A
 Kenai, AK 99611
 Local Governments: City of Kenai; Kenai Peninsula Borough
For Consideration: Products tabled at February 2019 meeting.

Applicant is not present at this time.

*None of the applicants that were not present previously are present at this time.
Meeting adjourned.*

● **RECESS TO NEXT DAY**

4:38pm

Marijuana Control Board Meeting Minutes Continued May 2, 2019

● ADMINISTRATION

9:00 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*

Board Members Absent

Christopher Jaime, Public Safety Member

Staff Present

*Erika McConnell, Director
Mikal Milton, Records and Licensing Supervisor*

Counsel Present

Harriet Milks, Assistant Attorney General

Erika McConnell makes a clarifying comment regarding the ARMS/APSIN press coverage; she reads AS 17.38.131. She states that there is a substantial misunderstanding of why enforcement officers should be armed and have access to the databases, it's not about going into the licensed premises, it's about fighting the black market. Enforcing criminally punishable provisions requires the tools and safety protections used by police officers.

Mark Springer states that these record management systems are important, and that the authority these enforcement officers have is broad. He thanks the director.

● Tabled from 5/1/2019

9:15 am

A. License #19178:

Licensee:
License Type:
Premises Address:

Higher By Bad Gramm3r, LLC

Higher By Bad Gramm3r, LLC
Retail Marijuana Store
1204 N Hyer Spur Road
Palmer, AK 99645

TAB 28

Local Governments:
For Consideration:

Matanuska-Susitna Borough
Matanuska-Susitna Borough protests pending issuance of conditional use permit.

Applicant is not present at this time.

B. License #14359 **Tip Top, LLC** **TAB 32**
Licensee: Tip Top, LLC
License Type: Retail Marijuana Store
Premises Address: 233 E 5th Avenue, Suite 1
Anchorage, AK 99501
Local Governments: Municipality of Anchorage
For Consideration: Municipality of Anchorage protests pending an approved municipal license and special land use permit.

Applicant is not present at this time.

C. License #16991: **Stoney Moose Kitchens** **TAB 33**
Licensee: E & M Holdings, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 9737 Mud Bay Road, Suite 104
Ketchikan, AK 99901
Local Governments: Ketchikan Gateway Borough
For Consideration: Products tabled at February 2019 meeting.

Considered below.

Board agrees to consider Tab 94.

License #16991: **Stoney Moose Kitchens** **TAB 94**
Licensee: E & M Holdings, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 9737 Mud Bay Road, Suite 104
Ketchikan, AK 99901
Local Governments: Ketchikan Gateway Borough

Eric Riemer, licensee, is present in person.

Tab 94 is considered first.

**Nick Miller moves to approve product "In-House Vegetable Glycerin".
None opposed, motion carries.**

Tab 33 is now considered.

*Licensee answers board questions regarding the products Infused Kombucha, servings in the Extra POTent are four servings vs one serving for the other Kombucha, different labeling will be used, warning regarding may contain alcohol (**trace amounts of alcohol will be added to the label**), food services regulations regarding fermented beverages, DEC has reviewed the process by which the Kombucha is made.*

Licensee answers board questions about the moose milk creamer (there is an in house process that prevents adulteration).

Nick Miller moves to approve all 11 products requested with delegation.

Licensee answers board questions regarding mushroom chocolates (mushroom powder is used).

None opposed, motion carries.

D. License #19372: **Red Run Cannabis Cultivators, LLC**
 Licensee: Red Run Cannabis Cultivators, LLC
 License Type: Marijuana Product Manufacturing Facility
 Premises Address: 12516 Kenai Spur Highway, Suite A
 Kenai, AK 99611
 Local Governments: City of Kenai; Kenai Peninsula Borough
For Consideration: Products tabled at February 2019 meeting.

TAB 36

Licensee, Marc Theiler, is present via phone.

Nick Miller moves to approve concentrates “Hash” “Kief” and “Rosin”.

None opposed, motion carries.

Nick Miller moves to approve product “Moon Rocks”.

The board discusses testing & labeling requirements with staff. Applicant answers board questions regarding labeling (concentrate).

Mark Springer asks that the labeling be clarified in delegation in work with the director to ensure that the concentrate & labeling regarding testing is clear (the testing on each ‘part’ must be listed).

None opposed, motion carries.

Applicant answers board questions regarding the Premium infused butter products (pre-creamed nuts are used).

Nick Miller moves to approve products 1 “Hash Chocolates”, 2 “Hash Gummies”, 6 “Premium Infused Cashew Butter”, 7 “Premium Infused Peanut Butter”, & 8 “Premium Infused Pecan Butter”.

None opposed, motion carries.

● **APPLICATIONS FROM PREVIOUS MEETINGS CONTINUED**

B. Licenses in “Pending Inspection” Status for Over Six Months

TAB 37

1. License #11091: **Tempt, LLC**
 Licensee: Tempt, LLC
 License Type: Standard Marijuana Cultivation Facility
 Premises Address: 2410 E 88th Avenue
 Anchorage, AK 99507
 Approved by MCB: February 2, 2017
 License Issued: May 24, 2017
When on January 24, 2018 agenda, licensee did not appear.

Erika McConnell suggests that the board revoke their approval from non-appearance by the applicant.

Nick Miller moves to rescind prior approval for 11091 Tempt, LLC for non-appearance.

None opposed, motion carries.

- 2. 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
On April 4, 2018 agenda, licensee told board that he anticipated being ready in June of 2018.

Applicant is not present at this time.

***Nick Miller moves to rescind prior approval for non-appearance.
None opposed, motion carries.***

- 3. 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
On April 4, 2018 agenda, licensee told board that he anticipated being ready a little after June of 2018.

Applicant is not present.

***Nick Miller moves to rescind prior approval.
None opposed, motion carries.***

[Reconsidered below]

- 4. License #13603: AK Green Bee, Inc.**
Licensee: AK Green Bee, Inc.
License Type: Standard Marijuana Cultivation Facility
Premises Address: 2364 Badger Road
North Pole, AK 99705
Approved by MCB: May 15, 2017
License Issued: October 8, 2018

Applicant, Monique Bangle, is present via phone and explains that the conditional use process is delaying their opening. They anticipate being ready within one month.

- 5. License #13752: Northern Dreams, LLC**
Licensee: Northern Dreams, LLC
License Type: Limited Marijuana Cultivation Facility
Premises Address: 11705 B N Jonesville Mine Road
Sutton, AK 99674
Approved by MCB: June 14, 2018
License Issued: September 6, 2018

Applicant, Andrew Wessel, is present via phone. An inspection has been requested.

C. Licenses in “Delegated” Status for Approximately One Year

TAB 38

- 1. License #10876:** **Hale Harvest**
Licensee: Joel H. Zebill
License Type: Limited Marijuana Cultivation Facility
Premises Address: 18132 Loveall Loop
Clam Gulch, AK 99568
Approved By MCB: April 5, 2017
Pending: **Fire Marshal approval; in April of 2018, applicant stated he was in communication with Fire Marshal and was instructed to keep the office updated.**

Not present, no communication with staff since April 2018.

***Nick Miller moves to rescind prior approval for non-appearance.
None opposed, motion carries.***

- 2. License #12572:** **Henleys’ Happy Harvest, LLC**
Licensee: Henleys’ Happy Harvest, LLC
License Type: Limited Marijuana Cultivation Facility
Premises Address: 35633 Baranof Street
Kenai, AK 99611
Approved By MCB: January 26, 2018
Pending: **Fire Marshal approval; applicant not present at February 2019 meeting.**

Applicant is not present.

The applicant is extended a chance to arrive in July.

- 3. License #12580:** **Brown Owl’s Cultivation**
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; at February 2019 meeting, applicant was asked to provide update in May.**

Applicant is not present.

The applicant is extended a chance to arrive in July.

- 4. License #12659:** **Alaska Horticultural Arts, LLC**
Licensee: Alaska Horticultural Arts, LLC
License Type: Standard Marijuana Cultivation Facility
Premises Address: 7978 W. Scarlet Circle
Wasilla, AK 99623
Approved By MCB: July 13, 2017

Pending: **Fire Marshal approval.**

Applicant rescinded application, no action necessary.

5. 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.**

Applicant Carol Waldo is present via phone, she provides an update regarding the status of her Fire Marshal approval.

Nick Miller states that this license will be considered again in July.

6. License #12818: **Turnagain Herb Company**
Licensee: AK Provisions Corporation
License Type: Retail Marijuana Store
Premises Address: 524 E 48th Avenue, Unit 3
Anchorage, AK 99503
Approved By MCB: April 5, 2018
Pending: **Municipality of Anchorage protest.**

Applicant is not present.

The applicant is extended a chance to arrive in July.

7. License #13047: **Granny's Greens, LLC**
Licensee: Granny's Greens, LLC
License Type: Limited Marijuana Cultivation Facility
Premises Address: 5930 E Porcupine Avenue
Wasilla, AK 99654
Approved By MCB: November 28, 2017
Pending: **Fire Marshal approval.**

Applicant has rescinded application, no action necessary.

8. License #13864: **Simple House, LLC**
Licensee: Simple House, LLC
License Type: Limited Marijuana Cultivation Facility
Premises Address: 6511 Hemlock Drive
Wasilla, AK 99654
Approved By MCB: April 5, 2018
Pending: **Fire Marshal approval.**

Jana Weltzin, counsel, is present in person and Mark Oppegaard, applicant is present via phone. Counsel provides a summary of the status of the Fire Marshal approval.

Mark Springer asks to hear from the applicant again in July.

● BOARD CONSIDERATION

9:39am

A. License #10071:	Vern's Wicked Weed	<u>TAB 39</u>
Licensee:	Jeremy Erickson	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	3872 Halibut Point Road, Bay One Sitka, AK 99835	
Local Governments:	City of Sitka	
For Consideration:	Reconsideration of license denial.	

Erika McConnell summarizes Tab 39. She states that the board at the previous meeting spoke with Mr. Erickson and declined to reconsider their denial.

Jeremy Erickson, applicant answers board questions regarding build out, provides pictures of the build out, and discusses the amount of time he anticipates needing.

Mark Springer and Erika McConnell discuss the application and possible action.

***Loren Jones moves to rescind February action and require that the board receive a report from applicant and staff saying that an inspection is completed by the July meeting.
None opposed, motion carries.***

B. License #10074:	88 Double Happiness, LLC	<u>TAB 40</u>
Licensee:	88 Double Happiness, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	2905 Tanglewood Drive Anchorage, AK 99517	
Local Governments:	Municipality of Anchorage	
For Consideration:	Reconsideration of license denial.	

Erika McConnell summarizes Tab 40.

Bernard I Souphanavong, applicant, is present in person, he answers board questions regarding the existing business and operations, date of license issue (2016), and expected timeline.

Loren Jones states that he is reluctant to rescind prior action due to existing business and premises concerns.

Mark Springer discusses if anything was done with the city (it was not).

Applicant discusses phasing out of the existing business and the transition period.

Mark Springer states that the applicant does not seem to be losing a significant investment by losing the approval, and that he is not denied a license forever.

Erika McConnell states that the protest was lifted by the city.

Nick Miller asks if the Conditional Use Permit was attained. (The applicant does not know.)

Erika McConnell clarifies that the municipality lifted its protest and therefore the applicant should have received his paperwork. She discusses the needs to re-examine approvals this old and require applicants to comply with current law.

Mark Springer discusses the plumbing in the facility.

Nick Miller moves to reconsider license 10074.

Mark Springer states that he would consider tabling to July, Miller agrees and states that he would like the applicant to be in a position to move forward.

Jones disagrees with tabling to July.

Nick Miller amends his motion to table consideration to the July meeting.

Loren Jones votes no, and Mark Springer and Nick Miller vote yes.

Motion carries 2-1.

C. License #10080:	Dream Green Farms	<u>TAB 41</u>
Licensee:	DGF Enterprises, Inc.	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	2939 Porcupine Drive, Suite A Anchorage, AK 99501	
Local Governments:	Municipality of Anchorage	
For Consideration:	Approval of 2018-2019 renewal.	

Jana Weltzin, counsel, is present in person, and Justin Roland, applicant, is present via phone.

Counsel summarizes the situation in Tab 41.

Nick Miller moves to renew.

None opposed, motion carries.

D. License #10082:	Einstein Labs	<u>TAB 42</u>
Licensee:	Einstein Enterprises, Inc.	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	2939 Porcupine Drive, Suite B Anchorage, AK 99501	
Local Governments:	Municipality of Anchorage	
For Consideration:	Approval of 2018-2019 renewal.	

Jana Weltzin, counsel, is present in person, and Justin Roland is present via phone.

Counsel summarizes the situation in Tab 42.

Nick Miller moves to renew.

None opposed, motion carries.

E. License #13479:	North Star Fire	<u>TAB 43</u>
Licensee:	North Star Fire, LLC	
License Type:	Standard Marijuana Cultivation Facility	

Premises Address: 3780 Leasure Street, Suite 3
Fairbanks, AK 99701
Local Governments: City of Fairbanks; Fairbanks North Star Borough
For Consideration: Reconsideration of license denial.

Jana Weltzin, counsel, is present in person, and licensee Kirsten Hagen, applicant, is present via phone.

Erika McConnell summarizes Tab 43.

Jana Weltzin states that she agrees that the licensee should have been more proactive.

Nick Miller moves to reconsider previous denial.

None opposed, motion carries.

Loren Jones moves to approve the license with delegation.

None opposed, motion carries.

F. License #18190:	Nugz, LLC	<u>TAB 44</u>
Licensee:	Nugz, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	9331 Glacier Highway Juneau, AK 99801	
Local Governments:	City and Borough of Juneau	
For Consideration:	Per 3 AAC 306.095, the applicant is appealing determination of Failed to Complete application under 3 AAC 306.025(f).	

Jana Weltzin, counsel, and licensee Dave Smith are present in person.

Erika McConnell summarizes Tab 44.

Jana Weltzin summarizes their reason to appeal, primarily the lease document requirement, binding documents signed by LLC managers bind the entity no matter the status of the manager. She references a March 8th email that was not included in the packet. She reads her email and provides a copy to the board.

Erika McConnell states that the original incomplete letter did not state the lease change requirement because the individual was not removed until later. The license was rolled back to "new" status. She discusses the timing that the email was sent. (Friday after 5:00pm). The two days was between Friday night and Monday.

Jana Weltzin states that the lease does not need to be re-signed.

Applicant addresses the board, he discusses termination of the partnership with the other individual. He states that the lease was originally for just one section but that the secondary lease was for the whole space. They address the secondary application that was submitted on April 8th in case the board upheld the staff decision.

Erika McConnell states that there was nothing heard between January 23rd and March 8th from counsel or applicant stating that the individual should not need to be removed from the lease. She reminds the board on January 24, 2018 they still rejected an application completed 92 days after the letter.

Mark Springer asks Harriet Milks about the issue of signatures on leases. She states that legally there is no problem with an ex member having signed the lease.

Harriet Milks states that in this case, perhaps the lease signatory it may not be a problem but in other cases it may be. She references the changes to the lease.

Mark Springer references the "amended" lease with track changes.

Loren Jones states that the board must consider that it is the applicant's responsibility to receive clarification if understanding is not reached. Attorney being absent does not absolve the applicant from understanding the situation. His main question is if the incomplete was upheld what would occur. Erika McConnell states that the board has previously been very particular about the POPP concerns and she finds it valid for the examiner to request that his signature be removed.

Loren Jones requests to hold the matter to 4:15/4:30 pm today to allow the board time to think about this matter.

The application is tabled.

Break is called 10:28 am.
Meeting resumes 10:41 am

D. License #19624:	Studio 420 AK	<u>TAB 45</u>
Licensee:	420 Enterprises, LLC Co.	
License Type:	Retail Marijuana Store	
Premises Address:	4608 Spenard Road, Suite E Anchorage, AK 99502	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.	

Applicant is not present at this time.

Erika McConnell summarizes Tab 45.

Mark Springer asks if this license has been issued. Staff confirms that it has not.

Mark Springer states that due to the applicant not being present the matter will wait until Friday afternoon or table to July if necessary.

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS** 10:45 am

A. License #16965:	Barely Legal, Inc.	<u>TAB 46</u>
Licensee:	Barely Legal, Inc.	
Premises Address:	1036 E 4 th Avenue Anchorage, AK 99501	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.	

Counsel, Jana Weltzin, is present in person and states that the name is being changed to 4th Ave Cannabis Company.

Applicant, Don Brooks, is present via phone.

Applicant makes a statement that he is addressing the parking problems that they are having with the municipality. Applicant and counsel answer board questions regarding location, experience, building status, financing, loitering, waste disposal, odor control, employees (owner-operator, 3 with cross-trained employees to the retail), and access to cultivation facility.

Loren Jones and staff discuss the motion, and asks about the 90 day abeyance.

Counsel states that an extension to the abeyance for the other license will be submitted.

Loren Jones moves to deny the application, uphold the protest, and place a 120 day abeyance on the denial.

None opposed, motion carries.

B. License #19204:	Mikey's Place, LLC	<u>TAB 47</u>
Licensee:	Mikey's Place, LLC	
Premises Address:	30353 N Willow Fishhook Road, Bldg. B Willow, AK 99688	
Local Governments:	Matanuska-Susitna Borough	

Scott (William) Eubanks and Peter Walsh, applicants, and legal counsel Jessika Smith and Lance Wells are present in person to discuss the application.

Scott Eubanks discusses the current status of the premises, he expects to need approximately 120 days to get operational.

Applicants answer board questions regarding premises, experience, financing, and CBD.

Loren Jones asks about Page 2 of the MJ-01 containing a statement that the cultivation will not allow tours or leisure visits but then describing visitors.

Mark Springer states that he does not find there to be conflict regarding this statement.

Nick Miller moves to approve [with delegation].

Erika McConnell introduces Melissa Walter, the new AMCO Administrative Officer who enters the meeting as a spectator.

Loren Jones clarifies that delegation is required, Nick Miller agrees.

None opposed, motion carries.

C. License #19485:	High Vibes LLC	<u>TAB 48</u>
Licensee:	High Vibes LLC	
Premises Address:	2145 Richardson Highway North Pole, AK 99705	
Local Governments:	Fairbanks North Star Borough	

Justin Hocklander, applicant is present via phone to discuss his application.

Applicant summarizes application and then answers board questions regarding property ownership, market, experience, financing, length of residency, premises diagram (second floor access), and perceived discrepancy between MJ-04 form and diagram regarding room labeling.

**Nick Miller moves to approve with delegation.
None opposed, motion carries.**

● **NEW LIMITED MARIJUANA CULTIVATION FACILITY APPLICATIONS** **11:17am**

A. License #15501:	Family Trees	<u>TAB 49</u>
Licensee:	Family Trees, LLC	
Premises Address:	199 Thoreau Drive Fairbanks, AK 99712	
Local Governments:	Fairbanks North Star Borough	

Spencer Abrams, applicant, is present via phone. He summarizes his application and answers board questions regarding onsite residence, diagram and room usage (delegation will include labeling the premises diagram), experience, understanding taxes and assets, and market demographic.

**Nick Miller moves to approve with delegation including labeling of the premises diagram.
None opposed, motion carries.**

B. License #15557:	Aurora Development Group, Inc.	<u>TAB 50</u>
Licensee:	Aurora Development Group, Inc.	
Premises Address:	1667 Amidon Drive Fairbanks, AK 99712-2836	
Local Governments:	Fairbanks North Star Borough	

Jana Weltzin, applicant, is present in person and Natthapon Navachai, applicant, is present via phone. Applicant summarizes application and answers board questions regarding premises ownership, on site habitation, location, and waste disposal including information about selling trim (the wasted disposal including selling trim is to be removed in delegation),

**Nick Miller moves to approve with delegation (including removal of the selling trim portion of the waste disposal plan).
None opposed, motion carries.**

C. License #17778:	Red Fox Farms LLC	<u>TAB 51</u>
Licensee:	Red Fox Farms LLC	
Premises Address:	1400 N Armor Ct Wasilla, AK 99654	
Local Governments:	Matanuska-Susitna Borough	

James Parker, applicant, is present in person. He summarizes the application and answers board questions regarding experience, premises, employees (owner operated), and location.

**Nick Miller moves to approve with delegation.
None opposed, motion carries.**

D. License #19466:	Green Acres 907, LLC	<u>TAB 52</u>
Licensee:	Green Acres 907, LLC	
Premises Address:	Lot 1 Root Beer Lake Big Lake, AK 99652	
Local Governments:	Matanuska-Susitna Borough	

Jana Weltzin, counsel and applicant David Kuper are present in person. Applicant summarizes application and answers board questions regarding access to premises, and experience.

Jana Weltzin points out that the CO2 must be removed, she asks to include that in delegation (the board agrees).

**Nick Miller moves to approve with delegation including removal of CO2.
None opposed, motion carries.**

E. License #19473:	Goldstream Cannabis Annex	<u>TAB 53</u>
Licensee:	Goldstream Grown, LLC	
Premises Address:	2922 Parks Highway, Studio 10 Fairbanks, AK 99709	
Local Governments:	Fairbanks North Star Borough	

Jana Weltzin, counsel and applicant Carolyn Dobbs are present in person. Applicant & counsel summarizes application and answer board questions regarding proximity to the distillery, entrance to cultivation being around the corner, experience, and financing.

**Nick Miller moves to approve with delegation.
None opposed, motion carries.**

F. License #19532:	Highliner Crafts, LLC	<u>TAB 54</u>
Licensee:	Highliner Crafts, LLC	
Premises Address:	98 Kian Street Ketchikan, AK 99901	
Local Governments:	Ketchikan Gateway Borough	

Applicants, Edgar (Andrew) Burton, Andrew Robinson and W Trent Headley Jr. are present via phone. Applicants summarize their application and answer board questions regarding experience, and premises.

**Nick Miller moves to approve with delegation.
None opposed, motion carries.**

G. License #19737:	Cannatrader, LLC	<u>TAB 55</u>
Licensee:	Cannatrader, LLC	
Premises Address:	6228 Nielsen Way, Suite B Anchorage, AK 99518	
Local Governments:	Municipality of Anchorage	

For Consideration: Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.

Applicant, James Hess, is present in person. He summarizes his application and answers board questions regarding diagram and other businesses located within the premises, abeyance period necessary, air handling, and status of construction.

Loren Jones moves to deny the application to uphold the protest with a 120 day abeyance and delegation. None opposed, motion carries.

Applicant requests that Tab 83 be considered at this time. He expresses that this matter is related to the question that goes to the board questions regarding changes required to be reported.

Mark Springer declines to consider the tab at this time.

H. License #19877:	Dannys Place	<u>TAB 56</u>
Licensee:	Ronald G Pritchard	
Premises Address:	36221 Pine Street Soldotna, AK 99669	
Local Governments:	Kenai Peninsula Borough	
For Consideration:	Kenai Peninsula Borough requests conditions.	

Applicant is not present at this time.

I. License #20642:	Snow Lotus Gardens, LLC	<u>TAB 57</u>
Licensee:	Snow Lotus Gardens, LLC	
Premises Address:	2301 South Knik-Goose Bay Road #4B Wasilla, AK 99654	
Local Governments:	Matanuska-Susitna Borough	

Applicants, Duane Larson and Holly Rudder-Larson are present in person. They summarize their application and answer board questions regarding experience and financing.

Nick Miller moves to approve the application with delegation. None opposed, motion carries.

The board agrees to consider Tab 83 [Operating Plan Change] at this time.

A. License #13588:	AKfunding LLC	<u>TAB 83</u>
Licensee:	AKfunding LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	12975 W Horizon Way Houston, AK 99694	
Local Governments:	City of Houston; Matanuska-Susitna Borough	

Applicant, James Hess, is present in person.

Erika McConnell summarizes Tab 83 and states that the question is do chemicals used on plants matter or are all chemicals important.

Mark Springer states that the board regulates the plants not cleaning.

Nick Miller states that he would be okay to have them just say that they are using items off of the approved list.

McConnell clarifies that DEC does NOT have a list of approved cleaners.

Applicant summarizes the request listed in Tab 83.

Mark Springer asks the industry to think about best practices regarding equipment cleaning.

**Nick Miller moves to approve the operating plan change proposed.
None opposed, motion carries.**

Erika McConnell states that she finds this action to indicate that the specific chemicals are not required to be listed and that staff should not worry about specific fertilizers etc. she suggests a regulations project.

Lunch is called 11:56 am.
Meeting resumes 1:00 pm.

● **RECONSIDERATION OF PREVIOUS ACTION.**

1:01pm

- 1. 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
On April 4, 2018 agenda, licensee told board that he anticipated being ready in June of 2018.

Considered below.

- 6. 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
On April 4, 2018 agenda, licensee told board that he anticipated being ready a little after June of 2018.

Lily Shimek, applicant, and her father David Shimek, landlord, are present in person to address their application.

Landlord states that progress is being made, building improvements and construction are occurring, change of use revokes grandfathering rights, plumbing and electrical plans are approved, applicant

provides photos to the board of the building before and after construction. He discusses the permitting process and answers board questions regarding the anticipated operational dates (August 1 for retail).

Regarding the cultivation, 11635, the applicant discusses the pending items.

Nick Miller moves to reconsider the previous action regarding 11547.

None opposed.

The board withdraws the motion to rescind prior approval.

Loren Jones states that there must be a positive report at the September meeting regarding operations.

Landlord discusses time frame for cultivation to be up and running and discusses lack of capital.

Loren Jones moves to reconsider action on 11635.

None opposed, motion carries.

Nick Miller moves to withdraw the previous motion to withdraw.

None opposed, motion carries.

A September report is required for 11635 as well.

No one is present for any of the applications previously not present.

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

1:15pm

A. License #12437:	Alaska Cannabis Exchange, LLC	<u>TAB 58</u>
Licensee:	Alaska Cannabis Exchange, LLC	
Premises Address:	2906 Spenard Road Anchorage, AK 99503	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.	

Aaron Ralph, applicant, is present via phone. He summarizes his application and answers board questions regarding location, nondisclosure agreement required, foot traffic, individuals vs establishments and a manifest required for delivery, packaging of product listed for a retail store, number of employees, status of build out, permitting, random weekly video feed review and diversion prevention procedures (to be clarified and expanded upon in delegation), and neighboring businesses (none).

Nick Miller moves to uphold protest 120 day abeyance and delegation including revision of the diversion section.

None opposed, motion carries.

B. License #15019:	The Tree House AK	<u>TAB 59</u>
Licensee:	B2H, LLC	
Premises Address:	341-D Boniface Parkway Anchorage, AK 99504	
Local Governments:	Municipality of Anchorage	

For Consideration: Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit; multiple objections received.

Jana Weltzin, counsel, and Joshua Boots, applicant are present in person. Applicant and counsel summarize the application and answers board questions regarding location.

Counsel suggests that full applications be presented to community councils.

Erika McConnell states that this was a concern because “posting the application” is posting the public notice. A regulations project on the matter could behoove the board.

Counsel and staff discuss the 30 day objection period.

Counsel and applicant answer board questions regarding the language around “agents or employees”, the MJ-03 descriptions of receiving appearing to be in conflict, and the basis of the objections.

Loren Jones states that the objections are not required to be determined arbitrary, capricious or unreasonable. Staff and the board discuss community council’s rights and how the board handles objections.

Counsel asks for a 120 day abeyance.

Nick Miller moves to uphold the protest and deny the license with a 120 day abeyance and delegation.

None opposed, motion carries.

C. License #17077:	Grass Station 49	<u>TAB 60</u>
Licensee:	The Grass Station, LLC	
Premises Address:	223 Front Street, Suite B	
	Nome, AK 99762	
Local Governments:	City of Nome	
For Consideration:	Objection received.	

Mason Evans and Gary Evans, applicants, are present in person.

Erika McConnell summarizes Tab 60.

Applicant provides a newspaper to the board and discusses the purchase of the museum and library. Page 11 shows that he Nome United Church was not present in the location at that time. They state that the church moved after they ran their advertisement.

Erika McConnell summarizes the measurements taken. The distance would still be under 500 no matter how it was measured.

Applicant states that the church did not move in until October.

Mark Springer states that the board has run into issues previously where a church has moved in after an applicant provides intent.

Applicant answers board questions regarding the vacant basement floor, and general community reception.

Mark Springer states for the record that the objection does not appear to be heartfelt and the evidence provided shows that the location of the church changed after the application was initiated.

Nick Miller states that the applicants were very open with the community and the church moved into the area with that information already in place.

**Nick Miller moves to approve with delegation.
None opposed, motion carries.**

D. License #18735:	Alaskabuds, LLC	<u>TAB 61</u>
Licensee:	Alaskabuds, LLC	
Premises Address:	660 Third Avenue, Suite B Bethel, AK 99559	
Local Governments:	City of Bethel	

Erika McConnell states that the board may not evaluate this license due to a lack of quorum since the licensee is a board member. Staff is attempting to create a special meeting for this matter. This matter will be considered at the call of the chair. This application is tabled because Nick Miller would have had to recuse himself which would have prevented a quorum.

E. License #18929:	Seeds & Stems, LLC	<u>TAB 62</u>
Licensee:	Seeds & Stems, LLC	
Premises Address:	43280 Kenai Spur Highway, Unit E Nikiski, AK 99635	
Local Governments:	Kenai Peninsula Borough	
For Consideration:	Residency pending; Kenai Peninsula Borough requests conditions.	

*Erika McConnell states that the residency issue has been resolved.
Lance Wells and Jessica Smith, counsel, and Jenny Foster, applicant, are present in person.
Applicant summarizes their application and answers board questions regarding location, number of employees, and operations.*

**Nick Miller moves to approve with delegation and Kenai Peninsula Borough conditions.
None opposed, motion carries.**

F. License #19277:	The Herbal Cache LLC	<u>TAB 63</u>
Licensee:	The Herbal Cache LLC	
Premises Address:	158 Holmgren Place, Suite 101 Girdwood, AK 99587	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.	

Applicant, Brent Carse, is present in person. He answers board questions regarding other licenses being held (10126), why a previously expired license was being asked to be held in the same place as the new location. Applicant states that it was partnership dispute and that he took over all of the facility etc.

Applicant answers board questions regarding community support, experience, capitol, and requested abeyance period.

Loren Jones moves to uphold the municipal protest and deny the application with a 120 day abeyance and delegation.

None opposed, motion carries.

G. License #19300:	Pine Street Cannabis Company	<u>TAB 64</u>
Licensee:	Croy's Enterprises LLC	
Premises Address:	139 Warehouse Drive, Suite B Soldotna, AK 99669	
Local Governments:	City of Soldotna; Kenai Peninsula Borough	

Richard Ebenezer, applicant, is present via phone to testify. He summarizes the application and answers board questions regarding traffic, existing business, MJ-01 discusses packaging in 5 pounds which is not the retail purview (to be included in delegation), and waste disposal to be transported offsite (applicant will transport himself and is dumping it in his yard).

Staff and the board discuss Kenai Peninsula Borough conditions (only placed on applications outside city limits within the borough).

Miller moves to approve with delegation including revision of the packaging section that discusses the 5 pound packaging.

None opposed, motion carries.

H. License #19616:	Buds Below Zero	<u>TAB 65</u>
Licensee:	Nangiaqtuuvik, LLC	
Premises Address:	4326 Laura Madison Street Barrow, AK 99723	
Local Governments:	City of Utqiagvik; North Slope Borough	
For Consideration:	Objection received.	

Counsel, Lance Wells and Jessica Smith, are present in person, and Robert Kaleak, applicant, is present in person.

Staff and the board discuss the distance objections, the Bahai church has been dissolved and the early learning center is outside the required distance.

Applicant and counsel answer board questions regarding building ownership, demand for marijuana retail, experience, and construction.

Counsel addresses residence and location of restroom (going through restricted access to get to the bathroom), she states that the layout was determined to be the most appropriate because the living quarters will be only for a live-in manager or licensee, she offers to revise the diagram if necessary.

Loren Jones states that the green line needs to make it more clear on Diagram 2 where licensed premises vs restricted access are located.

Counsel addresses lighting issues, and states that there are ways to ensure that the lighting will not extend beyond the property lines that they will be using. They also address that the applicant will be working with the borough.

The City of Utqiagvik has requested the licensee receive approval from AMCO before coming to them for approval.

Applicant and counsel address additional board questions regarding visitors in the living quarters and restricted access areas, the habitation of the wife in the living quarters (she will need to be an employee with a badge to enter the restricted access), product attaining, transportation, expected hours of operation, local option election to ban edibles, only flour is allowed.

Loren Jones asks staff to confirm the results of the local option.

Loren Jones moves to hold consideration until July, to give staff time to review the local option and to have a quorum.

Counsel states that the applicant may not move forward in any way without having AMCO approval.

Loren Jones states that he is concerned about the premises diagram and local option.

Mark Springer asks if the board could table the application to consideration at the meeting to be held at the call of the chair so that staff could prepare additional information.

Loren Jones withdraws his original motion and moves to table to the next board meeting to provide more time for staff to provide information regarding the local option election and for the applicant to amend the diagram.

Nick Miller suggests that they remove the kitchen and bathroom from the restricted access area.

None opposed, motion carries.

Break is called 2:34 pm.

Meeting resumes 2:52 pm.

I. License #19658:	Dejavu Cannabis Company	<u>TAB 66</u>
Licensee:	Andrew G Sablon	
Premises Address:	11676 W Rezanof Drive Kodiak, AK 99615	
Local Governments:	Kodiak Island Borough	

Andrew Sablon, applicant, is present via phone.

Loren Jones expresses strong concerns regarding whether or not the applicant is able to operate the business. He states that April 18, 2019, there was an article in the newspaper that was more informational than the application. He finds the application sketchy.

Applicant summarizes the application and states that he left his application open to allow for changes in equipment.

Phone is reset.

Applicant answers board questions regarding status of building (not complete), experience, local option, public hearing scheduled, METRC knowledge, loitering, and permitting requirements.

Nick Miller moves to approve with delegation.

None opposed, motion carries.

J. License #20113:	High Rise, LLC	<u>TAB 67</u>
Licensee:	High Rise, LLC	
Premises Address:	104 Center Avenue, Suite 102 Kodiak, AK 99615	
Local Governments:	City of Kodiak; Kodiak Island Borough	
For Consideration:	City of Kodiak requests conditions.	

Applicant, Jack Schactler, is present in person. He summarizes his application and answers board questions regarding experience, and location.

Nick Miller references conditions.

Applicant answers additional board questions regarding supply of product, sales tax, objection regarding federal law (not included in the packet), entrance and access, employee area and surveillance room not being restricted access, status of establishment, and investment in location.

Nick Miller moves to approve with conditions and delegation.

None opposed, motion carries.

K. License #20221:	Denali Grass Company	<u>TAB 68</u>
Licensee:	Susan Nowland	
Premises Address:	Milepost 248.5 Parks Highway, Suite A Healy, AK 99743	
Local Governments:	Denali Borough	

Jana Weltzin, counsel, and applicant Susan Nowland are present in person.

Applicant and counsel summarize the application and answer board questions regarding premise entrance (applicant wishes to submit a new drawing to allow for a separate entrance), Loren Jones requests that delegation should address the diagram, the board addresses the diagram change requested.

Loren Jones states that he could approve with delegation and delegation include submission of the MJ-14. He asks about midnight sun campgrounds and states that the additional businesses are not clear in the MJ-02.

The phone lines are opened for possible public comment.

Miller moves to approve with delegation including the MJ-14 submission.

None opposed, motion carries.

L. License #20422:	Green Degree's Cannabis Cafe	<u>TAB 69</u>
Licensee:	Liberty ER LLC	
Premises Address:	5401 East Mayflower Lane	

Local Governments: Wasilla, AK 99654
Matanuska-Susitna Borough
For Consideration: **Objection received.**

Erika McConnell states that the objection included a distance component. The distance is to a Sylvan Learning Center.

Mark Springer encourages the applicant to re-think the “café” part of their DBA.

Erika McConnell states that a protest was also received from the Matanuska-Susitna Borough after the board deadline.

Applicant, Kerby Coman, summarizes the application, discusses the desire to have the onsite consumption area on the second floor, he references paint and puff events, he answers board questions regarding the onsite desires.

Mark Springer asks that the DBA be changed to remove the “café”.

The board discusses the café and location information with the applicant. He references exterior entrance to the second level.

Springer states that to operate a non-cannabis café the top floor, it could not be part of the licensed premises.

The board discusses the existing NOV for this licensee (publishing).

Applicant and the board discuss the second floor.

Name change to remove café is requested by Mark Springer to be included in delegation.

Applicant discusses entrances and access to the second floor and ID checks.

Clarifying ID checkpoints at both floors in delegation is required per Mark Springer.

Nick Miller moves to approve with delegation to include name change.

Nick Miller amends his motion is amended to deny with abeyance of 120 days and delegation to include name change [and ID checkpoint clarification] if protest is lifted.

None opposed, motion carries.

Erika McConnell asks that the objection denial be addressed.

Mark Springer states that the Sylvan Learning center is a commercial enterprise and the board determined that it was not a qualifying establishment.

M. License #20865:	Uncle Herb’s	<u>TAB 70</u>
Licensee:	Eden Management Group, LLC	
Premises Address:	360 Boniface Parkway, A5	
	Anchorage, AK 99504	
Local Governments:	Municipality of Anchorage	

For Consideration: Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.

*Jana Weltzin, counsel, and Lloyd Stiasny, applicant, are present in person.
Applicant summarizes his application and answers board questions regarding other licenses held.*

Nick Miller moves to deny with 120 day abeyance.

Applicant answers board questions about additional establishments that are in the mall area.

None opposed, motion carries.

Applicant thanks the board, staff and his legal counsel for their work.

N. License #20983:	King Street Cannabis Co.	<u>TAB 71</u>
Licensee:	King Street Management Inc.	
Premises Address:	8430 Laviento Drive, Suite A Anchorage, AK 99515	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.	

Jana Weltzin, counsel, and Nicholas G Luke and Benjamin English, applicants, are present in person.

Applicants and counsel summarize application and answer board questions about premises diagram, ID Check location (it will be right next to the entrance), and experience.

Nick Miller moves to deny with a 120 day abeyance.

None opposed, motion carries.

Board comes back to Tab 44.

A. License #18190:	Nugz, LLC	<u>TAB 44</u>
Licensee:	Nugz, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	9331 Glacier Highway Juneau, AK 99801	
Local Governments:	City and Borough of Juneau	
For Consideration:	Per 3 AAC 306.095, the applicant is appealing determination of Failed to Complete application under 3 AAC 306.025(f).	

Applicant, Miller, and Counsel asks the board if tabling the matter to the special hearing so that staff can review the lease.

Erika McConnell sates that the application did not meet the 90 day window but if the board reviews the matter and determines it complete or doesn't agree with the application being deemed incomplete, those items could be reviewed in time for the special meeting.

Mark Springer states that he would rather staff be able to review the application and determine it complete before the board reviews the documents.

Loren Jones states that the matter boils down to the board's decision if the board will accept the application or not. The board must overrule the staff's decision for the application to proceed.

Loren Jones moves for the board to find that the applicant submitted material after the deadline but that the board could accept the material late but that the board would consider it at the next regularly scheduled board meeting.

Applicant states that there has been a second application submitted in hopes for it to be on this agenda, and that moving it to July would be difficult for the applicant.

Counsel states that if the board understands that the entity is still bound by the signature of a previous member, the only thing that should be considered is the incomplete letter. She states that her March 8th email addresses the questions in the incomplete letter.

Erika McConnell asks if there were additional changes to the lease submitted after the deadline.

Council states that the amount of rent changed.

Applicant states that the current lease consolidated the original lease documents which were already acceptable.

Erika McConnell notes that the final corrected lease with the new rent amount and consolidation of lease documents was not received until after the deadline.

Council states that there was not negative intent on either side but that technically the applicant met the requirements of the incomplete letter.

Staff and the applicant's counsel discuss the requirement for new officers not to sign leases.

Legal Counsel states that the applicant would receive economic damage from tabling this matter.

Jana Weltzin states that the matter could be re brought to the special meeting that is being called before the July MCB Meeting.

Loren Jones states that he is not willing to go to the special meeting.

Mark Springer states that it is not the part of the board to second guess staff regarding process.

Jana Weltzin states that she finds her client to have met the requirements.

Erika McConnell cites the requirement for the date to be added to the POPPP, even if the signature is not changed, and that therefore there was an additional change required.

Jana Weltzin cites the "redline lease" as meeting that requirement.

Erika McConnell references the revision requested to the redline lease.

Mark Springer reads the incomplete letter.

Loren Jones asks if the board has the ability to return an application or license fee to an applicant.

Erika McConnell states that the license fee is refundable but the application fee is not.

Loren Jones amends his motion to include refund of the license fee for the second application.

Erika McConnell asks about the technicality of denying this application versus rescinding the second application.

Counsel asks about hearing this application at the special meeting.

Loren Jones refuses.

Loren Jones withdraws his original motion.

Loren Jones moves to agree that this application was not completed and that the board will review the secondary application at the July meeting. The board will return the license fee for this application.

Staff confirms that the new application is second in the queue.

Nick Miller clarifies that this is not supposed to be against the licensee. He apologizes if the licensee feels like harm has occurred but that applicants should get the required documents and corrections in on time.

None opposed, motion carries.

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS 4:23pm**

A. License #17316:	Arctic Delights	<u>TAB 72</u>
Licensee:	7107 Ventures, LLC	
Premises Address:	530 W 72 nd Avenue, #1 Anchorage, AK 99518	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal license and special land use permit.	

Applicant, Bryant Thorp, and counsel, Jana Weltzin are present in person.

Applicant summarizes the application and answers board questions regarding premises entrance and neighboring tenants.

Loren Jones moves to deny the license with a 120 day abeyance and delegation and to table the “edible” products listed.

None opposed, motion carries.

Loren Jones moves to approve products 7 “Crumble”, 11 “Kief”, 13 “RSO”, 14 “Shatter”, 16 “Vape Pen Cartridge”, & 17 “Vape Pen Oil”.

None opposed, motion carries.

B. License #19728: Cosmic SeaWeed, LLC
Licensee: Cosmic SeaWeed, LLC
Premises Address: 262 Charles Way
Homer, AK 99603
Local Governments: City of Homer; Kenai Peninsula Borough

TAB 73

Applicants "Chris" (Christina) Logan and Christopher Corey are present in person.

Applicants summarize their application and answer board questions regarding premises (freestanding, no other buildings on the property), experience, premises readiness, concentrate market, equipment, wholesale cannabis oil (edible) and whether or not it should be listed as a concentrate (in house mixing would mean it was a different product) the original idea was to mix it for manufacturers but the applicant is willing to amend the product.

Loren Jones moves to table product "Cannabis Oil" so that the applicant can make amendments to the product and submit new products if necessary.

None opposed, motion carries.

Board discusses packaging with applicant, the strain name on the label would be changed for each product.

Nick Miller moves to approve the license application with delegation.

None opposed, motion carries.

Loren Jones moves to approve products 1 "Crumble", 2 "Wax", 3 "Budder", 4 "Shatter", 5 "Cannabis Oil for Vaporization Cartridges", 7 "Rosin" & 8 "Live Resin".

None opposed motion carries.

● **RECESS TO NEXT DAY**

4:45pm

**Marijuana Control Board
Meeting Minutes Continued
May 3, 2019**

● **ADMINISTRATION**

8:59 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

Board Members Absent

Christopher Jaime, Public Safety Member

Staff Present

Erika McConnell, Director

Mikal Milton, Records and Licensing Supervisor

Counsel Present

Harriet Milks, Assistant Attorney General

Mark Springer states his intent to request an opinion from the Attorney General regarding the status of AMCO officers as Peace Officers. He cites concerns regarding officer safety, and the resources needed to conduct investigations. He states that he will CC the board for their information.

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS CONTINUED 9:03 am**

C. License #20532:	Cultivated Confections	<u>TAB 74</u>
Licensee:	CC Enterprises, Inc.	
Premises Address:	7731 Schoon Street, Unit A Anchorage, AK 99518	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal license or special land use permit.	

Jana Weltzin, council and James Protzman applicant, are present in person.

Applicant and council summarize the application and answer board questions regarding location, other licenses held, record keeping, Dank Star Distillate not containing storage information for the wholesale (internal use) of Dank Star Distillate or internal use (to be included in delegation), white film short path molecular sill (still is misspelled), and the premises.

***Nick Miller moves to deny license with 120 day abeyance and delegation.
None opposed, motion carries.***

Jones moves to approve all four requested products with delegation regarding amending the Dark Star Distillate packaging information.

Applicant answers board questions regarding alcohol used in manufacturing.

None opposed, motion carries.

● **OWNERSHIP TRANSFER APPLICATIONS**

A. License #10034:	Odin’s Wagon, LLC	<u>TAB 75</u>
Licensee:	Ace of Spades, LLC – Eric Ranguette 100%	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	29453 Kalifornsky Beach Road Kasilof, AK 99610	
Local Governments:	Kenai Peninsula Borough	
Transferor:	Odin’s Wagon, LLC – Douglas Anderson 40%, Francis Knapp 40%, Zachary Bell 15%, Dan Harris 5%	
For Consideration:	Kenai Peninsula Borough requests conditions.	

Applicant, Eric Ranguette, is present to discuss the application, he answers board questions regarding shift of stock and entity change, experience, and reason for the transfer.

Loren Jones moves to approve the license with delegation and Kenai Peninsula Borough conditions. None opposed, motion carries.

● **OPERATING PLAN CHANGES**

9:15 am

B. License #10165:	Good, LLC	<u>TAB 76</u>
Licensee:	Good, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	1949 Frank Avenue Fairbanks, AK 99701	
Local Governments:	Fairbanks North Star Borough	

Barret Goodale, cultivation manager, summarizes requested change(s), and answers board questions regarding packaging.

Loren Jones moves to approve operating plan change. None opposed, motion carries.

C. License #10512:	Southeast Alaska Laboratories, LLC	<u>TAB 77</u>
Licensee:	Southeast Alaska Laboratories, LLC	
License Type:	Marijuana Testing Facility	
Premises Address:	5450B Jenkins Drive Juneau, AK 99801	
Local Governments:	City and Borough of Juneau	

Applicant not present at this time; the board does not act on this application at this time.

D. License #10828: **Glacier Extracts** **TAB 78**
Licensee: Glacier Extracts, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 8639 Toloff Street, Suite 3
Anchorage, AK 99507
Local Governments: Municipality of Anchorage

Erin Simpson (in person) and Aaron Boyd, applicant (via phone), are present to discuss their application.

Erin Simpson discusses the changes they are requesting and answers board questions regarding packaging.

**Nick Miller moves to approve operating change.
None opposed, motion carries.**

E. License #10856: **Raspberry Roots** **TAB 79**
Licensee: Raspberry Roots, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 501 Raspberry Road, Suite 102
Anchorage, AK 99501
Local Governments: Municipality of Anchorage

Jana Weltzin, counsel is present in person, and Kim (Kimberly) Kole, applicant is present via phone.

Applicant and council summarize the requested changes and answer board questions regarding the type of changes requested.

**Nick Miller moves to approve the requested changes.
None opposed, motion carries.**

F. License #12768: **Secret Garden Cannabis** **TAB 80**
Licensee: Axion Enterprises, LLC
License Type: Retail Marijuana Store
Premises Address: 726 E 15th Avenue, Suite 1
Anchorage, AK 99501
Local Governments: Municipality of Anchorage

Jana Weltzin, counsel and James Thornton, licensee are present in person to discuss their requested changes.

Applicant discusses the changes requested and answers board questions regarding logos, and equipment changes.

**Nick Miler moves to approve the requested changes.
None opposed, motion carries.**

G. License #12769: **Secret Garden Cannabis** **TAB 81**
Licensee: Axion Enterprises, LLC
License Type: Marijuana Product Manufacturing Facility
Premises Address: 726 E 15th Avenue, Suite 2

Local Governments: Anchorage, AK 99501
Municipality of Anchorage

Jana Weltzin, counsel and James Thornton, licensee are present in person to discuss their requested changes. (Some discussed above).

**Loren Jones moves to approve the operating plan change.
None opposed, motion carries.**

H. License #12770:	Secret Garden Cannabis	<u>TAB 82</u>
Licensee:	Axion Enterprises, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	726 E 15 th Avenue, Suite 3 Anchorage, AK 99501	
Local Governments:	Municipality of Anchorage	

Jana Weltzin, counsel and James Thornton, licensee are present in person to discuss their requested changes. Applicant summarizes the requested changes.

**Loren Jones moves to approve operating change with delegation pending verification of the pesticide list with DEC.
None opposed, motion carries.**

I. License #13588:	AKfunding LLC	<u>TAB 83</u>
Licensee:	AKfunding LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	12975 W Horizon Way Houston, AK 99694	
Local Governments:	City of Houston; Matanuska-Susitna Borough	

Considered above.

J. License #13697:	Wakin' Bakery	<u>TAB 84</u>
Licensee:	SFA, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	218 Kelly Drive Ketchikan, AK 99901	
Local Governments:	Ketchikan Gateway Borough	

Chris (Christopher) Wilhelm, applicant, is present in person. He summarizes his requested changes for the board and answers board questions regarding if the potency decrease is necessitated by the process (it is not).

**Loren Jones moves to approve the operating plan change.
None opposed, motion carries.**

K. License #14396:	Alaska Frontier Cannabis, LLC	<u>TAB 85</u>
Licensee:	Alaska Frontier Cannabis, LLC	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	6570 W Trevertt Circle, Suite C	

Local Governments: Wasilla, AK 99623
Matanuska-Susitna Borough
For Consideration: Please review MJ-14

Kerby Coman is present in person to discuss his application, summarizes his requested changes, and answers board and staff questions regarding the MJ-14 (number of tunnels), size of property, fencing, and non-licensed premises buildings (partially licensed), and conditional use changes.

Loren Jones moves to approve the operating plan change and MJ-14 for this license (with delegation). None opposed, motion carries.

Erika McConnell asks about the unlicensed building, and if entrances and exits can be added. Applicant agrees to add entrances and exits to diagram.

L. License #15789:	Scorpion Grass	<u>TAB 86</u>
Licensee:	L & J Ventures, Inc.	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	266 S McCallister Drive, Suite 2 Wasilla, AK 99654	
Local Governments:	Matanuska-Susitna Borough	

Jana Weltzin, council, is present in person. She summarizes the changes requested.

Nick Miller moves to approve the operating plan change. None opposed, motion carries.

M. License #15790:	Scorpion Grass	<u>TAB 87</u>
Licensee:	L & J Ventures, Inc.	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	266 S McCallister Drive, Suite 3 Wasilla, AK 99654	
Local Governments:	Matanuska-Susitna Borough	

Jana Weltzin, council, is present in person. She summarizes the changes requested.

Nick Miller moves to approve operating plan change. None opposed, motion carries.

The board returns to consider Tab 77.

A. License #10512:	Southeast Alaska Laboratories, LLC	<u>TAB 77</u>
Licensee:	Southeast Alaska Laboratories, LLC	
License Type:	Marijuana Testing Facility	
Premises Address:	5450B Jenkins Drive Juneau, AK 99801	
Local Governments:	City and Borough of Juneau	

Licensee, Jessica Dreibelbis, is present via phone and summarizes changes and answers board questions.

Board asks that staff asks for CV's or resumes for testing facility scientific directors.

Loren Jones states that he does not find 6 years at a brewery to count as Laboratory Experience.

Erika McConnell states that the applicant appears to be working toward getting operational.

Applicant states that (A2LA) completed an inspection but that they are still waiting for a chemical hood. She argues that brewery experience counts as laboratory experience. She explains why the chemical hood is taking so long.

The proposed Laboratory Director's qualification are discussed. Mark Springer asks to see his CV.

Mark Springer explains that the motion will be to be to table to next special meeting. He requests a copy of the CV and states that the proposed Director should be present.

Loren Jones moves to postpone discussion of this request to the May 14th meeting and a copy of the Scientific Directors resume be sent to staff. He requests the applicant be present in person.

None opposed, motion carries.

The board calls for Higher by Bad Gramm3r.

Erika McConnell suggests action at this time.

● **Tabled from 5/2/2019**

9:15 am

A. License #19178:	Higher By Bad Gramm3r, LLC	<u>TAB 28</u>
Licensee:	Higher By Bad Gramm3r, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	1204 N Hyer Spur Road Palmer, AK 99645	
Local Governments:	Matanuska-Susitna Borough	
For Consideration:	Matanuska-Susitna Borough protests pending issuance of conditional use permit.	

Loren Jones moves to reconsider February approval.

None opposed, motion carries.

Loren Jones moves to deny the license with a 120 day abeyance and delegation.

None opposed, motion carries.

B. License #14359	Tip Top, LLC	<u>TAB 32</u>
Licensee:	Tip Top, LLC	
License Type:	Retail Marijuana Store	
Premises Address:	233 E 5 th Avenue, Suite 1 Anchorage, AK 99501	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal license and special land use permit.	

Applicant is still not present.

Applicant will be given a final chance to appear in July, the board directs the director to notify the applicant that if not present in July the application will be likely denied.

C. License #19624:	Studio 420 AK	<u>TAB 45</u>
Licensee:	420 Enterprises, LLC Co.	
License Type:	Retail Marijuana Store	
Premises Address:	4608 Spenard Road, Suite E Anchorage, AK 99502	
Local Governments:	Municipality of Anchorage	
For Consideration:	Municipality of Anchorage protests pending an approved municipal marijuana license and special land use permit.	

*Applicant not present at this time.
The applicant is requested be present in person in July when this matter is considered.*

D. License #19877:	Dannys Place	<u>TAB 56</u>
Licensee:	Ronald G Pritchard	
License Type:	Limited Marijuana Cultivation	
Premises Address:	36221 Pine Street Soldotna, AK 99669	
Local Governments:	Kenai Peninsula Borough	
For Consideration:	Kenai Peninsula Borough requests conditions.	

*Applicant not present at this time.
This application will be reviewed in July.*

● **NEW MARIJUANA PRODUCTS** 10:08am

E. License #10082:	Einstein Labs	<u>TAB 88</u>
Licensee:	Einstein Enterprises, Inc.	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	2939 Porcupine Drive, Suite B Anchorage, AK 99501	
Local Governments:	Municipality of Anchorage	

*Justin Roland, applicant and Jana Weltzin council are present in person to discuss the application.
Applicant summarizes the new products requested and answers board questions regarding the photos on the packaging.*

Loren Jones requests that delegation include staff reviewing the new photos of packaging.

Mark Springer asks for better photos from all applicants.

***Loren Jones moves to approve all 6 products requested by Einstein Labs with delegation to include staff review of final packaging.
None opposed, motion carries.***

Jana Weltzin asks about the 2018 renewals previously approved and how Lucinda Mahoney can be re-added. She is directed to speak with staff.

F. License #10828:	Glacier Extracts	<u>TAB 89</u>
Licensee:	Glacier Extracts, LLC	

License Type: Marijuana Product Manufacturing Facility
Premises Address: 8639 Toloff Street, Suite 3
Anchorage, AK 99507
Local Governments: Municipality of Anchorage

Erin Simpson (in person) and Aaron Boyd, applicant (via phone), are present to discuss their application.

Erin Simpson discusses the products requested and answers board questions regarding process of adding oil to product "Icebergs".

Loren Jones states that he appreciates the label.

***Loren Jones moves to approve all 3 products requested.
None opposed, motion carries.***

G. License 10165:	Good, LLC	<u>TAB 90</u>
Licensee:	Good, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	1949 Frank Avenue Fairbanks, AK 99701	
Local Governments:	Fairbanks North Star Borough	

Barret Goodale is present in person and Linda Lewis is present via phone.

Barret Goodale passes out a copy of the MJ regulation 3AAC 306.505 with (3)(b) highlighted.

Loren Jones asks a general question about the name "Manna Transdermal Patch", he states that he ran across the "Manna Molecular Science LLC" on line and asks if this product was licensed from the creators of the original patch or how that was handled.

Barret Goodale states that there is an agreement with Manna molecular with the THC coming from Good LLC.

Erika McConnell states that the licensing agreement was requested but that the product was denied previously. She requests it to be part of the delegation.

Mark Springer asks questions regarding target market for the Manna Molecular Science LLC.

Barret Goodale states that all "medical" language was removed.

Loren Jones states that manufacturers aren't required to show qualifications although testing facility people are. He finds this to be a scientific process. He asks what the "expected outcome" is for absorption. He asks how the product is tested.

Barret Goodale states that the lab has worked through the testing protocol development process multiple times before. He states that before it reached the market it would need to be able to produce good testing results. He addresses experience, and he states that this should not be any more "technical" than a salve.

Applicant and board discuss the application of the 3D printer in production, applicability of topical vs patch.

Mark Springer states he is not opposed to the product and Nick Miller states that he also is not opposed.

Erika McConnell asks if the website for Manna is required to be on the packaging.

Nick Miller states that he is not opposed to the website being listed, it provides the customer more information.

Loren Jones asks if a patch is packaging of a concentrate.

Mark Springer states that he is concerned about there not being labeling on the patch. He asks if there is a way to add a "contains THC indicator" or logo on the physical patch.

Miller moves to approve product with delegation to include determination if adding a label to the physical patch is possible.

None opposed, motion carries.

Break is called 10:42am.

Resumes 10:52am.

H. License #13249:	Royal Mountain Extracts, LLC	<u>TAB 91</u>
Licensee:	X-Tracted Laboratories	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	38957 S Commercial Drive Talkeetna, AK 99676	
Local Governments:	Matanuska-Susitna Borough	

Jana Weltzin, counsel and Sam Benson, applicant, are present in person, summarize their application and answer board questions regarding requested product, delegation including adding "Loud Jars" to the label, they discuss labeling with the board, they will need to add Licensee and license number to label.

Nick Miller moves to approve product with delegation as stated above.

None opposed, motion carries.

I. License #13697:	Wakin' Bakery	<u>TAB 92</u>
Licensee:	SFA, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	218 Kelly Drive Ketchikan, AK 99901	
Local Governments:	Ketchikan Gateway Borough	

Applicant, Chris (Christopher) Wilhelm, is present in person and applicant, Tia Wilhelm, is present via phone.

Applicant summarizes the request and answers board questions regarding in-house products and source of alcohol for infusing, Loren Jones discusses lack of packaging indications.

Staff asks applicant to supply photos of all products.

Mark Springer states that a back label picture is also required.

Applicant answers board questions regarding packaging for tincture.

**Miller moves to approve all 12 products requested with delegation.
None opposed, motion carries.**

J. License #16006:	Arctic Bakery, LLC	<u>TAB 93</u>
Licensee:	Arctic Bakery, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	1409 Well Street Fairbanks, AK 99701	
Local Governments:	City of Fairbanks; Fairbanks North Star Borough	

Jana Weltzin, counsel and Dave Lanning, applicant, are present in person to discuss their request.

Applicant summarizes the requested products.

**Nick Miller moves to approve both new products.
None opposed, motion carries.**

K. License #16991:	Stoney Moose Kitchens	<u>TAB 94</u>
Licensee:	E & M Holdings, LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	9737 Mud Bay Road, Suite 104 Ketchikan, AK 99901	
Local Governments:	Ketchikan Gateway Borough	

Considered above.

● **SEIZURE HEARING** **11:09am**

McConnell states that the licensee has requested additional postponement and answers board questions regarding storage of seized products.

A. License #12815:	Turnagain Manufacturing Company	<u>TAB 95</u>
Licensee:	Turnagain Manufacturing Company	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	524 E 48 th Avenue, Unit 1 Anchorage, AK 99503	
Local Governments:	Municipality of Anchorage	

● **MARIJUANA MAILBOX** **11:10 am** **TAB 96**

All correspondence received in the marijuana@alaska.gov inbox from February 2 to April 12, 2019.

The board reviews the received correspondence.

Mark Springer states that the waste regulations should be reviewed again, Nick Miller agrees.

Erika McConnell states that there is not an open project for waste disposal.

Nick Miller requests that a project for waste disposal be opened.

Mark Springer thanks everyone for their comments.

● **BOARD COMMENTS**

11:14 am

Loren Jones thanks staff for their work and states that the product list is extremely helpful. He states that the fine schedule was tabled and he offers to speak with the director and review public comments before the next time for consideration. He states that the financial regulations committee needs to meet again to ponder those. He states that there was a lot put into dosing for edibles but that concentrates don't have dosing requirements. He has concerns about the smoking products (pre rolls with extra hash and oil infused) being extremely high THC content and asks if the board should consider risks and warnings on the product label.

A. Resolution Regarding Separation of Personal-Use and Commercial Marijuana TAB 97

Mark Springer states that the board would now review the resolution regarding separation of personal use and commercial marijuana.

No objection, resolution passed.

Nick Miller states that he thanks staff and applicants for their work.

Mark Springer thanks staff for their work. He states that starting in July public comment may be received at the beginning and end of the meeting. He would like to start hearing more from the industry regarding regulatory change or policy changes. He reminds the public that there will be an hour of public comment on the fine schedule and asks that the industry start creating "best practices" lists. Now is time for the evolution of regulations, one of the board's duties is to study the statutes and regulations.

Erika McConnell states that the board asked staff to start a regulations project regarding small children on licensed premises and breast feeding. She requests that the board put some thought before the next meeting to amend the definition of recreation and youth center, particularly in relation to breast feeding and youth and the youth centers. She asks for clarity from the board.

Springer agrees to add this matter to the July agenda.

Loren Jones asks staff to return to the discussion originally had regarding distance and regulations and to find the minutes. He requests documentation from the minutes. He asks about the OCS or office of juvenile services the statement is licensed to provide "guidance", he suggests OCS or Juvenile definition regarding daycare or youth center be examined.

● **NEXT MARIJUANA CONTROL BOARD MEETING**

Agenda deadline for July 10-12, 2019, meeting: **June 21, 2019**

All applications must be deemed complete and all other information for inclusion in the board's packets must be received by the deadline.

● **ADJOURN**

11:30 am