CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MICHAEL J. DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

May 23, 2019

Badger Buds LLC
DBA: Badger Buds LLC
Via email: BadgerBudsLLC@gmail.com

Re: Retail Marijuana Store License #20561

Dear applicant,

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

- **MJ-01 Operating Plan**
  - Page 9, Section 9.1 – Signage and Advertising:
    - Per 3 AAC 306.770(b), the size of the sign on your establishment cannot exceed 4,800 square inches. The 4' by 10' banner described in your response exceeds this limit.
- **MJ-02 Premises Diagram**
  - Diagram 1 & 2:
    - The room dimensions are faded and difficult to read. Please use clearer labeling.
    - The diagonal lines used to depict the restricted access area are difficult to see, and also do not clearly indicate where the restricted access areas end. Please either outline the boundary of the restricted access area(s) in color, or use different shading to represent these areas.
    - There is a secure window used to check customer IDs described in Section 2.1 of Form MJ-03 with your application. Please depict this window on your diagram.
    - Please also indicate where the window behind the sales counter is, as referenced in Section 5.1 of Form MJ-03.
- **MJ-03 Retail Supplemental**
  - Page 3, Section 5.1 – Displays and Sales:
    - Your description of the way that marijuana and marijuana products will be displayed and stored is unclear in places. For example, you state that marijuana and marijuana products will be stored in locked display cases or behind the sales counter, and state that marijuana will be pre-packaged. However, your response also mentions that a customer will put in an order that will be sent through a small window in the back to be processed and then

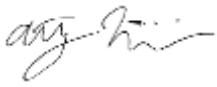
sent back to the customer. The order is then taken to the POS counter to be sold and packaged, but it sounded like the marijuana was already packaged. Please clarify your response.

- Page 5, Section 7 – Security:
  - Your response states: "The Employee will be checking for the following: person must be physically preset on premises, **under the influence of an alcoholic beverage, inhalant, or controlled substance**, or not…". Is the bolded section a typo?

- **MJ-08 Local Government Notice Affidavit**
  - Section 2 – Certifications:
    - The name of the Local Governing Body was not listed in the appropriate section, and instead has the name of a local government official. Please list the official's information in the Name/Title of LG Official 1 line and provide the name of the local government with jurisdiction over the premises.
- **Proof of Possession for Proposed Premises**
  - Alaska Commercial Lease Agreement (between Daniel Sheridan and Michelle Westlake):
    - Section 1. Grant of Lease states that the premises is being rented solely for use as a personal residence [and] excluding all other uses. This is inconsistent with Section 2. Nature of Occupancy, which states that the premises will be used as a cannabis retail/cultivation business. Please correct this lease for consistency.
    - This lease must contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana from the premises, and will contact AMCO for guidance in the event that removal is necessary (typically under the "Default" section of the lease).
  - Commercial Lease Agreement:
    - If this agreement is a sublease agreement, please indicate this. Additionally, the Alaska Commercial Lease Agreement states that the premises cannot be sub-let without prior written consent of the Landlord. Please provide a copy of this written consent.
    - The landlord/lessor is not specified.
    - This agreement must also contain a disclaimer that the landlord/lessor will not take possession of or remove marijuana/marijuana products from the premises, and will contact AMCO for guidance if removal is necessary.
- **Entity Documents**
  - A copy of Badger Buds LLC's Operating Agreement is required to be submitted with your application.

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

Respectfully,



TJ Zielinski, Occupational Licensing Examiner
For,
Erika McConnell, Director
marijuana.licensing@alaska.gov

From:	Marijuana Licensing (CED sponsored)
To:	BadgerBudsLLC@gmail.com
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Incomplete Application - Badger Buds LLC License #20561
Date:	Thursday, May 23, 2019 3:36:25 PM
Attachments:	image001.png

Resending the email with the due date filled in:

Good afternoon,

I have reviewed your application for a marijuana establishment, but at this time your application is considered incomplete. See the attached notice regarding corrections, additional documents, and/or resubmittals that need to be addressed in your application.

Please make sure to read the entire notice. If the submitted corrections for your application are inadequate to deem your application complete, or your application is still incomplete after ninety (90) days from the date of this notice, your application will be returned to you in accordance with 3 AAC 306.025(e)(1) and 3 AAC 306.025(f). Should you wish to continue pursuing licensure, it would be necessary to file a new application and pay new fees.

Ninety-day Due Date: August 21, 2019

Let us know if you require copies of any submitted documents, and feel free to call or email if you need clarification on any items in the Incomplete Notice. Correspondence should be sent to marijuana.licensing@alaska.gov.

Sincerely,

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

From: Marijuana Licensing (CED sponsored)
To: BadgerBudsLLC@gmail.com
Cc: Marijuana Licensing (CED sponsored)
Subject: RE: Incomplete Application - Badger Buds LLC License #20561
Date: Wednesday, June 05, 2019 2:21:52 PM
Attachments: image001.png

Good afternoon,

Thank you, I have finished reviewing the corrections for your application and see that most have been addressed. However, the revised sublease will need to specify the unit number. This was in the previous lease agreement but wasn't included in the revised sublease. Let me know if you have any questions.

Sincerely,

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

From: Marijuana Licensing (CED sponsored)
Sent: Thursday, May 23, 2019 3:36 PM
To: 'BadgerBudsLLC@gmail.com' <BadgerBudsLLC@gmail.com>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: Incomplete Application - Badger Buds LLC License #20561

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Sincerely,

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

From:	Marijuana Licensing (CED sponsored)
To:	Michelle Westlake
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: Correction Completed Supplemental Forms; License # 20561 email 1 of 1
Date:	Thursday, June 06, 2019 9:41:24 AM
Attachments:	image001.png

Good morning,

Received, and I see that the unit number is present. There are two small typos I noticed that will need to be corrected, which I didn't catch during the previous review – the sublessee is listed as Bader Buds LLC, but will need to be Badger Buds LLC. On the second page under the sublessee's signature, please change "Bud" to "Buds".

Sincerely,

TJ Zielinski

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

From: Michelle Westlake <badgerbudsllc@gmail.com>
Sent: Wednesday, June 05, 2019 3:25 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: Correction Completed Supplemental Forms; License # 20561 email 1 of 1