

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue. Suite 1600 Anchorage, AK 99501

Main: 907.269.0350

Marijuana Control Board Meeting Agenda

*Subject to change due to viral emergency

April 2 – April 3, 2020 Third Judicial District 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 9:04 am

B. Roll Call

Loren Jones, Public Health Member Casey Dshaak, Rural Public Member Nick Miller, Industry Member Christopher Jaime, Public Safety Member Bruce Schulte, Public Member

Glen Klinkhart, Director Carrie Craig, Records and Licensing Supervisor Joan Wilson, Assistant Attorney General

D. Executive Session

1. License #18187: The Fairbanks Cut, LLC Licensee: The Fairbanks Cut, LLC Retail Marijuana Store License Type: Premises Address: 188 Bentley Trust Rd. Suite A

Fairbanks, AK 99701

Local Governments: City of Fairbanks

For Consideration: Adopt the findings of the administrative judge.

Marijuana Control Board Meeting Agenda: January 23-24, 2020

The board believes that they do not need to go into Executive Session for license #18187. Bruce S. motions to adopt the findings of the administrative judge. Christopher J. seconds. None opposed, motion carries.

Nick M. motions to go into Executive Session to discuss license #22150. Bruce S. seconds. None opposed, motion carries. Executive Session begins 9:28 am and ends 9:57 am. Judith Conte, counsel for the objecting party, is present on the phone. Jason Brandis, counsel for the licensee, is present as well. Bruce S. motions to table the matter until the next morning at 9:00 am, possibly in Executive Session. Seconds? None opposed, motion carries.

2. License #22150: **Top Shelf Herbs of Alaska LLC**

Top Shelf Herbs of Alaska LLC Licensee:

License Type: Retail Marijuana Store Premises Address: 901 Photo Avenue, Suite A

Anchorage, AK 99503

Local Governments: Municipality of Anchorage

For Consideration: At the January meeting, the board rescinded the delegation and

tabled this matter to the April meeting to consider Enforcement's

conclusions.

E. Approval of Agenda

9:06 am: Nick M. wants to add a subject about statutes and regulations in regards to Covid-19 at the end of the meeting. Christopher J. asks the status of his posting. Director Klinkhart says that he has not gotten confirmation regarding the appointments by the Governor. Bruce S. states that the interviews have been postponed.

F. Approval of the January 23-24, 2020 Meeting Minutes

TAB 1

Christopher J. motions to approve the minutes. Bruce S. seconds. Loren J. states that the last page of the minutes says Election of Officers, but there was no mention of action taken and the minutes should reflect that. Loren Jones was elected as the chair and Nick Miller was elected as the vice chair. None opposed, motion carries.

BOARD GOVERNANCE

9:05am

There are no changes/conflicts that need to be reported.

CONSIDERATION OF A MOTION TO AUTHORIZE ALL HANDLER CARDS TO REMAIN VALID UNTIL FURTHER NOTICE.

9:10am

TAB 2

10:02 am: Director Klinkhart asks the board to consider a motion in which all State of Alaska marijuana handler cards remain valid until further notice as of March 11, 2020. Bruce S. motions to adopt. Christopher J. seconds. Christopher J. wants to amend the motion to include an end date of March 1, 2021. Bruce S. seconds. Loren is opposed. 4-1, motion to amend the original motion passes. Loren has issues. Nick M. wants background of request from the Director and he answers. From 3/11/20 thru 3/1/2021 – Loren J. is opposed. 4-1, motion carries.

PUBLIC TESTIMONY

9:20am

Based on current circumstances, the Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations. Written comments may also be submitted to the board for review during its next regular meeting via marijuana@alaska.gov. The call-in number is 1-800-315-6338, code 69176#. (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.)

10:17 am: Loren J. suggests to limit public testimony to only AMIA. Lacey Wilcox, president of AMIA, is present on the phone. She speaks about policy requests regarding Covid-19 issues such as more access to consumers, curbside pickup, definition of delivery and more allowances for transportation. Loren J. says most of her concerns will be raised at the end of the meeting with regulations.

DIRECTOR BRIEFING

10:00am

A. Director's Report

TAB 3

10:25 am: Director Klinkhart provides his report.

ENFORCEMENT BRIEFING

10:20am

10:29 am: James Hoelscher, Enforcement Supervisor, is not present. Director Klinkhart speaks for James regarding Enforcement priorities.

A. Enforcement Supervisor's Report

B. Notices of Violation Issued and Licensee Responses

TAB 4

C. Notices of Violation for Unpaid Taxes

TAB 5

Bruce S. is concerned about the period of time in which licensees have not paid their taxes. This should be a topic for discussion.

LICENSING BRIEFING

A. Licensing Report

TAB 6

10:35 am: Carrie Craig, Records and Licensing Supervisor, provides her report.

10:38 – 10:45 am: Break

APPLICATIONS FROM PREVIOUS MEETINGS

A. Previous Board Action Taken

1. License #21552: Enlighten Extractions, LLC

Licensee: Enlighten Extractions, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 524 E 48th Avenue, 1A

Anchorage, AK 99503

Marijuana Control Board Meeting Agenda: January 23-24, 2020

TAB 7

Local Governments: Municipality of Anchorage For Consideration: Timely objection received.

10:45 am: Jana Weltzin, counsel for the licensee, is present on the phone. Nick M. states no action is needed by the board. Bruce S. has a question for legal counsel to Jana W. This is a civil matter. The objector wishes to address the board. **No action is taken.**

B. Licenses in "Delegated" Status for Over Approximately One Year

To be tabled to the next available face-to-face board meeting.

C. Licenses in "Pending Inspection" Status for Over Six Months

TAB 8

Not to be presented at this meeting.

1. License #12311: Juneau's Green Garden

Licensee: ISG, Inc.

License Type: Standard Marijuana Cultivation Facility

Premises Address: 5011 Short Street, Suite 1

Juneau, AK 99801

Approved by MCB: December 20, 2018 License issued: March 7, 2019

2. License #12471: AMG Concentrates

Licensee: Alaska Wild Coyote, Inc.

License Type: Marijuana Concentrate Manufacturing Facility

Premises Address: 838 Bonanza Avenue

Anchorage, AK 99518

Approved by MCB: February 22, 2019

License issued: July 1, 2019

3. License #15019: The Tree House AK

Licensee: B2H, LLC

License Type: Retail Marijuana Store
Premises Address: 341-D Boniface Parkway

Anchorage, AK 99504

Approved by MCB: September 11, 2019 License issued: September 27, 2019

4. License #15814: Tanana Herb Company, LLC

Licensee: Tanana Herb Company, LLC License Type: Retail Marijuana Store

Premises Address: 1200 Well Street

Fairbanks, AK 99701

Approved by MCB: December 20, 2018

License issued: July 12, 2019

5. License #16091: Tanana Herb Company, LLC

Licensee: Tanana Herb Company, LLC

License Type: Marijuana Concentrate Manufacturing Facility

Premises Address: 1200 Well Street

Fairbanks, AK 99701

Approved by MCB: December 20, 2018

License issued: July 16, 2019

6. 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

7. License #17176: State of Mind Cannabis Company

Licensee: HS Enterprises LLC
License Type: Retail Marijuana Store
Premises Address: 33508 Lincoln Avenue, #C

Seward, AK 99664

Approved by MCB: December 20, 2018

License issued: July 2, 2019

8. License #18702: Cold City Cannabis

Licensee: Tundra Farms 2 Inc.
License Type: Retail Marijuana Store
Premises Address: 1210 East 70th Avenue #1
Anchorage, AK 99518

February 22, 2019

Approved by MCB: February 22, 2019 License issued: August 30, 2019

9. License #18704: Tundra Farms

Licensee: Tundra Farm 1 Inc.

License Type: Standard Marijuana Cultivation Facility

Premises Address: 1210 East 70th Avenue #2

Anchorage, AK 99518

Approved by MCB: February 22, 2019 License issued: August 9, 2019

10. License #18706: Tundra Farms

Licensee: Tundra Farm 1 Inc.

License Type: Marijuana Product Manufacturing Facility

Premises Address: 1210 East 70th Avenue #3

Anchorage, AK 99518

Approved by MCB: February 22, 2019
License issued: August 9, 2019

11. License #19473: Goldstream Cannabis Annex

Licensee: Goldstream Grown, LLC

License Type: Limited Marijuana Cultivation Facility

Premises Address: 2922 Parks Highway Studio 10

Fairbanks, AK 99709

Approved by MCB: May 2, 2019

License issued: September 4, 2019

12. License #19877: Dannys Place

Licensee: Ronald Pritchard

License Type: Limited Marijuana Cultivation Facility

Premises Address: 36221 Pine Street

Soldotna, AK 99669

Approved by MCB: July 10, 2019

13. License #21086: Nugz LLC

Licensee: Nugz LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 9331 Glacier Highway

Juneau, AK 99801

Approved by MCB: July 11, 2019 License issued: July 29, 2019

BOARD CONSIDERATION

TAB 9

A. License #10299: Great Northern Cultivation, Inc.

Licensee: Great Northern Cultivation, Inc.

License Type: Standard Marijuana Cultivation Facility

Premises Address: 7801 King Street

Anchorage, AK 99518

Local Government: Municipality of Anchorage

Transferor: R.C. Tinderbox, LLC

For Consideration: Transferee appealing requirement that fingerprints for all

officials be submitted to deem the application complete.

B. License #10301: Great Northern Manufacturing, Inc.

Licensee: Great Northern Manufacturing, Inc.

License Type: Marijuana Concentrate Manufacturing Facility

Premises Address: 7801 King Street

Anchorage, AK 99518

Local Government: Municipality of Anchorage

Transferor: R.C. Tinderbox, LLC

For Consideration: Transferee appealing requirement that fingerprints for all

officials be submitted to deem the application complete.

Director Klinkhart provides background information. John Redden, counsel for Great Northern, is present on the phone. Chris Usher, owner of R.C. Tinderbox, is present on the phone as well. Motioned to approve with delegation, including fingerprint cards. Christopher J. seconded. None opposed, motion carried.

NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS

11:15 am

A. License #16261 Matanuska Thunder Farms LLC TAB 10

Licensee: Matanuska Thunder Farms LLC

Premises Address: 12605 W Big Lake Road

Houston, AK 99694

Local Governments: City of Houston; Matanuska-Susitna Borough

John Farley and Michael B. are present on the phone. **Bruce S. motioned to approve with delegation. Seconded. None opposed, motion carried.**

B. License #23902 Northern Alliance TAB 11

Licensee: Northern Alliance LLC

Premises Address: D005 No Road

Big Lake, AK 99652

Local Governments: Matanuska-Susitna Borough

Casey Wilkens is present on the phone. **Bruce S. motioned to approve with delegation. Casey D. seconded. None opposed, motion carried.**

NEW LIMITED MARIJUANA CULTIVATION FACILITY APPLICATIONS

11:19 am

A. License #19874: Snow Capped Gardens 2, LLC TAB 12

Licensee: Snow Capped Gardens 2, LLC
Premises Address: 3253 W. Coghlan Circle, Suite 101

(Shop on Ground Level)

Wasilla, AK 99623

Local Government: Matanuska-Susitna Borough

Martin Brown, licensee, is present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. Christopher J. opposed. 4-1, motion carried.**

B. License #24237: Caradundy Colas TAB 13

Licensee: Caradundy Colas, LLC

Premises Address: 7371 W. Captain Hook Drive

Wasilla, AK 99623

Local Government: Matanuska-Susitna Borough

The licensee, is present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

NEW RETAIL MARIJUANA STORE APPLICATIONS

11:30 am

A. License #22327: Canna Get Happy LLC TAB 14

Licensee: Canna Get Happy LLC

Premises Address: 2321 E Palmer Wasilla Highway

Wasilla, AK 99654

Local Government: Matanuska-Susitna Borough

Sandra Millhouse, licensee, is present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

B. License #23455: Hatcher's Grass TAB 15

Licensee: Hatcher's Enterprises, LLC
Premises Address: 9300 N. Palmer Fishhook Road

Building #2

Palmer, AK 99645

Local Government: Matanuska-Susitna Borough

Jana Weltzin, counsel for James Sullivan, licensee, are both present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

C. License #22809: Airport Way Best Bud <u>TAB 16</u>

Licensee: Airport Way Trade Center, LLC

Premises Address: 3598 Airport Way

Fairbanks, AK 99709

Local Governments: City of Fairbanks; Fairbanks North Star Borough

Richard Barnes, licensee, is present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

D. License #23777: Arctic Herbery TAB 17

Licensee: 7107 Ventures, LLC
Premises Address: 16021 Sterling Highway

Building #2

Cooper Landing, AK 99572

Local Government: Kenai Peninsula Borough

For Consideration: Conditions pursuant to 3 AAC 306.060(b); two timely objections

received, and a response to an objection received.

Jana Weltzin, counsel for Bryant, licensee, are both present on the phone. **Bruce S. motioned to approve with delegation/conditions. Nick M. seconded. None opposed, motion carried.**

11:55 am: Lunch 1:00 pm: Reconvene

E. License #23813: Buds Below Zero TAB 18

Licensee: Barrow's Retail, LLC

Premises Address: 4326 Nathaniel Olemaun Jr. Boulevard

Utqiagvik, AK 99723

Local Governments: Utqiagvik; North Slope Borough

Jana Weltzin, counsel for Robert and Jason, licensees, are all present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

F. License #23821: Catalyst Cannabis Company TAB 19

Licensee: Catalyst Retail, LLC
Premises Address: 317 Muldoon Road

Anchorage, AK 99504

Local Government: Municipality of Anchorage

For Consideration: LG protest pending issuance of approved municipal marijuana

license and a special land use permit for marijuana.

Jason Brandeis, counsel for Will Schneider, licensee, are present on the phone. **Bruce S. motioned to approve with delegation. Casey D. seconded. None opposed, motion carried.**

G. License #24049: Country Cannabis TAB 20

Licensee: Country Cannabis, LLC Premises Address: 2323 South Trunk Road

Palmer, AK 99645

Local Government: Matanuska-Susitna Borough

Jana Weltzin, counsel for Sarah and Jennifer, licensees, are all present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

H. License #24383: Primo <u>TAB 21</u>

Licensee: Primo Farms North, LLC

Premises Address: 12870 Old Seward Highway, Space 105

Anchorage, AK 99515

Local Government: Municipality of Anchorage

For Consideration: Protest from the Municipality pending issuance of an approved

municipal marijuana license and special land use permit.

Jana Weltzin, counsel for Dan Ferguson, licensee, are present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

NEW MARIJUANA TESTING FACILITY APPLICATIONS

1:29 pm

A. License #23634: Land & Seas Laboratory <u>TAB 22</u>

Licensee: Land & Seas Laboratory, LLC
Premises Address: 3516 W Coghlan Circle, Unit #3

Wasilla, AK 99623

Local Government: Matanuska-Susitna Borough

Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.

NEW LICENSE APPLICATIONS FOR RELATED APPLICANTS

1:41 pm

A. License #20827: Good Titrations TAB 23

Licensee: FSE, Inc.

License Type: Retail Marijuana Store
Premises Address: 506 Merhar Avenue
Fairbanks, AK 99701

Local Government: City of Fairbanks; Fairbanks North Star Borough

For Consideration: One objection received.

Jana Weltzin, counsel for Brandon Emmett, licensee, are present on the phone. Jana W. explains the nature of the objection. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

B. License #20829: Good Titrations TAB 24

Licensee: FSE, Inc.

License Type: Standard Marijuana Cultivation Facility

Premises Address: 506 Merhar Avenue

Fairbanks, AK 99701

Local Government: City of Fairbanks; Fairbanks North Star Borough

For Consideration: One objection received.

Jana Weltzin, counsel for Brandon Emmett, licensee, are present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

C. License #20832: Good Titrations TAB 25

Licensee: FSE, Inc.

License Type: Marijuana Product Manufacturing Facility

Premises Address: 506 Merhar Avenue

Fairbanks, AK 99701

Local Government: City of Fairbanks; Fairbanks North Star Borough

For Consideration: One objection received.

Jana Weltzin, counsel for Brandon Emmett, licensee, are present on the phone. **Bruce S. motioned to table products on the MJ-05 that are not packaged individually (cups) to the June 10, 2020 meeting. Nick M. seconded. None opposed, motion carried.**

Bruce S. motioned to approve the application with delegation. Nick M. seconded. None opposed, motion carried.

D. License #23468: Green Growcer TAB 26

Licensee: SHFT LLC

License Type: Retail Marijuana Store

Premises Address: 301 E. Dimond Boulevard, Suite 1A

Anchorage, AK 99515

Local Government: Municipality of Anchorage

For Consideration: Protest from the Municipality pending issuance of an approved

municipal marijuana license and special land use permit.

Jana Weltzin, counsel for Rick, licensee, are present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

E. License #23503: Green Growcer TAB 27

Licensee: SHFT LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 301 E Dimond Boulevard, Suite B

Anchorage, AK 99515

Local Government: Municipality of Anchorage

For Consideration: LG protest pending issuance of approved municipal marijuana

license and a special land use permit for marijuana.

Jana Weltzin, counsel for Rick, licensee, are present on the phone. **Bruce S. motioned to approve products 1-12. Nick M. seconds. None opposed, motion carried.**

Bruce S. motioned to approve products 13-25. Nick M. seconded. None opposed, motion carried.

Bruce S. motioned to approve the application with delegation. Nick M. seconded. None opposed, motion carried.

2:36 pm: Break 2:45 pm: Reconvene

F. License #23988: Green Degree TAB 28

Licensee: HNP, Inc.

License Type: Standard Marijuana Cultivation Facility

Premises Address: 6570 W Trevett Circle #3

Wasilla, AK 99623

Local Governments: Matanuska-Susitna Borough

G. License #23989: The Next Degree TAB 29

Licensee: HNP, Inc.

License Type: Marijuana Product Manufacturing Facility

Premises Address: 6570 W Trevett Circle #2

Wasilla, AK 99623

Local Governments: Matanuska-Susitna Borough

Kerby Coman, licensee, is present on the phone. Involvement with Alaska Frontier Cannabis #14396. Nick M. motioned to table both applications (Tabs 28 and 29) to the June 10, 2020 meeting. Bruce S. seconded. None opposed, motion carried.

April 3, 2020 at 9:55 am: Kerby Coman says that the board has not met the 90 day requirement. Loren J. believes that the board has met the 90 day requirement. Kerby Coman wants an approval with delegation. *the issue still stands.

OWNERSHIP TRANSFER APPLICATIONS

3:03 pm

A. License #10026: Rainforest Farms TAB 30

Licensee: Turnagain Horticulture Company

License Type: Standard Marijuana Cultivation Facility

Premises Address: 5763 Glacier Highway

Juneau, AK 99801

Local Government: City and Borough of Juneau Transferor: Rainforest Farms, LLC

James Barrett and Seth Mullen, licensees, are present on the phone. **Bruce S. motioned to approve with delegation. Christopher J. seconded.** Discussion regarding tax delinquency and litigation with the landlord. **Motion failed 2 – 3.**

Casey D. motioned to table to the call of the chair. One member opposed, motion carried.

B. License #10136: Northern Lights Indoor Gardens, LLC TAB 31

Licensee: Northern Lights Indoor Gardens, LLC - Michael Daly at

55% and Lorraine Daly 45%

License Type: Standard Marijuana Cultivation Facility

Premises Address: 1321 Sawmill Creek Road, Suites M, N, O, and P

Sitka, AK 99835

Local Government: City and Borough of Sitka

Transferor: Northern Lights Indoor Gardens, LLC - Micah Miller at 50%

and Michael Daly at 50%

Jason Brandeis, counsel for Lorraine Daly, license, are present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

C. License #10138: Northern Lights Indoor Gardens, LLC TAB 32

Licensee: Northern Lights Indoor Gardens, LLC - Michael Daly at

55% and Lorraine Daly 45%

License Type: Retail Marijuana Store

Premises Address: 1321 Sawmill Creek Road, Suites N, O, and P

Sitka, AK 99835

Local Government: City and Borough of Sitka

Transferor: Northern Lights Indoor Gardens, LLC - Micah Miller at 50%

and Michael Daly at 50%

Jason Brandeis, counsel for Lorraine Daly, licensee, are present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

D. License #13416: Happy Trees, LLC TAB 33

Licensee: Roybal Enterprises, LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 2750 Picket Place

Fairbanks, AK 99709

Local Government: Fairbanks North Star Borough

Transferor: Happy Trees, LLC

Brandon Roybal, licensee, is present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

E. License #13864: Simple House, LLC TAB 34

Marijuana Control Board Meeting Agenda: January 23-24, 2020 Page 12 of 24

Licensee: Simple House, LLC – Mark Oppegaard 100%

License Type: Limited Marijuana Cultivation Facility

Premises Address: 6511 Hemlock Drive

Local Government: Matanuska-Susitna Borough

Transferor: Simple House, LLC – Dane Ferguson at 50% and Mark

Oppegaard at 50%.

Jana Weltzin, counsel for Mark Oppegaard, licensee, are present on the phone. **Bruce S. motioned to approve with delegation. Christopher J. seconded. Christopher J. opposed, motion carried 4-1.**

F. License #14099: Frosty Flower TAB 35

Licensee: Frosty Enterprises, LLC

License Type: Limited Marijuana Cultivation Facility
Premises Address: 9300 N. Palmer-Fishhook Road

Palmer, AK 99645

Local Government: Matanuska-Susitna Borough

Transferor: James P. Sullivan- DBA: The Frosty Flower

Jana Weltzin, counsel for James Sullivan, licensee, are present on the phone. **Bruce S. motioned to approve with delegation. Christopher J. seconded. None opposed, motion carried.**

LICENSE CONVERSION APPLICATIONS

3:46 pm

A. License #11920: Voodoo Cannabis Company <u>TAB 36</u>

Licensee: Alaska Joint Ventures, LLC

Current License Type: Limited Marijuana Cultivation Facility
New License Type: Standard Marijuana Cultivation Facility

Premises Address: 7801 Schoon Street, Unit D Local Government: Municipality of Anchorage

Colleen Howard, president of the LLC, is present on the phone. **Bruce S. motioned to approve with delegation. Casey D. seconded. None opposed, motion carried.**

LICENSE RENEWAL APPLICATIONS

3:52 pm

A. Notices of Violation Received

1. License #10310: Danish Gardens, LLC TAB 37

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. Applicant not present at January

2020 Meeting.

Licensee is not present. Bruce S. motioned to approve. Nick M. seconded. Tabled to April 3, 2020 meeting while staff attempts to notify the licensee again.

April 3, 2020 at 9:58 am: Licensee is still not present. Carrie Craig says that staff sent an email notification at 4:05 pm the previous day and provides a quick history of notifications to the licensee.

- October 25, 2019: via email. Notified that they are required to be present for the November meeting due to delinquent taxes.
- January 14, 2020: via email. Notified that the renewal was on the November 19, 2019 and no one was present. Required to be available for January 23 and 24, 2020 meeting.
- January 15, 2020: via email in response to voicemail from the licensee. Staff confirms they are on the agenda and suggests that they update the board with the things they mentioned in the voicemail.

The board asks that Enforcement check out the location and METRC then report back to the board at the next meeting.

OPERATING PLAN CHANGES

4:00 pm

A. License #10015: Greatland Ganja, LLC TAB 38

Licensee: Greatland Ganja, LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 56475 Sterling Highway

Kasilof, AK 99610

Local Governments: Kenai Peninsula Borough

Jana Weltzin, counsel for Mr. Able and Leis, licensees, are present on the phone. **Bruce S. motioned to approve with delegation – inspection is required. Nick M. seconded. None opposed, motion carried.**

4:15 pm: Adjourned

April 3, 2020 at 9:00 am: Reconvene

Christopher J. motions to go into Executive Session to discuss license #22150. Bruce S. seconds. None opposed, motion carries. Executive Session begins 9:01 am and ends 9:53 am. Judith Conte, counsel for the objecting party, is present on the phone. Jason Brandis, counsel for the licensee, is present as well. Bruce S. motions to approve with delegation. Christopher J. seconds. Christopher J. and Loren J. are opposed, motion carries 3-2.

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: At the January meeting, the board rescinded the delegation and

tabled this matter to the April meeting to consider Enforcement's conclusions.

9:59 am

B. License #10137: Pine Street Cannabis Company TAB 39

Licensee: Croy's Enterprises, LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 36130 Pine Street

Soldotna, AK 99669-8524

Local Governments: Kenai Peninsula Borough

Licensee is not present until 10:40 am. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

C. License #10271: Top Hat Concentrates, LLC TAB 40

Licensee: Top Hat Concentrates, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 2315 Industrial Boulevard, Suite B

Juneau, AK 99801

Local Governments: City and Borough of Juneau

Jana Weltzin, counsel for the licensee, John, are both present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

D. License #10647: Alaska Herb Garden TAB 41

Licensee: Eden Management Group, LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 6511 Arctic Spur Road

Anchorage, AK 99518

Local Governments: Municipality of Anchorage

Jana Weltzin, counsel for the licensee, Boyd, are both present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

E. License #10856: Raspberry Roots TAB 42

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

Jana Weltzin, counsel for the licensee, are both present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

F. License #11547: Cloudberry Cannabis TAB 43

Licensee: Lily Shimek; Joseph Shimek
License Type: Retail Marijuana Store
Premises Address: 3307 Spenard Road
Applearage AK 00503

Anchorage, AK 99503

Local Government: Municipality of Anchorage

Licensee is not present until 10:42 am. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

G. License #12173: Northern Lights Cultvation 2 TAB 44

Licensee: Jesse Hoyt, Jacob G Rodriguez

License Type: Standard Marijuana Cultivation Facility
Premises Address: 4705 N Tongass Highway, Apartment 1

Ketchikan, AK 99901

Local Government: City of Ketchikan, Ketchikan Gateway Borough

For Consideration: MJ-15 Operating Plan Change. Applicant not present at January

2020 meeting.

Licensee is not present. Bruce S. motioned to approve with delegation. Nick M. seconded.

H. License #12253: AKO Farms, LLC TAB 45

Licensee: AKO Farms, LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 1210 Beardslee Way

Sitka, AK 99835

Local Government: City and Borough of Sitka

Mr. Brown, licensee, is present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

I. License #12680: Glacier Bay Farms TAB 46

Licensee: Carol J Waldo

License Type: Standard Marijuana Cultivation Facility

Premises Address: 17 Helms Loop Spur

Haines, AK 99827

Local Governments: Haines Borough

For Consideration: Consideration of MJ-15. Applicant not present at January 2020

Meeting.

Carol Waldo, licensee is not present until 10:45 am. **Bruce S. motioned to approve with delegation – to verify that the waste is properly being disposed. Casey D. seconded. None opposed, motion carried.**

J. License #12769: Secret Garden Cannabis TAB 47

Licensee: Axion Enterprises, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 726 E. 15th Avenue, Suite 2

Anchorage, AK 99501

Local Government: Municipality of Anchorage

Jana Weltzin, counsel for James Thornton, licensee, are both present on the phone. **Bruce S. motioned to approve with delegation. Casey D. seconded. None opposed, motion carried.**

10:20 am: Break 10:25 am: Reconvene

K. License #14396: Alaska Frontier Cannabis, LLC TAB 48

Licensee: Alaska Frontier Cannabis, LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 6570 W Trevett Circle, Suite C

Wasilla, AK 99623

Local Governments: Matanuska-Susuitna Borough

Kerby Coman, Ms. Hallock (attorney), Mays want to withdraw the MJ-14. Nick M. motioned to approve. Casey D. seconded. Loren J. opposed, Bruce S. doesn't comment. Motion carried, 3-1.

L. License #14432: Herban Extracts, LLC <u>TAB 49</u>

Licensee: Herban Extracts, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 14927 Kenai Spur Highway

Kenai, AK 99611

Local Governments: City of Kenai; Kenai Peninsula Borough

Jana Weltzin, counsel Lisa Coates, licensee, are both present on the phone. **Nick M. motioned to approve with delegation. Christopher J. seconded. Bruce S. opposed. Motion carried, 4-1.**

M. License #14467: Tanana Herb Company, LLC TAB 50

Licensee: Tanana Herb Company, LLC

License Type: Standard Marijuana Cultivation Facility

Premises Address: 1200 Well Street

Fairbanks, AK 99701-2835

Local Governments: City of Fairbanks; Fairbanks North Star Borough

Leslie Dunley, licensee, is not present until 10:45 am. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

N. License #17445: Two Birds One Stoned <u>TAB 51</u>

Licensee: Dreaming Tree Farms, LLC

License Type: Limited Marijuana Cultivation Facility

Premises Address: 338 Ream Lane

Fairbanks, AK 99712

Local Governments: Fairbanks North Star Borough

The licensee is not present until 1:32 pm. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

O. License #19204: Mikey's Place, LLC TAB 52

Licensee: Mikey's Place, LLC

License Type: Standard Marijuana Cultivation Facility
Premises Address: 30353 N. Willow Fishhook Road, Building B

Willow, AK 99688

Local Governments: Matanuska-Susitna Borough

Mr. Eubanks, licensee, is present on the phone. **Bruce S. motioned to approve with delegation. Nick M. seconded. None opposed, motion carried.**

NEW PRODUCTS

10:51 am

A. License #10082: Einstein Labs TAB 53

Licensee: Einstein Enterprises, Inc.

License Type: Marijuana Product Manufacturing Facility

Premises Address: 2939 Porcupine Drive, Suite B

Anchorage, AK 99501-3118

Local Governments: Municipality of Anchorage

Justin, licensee, is present on the phone. **Bruce S. motioned to approve. Christopher J. seconded. None opposed, motion carried.**

B. License #10271: Top Hat Concentrates, LLC TAB 54

Licensee: Top Hat Concentrates, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 2315 Industrial Boulevard, Suite B

Juneau, AK 99801

Local Governments: City and Borough of Juneau

Jana Weltzin, counsel for John, licensee, are both present on the phone. **Bruce S. motioned to approve. Christopher J. seconded. None opposed, motion carried.**

C. License #12254: Lady Gray Gourmet Medibles TAB 55

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 Tasha, licensee, are both present on the phone. **Bruce S. motioned to approve with delegation – changing the label. ? seconded. None opposed, motion carried.**

D. License #12769: Secret Garden Cannabis TAB 56

Licensee: Axion Enterprises, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 726 East 15th Avenue, Suite 2

Anchorage, AK 99501

Local Government: Municipality of Anchorage

Jana Weltzin, counsel for James Thornton, licensee, are both present on the phone. 1) Bruce S. motioned to approve. Nick M. seconded. Christopher J. and Casey D. opposed. Motion carried, 3-2. 2) Remaining products: Bruce S. motioned to approve. Nick M. seconded. None opposed, motion carried.

E. License #14432: Herban Extracts, LLC TAB 57

Licensee: Herban Extracts, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 14927 Kenai Spur Highway

Kenai, AK 99611

Local Governments: City of Kenai; Kenai Peninsula Borough

Jana Weltzin, counsel for Lisa, licensee, are both present on the phone. **Bruce S. motioned to approve. Nick M. seconded. None opposed, motion carried.**

F. License #17336: Great Northern Manufacturing, Inc. TAB 58

Licensee: Great Northern Manufacturing, Inc.
License Type: Marijuana Product Manufacturing Facility

Premises Address: 7031 Arctic Boulevard, Suite 100

Anchorage, AK 99518

Local Government: Municipality of Anchorage

John Redden is present on the phone. **Bruce S. motioned to approve. Nick M. seconded. None opposed, motion carried.**

G. License #17389: Kreative Konfections LLC TAB 59

Licensee: Kreative Konfections LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 702301 S. Knik-Goose Bay Road, #5

Wasilla, AK 99654-0492

Local Government: Matanuska-Susitna Borough

Janney, licensee, is present on the phone. **Bruce S. motioned to approve. Nick M. seconded. None opposed, motion carried.**

H. License #19372: Red Run Cannabis Cultivators, LLC TAB 60

Licensee: Red Run Cannabis Cultivators, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 12516 Kenai Spur Highway, Suite A

Kenai, AK 99611

Local Governments: City of Kenai; Kenai Peninsula Borough

Mark Thlier, licensee, is not present until 11:52 am. **Bruce S. motioned to approve. Nick M. seconded. None opposed, motion carried.**

I. License #19728: Cosmic SeaWeed, LLC TAB 61

Licensee: Cosmic SeaWeed, LLC

License Type: Marijuana Product Manufacturing Facility

Premises Address: 262 Charles Way

Homer, AK 99603

Local Governments: City of Homer; Kenai Peninsula Borough

Chris Logan, licensee, is present on the phone. **Bruce S. motioned to table the Chill Pill product for pets** while Joan Wilson researches the board's authority to regulate pet treats. Casey D. seconded. None opposed, motion carried.

Bruce S. motioned to approve the remaining products. Nick M. seconded. Loren J. is opposed. Motion carried, 4-1.

11:55 am: Lunch 1:00 pm: Reconvene

REGULATIONS

A. Proposed Regulations Projects

1. Board Requests

Delayed

B. Public Comments Received

1. Sales Limits TAB 62

Status: Public comment closed on March 13, 2020.

Potential Board Actions: Vote to adopt; amend and put out for public comment; send back

to staff for revisions; close project without action.

2. Quality Control Sampling and Exit Packaging

TAB 63

Status: Public comment closed on March 13, 2020.

Potential Board Actions: Vote to adopt; amend and put out for public comment; send back

to staff for revisions; close project without action.

Bruce S. motioned to table Tabs 62 and 63 to the June 10, 2020 meeting. Christopher J. seconded. Casey D. opposed. Motion carried, 4-1.

CONSIDERATION OF EMERGENCY DELEGATION OF AUTHORITY

TAB 64

1:30 pm: Director Klinkhart summarizes the memo for consideration/discussion. Joan Wilson provides some background and reasoning. The board could delegate authority to the director to act at the behest of the board except to propose or adopt regulations.

Loren J. says he thinks that the board is still okay. He asks if there is any board member that wants to discuss the list or pass it over.

Bruce S. inquires how the ABC board handled the consideration. Joan Wilson says that they have not delegated any additional authority.

Nick M. says the items in the memo match the regulations. The ABC board took an advisory vote to ask the Governor about to-go orders and curbside pickup. Delivery was tabled to June.

Joan Wilson gives the board different suggestions.

Bruce S. asks Joan if the board could allow curbside pickup with a stipulation within view of security cameras as an emergency regulation. Joan says yes and to tell the Governor which laws they want to suspend.

Christopher J. asks if the board is getting ahead of themselves. Nick M. jumps in and addresses some of Christopher's concerns to better meet the health mandate. Christopher J. says the proposals by AMIA are not protecting public safety.

Loren J. asks board members to focus on the curbside pickup issue. Nick M. asks if the board is following the emergency regulations process. How do they accomplish this? Joan Wilson asks if they want to ask

the Governor to suspend or would they like to do a combination of emergency regulations for safety measures to put in place. Will need to go through the Department of Law or the board can decide to suspend. Nick M. says he is trying to understand the emergency regulation statute and how it fits.

Casey D. says it is going to take a while to do. They have to consider how they roll any of this back. It will be difficult and may not be in the board's best interest.

Joan Wilson says that the emergency regulations would terminate after 120 days. Can we tie them to the health mandates? Joan asks why are they doing this? For economy or health? The Governor is focused on public health. Financial needs are not an issue at this time.

Christopher J. agrees with Casey. The board should leave it as it is now. If the pandemic gets worse, the board can adjust as necessary. Bruce S. agrees and asks Nick M. if retail stores are open and can operate. How urgent is this for the industry?

Nick M. answers that he doesn't know. How urgent is the employee's and customer's health? It is inconvenient. They want to keep people separate. Consumers still don't understand. It makes sense to him to do it in order to better meet the health mandate.

Christopher J. says he wants to keep people employed. The Governor can shut the businesses down if he doesn't like what they are doing.

Loren J. says that Nick is rightly concerned. It is impossible to keep the 6 foot distance between customer and service provider. Definition of essential businesses. Marijuana is not on the list put out by the governor. Transporting is down – airlines. How can we help with the transport? This topic should be discussed as well.

Nick M. says that the industry isn't asking the board to approve to transport marijuana. They are asking for approval to transport product through a carrier like a charter company. Regulations says they cannot.

Joan Wilson states the ABC board set up an emergency meeting. That is an option for this board.

Christopher J. asks if they want to use a carrier that means they will accept money from marijuana business that could cause problems with their own businesses. Nick M. counters. Will the board be notified who would allow transporting?

Loren J. says that Director Klinkhart and Enforcement would tell them. METRC and manifests. Nick M. says that Loren described it well and agrees an additional meeting would be good.

Joan Wilson was reviewing regulations about transporting. Will this impact growers getting products tested? Loren J. answers that he believes so and it is a problem. Nick M. agrees. It isn't prohibited. The handlers must have a handler's card and cargo employees will not have that. The marijuana will be in possession of the transporters.

Christopher J. supports sending it to the attorney for research.

Joan W. says that portions of regulations can be suspended by asking the Governor. Alcohol gave Director Klinkhart direction to provide guidance to licensees.

Director Klinkhart says he cannot speak to that at this point. The adjustment of Enforcement priorities and delivery are subjects to still be discussed.

Nick M. wants to continue discussing transport and wants handoffs available. He gives an example and wants guidance from Joan Wilson.

Loren J. says that should be another piece for Joan to look at. Nick M. states the board does not allow overnight stays/holdovers. He gives another example. Loren J. says to go directly - actively transported or on licensed premises. It should be looked at. Joan Wilson mentions that exposes the transporter to greater danger by staying overnight in a hotel.

Nick M. provides another example. Christopher J. says the example violates the health mandates. Nick M. says marijuana business are considered essential if they are under 20 employees. They have to file travel plans.

More discussion on the order of mandates and which one supersedes the others.

Casey D. says it is uncertain if they will benefit all. Local airlines are hurting. Process should be streamlined.

Loren J. asks the board member and Joan about meetings and requests.

Bruce S. says a week would be good to get together language, if ideal with legal counsel. Christopher J. concurs.

Nick M. states this stuff isn't prohibited. Do they need to fix the interpretation? Loren J. says the director can talk to Enforcement and the attorney can research it.

Loren J. asks if it would be possible for the board, staff and the attorney to hold a meeting on 4/10? Director Klinkhart asks if it will be a half day or full day? The answer is a half day 1 pm -4 pm, if timing works out. The meeting will be to deal with the attorney's report on curbside and transportation.

Joan Wilson says that Harriet Milks mentioned transactions regarding cash and how many people need to check ids in the store with reduced staff. Vaping and smoking doesn't help to fight the virus.

Director Klinkhart asks the board to consider economic licensing fees. Nick M. says as long as the businesses are open he doesn't see why the fees should be suspended.

MARIJUANA MAILBOX

All correspondence received in the <u>marijuana@alaska.gov</u> inbox from January 4, 2020 <u>TAB 65</u> to March 13, 2020.

3:02 pm

No public comment at this time. Loren J. asks the board if they have anything.

Nick M. is surprised about comments on taxes and people being behind and not paying. He feels the board isn't taking it seriously and encourages the board to read all the comments. Christopher J. agrees with Nick.

Loren J. suggests at June meeting that the Director and Joan meet with a representative from Department of Revenue regarding taxes and have them present at the meeting. The rest of the board members agree.

BOARD COMMENTS

3:09 pm

Loren J. states that he heard a discussion that there was a limited cultivation who had doubled the production with untagged plants. A Notice of Violation was given and working on a process to address the issue. The NOV was not in the board packet.

Director Klinkhart addresses Loren's concerns. He invites Jana Weltzin, the counsel for the licensee in question, to chime in. Jana says that the licensee jumped on it when brought to their attention and they are still waiting for Fire Marshal approval. Jana Weltzin agrees with Director Klinkhart that this was a learning experience, and everyone is currently working with enforcement.

Loren J. says the board needed to be involved in the process.

Nick M. says he has strong feelings about this situation. The board has the authority to negotiate fines and penalties. A discussion with the board's attorney should have happened.

Joan Wilson states that she thought Jana Weltzin was going to request an informal meeting.

Jana Weltzin says an NOV was not issued yet and that she and her client anticipate a fine. Director Klinkhart never mentioned a fine. It is still being investigated with the Enforcement Unit.

Loren J. believes that an NOV and an accusation was drafted. Dropped for now – the director and Joan Wilson need to discuss the situation.

3:22 pm

Casey D. says the board did a good job addressing the items on the agenda. Encourages the board to look at regulations that they might want to adjust but to avoid things that they might want to rescind.

Christopher J. thanks AMCO staff, Director Klinkhart and Loren J. He states that everyone has done an outstanding job.

Bruce S. thanks Director Klinkhart, the staff and Joan Wilson. He welcomes Casey D. to the board and wishes the best of luck to the industry.

Nick M. appreciates staff. The telephonic meeting was more efficient. He additionally appreciated Casey's questions.

Loren J. appreciates staff and compliments the industry.

NEXT MARIJUANA CONTROL BOARD MEETING

The next meeting is June 10-11, 2020, in Fairbanks. All applications must be deemed complete and all other information for inclusion in the board's packets must be received by **May 22, 2020**.

ADJOURN

3:27 pm