



## Marijuana Control Board Meeting Agenda

January 23-24, 2020

Third Judicial District

Elizabeth Peratrovich Hall, 230 West Willoughby Ave, Room 4  
Juneau, Alaska

Call-in Number: 1-800-315-6338, code 69176#

All times are approximate. Lunch break from 12:00 noon to 1:00 pm.

The Board may go into executive session at any time when appropriate  
under AS 44.62.310(b) and (c).

### ● ADMINISTRATION

9:00am

#### A. Call to Order

9:02 am

#### B. Roll Call

##### **Board Members Present**

*Loren Jones, Public Health Member*

*Mark Springer, Rural Public Member*

*Nick Miller, Industry Member*

*Christopher Jaime, Public Safety Member*

*Bruce Schulte, Public Member*

##### **Staff Present**

*Glen Klinkhart, Interim Director*

*Joan Wilson, Assistant District Attorney*

*Carrie Craig, Records and Licensing Supervisor*

#### C. Approval of Agenda

*Approved as stands.*

#### D. Approval of the November 13-15, 2019 Meeting Minutes

**TAB 1**

*Bruce Schulte motions to approve the minutes. Christopher Jaime seconds. **None opposed, motion carries.***

*Nick Miller asks for clarification regarding public comment on items on the agenda. Mark Springer says that in the past is that we do not allow it. Joan Wilson advises not to change current practices, but could get further research and possibly update practices for the future.*

● **PUBLIC TESTIMONY**

**9:10am**

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](mailto:marijuana@alaska.gov). The call-in number is 1-800-315-6338, code 69176#. (Testimony on agenda items may occur when that item is addressed during the meeting. Testimony on regulations projects shall only occur when an oral hearing is publicly noticed.)

*9:10 - Brandon Emmet is present representing AMIA – reads a prepared statement. He is supportive of working groups on a variety of subjects. He says working groups should include experts from various industries. Advocate for better communication. Suggests the posting of the audio from the board meetings on the website and there should be more online resources. Advisory notices are a good tool to communicate with licensees.*

*David Shade, present director of Division of Agriculture speaks regarding industrial hemp. Gives presentation. Hemp is highly controlled agriculture product – USDA. Instate testing. Growers, manufacturing, retail. Public safety is paramount. The 2014 farm bill is currently operating as a pilot program. His office has experts to assist with pesticides and other agriculture issues.*

*Questions from the board members.*

*Lacy Wilcox, current president of AMIA, is frustrated with Springer’s removal from the Marijuana Board. Communication/collaboration with Director Klinkhart – waiting for communication. CBPL issue – AMIA reserving. AMIA was misinformed. There should not be a diminishment of power and would appreciate a better explanation of the decisions made and how they will be made. House Joint Resolution 23.*

*Open phone: Sam Hanson requested meeting with director. Matsu issue with odor control/violation. AMCO responded to more Anchorage odor issues than Matsu. (more information is found in the marijuana mailbox) The board members asks questions regarding Happy Farms. Status of regulation..? Director Klinkhart addresses the working groups. Community councils are voluntary. Should be 60 days not 30 days.*

*Anise Issacs (?), in Kenai, states that more testing needed for bugs/spider mites & heavy metals.*

*Kerby speaks about volunteering for a variety of committee appointments. He would like to participate.*

*Caleb Saunders is present representing AMIA and says the complaints about odors is singling out this industry – points out that there are not nearly as many complaints regarding odors from fish farms. HE speaks about public comments and reads the ABC regulations as a comparison. Meeting practices have been inconsistent. There should be public comments allowed on each item.*

*Ryan, present from Kenai and works retail and AMIA, speaks about taxing. He does not support tax change in retail. Does support the 2 year moratorium in cultivation.*

*Open phone: Eve Connie (?) in Anchorage is on her community council's board. Information posted on AMCO's website and the tabs are hard to navigate. There should be a public database system that is easily searchable.*

*Chris French in Anchorage says that pesticide testing is important.*

*Jana Weltzin, present and on behalf of herself, thanks Mark Springer for his expertise and service. Please approve temp approvals for MJ-16s to delegate to director. AMCO staff is resilient. She also thanks Director Klinkhart for his work and points out the importance of the field trips. Welcomes the new board member and looking forward to meaningful collaboration in the future w/ the Governor's administration. Ms. Weltzin also supports Director Klinkhart's vision in regard to the new bill. Pass federal laws.*

**Break at 10:12 am/Returned 10:30 am**

*Mark Springer opens the phone to continue Public Comment.*

*Sarah Oates, President CEO of CHARR, Director of AMIA and former AMCO employee, however she is speaking as herself and as a former employee. She thanks Mark Springer for his service.*

*She disagrees with Caleb's assessment regarding public comment. She respectfully disagrees with the recollection of public testimony taken by the board. The intention was that the public testimony was scheduled was for items not on the agenda because public testimony would be taken for agenda items at the time the board would be considering the agenda items. Would encourage the board to open a regulations project to adopt the language in the alcohol regulation 3 AAC 304.035 which says, "At its public meetings, the board will receive public comment upon items of agenda business and other issues of public interest related to alcoholic beverages (marijuana), including the conduct of business by licensees and the compliance by licensees and others with the statutes and regulations related to alcoholic beverages (marijuana). Public comment may also be submitted to the board in writing by any person at any time."*

*Ms. Oates urges the board to vehemently oppose any legislation that would consolidate AMCO's staff with another division/agency. It is vital that the board has an independent agency and an independent staff. Heard many comments and concerns about timing and how difficult it is for staff to go back and forth from regulating one industry versus the other because they are similar yet different. All of the concerns would be exasperated if staff is moved under another division. However, she does support the need for two Executive Administrators (EA) which will be incredibly useful. Ms. Oates says that the board has an incredible, amazing team/staff.*

*Mark Springer thanks Sarah Oates and declares that public comment is closed.*

● **TESTING LAB REGULATIONS**

**9:40am**

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

**1. Retesting**

**TAB 2**

Status: Initial draft for board consideration  
Potential Board Actions: Amend and/or put out for public comment  
*Director Klinkhart provides background information.*

*Loren Jones moves to put out for public comment. Christopher Jaime seconds.*

*Nick Miller asks if this has been thru DEC and the testing committee. Director Klinkhart says staff will look into that and let them know. Nick Miller suggests it is tabled to be sent to the testing committee and DEC.*

*Joan Wilson says it has been done at the same time. Nick Miller asks if it is done at the same time can we get the testing committee together in time? Director Klinkhart thinks it is possible within the next 45 days. Joan Wilson states the board can extend the public comment time if needed.*

*Christopher Jaime suggests that DEC be a part of the testing committee instead of being separate.*

*Loren Jones and Joan Wilson discuss the access to the board and staff by the public regarding proposed regulation projects during the public comment period. Loren Jones withdraws his original motion.*

***Christopher Jaime motions to refer it back to staff to take it to the testing group. Mark Springer says the testing group should meet within the next 30 days and then the board could have a telephonic meeting to take action on just regulation to send it out for public comment. Nick Miller seconds.***

*Loren Jones says the testing group had met for 6 to 9 months and a few things came out of it that led to some regulation change and doesn't know if the board ever got to the place they wanted to get to in terms of the testing groups and/or industry standards. He cautions the board that bringing together a testing working group may not get them the answers – scientists tend to disagree with each other. The industry certainly has a bias to have the testing regulations be the easiest for them and the scientists have a bias to make sure it is scientifically rigorous despite the cost to the grower or testing group. So in choosing who is included in the testing group, staff should be cautious and broad in who they invite which may slow down the process. He is not sure if the testing working group will be the boards total answer and lead them where they want to go.*

*Steve Crupi (the contractor with DEC) joins via phone 10:51 am and has no comments regarding this regulation.*

***Mark Springer says to notify the board regarding statuses. Passes 5-0. None opposed, motion carries.***

**B. Public Comments Received**

**1. Marijuana Testing Oversight**

**TAB 3**

Status: Public comment period closed November 2, 2019  
Potential Board Actions: Vote to adopt; OR  
Substantially amend and put out for public comment

Director Klinkhart provides background information.

**Christopher Jaime motions to adopt, seconded by Loren Jones.**

The board reviews the received comments and Mark Springer notes that AMIA is opposed. Nick Miller would like more info before adopting – the testing labs should have more input.

Mark Springer has question for Steve Crupi regarding comments from Peak Analytical, were those comments included in his manual? – what’s his view on the discussion? Mr. Crupi says some adjustments were made after seeing the comments. He believes it is ready to adopt as is.

Christopher Jaime says there is no perfect regulation. Nick Miller says the board doesn’t talk to the public and the industry. He would like to hear from the licensees – will not support pushing it forward at this time. Bruce Schulte the compliance document is included by reference – does that mean when the compliance document is updated whether the board sees it or not it is still included by reference. Mark Springer says it is not included by reference, the document title dated so and so and attached.

Mark Springer does not want to delay the adoption – will support. **3-2 passes. Bruce Schulte and Nick Miller opposes, motion carries.**

● EXECUTIVE SESSION

TAB 9

**A. License #22150: Top Shelf Herbs of Alaska LLC**  
Licensee: Top Shelf Herbs of Alaska LLC  
License Type: Retail Marijuana Store  
Premises Address: 901 Photo Avenue, Suite A  
Anchorage, AK 99503  
Local Governments: Municipality of Anchorage  
**For Consideration: Timely objection regarding personnel issue received, as well as a response to the objection**

~~**B. License #10799: Calm N Collective**~~  
~~Licensee: Calm N Collective LLC~~  
~~License Type: Standard Marijuana Cultivation Facility~~  
~~Premises Address: 13886 W. Parks Highway~~  
~~Houston, AK 99694~~  
~~Local Governments: City of Houston~~  
~~**For Consideration: Executive Session with counsel**~~

~~**C. License #10799: Houston Grass Station LLC**~~  
~~Licensee: Houston Grass Station LLC~~  
~~License Type: Retail Marijuana Store~~  
~~Premises Address: 15231 W. Parks Highway~~  
~~Houston, AK 99694~~  
~~Local Governments: City of Houston~~  
~~**For Consideration: Executive Session with counsel**~~

Mark Springer states that they will not be discussing Calm N Collective and Houston Grass Station during executive session. He entertains motions to enter executive session for license #22150 Top Shelf Herbs of Alaska LLC with their counsel and the objector’s counsel Judith Conte, Joan Wilson, Director Klinkhart,

and James Hoelscher. Following Top Shelf Herbs of Alaska LLC, Mark Springer would like to discuss the Director's Report during the executive session.

Motion to enter executive session for license #22150 and the justification is information about people that may be prejudicial. Seconded and comments for efficiencies sake two executive sessions back to back and everyone will have to leave the room the board has to clarify exactly what they are going to do so everyone knows when to come back. Mark Springer states that everyone should come back at 1:00 pm. **5-0, none opposed, motion carries.**

Mark Springer would like to discuss the Director's Report prior to its presentation to the board and the public. Motion made by Bruce Schulte and Christopher Jaime seconded. The justification is information may be prejudicial about a person but will not be speaking about any individual other than the Director. **5-0, none opposed, motion carries.**

**Enters Executive Session at 11:09 am/Reconvenes at 1:15 pm**

License #22150 Top Shelf Herbs of Alaska LLC: Loren Jones moves to rescind the previous approval with delegation per 3 AAC 306.010(d)(3). The application should be tabled without prejudice, pending further review by staff – the timely objection has merit. The licensee would not need to refile an application or pay new fees. Christopher Jaime seconded. **5-0, none opposed, motion carries.**

● **DIRECTOR BRIEFING**

10:00am

**A. Director's Report**

**TAB 4**

1:21 pm: Director Klinkhart presents his report.

Mark Springer mentions that there is no tax report attached which can be found on the Revenue website. Mark asks if the Director has had any input with the legislation regarding a minor change to the statute governing the single director of AMCO. Director Klinkhart says very little, he is waiting to see the drafted legislation before making any educated recommendations/decisions.

Christopher Jaime asks if the board will see applications that were submitted before the deadline at the next meeting. It has been a problem in the past. Director Klinkhart says his goal was to get through these present board meetings but it is those sort of things that he wants to look at - he also wants to start leveraging technology, however we do need to have rules to abide by and deadlines for certain things.

● **ENFORCEMENT BRIEFING**

10:20am

1:35 pm: James Hoelscher is present via phone. James thanks Mark Springer for his time and service.

He also addresses/clarifies Matsu odor complaints before presenting his report. For the record, Enforcement has received 6 complaints about odor violations in the Valley and every single one of those were about one licensee. Enforcement was able to respond to 5 of the 6 complaints, even though some of them were reported as happening to the night before. Enforcement does receive a fair amount of odor complaints from Anchorage but believes that is due to the condensed population and the locations being close to other business and residential areas. There are less cultivations in Anchorage in comparison to the Valley even though he does agree that a quick response to the Valley is warranted, he has to prioritize. Odor complaints

are not a health or safety risk. He is not making excuses, just wants to clarify why things happen like they do.

**A. Enforcement Supervisor’s Report**

**TAB 5**

*James Hoelscher summarizes his report.*

*Christopher Jaime asks if they are ASPC trained? Enforcement staff are certified police officers from other states.*

*Mark Springer asks about the different levels of training and James explains there are 3 levels of certifications - basic, intermediate, advanced. 3 of 5 investigators are advanced, one is intermediate and the other is basic but qualifies as intermediate.*

*Bruce Schulte speaks about changing the paradigm – possibly a different level of investigator. Do not need a police officer for everything AMCO handles.*

*Mark Springer asks James to define a “shoulder tap” and “compliance check”. A shoulder tap is underage purchaser under the direction of AMCO, waiting outside a licensed premises, asking an average everyday person to purchase alcohol for them. A compliance check is the underage purchaser would go into the licensed premises to attempt the purchase of alcohol directly from the licensee. Mark Springer asks if Enforcement had all the resources needed available to them, would they be able to create a shoulder tap/compliance check program for the marijuana industry. James says, absolutely – that is his intention.*

*What percentage of Enforcement staff is used relating to the underage purchasing or supplying of marijuana? James states that there is not a program like that for marijuana at this time which is why he is asking for indemnification. 100% is alcohol and 0% is marijuana.*

*Director Klinkhart will be looking at an entry level inspector position which will allow the investigators to work on the bigger issues. It’s not about getting people in trouble, it’s about compliance. Before that happens, the Director would like to get with the industry and do some marketing and some education.*

*James Hoelscher agrees with the Director’s statements and describes the past successes with shoulder taps and compliance checks within the alcohol industry. Prioritization is important.*

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

**TAB 6**

**C. Notices of Violation for Unpaid Taxes**

**TAB 7**

*Mark Springer asks if James Hoelscher wishes to go over any of the NOV’s, he does not but asks for clarification if the Board still wants to see the unpaid taxes information. The Board says yes.*

● **LICENSING BRIEFING**

**A. Licensing Report**

**TAB 8**

*2:05 pm: Carrie Craig summarizes her report.*

*Mark Springer says it's a great report and the quality of the reviews have not changed. He suggests for the next report that staff includes the average wait times by year for comparison.*

● **LEGISLATION UPDATE - AMCO**

**10:45am**

**A. Sara Chambers - Division Director; Commerce, Community & Economic Development**

*2:12 pm: Sara Chambers, director of CBPL, is present. Sara Chambers, director of CBPL, is present. The administration is proposing to move AMCO into CBPL. This proposal is an administrative change. It will add to the resources at the board's disposal – access to the division's resources and expertise. This will do away with the Director's position and institute an Executive Administrator (EA) position – one for ABC and one for MCB. Admin, Licensing and Enforcement will be maintained as is. Streamlining at the top and giving the board more resources while maintaining existing assets. Sara Chambers says a copy of the drafted bill will be available to the boards once completed. Ms. Chambers provides a handout and provides an overview of the division. She states that her division is constantly sharing examiners, sharing investigators across programs and sharing knowledge – codified within standard operating procedures.*

*Christopher Jaime inquires where does the director fall in the new legislation? Sara Chambers answers that he would be removed and replaced with the 2 EAs.*

*Mark Springer asks for the draft bill and status. Sara Chambers states that she is reviewing drafts with Department of Law. Mark Springer asks Joan Wilson if she has seen a draft and she has not.*

*Mark Springer asks how substantial would the changes be to Title 4 and Title 17? Very minimal. The biggest change will be the 2 EAs. Mark asks if there will be a significant change/amend in Title 17 where it says the MCB will be directly housed under the Department of Commerce for administrative purposes only. Sara Chamber confirms that change. Mark Springer states that Title 4 gives Enforcement some unique powers any changes there? No, there should not be any changes to other authority regarding enforcement and licensing in Title 4 and Title 17. No action is needed by board at this time.*

*Mark makes many valid points regarding the employment options for some handler permit holders and that the marijuana industry has created more opportunities for the Governor's "open for business" stance. There are no holdups in the licensing process so what exactly is not open for business in the cannabis industry? Sara Chambers states that Mr. Springer's perspective is much closer to it than hers. They would bring more resources and technology to the table. Sara Chambers say the authority and processes will be different and if it isn't broke, don't fix it.*

*Sara Chambers speaks broadly of the possibility of a seasonal licensing examiner, pooling resources.*

*Mark Springer asks if AMCO's Enforcement staff would remain 100% dedicated to enforcing Titles 4 and 17 or would they be put in a pool of investigators. Sara's vision is that AMCO's staff would continue to do AMCO things. She wants to add to what is existing, not dismantle.*



Mark Springer asks if there are fiscal notes part of the drafted bill and Ms. Chambers confirms. He suggests that Ms. Chambers extends an invitation to Commissioner Anderson to visit with the boards at the next meeting.

Nick Miller is interested about the fiscal notes – needs to be put out to the public as soon as possible regarding fees.

Bruce Schulte asks where would Enforcement fall – who would they answer to? Sara Chambers states that James would answer to the 2 EAs.

Director Klinkhart asks Ms. Chambers if they do have a process to accept credit cards – one of the main complaints he hears from licensees. The answer is yes. He asks if they have a telephone call-in system that works for board meetings and her answer is yes.

**Break at 2:48 pm/Reconvene at 3:05**

● **APPLICATIONS FROM PREVIOUS MEETINGS**

**A. Previous Board Action Taken**

- |                           |  |                      |
|---------------------------|--|----------------------|
| <b>1. License #14619:</b> | <b>Denali Fire Brown, LLC</b>  | <b><u>TAB 10</u></b> |
| Licensee:                 | Denali Fire Extracts   |                      |
| License Type:             | Marijuana Product Manufacturing Facility   |                      |
| Premises Address:         | 6209 Mike Street, Suite 2B<br>Anchorage, AK 99518  |                      |
| Local Governments:        | Municipality of Anchorage  |                      |
| <b>For Consideration:</b> | <b>Two products- One product was tabled from the transfer application at the November meeting, and one product was not considered or voted on.</b> |                      |

*Eli present on the phone. Motion to approve 2 products with delegation, seconded. Director Klinkhart provides background information. 5-0, none opposed, motion carries.*

- |                           |   |                      |
|---------------------------|---|----------------------|
| <b>2. License #21170:</b> | <b>Green Zone</b>   | <b><u>TAB 11</u></b> |
| Licensee:                 | L&A Cannabis, LLC   |                      |
| License Type:             | Retail Marijuana Store  |                      |
| Premises Address:         | 543 Bison Street<br>Kotzebue, AK 99762  |                      |
| Local Governments:        | City of Kotzebue, Northwest Arctic Borough  |                      |
| <b>For Consideration:</b> | <b>Board requested verification of distances at September meeting. Verified there is less than 500 feet from the licensed premises to the Putyuk Children’s Home.</b> |                      |

*Director Klinkhart provides background information. Jana Weltzin, counsel, present with licensee Dae Han & provided surveyed drawings of the nearest pedestrian route. Ms. Weltzin states that the Kotzebue Police Department’s documentation was received after the deadline, therefore it should not be brought before the board. The licensee had 3 public hearings in Kotzebue regarding this license and location – there were no comments received from the Putyuk Children’s Home. There was a comment from the property owner close to the location and the licensee agreed to build a fence*

between the retail store and her private property.

The current status is “approved with delegation”. Loren Jones motions to rescind September’s approval with delegation. Seconded. Basis of motion is that the board asked for info from the local authorities which they did receive and while it is disputed, it does not comply with distance regulations. Loren Jones believes that the board should take the pd’s info into consideration. Christopher Jaime asks if Ms. Weltzin can address the disparity of the two reports. Jana Weltzin says no, she does not have a copy of the documents provided by the Kotzebue police officer, which the board has, yet not in the public tab. Carrie Craig emails a copy directly to Ms. Weltzin and states it was received 1/15/2020, nearly two weeks after the agenda deadline and outside of the objection period.

Mark Springer notes that the measurements done by KPD are from another entrance of the building in question and seems to cut across other people’s private property. He would defer to the local governing body – no reason to rescind.

**3-2, Bruce Schulte, Nick Miller & Mark Springer vote NO to rescind previous approval. Previous action stands.**

**B. Tabled**

- 1. License #10577 & #10578: Alaskan Leaf, LLC TAB 12**  
Licensee: Alaskan Leaf, LLC  
License Type: Standard Marijuana Cultivation Facility and Retail Marijuana Store  
Premises Address: 1211 West 36<sup>th</sup> Avenue, Suite A  
Anchorage, AK 99503  
Local Government: Municipality of Anchorage  
**For Consideration: Appeal of denial of MJ-14 regarding shared marijuana storage space between co-located cultivation facility and retail store, Tabled from July & September meetings.**

*Director Klinkhart provides background information. Jana Weltzin, counsel for the licensee is present. Ms. Weltzin states the licensee is rescinding the application. **No action needed.***

- 2. License #20439 TAB 13 Alaskan Grown Cannabis**  
Licensee: Alaskan Grown Products LLC  
Premises Address: 230 Tundra Way  
Bethel, AK 99559  
Local Government: City of Bethel  
**For Consideration: Protest from the City of Bethel due to; lack of a conditional use permit, the premises not being in compliance with zoning regulations, and additional premises safety concerns. Tabled from September meeting.**

*Jana Weltzin, counsel is present with the licensee. Jana says that on 11/12/2019 the City of Bethel amended their protest to a conditional protest, similar to the Municipality of Anchorage’s conditional protests. Licensee has been working the with the fire marshal. Mark suggests they speak to the Department of Transportation regarding the nearby state highway.*

*Nick Miller excuses himself from vote – the licensee does not object to Mr. Miller being part of the decision.*

*Motion to approve with delegation and seconded. 5-0, none opposes, motion carries.*

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

**TAB 14**

3:37 pm

- 1. License #10014:                   The Naked Herbalist**  
Licensee:                           Peggy S France and Miles S France  
License Type:                      Limited Marijuana Cultivation Facility  
Premises Address:                47841 South Crop Circle  
  Willow, AK 99688  
  
Approved by MCB:                October 28, 2016  
License issued:                    January 24, 2017  
Before MCB:                        January 24, 2018 – applicant not present  
  December 21, 2018 – anticipates inspection by August 2019; board expresses concern  
  July 11, 2019 – facility is halfway completed; expect to finish before snowfall; board requested report in November 2019 November 13, 2019 – licensee stated that the summer wildfires had damaged his property

*Licensee, Miles S France, is present on the phone. Anticipated having everything done by the end of summer of 2020.*

- 2. License #10231:                420 Grow Tech**  
Licensee:                            Gregory P. Hoffman  
License Type:                        Limited Marijuana Cultivation Facility  
Premises Address:                10064 N. Arnistead Circle  
  Sutton, AK 99674  
  
Approved by MCB:                December 20, 2018  
License issued:                    March 6, 2019  
*Licensee, Gregory P. Hoffman, is present on the phone and says they are on track and should be ready within the next 3 months.*

- 3. License #10252:                Popeyes Emporium II**  
Licensee:                            Popeyes Emporium II, LLC  
License Type:                        Retail Marijuana Store  
Premises Address:                3231 Spenard Road, Unit 1  
  Anchorage, AK 99503  
  
Approved by MCB:                September 14, 2017  
License issued:                    September 14, 2018  
*Jana Weltzin, counsel for licensee, is present. Should be open by summer.*

- 4. License #10512:                Southeast Alaska Laboratories LLC**  
Licensee:                            Southeast Alaska Laboratories LLC  
License Type:                        Marijuana Testing Facility  
Premises Address:                5450B Jenkins Drive  
  Juneau, AK 99801

Approved by MCB: October 27, 2016  
License issued: April 10, 2018  
Pending: December 19, 2019 – licensee submitted MJ-15  
December 26, 2019 – MJ-15 fees paid  
January 2, 2020 – examiner requested corrections to the MJ-15

*Jessica D. is present on the phone. The operating plan to change their Science Director. Bruce Schulte asks if the only change being made is the new Science Director? Yes. Will they be ready before the April meeting? They would like to be ready before April. Bruce Schulte inquires if the board can delegate authority to approve this change and Mark Springer, says no, it is a board action. Temporary approval can be made by the Director. The board members discuss the possibility of holding a telephonic meeting but no motion is made.*

- 5. License #10686: Turnagain Herb Company**  
Licensee: AK Provisions Corporation  
License Type: Retail Marijuana Store  
Premises Address: 279 Crow Creek Road  
Girdwood, AK 99587  
Approved by MCB: October 16, 2018  
License Issued: February 20, 2019  
Before MCB: November 13, 2019 – licensee anticipates being open Spring 2020  
*Seth is present on the phone and says they are on track for a summer opening.*

- 6. License #10898: AK Slow Burn Cannabis Outlet**  
Licensee: AK Slow Burn Cannabis Outlet, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 2042 E 3<sup>rd</sup> Avenue, Suite A  
Anchorage, AK 99501  
Approved by MCB: July 12, 2017  
License issued: January 25, 2019  
Before MCB: September 11, 2019 – anticipates opening in a year; board requested report in November 2019  
November 13, 2019 – legal counsel discussed progress towards opening

*Jana Weltzin, counsel for licensee, is present. The licensee wishes to purchase the building and is currently in talks with the building owner to come to agreeable terms. Mark Springer asks how soon will be open. Jana Weltzin says he probably won't be open until August – no guarantees.*

- 7. License #11547: Cloudberry Cannabis**  
Licensee: Lily A Shimek; Joseph D Shimek  
License Type: Retail Marijuana Store  
Premises Address: 3307 Spenard Road  
Anchorage, AK 99503  
Approved by MCB: April 4, 2017  
License issued: August 1, 2017  
Pending: December 16, 2019 – submitted MJ-14 and fees  
December 24, 2019 – examiner requested corrections  
*Licensee, Lily A Shimek, is present on the phone. In final stages of opening the retail store.*

- 8. License #11635: Cloudberry Partners**

Licensee: Joseph D Shimek; Lily A Shimek  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 3307 Spenard Road  
Anchorage, AK 99503  
Approved by MCB: May 15, 2017  
License issued: August 10, 2017  
Before MCB: April 4, 2018 – anticipate build-out done by “a little beyond” June 2018  
February 21, 2019 – applicant not present  
May 2, 2019 – board requires report in September 2019  
September 11, 2019 – looking for partner to provide new funding; board requested report in November 2019  
November 13, 2019 – licensee states they are still seeking funding

*Licensee, Lily A Shimek, is present on the phone and states they got some funding and moving ahead. They had a slight hiccup with the electric power and temperature. Plowing ahead.*

**9. License #12125: Alaska Marijuana Gardens (AMG)**

Licensee: Alaska Wild Coyote, Inc.  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 838 Bonanza Avenue  
Anchorage, AK 99518  
Approved by MCB: July 13, 2017  
License issued: April 23, 2018  
Before MCB: February 21, 2019 – anticipate opening in about 5 months (June 2019)  
September 13, 2019 – anticipate requesting inspection within 3 months; board requested report in November 2019  
November 13, 2019 – licensee provided an update

*Licensee is present on the phone. They are running a little behind and hoping to be open by the next meeting. Trucking along and everything is coming together.*

**10. License #12315: Evergreen Extracts**

Licensee: ISG, Inc.  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 5011 Short Street, Suite 2  
Juneau, AK 99801  
Approved by MCB: September 14, 2017

License Issued: March 7, 2019  
Before MCB: November 13, 2019 – legal counsel provided an update

*Jana Weltzin, counsel for licensee, is present and states the applicant is not moving forward with this license.*

**11. License #12817: Turnagain Horticulture Company**

Licensee: Turnagain Horticulture Company  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 524 E 48<sup>th</sup> Avenue, Unit 2  
Anchorage, AK 99503  
Approved by MCB: April 5, 2018  
License Issued: July 30, 2018

- 12. License #13776:** **Alaska Skunkworks**  
 Licensee: Alaska Skunkworks, LLC  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 37331 S Talkeetna Spur Road  
 Talkeetna, AK 99676  
 Approved by MCB: April 5, 2018  
 License Issued: August 9, 2018  
 Before MCB: February 21, 2019 – estimate beginning operating in August 2019  
 November 13, 2019 – licensee provided an update  
*Licensee is present on the phone. Finishing the sheet-rocking and working on the security/cameras. The building is big and taking longer than they thought.*
- 13. License 14252:** **Primate Rock Harvest, Inc.**  
 Licensee: Primate Rock Harvest, Inc.  
 License Type: Limited Marijuana Cultivation Facility  
 Premises Address: 2276 Sunshine Avenue  
 Fairbanks, AK 99709  
 Approved by MCB: August 16, 2018  
 License Issued: January 18, 2019  
*Jana Weltzin, counsel for licensee, is present and states her client is almost ready to call for an inspection, they are figuring out how to work Metric.*
- 14. License #15192:** **GreenSleeves Genetics, LLC**  
 Licensee: GreenSleeves Genetics, LLC  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 1700 N Post Road  
 Anchorage, AK 99501  
 Approved by MCB: August 16, 2018  
 License Issued: February 8, 2019  
 Before MCB: November 13, 2019 – licensee provided an update  
*Licensee is present on the phone. Waiting on the city and a hiccup with their HVAC and the company doing their plans. Anticipating getting an inspection within 3 months.*
- 15. License 15788:** **Scorpion Grass**  
 Licensee: L & J Ventures, Inc.  
 License Type: Retail Marijuana Store  
 Premises Address: 266 S. McCallister Dr., Suite 1  
 Wasilla, AK 99654  
 Approved by MCB: October 17, 2018  
 License Issued: June 10, 2019  
*Jana Weltzin, counsel for licensee, is present and states a portion of the business burnt down over the summer. The retail portion did not burn but was affected by the smoke. Hopeful to open by summertime.*
- 16. License 15790:** **Scorpion Grass**  
 Licensee: L & J Ventures, Inc.  
 License Type: Marijuana Product Manufacturing Facility

Premises Address: 266 S. McCallister Dr., Suite 3  
Wasilla, AK 99654

Approved by MCB: October 17, 2018

License Issued: June 10, 2019

*Jana Weltzin, counsel for licensee, is present and states this is the portion of the business burnt down over the summer. Should be totally rebuilt by next winter.*

- 17. License #16225: Green Ghost Farms, LLC**  
Licensee: Green Ghost Farms, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 11601 W King Arthur Drive  
Houston, AK 99694  
Approved by MCB: December 21, 2018  
License Issued: March 27, 2019  
Before MCB: November 13, 2019 – legal counsel provided an update  
*Jana Weltzin, counsel for licensee, is present and states there is a minor fire marshal issue. She believes he just finishing.*

- 18. License #16579: Grass Station 49**  
Licensee: The Grass Station, LLC  
License Type: Retail Marijuana Store  
Premises Address: 2502 Parks Highway  
Fairbanks, AK 99709  
Approved by MCB: February 22, 2019  
License Issued: February 25, 2019  
Before MCB: November 13, 2019 – anticipates opening in a few months  
*Licensee, Gary Evans, is present on the phone. This building burnt down in May. Mark Springer suggests that the licensee send a letter to Director Klinkhart regarding the status and condition of the building to remain off the roll call for the next meeting. Loren Jones points out that most likely the diagram and operating plan will need to be changed and staff should not include this license in this section until they have had some kind of conversation with the licensee.*

**C. Licenses in “Delegated” Status for Approximately One Year  
3:51 pm**

**TAB 15**

- 1. License #10117: Alaska Fireweed Farm**  
Licensee: Jason Harder  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: Mile 101 Richardson  
Pipeline Access Road  
Copper Center, AK 99573  
Approved by MCB: October 16, 2018  
**Pending: Fire Marshal approval.**  
*No one is present.*
- 2. License #12580: Brown Owl’s Cultivation**  
Licensee: Winazar, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 320 Wright Lane

Approved By MCB: Fairbanks, AK 99712  
 September 14, 2017  
**Pending: Fire Marshal approval.**  
 Before MCB: December 20, 2018 – applicant’s counsel requests to provide  
 report at next meeting  
 February 21, 2019 – financial issues; report in May requested May 2,  
 2019 – applicant not present  
 July 10, 2019 – applicant not present  
 September 11, 2019 – applicant not present  
 November 13, 2019 – applicant not present  
**For Consideration: Certified mail returned December 24, 2019**

*No one is present.*

**3. License #12895: Bigfoot Bud Company, LLC**  
 Licensee: Bigfoot Bud Company, LLC  
 License Type: Limited Marijuana Cultivation Facility  
 Premises Address: 46813 Pintail Avenue  
 Kenai, AK 99611  
 Approved By MCB: August 15, 2018  
**Pending: Fire Marshal approval.**  
 Before MCB: September 11, 2019 – applicant not present  
 November 13, 2019 – applicant not present

*No one is present.*

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

*Jana Weltzin, counsel for the licensee, is present and asks to table the retail license to the next meeting because the licensee is unsure if they will rescind the application.*

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

*Jana Weltzin, counsel for the licensee, is present and asks to table the retail license to the next meeting because the licensee is unsure if they will rescind the application.*



- 6. License #13827: Chongkee Farms, LLC**  
 Licensee: Chongkee Farms, LLC  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 691 Brewster Street  
 Fairbanks, AK 99712  
 Approved by MCB: August 16, 2018  
**Pending: Fire Marshal approval.**  
 Before MCB: September 11, 2019 – making changes for Fire Marshal compliance; board requested November 2019 report  
 November 13, 2019 – applicant not present  
*Charles Lopez was asked to update the board by Daniel Brower. Daniel would like to discuss the status with the board on 1/24/2020 because he is currently traveling. He has fire marshal approval. Mark Springer suggests that he contacts staff with the approval. 1/24/2020 at 2:16 pm Daniel Brower is present on the phone and says should be ready by the next meeting.*
- 7. License #13881: AlasKind, LLC**  
 Licensee: AlasKind, LLC  
 Premises Address: 278 East Bias Drive  
 Fairbanks, AK 99712-2501  
 Approved by MCB: May 7, 2018  
**Pending: Fire Marshal approval.**  
 Before MCB: July 10, 2019 – applicant not present  
 September 11, 2019 – applicant not present  
 November 13, 2019 – applicant not present  
*Director Klinkhart notifies the board that the applicant is rescinding the application per the licensing team on 1/22/2020.*
- 8. License #15546: Daliwoda Investments #1**  
 Licensee: Daliwoda investments, Inc.  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 807 Landing Road  
 North Pole, AK 99705  
 Approved by MCB: August 16, 2018  
**Pending: Fire Marshal approval.**  
 Before MCB: September 11, 2019 – applicant not present  
 November 13, 2019 – applicant not present  
*No one is present.*
- 9. License #15656: 420 on Main, LLC**  
 Licensee: 420 on Main, LLC  
 License Type: Retail Marijuana Store  
 Premises Address: 3684 Main Street  
 Homer, AK 99603  
 Approved by MCB: August 15, 2018  
**Pending: Fire Marshal approval.**  
*Need to contact 1/24/2020.  
 1/24/2020 at 1:10 pm the licensee, Robert, is present on the phone and asks for another year. He will keep staff updated and be back 2 meetings from now.*

**10. License #16208:** **Susitna Gardens**  
Licensee: David C. Towne  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 29686 S David Street  
Talkeetna, AK 99676  
Approved By MCB: December 20, 2018  
**Pending:** **Fire Marshal approval.**  
*No one is present.*

**11. License #16446:** **420 on Main, LLC**  
Licensee: 420 on Main, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 3684 Main Street  
Homer, AK 99603  
Approved by MCB: October 16, 2018  
**Pending:** **Fire Marshal approval.**

*Need to contact 1/24/2020.*

*1/24/2020 at 1:10 pm the licensee, Robert, is present on the phone and asks for another year. He will keep staff updated and be back 2 meetings from now.*

**12. License #16446:** **420 on Main, LLC**  
Licensee: 420 on Main, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 3684 Main Street  
Homer, AK 99603  
Approved by MCB: December 20, 2018  
**Pending:** **Fire Marshal approval.**

*Need to contact 1/24/2020.*

*1/24/2020 at 1:10 pm the licensee, Robert, is present on the phone and asks for another year. He will keep staff updated and be back 2 meetings from now.*

● **BOARD CONSIDERATION**

*3:56 pm*

**A. License 10279:** **Goodsinse LLC**  
Licensee: Goodsinse, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 2604 Davis Road  
Fairbanks, AK 99709  
Local Government: City of Fairbanks

**TAB 16**

**For Consideration:** **Request for consideration regarding Notice of Violation.**

*Licensee, Daniel Peters, is present and asks that the board strike the NOV regarding the odor complaint from his record. He states that it is not a health and safety risk.*

*Christopher Jaime says this had come up before and believed that on the advice of the legal department, the board cannot strike a NOV. Mark Springer confirms.*

*AMCO received 4 separate complaints from Fairbanks PD, anonymous citizen, a nearby surgery center*

and a State Trooper. Mark Springer asks if the licensee has provided a written response. Mr. Peters states that he has not done so.

Mr. Peters admits there is a smell because they are growing marijuana and that means they are doing well with their cultivation. There are current systems in place to mitigate smell which was carbon filters. He has researched using ozone and says there is a possible health risk, however it is working well. High concentrations of ozone is harmful to any living being – his generators are not at a high concentration. Staff is not in the rooms when it is going. Every exhaust has charcoal filters and they are changed roughly every 2 to 3 months.

Mark Springer asks if Mr. Peters has received any other complaints. Mr. Peters admits the neighbor next door has said that it can be quite overpowering occasionally. There are 2 other cultivations on the same street.

Mr. Peters requests that Enforcement call him the same day of the complaint and not just receive a NOV days/weeks after the fact.

**B. License 10975: Satori TAB 17**

Licensee: Baker Industries, LLC  
License Type: Retail Marijuana Store  
Premises Address: 221 E. 5<sup>th</sup> Avenue  
Anchorage, AK 99501

Local Government: Municipality of Anchorage

**For Consideration: Addition of café to licensed premises.**

Jana Weltzin, counsel for the licensee, is present. Ms. Weltzin explains the vendor agreement and states the licensee wants to hire someone to run the café (non-marijuana café). The previous director and Mr. Hoelscher were concerned that the agreement sounded very similar to a lease agreement. She also states that she has not received a response to date.

Director Klinkhart says that he literally found a digital copy of the vendor agreement saved in the Director's folder for this meeting and thanks Ms. Weltzin for the explanation.

She also explains that any employee of the café will need to obtain and maintain a marijuana handler permit because it is on the licensed premises. Who does DHHS issue the health permit to – the café operator or Satori? Ms. Weltzin never received an answer.

Mark Springer asks if this would require an operating plan change. It would but it has not been completed because they were waiting to hear from AMCO if this agreement is allowable.

Joan Wilson, Assistant District Attorney, advises that this agreement is not a lease agreement.

The front of the store will be utilized as a café and the rear of the store is for marijuana retail. Customers of the café will be over 21 years old. Mark Springer encourages the licensee to proceed.

Loren Jones is concerned about the co-mingling of the businesses.

**C. License #20844: Tokin Up TAB 18**

Licensee: 907 Promos, LLC  
License Type: Retail Marijuana Store

Premises Address: Mile Post 1313.8 Alaska Highway  
Tok, AK 99780  
Local Government: No Local Government  
**For Consideration: Statement regarding transportation of marijuana into Canada and allegations concerning the petition.**

*Licensees are present and they rescind their statement regarding transportation into Canada. They also rescind the application as of 1/21/2020.*

● **NEW ONSITE CONSUMPTION ENDORSEMENT APPLICATIONS**

*4:17 pm Loren Jones references 3 AAC 306.370(d)(1)(B)(i) and says he could not find where the licensed mechanical engineer has signed off on the plans for both applications.*

**A. License #10278: GoodSinse LLC TAB 19**  
Licensee: GoodSinse LLC  
Premises Address: 2604 Davis Road  
Fairbanks, AK 99709  
Local Government: City of Fairbanks; Fairbanks North Star Borough

*Licensee, Daniel Peters, is present. The stamp is located in the upper righthand corner with of the premises diagram plans. **Motion to approve with delegation and seconded by Nick Miller.** Protest received 1/17/2020 from City of Fairbanks – it does not need to come back before the board. **3-2 Loren Jones and Christopher Jaime opposes, motion carries.***

**B. License #10590: Cannabis Corner TAB 20**  
Licensee: Kanoe M Zantua; Ayme S Zantua  
Premises Address: 9735 Mud Bay Road  
Ketchikan, AK 99901  
Local Government: Ketchikan Gateway Borough

*Licensee, Kanoe & Ayme Zantua, present on the phone. **Motion to approve with delegation and seconded. 3-2 Loren Jones and Christopher Jaime opposes, motion carries.***

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS**

*4:40 pm*

**A. License #15395 Majestic Gardens, LLC TAB 21**  
Licensee: Majestic Gardens, LLC  
Premises Address: 12656 Kenai Spur Highway  
Kenai, AK 99611  
Local Governments: City of Kenai; Kenai Peninsula Borough

*Licensees, Denise and Ronald Issacs present on the phone. **Motion to approve by Bruce Schulte and seconded by Nick Miller. 5-0, none opposed, motion carries.***

**B. License #22369: Bubba Greens LLC TAB 22**  
Licensee: Bubba Greens LLC  
Premises Address: 108 E. Schrock Road  
Wasilla, AK 99654  
Local Government: Matanuska-Susitna Borough  
**For Consideration: Protest from LG pending issuance of a Conditional Use**

Permit.

Licensee, Mike Gallagher is present. **Approved with delegation and seconded. Building is still under construction. 5-0, none opposes, motion carries.**

● **NEW LIMITED MARIJUANA CULTIVATION FACILITY APPLICATIONS**

4:50 pm

**A. License #17612: Valley Happiness, LLC TAB 23**

Licensee: Valley Happiness, LLC  
Premises Address: 905 South Vicki Way  
Wasilla, AK 99654-7570

Local Government: Matanuska-Susitna Borough

Licensee is present on the phone. **Motion approved with delegation and seconded. 5-0, none opposed, motion carries.**

**B. License #21822: Muggle Organics TAB 24**

Licensee: Bradley C Beaty; Aleana Beaty  
Premises Address: 5910 N. Talgach View Drive  
Wasilla, AK 99654

Local Government: Matanuska-Susitna Borough

Licensee, Bradley Beaty, is present on the phone. **Motion approved with delegation and seconded. 5-0, none opposed, motion carries.**

**C. License #23144: Denali Farms TAB 25**

Licensee: Denali Industries, LLC  
Premises Address: 5300 N Infinite Road, A1  
Wasilla, AK 99654

Local Government: Matanuska-Susitna Borough

Jana Weltzin, counsel for licensee, Brandon Bartlett, is present. **Motion approved with delegation and seconded. 5-0, none opposed, motion carries.**

5:05 break/Reconvene 5:11 pm

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

5:11 pm

**A. License #19898: AKO Farms, LLC TAB 26**

Licensee: AKO Farms, LLC  
Premises Address: 1210 Beardslee Way  
Sitka, AK 99835

Local Government: City and Borough of Sitka

Licensees, Justin Brown and Marty Martin present. **Motion to approve with delegation and seconded.** Loren Jones questions the MJ-03 in relation to the licensed premises on the diagram - correct the packaging processes in operating plan, everything that comes into the retail will be pre-packaged. **5-0, none opposed, motion carries.**

**Adjourn 5:20 pm/Reconvene 9:01 am**

- B. License #22716:** **CannaBliss** **TAB 27**  
Licensee: Baby Bull, LLC  
Premises Address: 2001 E. 5<sup>th</sup> Avenue  
Anchorage, AK 99501  
Local Government: Municipality of Anchorage  
**For Consideration:** **Protest from the Municipality pending issuance of an approved municipal marijuana license and special land use permit.**

*Lance Wells, counsel for licensee, Vito, is present on the phone. Motion to approve by Nick Miller and seconded by Bruce Schulte. 5-0, none opposed, motion carries.*

- C. License #23122:** **MCC Flight** **TAB 28**  
Licensee: Alaskan Pipe Dreams, LLC  
Premises Address: 5675 E Blue Lupine Drive  
Wasilla, AK 99654  
Local Government: Matanuska-Susitna Borough  
**For Consideration:** **Protest from LG pending issuance of a Conditional Use Permit.**

*9:36 am: Motion to approve with delegation and seconded. 5-0, none opposed, motion carries.*

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS**

*The board would like to see a spreadsheet of products for consideration with different headings like Base, Candies, Concentrates, Drinks, etc.*

- A. License #14874:** **GoodSinse LLC** **TAB 29**  
Licensee: GoodSinse LLC  
Premises Address: 2604 Davis Road  
Fairbanks, AK 99709  
Local Government: City of Fairbanks; Fairbanks North Star Borough

*Daniel Peters is present. Loren Jones mentions that there are no back labels for review with the ingredients, the label doesn't say if there is alcohol in the product or how much alcohol is present. He suggests that as part of the delegation is that staff sees the entire label which includes the ingredients. Loren Jones says that the board is supposed to see the entire label. Staff says the instructions for this form only requires a sample label – final labels should be submitted Enforcement first.*

**Approval of dissolute inhaler:** 0-5 Not passed

**MJ-05:** Motion to approve & seconded by Bruce Schulte, 5-0 none opposed, motion carries

**Application:** Motion to approve w/ delegation and seconded, 5-0 none opposes, motion carries

- B. License #21552:** **Enlighten Extractions, LLC** **TAB 30**  
Licensee: Enlighten Extractions, LLC  
Premises Address: 524 E 48<sup>th</sup> Avenue, 1A  
Anchorage, AK 99503  
Local Government: Municipality of Anchorage  
**For Consideration:** **LG protest pending issuance of an approved municipal marijuana license and a special land use permit.**

*Jana Weltzin, counsel for licensee, Leah & Johnathon are present. Loren Jones mentions that there are 2*

*duplicates in the MJ-05, dissolute oil and soft chews, should be corrected as part of the delegation.*  
**Products:** Motion to approve dissolute oil, enlightenment & nano caps, enlightenment & nano drops, enlightenment & nano mist, soft chews & tonic & seconded, 5-0 none opposed, motion carries  
**MJ-05:** Motion to approve & seconded, 5-0 none opposed, motion carries  
**Application:** Motion to approve w/ delegation & seconded, 5-0 none opposes, motion carries

- C. License #22479:** **AK Rime** **TAB 31**  
Licensee: AK Rime, LLC  
Premises Address: 100 E International Airport Road, Suite 101  
Anchorage, AK 99518  
Local Government: Municipality of Anchorage  
**For Consideration: LG protest pending issuance of an approved municipal marijuana license and a special land use permit.**

*Jana Weltzin, counsel for licensee, is present and Kyle is present on the phone.*

**MJ-05:** Motion to approve & seconded, 5-0 none opposes, motion carries

**Application:** Motion to approve w/ delegation & seconded, 5-0 none opposes, motion carries

- D. License #23146:** **Dosed Edibles Alaska** **TAB 32**  
Licensee: Chubby Girl Confections, Inc.  
Premises Address: 3915 Peger Road  
Fairbanks, AK 99709  
Local Government: Fairbanks North Star Borough

*Licensee, Jessica, is present. One product – dosed gummies.*

**Application:** Motion to approve w/ delegation & seconded, 5-0 none opposed, motion carries

**MJ-05:** Motion to approve w/ delegation & seconded, 5-0 none opposed, motion carries

- E. License #23736:** **Tundra Brewing, LLC** **TAB 33**  
Licensee: Tundra Brewing, LLC  
Premises Address: 1427 Karen Way  
Fairbanks, AK 99709  
Local Government: Fairbanks North Star Borough

*Lance Wells, counsel for the licensee, is present on the phone and the licensee, Brian is present with Scott Meyer. Does not have DEC & Fire approval yet.*

**Application:** Motion to approve w/ delegation & seconded, 5-0 none opposed, motion carries

**MJ-05:** Motion to approve & seconded, 5-0 none opposed, motion carries

**Break 10:42 am/Reconvene at 11:00 am**

● **NEW LICENSE APPLICATIONS FOR RELATED APPLICANTS**

- A. License #21021:** **Choice Extracts** **TAB 34**  
Licensee: Guest Services, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 12668 W. Westen Drive  
Houston, AK 99694  
Local Government: City of Houston; Matanuska-Susitna Borough

*Lance Wells, counsel for the licensee, is present on the phone and the licensee, John Guest, is present. Correct diagram. Motion to approve w/ delegation & seconded, 5-0 none opposed, motion passes.*

**B. License #21022:** **Choice Extracts** **TAB 35**  
 Licensee: Guest Services, LLC  
 License Type: Marijuana Concentrate Manufacturing Facility  
 Premises Address: 12668 W. Westen Drive  
 Houston, AK 99694  
 Local Government: City of Houston; Matanuska-Susitna Borough  
**Application:** Motion to approved w/ delegation & seconded, 5-0 none opposed, motion passes  
**MJ-05:** Motion to approve 5-0 none opposed, motion passes

**C. License #21724** **The Red Light District** **TAB 36**  
 Licensee: AKGLD2, LLC  
 License Type: Retail Marijuana Store  
 Premises Address: 407 E Northern Lights Boulevard, 1A  
 Anchorage, AK 99503  
 Local Government: Municipality of Anchorage  
**For Consideration:** **Protest from the LG until applicant receives municipal marijuana license and special land use permit.**  
*Jana Weltzin, counsel for the licensee, is present. Licensees, Jaime Millhouse, Mindy and Rich are present on the phone. Updated diagram provided by Jana Weltzin to replace the diagram in tab. Per board's discussion and as part of the delegation, they will need to show the public access area as part of the retail license. Motion to approve w/ delegation, 5-0 none opposed, motion passes*

**D. License #21725** **The Red Light District** **TAB 37**  
 Licensee: AKGLD2, LLC  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 407 E Northern Lights Boulevard, 2A  
 Anchorage, AK 99503  
 Local Government: Municipality of Anchorage  
**For Consideration:** **Protest from the LG until applicant receives municipal marijuana license and special land use permit.**  
*Jana Weltzin, counsel for the licensee, is present. Licensees, Jaime, Mindy and Rich are present on the phone. Motion to approve w/ delegation, 5-0 none opposed, motion passes*

**E. License #23652** **SupHerb** **TAB 38**  
 Licensee: SubHerb, LLC  
 License Type: Retail Marijuana Store  
 Premises Address: 2121 N. Post Road  
 Anchorage, AK 99501  
 Local Government: Municipality of Anchorage  
**For Consideration:** **Protest from the LG until applicant receives municipal marijuana license and special land use permit.**  
*Lance Wells, counsel for the licensee and Jessica Smith, legal assistant, Ms. Velasco are both present on the phone. Motion to approve w/ delegation, 5-0 none opposed, motion passes*

**F. License #23653** **SupHerb** **TAB 39**  
 Licensee: SubHerb, LLC  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 2121 N. Post Road  
 Anchorage, AK 99501



Local Government: Municipality of Anchorage  
**For Consideration: Protest from the LG until applicant receives municipal marijuana license and special land use permit.**

*Lance Wells, counsel for the licensee and Jessica Smith, legal assistant, Ms. Velasco are both present on the phone. Add language to the lease. **Motion to approve w/ delegation, 3-2 Christopher Jaime & Mark Springer are opposed, motion carries***

● **OWNERSHIP TRANSFER APPLICATIONS**

11:47 am

**A. License #11092: Fairbanks Fireweed, LLC TAB 40**  
Licensee: Fairbanks Fireweed, LLC – Robert Ray 100%  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 2101 Sheldon Avenue, Unit 2  
Fairbanks, AK 99701  
Local Government: Fairbanks North Star Borough  
Transferor: Fairbanks Fireweed, LLC – Robert Ray 50% and Taryn Nishino 50%, DBA: Fairbanks Fireweed, LLC

*Jana Weltzin, counsel for the licensee, is present and Robert Ray is present on the phone. **Motion to approve w/ delegation, 5-0 none opposed, motion carries***

**B. License #15918: Barefoot Grow Company, LLC TAB 41**  
Licensee: Barefoot Grow Company, LLC – Jeremy Dance 100%  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 940 Star Court  
North Pole, AK 99705  
Local Government: Fairbanks North Star Borough  
Transferor: Barefoot Grow Company, LLC – Jeremy Dance 50% and Jessica Dance 50%, DBA: Barefoot Grow Company, LLC

*Licensee, Jeremy Dance, is present on the phone. As part of the delegation, update Section 5 of the MJ-17 – Jessica Dance will not be an employee. **Motion to approve w/ delegation, 5-0 none opposed, motion carries***

**C. License #16184: Thee Treasure Chest LLC TAB 42**  
Licensee: Thee Treasure Chest LLC – Kit Kraft at 33% and Eric vanVeen at 67%  
License Type: Retail Marijuana Store  
Premises Address: 1000 Water Street  
Craig, AK 99921  
Local Government: City of Craig  
Transferor: Thee Treasure Chest LLC – Kit Kraft at 50% and John Wright at 50%

*Licensee, Erik vanVeen, is present w/ his daughter. Ms. Franklin, counsel for Aaron Bean is present via phone. Carrie Craig reads the comment into the record regarding to fraud and damage. Investigator Steve Johnson is present for the licensee. **Motion to approve w/ delegation, 5-0 none opposed, motion carries***

**Lunch 12:04/Reconvene @ 1:02**

● **LICENSE RENEWAL APPLICATIONS**

**A. Notices of Violation Received**

- 1. License #10040:** **Alaska Precision** **TAB 43**  
Licensee: David J. Straub  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 15520 E. Birch Circle  
Willow, AK 99688  
Local Governments: Matanuska-Susitna Borough  
**For Consideration:** **Matanuska-Susitna Borough protests due to delinquent real property taxes and plan review fee; two NOVs received for delinquency of marijuana excise tax liability; one NOV for waste disposal; one NOV for METRC and transportation; one NOV for METRC, restricted access, and video surveillance.**

*Licensee, David Straub, present on the phone. Motion to approve w/ delegation & seconded, 4-1 Christopher Jaime is opposed, motion carries*

- 2. License #10310:** **Danish Gardens, LLC** **TAB 44**  
Licensee: Danish Gardens, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 2430 Cinnabar Loop  
Anchorage, AK 99507  
Local Government: Municipality of Anchorage  
**For Consideration:** **Two NOVs for delinquent taxes, two NOVs for odor complaints, one NOV for tracking in METRC.**

*Not present. Considered in November – board requested additional meeting to consider. Lease issue, renewal tabled. Motion to table application to April 2020 meeting af, 5-0 none opposed, motion carries.*

● **OPERATING PLAN CHANGES**

*1:16 pm*

- A. License #10799:** **Calm N Collective** **TAB 45**  
Licensee: Calm N Collective, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 13886 W. Parks Highway  
Houston, AK 99694-0085  
Local Governments: City of Houston; Matanuska-Susitna Borough  
*Cynthia Franklin, counsel for the licensee is present on the phone. Temporarily approved 12/20/2019. Motion to approve w/ delegation, 5-0 none opposed, motion carries*

- B. License #10856: Raspberry Roots TAB 46**  
Licensee: Raspberry Roots, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 501 Raspberry Road, Suite 102  
Anchorage, AK 99518  
Local Governments: Municipality of Anchorage  
**For Consideration: Discussion of ingredients previously approved by the Board for marijuana products.**

*Jana Weltzin, counsel for the licensee, is present. Licensee, Kim Cole is present on the phone. Remove the "or equivalent of" language. **Motion to approve w/ delegation, 5-0 none opposed, motion carries***

- C. License #11118: Mercy Tree of Alaska TAB 47**  
Licensee: B2C2LH, LLC  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 1648 N. Post Road  
Anchorage, AK 99501  
Local Governments: Municipality of Anchorage

*Licensee is present on the phone. **Motion to approve & seconded, 5-0 none opposed, motion carries***

- D. License #12125: Alaska Marijuana Gardens (AMG) TAB 48**  
Licensee: Alaska Wild Coyote, Inc.  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 838 Bonanza Avenue  
Anchorage, AK 99518  
Local Governments: Municipality of Anchorage

*Licensee is present on the phone. **Motion to approve & seconded, 5-0 none opposed, motion carries***

- E. License #12173: Northern Lights Cultivation 2 TAB 49**  
Licensee: Jesse Hoyt; Jacob G Rodriguez  
License Type: Standard Marijuana Cultivation Facility  
Premises Address: 4705 N Tongass Highway, Apartment 1  
Ketchikan, AK 99901  
Local Governments: City of Ketchikan, Ketchikan Gateway Borough

*No one is present*

- F. License #12254: Lady Gray Gourmet Medibles TAB 50**  
Licensee: Lady Gray, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 36322 Pine Street, Suite 1  
Soldotna, AK 99669  
Local Governments: Kenai Peninsula Borough

*Jana Weltzin, counsel for licensee is present & the licensee, Tasha, is present on the phone. **Motion to approve & seconded, 5-0 none opposed, motion carries***

- G. License #12536:** **Will's World** **TAB 51**  
 Licensee: Will's World, LLC  
 License Type: Marijuana Concentrate Manufacturing Facility  
 Premises Address: 12151 E Palmer-Wasilla Highway, Unit 1C  
 Palmer, AK 99645  
 Local Governments: Matanuska-Susitna Borough  
*Jana Weltzin, counsel for licensee is present & the licensees, Bill & Jason Little, are present on the phone.*  
**Motion to approve & seconded, 5-0 none opposed, motion carries**
- H. License #12680:** **Glacier Bay Farms** **TAB 52**  
 Licensee: Carol J Waldo  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 17 Helms Loop Spur  
 Haines, AK 99827  
 Local Governments: Haines Borough  
*No one is present. Motion to table to April 2020 meeting & seconded, none opposed, motion carries*
- I. License #12769:** **Secret Garden Cannabis** **TAB 53**  
 Licensee: Axion Enterprises, LLC  
 License Type: Marijuana Product Manufacturing Facility  
 Premises Address: 726 E. 15<sup>th</sup> Avenue, Suite 2  
 Anchorage, AK 99501  
 Local Governments: Municipality of Anchorage  
*Jana Weltzin, counsel for licensee, James Thornton, is present & licensee, Nick Bryant, is present on the phone.*  
**Motion to approve & seconded, 5-0 none opposed, motion carries**
- J. License #12783:** **Homer Budz, LLC** **TAB 54**  
 Licensee: Homer Budz, LLC  
 License Type: Standard Marijuana Cultivation Facility  
 Premises Address: 67835 Virginia Avenue  
 Homer, AK 99603  
 Local Governments: Kenai Peninsula Borough  
*Licensee, Patrick Moore, is present on the phone. Loren Jones asks if staff has done a pre-inspection with the temporary approval. Carrie Craig answers that inspections will happen after Enforcement as added a comment to the MJ-14, that was approved, that it requires an inspection once completed for camera coverage. Motion to approve & seconded, 5-0 none opposed, motion carries*
- K. License #13175:** **Fire Eater** **TAB 55**

Licensee: Sideshow Food, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 36160 Spur Highway, Suite A  
Soldotna, AK 99669-3448  
Local Governments: Kenai Peninsula Borough  
*Licensee, Ms. Christenson, is present on the phone.*  
**Motion to approve & seconded, 4-1 Loren Jones  
opposed, motion carries**

**L. License #13249: X-Tracted Laboratories TAB 56**  
Licensee: Royal Mountain Extracts, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 38957 South Commercial Drive  
Talkeetna, AK 99676  
Local Governments: Matanuska-Susitna Borough  
*Jana Weltzin, counsel for licensees, Sam Benson and  
Christina, is present. Motion to approve & seconded, 5-0  
none opposed, motion carries*

**M. License #13424: Midnight Sun Manufacturing, LLC TAB 57**  
Licensee: Midnight Sun Manufacturing, LLC  
License Type: Marijuana Product Manufacturing Facility 28011  
Premises Address: Old Parks Highway  
Willow, AK 99688  
Local Governments: Matanuska-Susitna Borough  
*Jana Weltzin, counsel for licensee, is present. Licensee is not present.*  
**Motion to approve & seconded, 5-0 none opposed, motion carries**

**N. License #15557: Polychrome Grass TAB 58**  
Licensee: Aurora Development Group, Inc.  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 1667 Amidon Drive  
Fairbanks, AK 99712  
Local Governments: Fairbanks North Star Borough  
*Jana Weltzin, counsel for licensee, is present. Licensee, Nate, is  
present. Motion to approve & seconded, 5-0 none opposed, motion  
carries*

**O. License #16006: Arctic Bakery, LLC TAB 59**  
Licensee: Arctic Bakery, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 1409 Well Street  
Fairbanks, AK 99701-2822  
Local Governments: City of Fairbanks, Fairbanks North Star Borough  
*Jana Weltzin, counsel for licensee, is present. Licensee, Dave  
Lanning, is present. Motion to approve & seconded, 5-0 none  
opposed, motion carries*

**P. License #17105: Sweet Matanuska Green TAB 60**

Licensee: SMG, LLC  
 License Type: Limited Marijuana Cultivation Facility  
 Premises Address: 972 N Satisfied  
 Wasilla, AK 99654  
 Local Government: Matanuska-Susitna Borough  
*Jana Weltzin, counsel for licensee, is present. Licensee, Tony, is present on the phone. **Motion to approve w/ delegation re: locked cabinet: 5-0 none opposed, motion carries***

**Q. License #17758: The Tufted Puffin, LLC** **TAB 61**  
 Licensee: The Tufted Puffin, LLC  
 License Type: Retail Marijuana Store  
 Premises Address: 216 4<sup>th</sup> Avenue, Unit 2  
 Seward, AK 99664  
 Local Governments: City of Seward; Kenai Peninsula Borough  
*Jana Weltzin, counsel for licensee, is present. Licensee, Randy Welsh, is present on the phone. **Motion to approve & seconded. It is the Board's position that pre-rolls are a packaging issue and not specially required for an operation plan for cultivations and retail – staff should look into adding it to the FAQs. No action. Application withdrawn & refund requested by Jana Weltzin.***

*Carrie Craig reads the minutes from the 3/7/2017 MCB meeting after the break: "UPDATE ON PREROLLED JOINTS ISSUE 2:46pm Nick Miller states that based upon 3 AAC 306.345 and 470, cultivators and retail stores are allowed to package marijuana for sale to a consumer. He states that it should be clarified that nothing can be mixed or included with that marijuana when it is put into the preroll. If it is, it would qualify as a product and would have to come before the Board for approval from a manufacturer. Brandon Emmett states that he agrees, and that pre-rolling is just a form of packaging. Sara Chambers states that she and the staff support what Nick Miller stated, and she adds that if a facility plans to package their products in this way, that it needs to be in the operating plan. Brandon Emmett asks if the existing businesses would need to amend their operating plans if they would want to pre-roll joints. Sarah Oates states that at the last Board meeting, certain members had expressed concern that they had never heard that cultivators and retailers would be packaging in this manner. She states that page 15 of 19 on Form MJ-01 could be a place where applicants could indicate that they are intending to do pre-rolling as a form of packaging, if the Board wishes. She requests guidance from the Board on exactly what it wants the staff to do. Peter Mlynarik states that for people who already have licenses, they shouldn't have to go back through the process, but they can inform staff when they renew. The Board members agree (verbally and by nodding) that going forward, applicants should have in their operating plans under*

packaging that they are going to be pre-rolling.”

Mark Springer understands the previous minutes to mean that licensees may incorporate pre-rolls in their repertoire and put that information into the operating plan change at renewal.

Christopher Jaime mentions that if the board allows for that change at renewal then it stands to reason that retailers/cultivators could make that part of their operating plan with the initial application. **He makes a motion for staff to create a section on the website for Board Guidance and it is seconded. 5-0 none opposed, motion passes.**

Nick Miller clarifies that pre-roll information should be included with the renewal application. The board agrees.

- R. License #22960:** **J & M Investments, LLC** **TAB 62**  
Licensee: J & M Investments, LLC  
License Type: Limited Marijuana Cultivation Facility  
Premises Address: 1000 E. Burlwood Drive  
Wasilla, AK 99654  
Local Governments: Matanuska-Susitna Borough  
*Licensee, Justin, is present on the phone. **Motion to approve & seconded, 5-0 none opposed, motion carries***

**Break 2:38 pm/Reconvene 2:54 pm**

● **NEW PRODUCTS**

- A. License #10165:** **Good LLC** **TAB 63**  
Licensee: Good LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 1949 Frank Avenue

Fairbanks, AK 99701  
Local Governments: Fairbanks North Star Borough  
*Licensee is present. **Motion to approve & seconded, 5-0 none opposed, motion carries***

- B. License #10301:** **R.C. Tinderbox, LLC** **TAB 64**  
Licensee: R.C. Tinderbox, LLC  
License Type: Marijuana Concentrate Manufacturing Facility  
Premises Address: 7801 King Street Anchorage, AK 99518  
Local Governments: Municipality of Anchorage  
*Licensee, Chris, is present on the phone. **Motion to approve & seconded, 5-0 none opposed, motion carries***

- C. License #12254:** **Lady Gray Gourmet Medibles** **TAB 65**  
Licensee: Lady Gray, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 36322 Pine Street, Suite 1 Soldotna, AK 99669

Local Governments: Kenai Peninsula Borough

*Jana Weltzin, counsel for licensee is present with the licensee, Tasha, is present on the phone. **Motion to approve & seconded, 5-0 none opposed, motion carries***

**D. License #13249: X-Tracted Laboratories TAB 66**

Licensee: Royal Mountain Extracts LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 38957 S. Commercial Drive Talkeetna, AK 99676  
Local Governments: Matanuska-Susitna Borough

*Jana Weltzin, counsel for licensee is present with the licensee. **Motion to approve w/ delegation & seconded regarding the need to test the final product: 5-0 none opposed, motion carries***

**E. License #15594: Cold Creek Extracts TAB 67**

Licensee: Cold Creek Extracts, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 7801 Schoon Street, Units L & M Anchorage, AK 99515  
Local Government: Municipality of Anchorage

*Jason Brandeis, counsel for licensee is present with the licensee present on the phone. **Motion to approve & seconded, 4-1 opposed, motion carries***

**F. License #16006: Arctic Bakery, LLC TAB 68**

Licensee: Arctic Bakery, LLC  
License Type: Marijuana Product Manufacturing Facility  
Premises Address: 1409 Well Street Fairbanks, AK 99701-2822  
Local Governments: City of Fairbanks; Fairbanks North Star Borough

Additional Consideration: Consideration of a product with proprietary ingredient, includes a confidential and non-confidential version.

*Jana Weltzin, counsel for licensee, is present. Licensee, Dave Lanning, is present. **Motion to approve & seconded, 5-0 none opposed, motion carries***

● **REGULATIONS**

3:26 pm

**C. Proposed Projects**

**1. Staff Recommendations TAB 69**

*Director Klinkhart provides background information regarding administrative holds.*

*Loren says, "I realize we probably don't have necessarily administrative hold on retail products. I think at times we have physically taken a product and the one I'm thinking of is some of the initial seizures that went to court and there was a settlement around CBD oil coming from some other state. Still have some questions that I don't know if the Director of Agriculture answered all of them and I didn't ask him but I still have questions about whether or not any of the CBD oil currently in Alaska is legal and what we are not doing about enforcing it, but that can't be my concern any longer. But we have had sort of administrative hold as a policy of the board on cultivation because we knew, as you said, if we took the plant it would die, we are not farmers and we have done that several times where we have had, you know, that's a pretty easy thing to track. If we were to use a hold in the one product manufacturer that we have closed down, you know, I have some real questions whether we were protecting the public safety by sort of allowing that product to stay there whether any of it would disappear. So I'm actually*



happy with what was written and I and maybe it is good to clarify that we have a seizure where we physically take it versus an administrative hold where they, I guess the licensee, would be responsible for keeping the product, whatever it is, in good enough form that we could go in there 2 weeks later and find exactly the same amount of product even though we know that there is loss and all kinds of things like that. But I'm curious as to how, if we need something in regulation or how you would sort of make the decision between an actual seizure where we take the product versus one that you would do an administratively and hold doing what I think is been the practice which I thought was, you know, pretty well done in the sense when we have had to actually seize a product or keep a product from going out to the public."

Director Klinkhart responds, "Thank you. To your first point that having a board policy or, we talked about this, we're talking about in a lot of cases, people's livelihoods. I see a lot of people here today, these are their livelihoods and I think they deserve something written, just like a written policy and procedure. That also gives our investigators some guidance. Good regulations and good policies allow for enough room to make good decisions because not every place you go is going to be the same, not every circumstance, so we are allowing or at least we hope to be able to give them that and also to be able to use good judgement. Right now, the only tool that is actually written in here is to just take it. I don't think that is enough. I think we want to have these other options in case, during the investigation, something changes. So I feel more comfortable when it comes to my Enforcement people I hope to think that the industry would be comfortable knowing that these are in regulations that we can all look at and certainly change as the need changes. But I just felt strongly enough that and the other thing was what is the point in which the investigator should have that and this is the one thing I know a little about and that's probable cause and that is: what do I need to be able to convince a reasonable person that there has been a regulation violation that I'd still have to go to a judge and get approval? And so its actually pretty high, it's not because the investigator feels like it, but because they actually have to be able to articulate it at a certain level, it needs to be reasonable, and based on evidence collected. If they're maybe mistaken, that's where we also want to have a written process so that the licensees can say, 'Well, I don't agree with you, Director, so here is what I would like to do to pitch my side of it.' I hope that answers your question."

Joan Wilson wishes to add on to the Director's explanation, "When we were looking at the seizure provision, the provision did not provide for seizure in case of danger to public health. That wasn't even written in there. We had to find another way to perfect that seizure to argue the lack of specific labeling. So that I think was just an oversight and that is now in this draft. In either case whether it's an administrative hold or a seizure, the board is going to be informed no different than before. The administrative hold creates also another remedy option for the licensee which is an informal conference before going to hearing. I think there will be a lot of discretion and you can direct the Director on how much of that he has but I think you will relying on your investigative staff about what is safest for the public, what is the least restrictive means of harming or impacting the licensee? If it needs to be a hammer, it can be a hammer and if it's a hammer it can be that right away and you go to a seizure hearing within 7 days. I was looking at it, I was interpreting "seizure" as including both an administrative hold and full seizure, I mean that is what it is. An administrative hold is still a seizure and licensee are going to have a right of due process. This is a good distinction that gives the AMCO office more flexibility as to how apply it and as I said, identify really important reasons why you want to conduct either a seizure or an administrative hold."

Loren Jones responds, "Thanks, that helps. Have you looked at the some of the processes or whatever we did with one product manufacturer up in Fairbanks that we basically closed down, also the ruling of the Office of Administrative Hearings or whatever those judges are in terms of the seizure around the

*CBD and what that settlement says? All of that sort of either precautions or precedence is either in here or..."*

*Joan Wilson says, "We'll have more, I mean we can do more review during the comment stage as well. But I looked at that and also looked at other state laws, other states that regulate marijuana to see how they address this."*

*Christopher Jaime says, "I think this is a pretty common sense approach. It protects the industry and gives another avenue for us, for law enforcement."*

*Motion to put proposed regulation out for public comment & seconded.*

*Bruce Schulte comments, "I don't agree with anything that has been said. My one reservation is the definition of probable cause means reliable information. My only issue with that is I can envision a situation where a disgruntled employee picks up the phone and says, 'Hey, here is what happened at this employer's site' and they might be absolutely right and doing us a huge favor or they might be trying to torpedo their past employer, just little leery of that, but I think its worth putting out for public comment and see what folks think about it."*

*Director Klinkhart states, "One of the things with going with probable cause which I was taught at the academy, one thing I had to memorize was that probable cause is reliable information with sufficient quantity of detail to lead a reasonable person to believe that a crime or regulation violation has occurred and so its something every investigator, every officer is taught. It is a higher level than 51% so it isn't just 'hey I said he did something wrong' plus it has to be articulated and it has to be, again at the end of day, you are probably going to judge that as well. When an officer sits down and says, "I put these products on administrative hold and here is all the reasons why' you should be that reliable guide and say, 'I'm a reasonable person and it would led me to that was it.' And its been accepted for 50 years. Again we are trying to keep it very simple but still set the bar a lot higher than just have someone like crazy Director Klinkhart go do things because I felt like it."*

*Loren Jones says, "A question that occurred to me and was just thinking about this. We have local governments that have in some cases sort of kept their comments about licensees to where they have a conditional use permit where they are paying their local taxes to ones in which they put conditions if you're not operating the way you're supposed to under a conditional use permit. I think Anchorage has been described as either real good or worse than we are in terms of regulation. But if we are at a point where we are doing a seizure or even an administrative hold, should we be looking at how we might notify local governments that may have a separate approval process or a other sets of conditions that while we might end up not doing anything, it may point to a violation of a local code in which the local government may well do something we wouldn't do ourselves. And so I was just wondering if that would be part of this in terms of something maybe to think of during public comment period is at what point would we notify local governments that we have done this with basically a business within their jurisdiction?"*

*Director Klinkhart replies, "That's a really good point and that's one of the things that I have already been discussing with the Enforcement guys at its something as officers that we would oftentimes do is if something is in our jurisdiction or you go into some place and find that's not in my wheelhouse, I need to call somebody else. One of the good things the last couple of months of some of the experiences we've had, is that I've been able to bring in or work with other organizations that have other areas whether it was DHSS, DEC, the Troopers and so that takes oftentimes being able to have those*

connections and even now I was very happy to see that our investigator here in Juneau has really good connections with not only his licensees but also with these other organizations. In fact, I was also able to start working with the permit people in Anchorage. If we see something that isn't in our wheelhouse, but it clearly is a problem maybe it's an OSHA issue and so I'm encouraging that and it's something again case by case basis, but I'm really giving our investigators that leeway to be able to meet with those folks or bring them in if they feel its something they need to do."

Loren Jones responds, "Part of the comment is we in Juneau and I know Anchorage region and Fairbanks, we put on 2 licensees, especially retail and in some cases product manufacturing sales taxes depending on how they manufacture what they do and if we have a payment plan that they owe us and they're going to pay us back over a period of time and we go in and seize their product, meaning they can't sell they cant earn the money to pay the taxes, we might turn around and say you're in default of your payment plan and they go, ' well, we can't make that because the state seized our product 3 months ago.' And we are, as a city go, 'well we didn't know that - you didn't come and tell us to alter the payment plan.'" so I mean that's the kind of thing that I think there needs to be some thought pattern into that because it may make a difference to a local government and how we might approach a vendor. They can't make their payment plan because of an action the state did, but they didn't tell us that we could deal with that when and if we find that out. That's one example I think that's kind of curious."

Joan Wilson says, "I do think a section could be drafted to say 'in the case of either notification shall be provided to revenue departments of municipalities or boroughs', but I would also want the licensees to make sure they are comfortable that. I don't know if that has any negative connotation on them so getting their public comment on that issue would be helpful."

Loren Jones replies, "Yeah, but we publish if people don't pay their sales taxes in the newspaper."

Joan Wilson states, "That might be the answer. I just don't know."

Mark Springer asks for any additional discussion on the motion. Loren Jones says, "Given this is new and this is the first time we have looked at it, I would like to add an amendment to that that the comment period be at least 60 days." Mark Springer asks for a second – it's seconded.

Joan Wilson asks Mark Springer if he would like her to draft a notification provision to include in this set along the lines Mr. Jones discussed before it goes out for public comment or go out without it. Loren Jones says it could go out without that provision but amends his amendment to say, "**put out for 60 days and conceptionally we should have some section in there about local government notification prior to going out for hearing for public comment.**"

Mark Springer verifies if that is the amendment to vote on. **5-0 amendment passes.**

Mark Springer asks for a vote of the Director's recommendation to put out for public comment with the amendment. **5-0 amendment passes.**

## **2. Board Requests**

None

### **D. Drafts for Board Review, Pending Public Comment Opportunity**

**1. Onsite Consumption Clean Up**

**TAB 70**

Status: Revised draft for board consideration  
Potential Board Actions: Amend and/or put out for public comment  
*Director Klinkhart provides information. Motioned and seconded to put out for public comment. Miller has amendments/comments – motion to amend by removing “except vaping” from the draft. Schulte difference between combusting and vaping. Concentrates are banned in onsite consumption premises. Members of the audience wishes to discuss – board says after meeting. **3-2 passed** Mark asks about freestanding definition – Joan answers. Loren chimes in. The store itself would have to be freestanding – not multi-tenant. Loren wants public comment. No motion. Miller: 10 mg limit about edibles. Motion to raising it to 25 mg. pg 3 section 3b pg 4 section 3. Loren and Miller and Jaime discuss the differences, the effects and possible public safety issues 25 mgs may contain. Jaime does not support raising the limit. **3-2 passed** Miller: amendment to remove banning concentrates and add extractions not to exceed .3 grams. Jaime says to slow down and take the time. **3-2 passed***

*Out for public comment with amendments for 90 days: **3-2 passed***

**2. Sales Limits**

**TAB 71**

Status: Initial draft for board consideration  
Potential Board Actions: Amend and/or put out for public comment  
*Motion to put out for public comment: **5-0 passed***

**3. Quality Control Sampling and Exit Packaging**

**TAB 72**

Status: Initial draft for board consideration  
Potential Board Actions: Amend and/or put out for public comment  
*Motion to accept version 1 for public comment: **5-0 passed***

**E. Public Comments Received**

**1. Tracking and Testing of Marijuana**

**TAB 73**

Status: Adopted on July 11, 2019  
Potential Board Actions: Due to technical edits made, reconsider and readopt  
*Director Klinkhart reviews. Motion to readopt: **5-0 passed***

**2. Handler Permit Revocation**

**TAB 74**

Status: Adopted on September 13, 2019  
Potential Board Actions: Reconsider; review minor amendments for consistency;  
Readopt  
*Director Klinkhart reviews. Motion to readopt: **5-0 passed***

**2. Overlapping Premises**

**TAB 75**

Status: Public comment period closed October 30, 2019  
Potential Board Actions: Vote to adopt; OR  
Substantially amend and put out for public comment  
*Director Klinkhart reviews. Motion to send back to staff to incorporate the comments: **5-0 passed***

**3. Infants on Premises**

**TAB 76**

Status: Public comment period closed October 30, 2019  
Potential Board Actions: Vote to adopt; OR

Substantially amend and put out for public comment  
*Mark provides background. DHSS letter in marijuana inbox for consideration (Mark suggests to add to onsite consumption endorsement).*  
*Motion to send back to staff to work with DHSS: breastfeeding up to one year look at upcoming legislation: 4-1 passed*

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

**TAB 77**

Status: Public comment period closed October 30, 2019

Potential Board Actions: Vote to adopt; OR

Substantially amend and put out for public comment

*Mark Springer provides background. Motion to send back to staff – testing working group to get involved: 5-0 passed*

**3. Application and Renewal Date**

**TAB 78**

Status: Public comment period closed October 30, 2019

Potential Board Actions: Vote to adopt; OR

Substantially amend and put out for public comment

*Director Klinkhart provides background. Motion to adopt: 5-0 passed*

**4. Umbrella Categories for Products**

**TAB 79**

Status: Public comment period closed November 15, 2019

Potential Board Actions: Vote to adopt; OR

Substantially amend and put out for public comment

*Director Klinkhart provides background. Motion to send back to staff (program coordinator): 5-0 passed*

- *Mark Springer introduces a request for the board to consider endorsing House Joint Resolution 23 introduced by Representatives Rasmussen and Tompkins, supporting the passage of the United States SAFE Banking Act of 2019, relating to cannabis related legitimate businesses access to financial services. **Motion to express support of HJR 23 & seconded, 5-0 none opposed, motion carries.***

● **MARIJUANA MAILBOX**

All correspondence received in the [marijuana@alaska.gov](mailto:marijuana@alaska.gov) inbox from October 26, 2019 **TAB 80** to January 3, 2020.

● **BOARD COMMENTS**

● **BOARD GOVERNANCE**

**A. Election of Officers**

● **NEXT MARIJUANA CONTROL BOARD MEETING**

The next meeting is April 2-3, 2020, in Anchorage. All applications must be deemed complete and all other information for inclusion in the board's packets must be received by **March 13, 2020**.

● **ADJOURN**