NOTIFICATIONS

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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

April 23, 2020

City of Houston
Attn: City Clerk
VIA Email: sdukes@houston-ak.gov
CC: vthompson@houston-ak.gov
sschug@houston-ak.gov
ahansen@houston-ak.gov

Matanuska-Susitna Borough
Attn: Adam Bradway
VIA Email: adam.bradway@matsugov.us
CC: alex.strawn@matsugov.us
permitcenter@matsugov.us

License Number:	22396
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Houston Refinery, LLC
Doing Business As:	Houston Refinery
Physical Address:	490 Kenlar Rd Suite B Houston, AK 99694
Designated Licensee:	Tony Kuse
Phone Number:	907-351-6397
Email Address:	tonykuse.tk@gmail.com

☒ **New Application** ☐ **New Onsite Consumption Endorsement Application (Retail Only)**

AMCO has received a complete application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.025(d)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice, and provide AMCO proof of service of the protest upon the applicant. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

3 AAC 306.010, 3 AAC 306.080, and 3 AAC 306.250 provide that the board will deny an application for a new license if the board finds that the license is prohibited under AS 17.38 as a result of an ordinance or election conducted under AS 17.38 and 3 AAC 306.200, or when a local government protests an application on the

grounds that the proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the marijuana establishment, unless the local government has approved a variance from the local ordinance.

This application will be in front of the Marijuana Control Board at our June 10-11, 2020 meeting.

Sincerely,

Glen Klinkhart, Interim Director
amco.localgovernmentonly@alaska.gov

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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

April 23, 2020

State Fire Marshal
Attn: Lloyd Nakano, Lloyd.nakano@alaska.gov
Pam Bowden, pam.bowden@alaska.gov
Tim Fisher, timothy.fisher@alaska.gov

License Number:	22396
License Type:	Standard Marijuana Cultivation Facility
Licensee:	Houston Refinery, LLC
Doing Business As:	Houston Refinery
Physical Address:	490 Kenlar Rd Suite B Houston, AK 99694
Designated Licensee:	Tony Kuse
Phone Number:	907-351-6397
Email Address:	tonykuse.tk@gmail.com

3 AAC 306.300(a)(2)(B), 3 AAC 306.400(b)(2)(B), 3 AAC 306.500(b)(2)(B), and 3 AAC 306.605(b)(2)(B) require that an applicant for a marijuana establishment license operate in compliance with each applicable public health, fire, safety, and tax code and ordinance of the state and the local government in which the applicant's proposed licensed premises are located.

This letter serves to provide written notice and request for compliance status from the above referenced entities regarding the above application (see attached application documents for more information). **Please complete and return this form to the AMCO office at the email below**.

REVIEWER: _____ ☐ DEC ☐ Fire Marshal

DATE: _____ PHONE: _____

☐ Compliant ☐ Non-compliant

COMMENTS: _____

_____

If you have any questions, please send them to marijuana.licensing@alaska.gov

Sincerely,

Glen Klinkhart, Interim Director

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

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

April 23, 2020

Houston Refinery, LLC
DBA: Houston Refinery
Via email: tonykuse.tk@gmail.com

Re: Application Status for License #22396

Dear Applicant:

AMCO has received your application for a standard marijuana cultivation facility. Our staff has reviewed your application after receiving your application and required fees. Your application documents appear to be in order, and it has been determined that your application is complete for purposes of 3 AAC 306.025(d).

Your application will now be sent electronically, in its entirety, to your local government, your community council if your proposed premises is in Anchorage or certain locations in the Mat-Su Borough, and to any non-profit agencies who have requested notification of applications. The local government has 60 days to protest the issuance of your license or waive protest.

If you have not yet received all necessary approvals, such as a local license, conditional use permit, site plan review, Fire Marshal approval, or Department of Environmental Conservation approval, you should continue to work with those local or state agencies to get the requirements completed. We must also wait for the criminal history check for each individual licensee based on your fingerprint card(s). Your application status in the application database will be changed to "Complete" today.

Your application may be considered by the board while some approvals are still pending. However, your license will not be finally issued and ready to operate until all necessary approvals are received and a preliminary inspection of your premises by AMCO enforcement staff is completed.

Your application will be scheduled for the June 10-11, 2020 board meeting for Marijuana Control Board consideration. The meeting agenda gets posted on our website 7 days before the board meeting. **Your appearance at the meeting, either in-person or telephonic, is mandatory.** The telephone number is 1-800-315-6338 code 69176#. Please feel free to contact us through the marijuana.licensing@alaska.gov email address if you have any questions.

Sincerely,

Glen Klinkhart, Interim Director
907-269-0350

From:	AMCO Local Government Only (CED sponsored)
To:	Sonya Pevan; Sally Schug; Virgie Thompson; Amy Hansen; Adam Bradway; alex.strawn@matsugov.us; permitcenter@matsugov.us
Cc:	Marijuana Licensing (CED sponsored); AMCO Local Government Only (CED sponsored)
Subject:	RE: New - LG Notice - Standard Marijuana Cultivation - Houston Refinery #22396
Date:	Thursday, April 23, 2020 10:21:33 AM
Attachments:	New - LG Notice - Standard Marijuana Cultivation - Houston Refinery #22396.pdf image004.png

Good morning,

Please see attached for a corrected notice of a complete application. Updated documents will be sent to you via ZendTo.

Sincerely,

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

From: Sonya Pevan [mailto:spevan@houston-ak.gov]
Sent: Thursday, April 16, 2020 9:12 AM
To: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>; Sally Schug <SSchug@houston-ak.gov>; Virgie Thompson <VThompson@houston-ak.gov>; Amy Hansen <AHansen@houston-ak.gov>; Adam Bradway <Adam.Bradway@matsugov.us>; alex.strawn@matsugov.us; permitcenter@matsugov.us; Raymond Russell <RRussell@houston-ak.gov>; Marilyn Bell <MBell@houston-ak.gov>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: New - LG Notice - Standard Marijuana Cultivation - Houston Refinery #22396

Thank you,

Sonya Pevan, CMC
City Clerk
City of Houston, Alaska
PO Box 940027, Houston, AK 99694
OFFICE: (907) 892-6869 FAX: (907) 892-7677
Website: http://www.houstonak.com/
Facebook: https://www.facebook.com/houstonak/

From: AMCO Local Government Only (CED sponsored) [mailto:amco.localgovernmentonly@alaska.gov]
Sent: Thursday, April 16, 2020 8:44 AM
To: Sonya Pevan <spevan@houston-ak.gov>; AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>; Sally Schug <SSchug@houston-ak.gov>; Virgie Thompson <VThompson@houston-ak.gov>; Amy Hansen <AHansen@houston-ak.gov>; Adam Bradway <Adam.Bradway@matsugov.us>; alex.strawn@matsugov.us; permitcenter@matsugov.us; Raymond Russell <RRussell@houston-ak.gov>; Marilyn Bell <MBell@houston-ak.gov>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>
Subject: RE: New - LG Notice - Standard Marijuana Cultivation - Houston Refinery #22396

Good morning Sonya,

That is a great catch, thank you for informing me. I'll need to rescind deeming this application complete and will have the

applicant submit corrected documents. Once I've received them all, I'll provide a new notice to you.

From: Sonya Pevan [mailto:spevan@houston-ak.gov]
Sent: Wednesday, April 15, 2020 4:15 PM
To: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>; Sally Schug <SSchug@houston-ak.gov>; Virgie Thompson <VThompson@houston-ak.gov>; Amy Hansen <AHansen@houston-ak.gov>; Adam Bradway <Adam.Bradway@matsugov.us>; alex.strawn@matsugov.us; permitcenter@matsugov.us; Raymond Russell <RRussell@houston-ak.gov>; Marilyn Bell <MBell@houston-ak.gov>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: New - LG Notice - Standard Marijuana Cultivation - Houston Refinery #22396

Regarding application #22396, during review, public works has informed me there is an error with the physical address.

490 Kenlar Rd Suite B Big Lake, AK 99623

Should be City of Houston, AK 99694

City staff has not contacted the applicant in regards to the error, please let me know how you would like us to move forward.

Sonya Pevan, CMC
City Clerk
City of Houston, Alaska
PO Box 940027, Houston, AK 99694
OFFICE: (907) 892-6869 FAX: (907) 892-7677
Website: http://www.houstonak.com/
Facebook: https://www.facebook.com/houstonak/

From: Sonya Pevan
Sent: Monday, April 06, 2020 1:16 PM
To: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>; Sonya Dukes Old <sdukes@houston-ak.gov>; Sally Schug <SSchug@houston-ak.gov>; Virgie Thompson <VThompson@houston-ak.gov>; Amy Hansen <AHansen@houston-ak.gov>; Adam Bradway <Adam.Bradway@matsugov.us>; alex.strawn@matsugov.us; permitcenter@matsugov.us
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: RE: New - LG Notice - Standard Marijuana Cultivation - Houston Refinery #22396

Received.

Sonya Pevan, CMC
City Clerk
City of Houston, Alaska
PO Box 940027, Houston, AK 99694
OFFICE: (907) 892-6869 FAX: (907) 892-7677
Website: http://www.houstonak.com/
Facebook: https://www.facebook.com/houstonak/

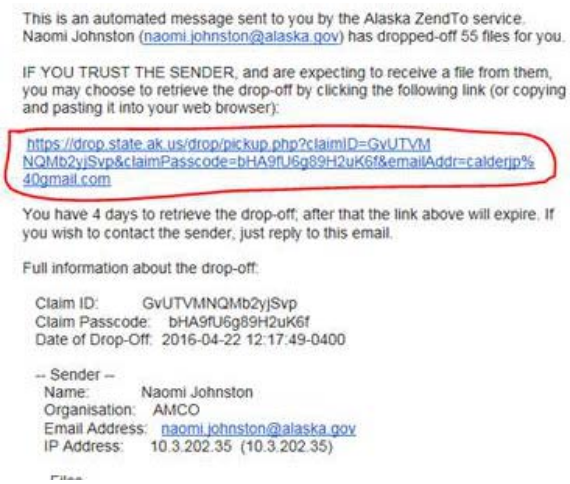
From: AMCO Local Government Only (CED sponsored) [mailto:amco.localgovernmentonly@alaska.gov]
Sent: Monday, April 06, 2020 1:14 PM
To: Sonya Dukes Old <sdukes@houston-ak.gov>; Sally Schug <SSchug@houston-ak.gov>; Virgie Thompson <VThompson@houston-ak.gov>; Amy Hansen <AHansen@houston-ak.gov>; Adam Bradway <Adam.Bradway@matsugov.us>; alex.strawn@matsugov.us; permitcenter@matsugov.us
Cc: AMCO Local Government Only (CED sponsored) <amco.localgovernmentonly@alaska.gov>; Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: New - LG Notice - Standard Marijuana Cultivation - Houston Refinery #22396

Dear local government officials,

Please find the attached notification for a marijuana establishment license application. Direct all correspondence to amco.localgovernmentonly@alaska.gov .

The application and all supporting documentation will be sent to each of you via the State of Alaska Drop Box called ZendTo.

You will receive an email that looks like this:



This is an automated message sent to you by the Alaska ZendTo service.
Naomi Johnston (naomi.johnston@alaska.gov) has dropped-off 55 files for you.

IF YOU TRUST THE SENDER, and are expecting to receive a file from them, you may choose to retrieve the drop-off by clicking the following link (or copying and pasting it into your web browser):

https://drop.state.ak.us/drop/pickup.php?claimID=GvUTVMNQMb2yjSvp&claimPasscode=bHA9fU6g89H2uK6f&emailAddr=calderjp%40gmail.com

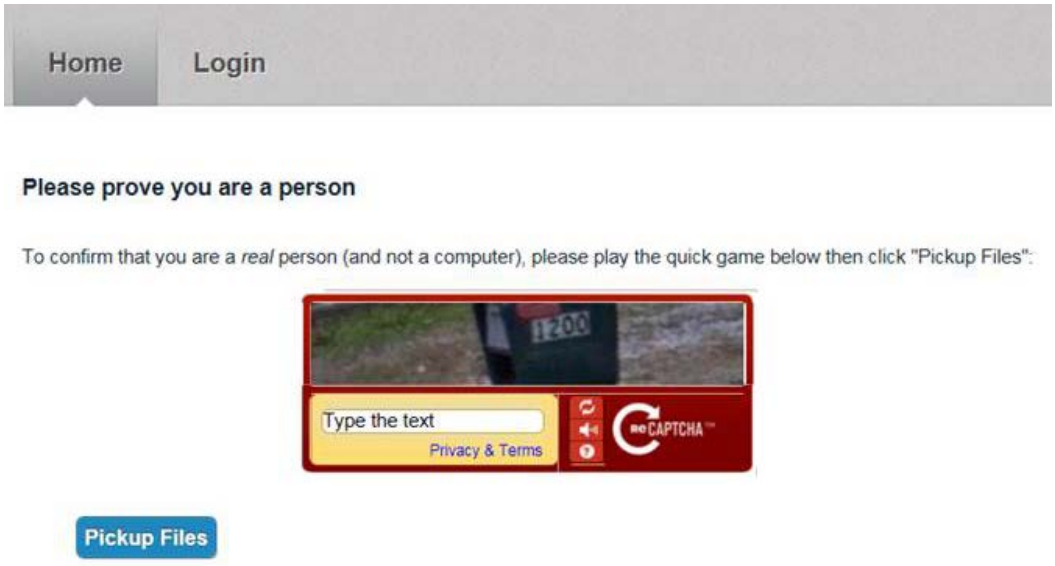
You have 4 days to retrieve the drop-off; after that the link above will expire. If you wish to contact the sender, just reply to this email.

Full information about the drop-off:

Claim ID: GvUTVMNQMb2yjSvp
Claim Passcode: bHA9fU6g89H2uK6f
Date of Drop-Off: 2016-04-22 12:17:49-0400

-- Sender --
Name: Naomi Johnston
Organisation: AMCO
Email Address: naomi.johnston@alaska.gov
IP Address: 10.3.202.35 (10.3.202.35)

Click the link that is circled in red in the image above. You should be redirected to a page similar to this:



Type the text that is displayed in the image and hit enter. In this example you would type “1200” into the field that says “type the text”.
Your Files should appear:

Drop-Off Summary

Click on a filename or icon to download that file.

Filename	Type	Size	Description
ABCAgenda.pdf	application/pdf	472.3 KB	
Tab1.pdf	application/pdf	416.6 KB	
Tab10.pdf	application/pdf	259.1 KB	
Tab11.pdf	application/pdf	1.9 MB	
Tab12.pdf	application/pdf	1.7 MB	
Tab13.pdf	application/pdf	10.0 MB	
Tab14.pdf	application/pdf	3.5 MB	
Tab15.pdf	application/pdf	1.4 MB	
Tab16.pdf	application/pdf	513.9 KB	
Tab17.pdf	application/pdf	812.2 KB	

Click the blue link for each tab. You can download and save them however you wish.

Sincerely,

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

From:	Marijuana Licensing (CED sponsored)
To:	Nakano, Lloyd M (DPS); Bowden, Pam A (DPS); Fisher, Timothy W (DPS)
Cc:	Marijuana Licensing (CED sponsored)
Subject:	RE: New - Fire Notice - Standard Marijuana Cultivation - Houston Refinery #22396
Date:	Thursday, April 23, 2020 10:25:05 AM
Attachments:	New - Fire Notice - Standard Marijuana Cultivation - Houston Refinery #22396.pdf 22396 MJ-01 Operating Plan.pdf 22396 MJ-02 Premises Diagram.pdf 22396 MJ-04 Cultivation Supplemental.pdf image004.png

Good morning,

After this application was deemed complete, the City of Houston notified me that the city and zip code for this establishment were incorrect. Please see attached for corrected application forms for this application, as well as a new notice to you. No other changes were made to the documents.

Sincerely,

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

From: Marijuana Licensing (CED sponsored)
Sent: Monday, April 6, 2020 1:15 PM
To: Nakano, Lloyd M (DPS) <lloyd.nakano@alaska.gov>; Bowden, Pam A (DPS) <pam.bowden@alaska.gov>; Fisher, Timothy W (DPS) <timothy.fisher@alaska.gov>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Subject: New - Fire Notice - Standard Marijuana Cultivation - Houston Refinery #22396

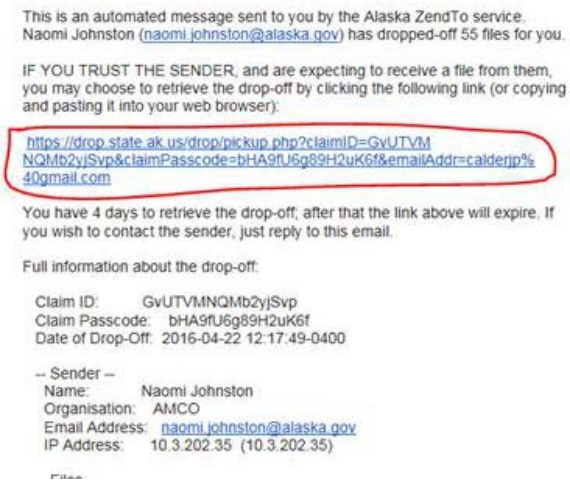
Dear State Fire Marshal officials,

CO_2 Usage: No

Please find the attached notification for a marijuana establishment license application. Direct all correspondence to marijuana.licensing@alaska.gov.

The application and all supporting documentation will be sent to each of you via the State of Alaska Drop Box called ZendTo.

You will receive an email that looks like this:



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https://drop.state.ak.us/drop/pickup.php?claimID=GvUTVMNQMb2yjSvp&claimPasscode=bHA9fU6g89H2uK6f&emailAddr=calderjp%40gmail.com

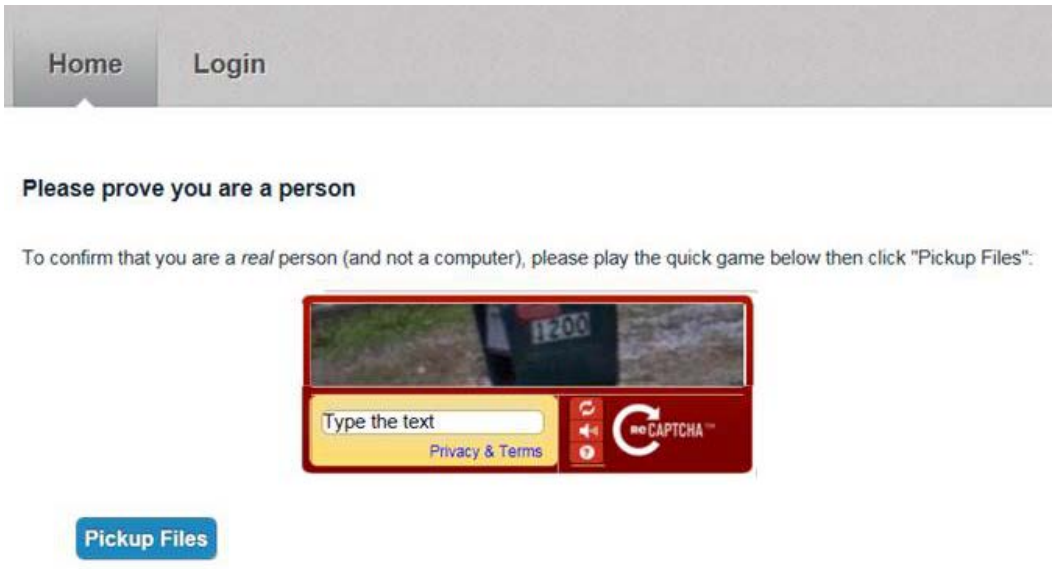
You have 4 days to retrieve the drop-off; after that the link above will expire. If you wish to contact the sender, just reply to this email.

Full information about the drop-off:

Claim ID: GvUTVMNQMb2yjSvp
Claim Passcode: bHA9fU6g89H2uK6f
Date of Drop-Off: 2016-04-22 12:17:49-0400

-- Sender --
Name: Naomi Johnston
Organisation: AMCO
Email Address: naomi.johnston@alaska.gov
IP Address: 10.3.202.35 (10.3.202.35)

Click the link that is circled in red in the image above. You should be redirected to a page similar to this:



Type the text that is displayed in the image and hit enter. In this example you would type “1200” into the field that says “type the text”.
Your Files should appear:

Drop-Off Summary

Click on a filename or icon to download that file.

Filename	Type	Size	Description
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Tab12.pdf	application/pdf	1.7 MB	
Tab13.pdf	application/pdf	10.0 MB	
Tab14.pdf	application/pdf	3.5 MB	
Tab15.pdf	application/pdf	1.4 MB	
Tab16.pdf	application/pdf	513.9 KB	
Tab17.pdf	application/pdf	812.2 KB	

Click the blue link for each tab. You can download and save them however you wish.

Sincerely,

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

From:	Marijuana Licensing (CED sponsored)
To:	Brenda Mills; Tony Kuse
Cc:	Marijuana Licensing (CED sponsored); Jana Weltzin; Legal Counsel
Subject:	RE: Houston Refinery, #22396 - Complete Again
Date:	Thursday, April 23, 2020 10:26:47 AM
Attachments:	22396 Complete Application Notice.pdf image001.png

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Thank you, received and this application has been moved back to complete status for consideration at the June 10-11, 2020 Meeting. Please see attached for a new complete notice, and let me know if you have any questions.

Sincerely,

TJ Zielinski

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

From: Brenda Mills [mailto:brenda@jdwcounsel.com]
Sent: Thursday, April 23, 2020 8:44 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Tony Kuse <tonykuse.tk@gmail.com>; Jana Weltzin <jana@jdwcounsel.com>; Legal Counsel <legal@jdwcounsel.com>
Subject: Re: Houston Refinery, #22396 - Error in Address to Correct

Good Morning!

Here is the MJ-02 signature page with the printed name.

Thank you!

On Thu, Apr 23, 2020 at 8:41 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Good morning Brenda,
>
> Thank you, these all look to be nearly complete. There is one thing I noticed that I missed during the last review – on page 2 of Form MJ-02, can you have Tony Kuse print his name at the bottom of the page? I don't need the whole MJ-02 back, just the page with the printed name of the licensee.
>
> Sincerely,

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

From: Brenda Mills [mailto:brenda@jdwcounsel.com]
Sent: Wednesday, April 22, 2020 3:47 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Tony Kuse <tonykuse.tk@gmail.com>; Jana Weltzin <jana@jdwcounsel.com>; Legal Counsel <legal@jdwcounsel.com>
Subject: Re: Houston Refinery, #22396 - Error in Address to Correct

Good Afternoon AMCO,

Please find the attached Affidavit of Publication, MJ-00's, MJ-01, MJ-02, MJ-04, MJ-07, MJ-08, MJ-09's, POPPP and sublease with the updated address.
The online application is complete as well.

Thank you!

On Thu, Apr 16, 2020 at 8:57 AM Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov> wrote:

> Good morning,
>
> AMCO received correspondence from the City of Houston afternoon regarding this application, informing us that the city and zip code provided on your application is incorrect. Your application lists Big Lake, 99623, but the City notified us that the correct city and zip code for this address is Houston, 99694. A copy of the email is attached for reference. I will need to rescind deeming your application complete and have reverted your application back to New status so that you can correct the application and receive a new Public Notice and Advertisement Template. Corrections will be needed on the following application items:
>
> - Online Application in MyAlaska
> - Form MJ-00
> - Form MJ-01
> - Form MJ-02
> - Form MJ-04
> - Form MJ-07 (you will need to re-post the public notice for just **five days**)

Form MJ-08
- Form MJ-09
- Publisher's Affidavit (re-advertise one time using the new Advertisement Template)
- Lease

Once I have received corrected documents, I will be able to deem this application complete again. Let me know if you have any questions.

Sincerely,

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

From: Marijuana Licensing (CED sponsored)
Sent: Monday, April 6, 2020 1:17 PM
To: Tony Kuse <tonykuse.tk@gmail.com>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Jana Weltzin <jana@jdwcounsel.com>; Brenda Mills <brenda@jdwcounsel.com>; Legal Counsel <legal@jdwcounsel.com>
Subject: Complete Application - Houston Refinery, #22396

Good afternoon,

I have received and reviewed the corrections for your marijuana establishment application, and your application has been determined to be complete for the purposes of 3 AAC 306.035(c). Please see attached for correspondence regarding your application. If you have any questions, direct all correspondence to marijuana.licensing@alaska.gov.

Sincerely,

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

--

*** Please REPLY ALL when responding to this Email***

Brenda Mills
JDW, LLC
Paralegal
& Accounts Payable/Receivable
901 Photo Ave
Anchorage, Alaska 99503
907-231-3750
brenda@jdwcounsel.com
info@jdwcounsel.com

The author of this email is not an attorney. This communication does not constitute legal advise and should not be construed as such. The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have received this message in error, please immediately notify the sender by telephone at 630-913-1113 and delete or destroy any copy of this message. Thank you.

Think green, please don't print unnecessarily

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*** Please REPLY ALL when responding to this Email***

Brenda Mills
JDW, LLC
Paralegal
& Accounts Payable/Receivable
901 Photo Ave
Anchorage, Alaska 99503
907-231-3750
brenda@jdwcounsel.com
info@jdwcounsel.com

The author of this email is not an attorney. This communication does not constitute legal advise and should not be construed as such. The information contained in this message is privileged and confidential. It is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form is strictly prohibited. If you have received this message in error, please immediately notify the sender by telephone at 630-913-1113 and delete or destroy any copy of this message. Thank you.

Think green, please don't print unnecessarily