CORRESPONDENCE

THE STATE of ALASKA
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

April 15, 2020

Fat Tops, LLC
DBA: Fat Tops, LLC
Via email: daveparker907@gmail.com

Re: Retail Marijuana Store #23810

Dear applicant,

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

- **Online Application**
  - I have rolled the application back to "New" status so you can make corrections to your Online Application.
    - According to your MJ-08 Local Government Notice Affidavit, your local government is Kenai Peninsula Borough. Is your local government supposed to be Kenai Peninsula Borough instead of the Soldotna? If so, please correct the local government in MyAlaska.
    - Once you make the corrections to the online application, please send an email notifying me that you have done so, so that I may update the application status from "New" to "Incomplete".

- **MJ-02 Premises Diagram**
  - Diagrams 1 & 2:
    - Is the surveillance room in the building? If so, please show on the diagram.
    - Show the storage area for the retail store.
    - Are the food and beverage display cases storing marijuana products? If so, those areas should be outlined and labeled as restricted access areas. If not, please make it clear that they are not marijuana products.
    - Label the counter.
      - Also, is the Retail MJ Display the counter? It seems to me that this area should be outlined as a restricted access area.
        - Furthermore, if this area is the counter in the restricted access area, is there a flip-up door or a rope/chain or something

between the counter and the rest of the unrestricted area? Please label this area to show how the restricted access area will clearly be separate from the unrestricted area.

- **MJ-03 Retail Supplemental**
  - Page 4, Section 6.2: Some of the warning statements in this section are inaccurate. They must be verbatim with the regulations. The warning statements above in Section 6.1 are accurate.
    - Additionally, there are other requirements needed for the label. Please refer to the regulations, more specifically 3 AAC 306.345, 470, 475, 565, and 570, such as the testing results, harvest batch #, net weight, etc. Please correct accordingly.

- **Applicant's Residency**
  - I am not able to verify Alaska residency at this time. If you have documentation showing eligibility for the 2020 Permanent Fund Dividend, please submit it via email. If you have not and do not intend to apply for the PFD, please let us know.

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

Respectfully,

Jacqlene Drulis

Jacqlene Drulis, Occupational Licensing Examiner
For,
Glen Klinkhart, Interim Director
marijuana.licensing@alaska.gov

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Wednesday, April 15, 2020 10:00 AM
To: daveparker907@gmail.com
Cc: Marijuana Licensing (CED sponsored)
Subject: Incomplete Application- Fat Tops, LLC - License #23810
Attachments: 23810 Incomplete Application Letter.pdf

Good morning,

Your application has been reviewed, attached is correspondence regarding corrections, additional documents, and/or resubmittals that need to be addressed.

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

Ninety-day Due Date: July 14, 2020

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

Thank you,

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

Drulis, Jacqlene M (CED)

From: Marijuana Licensing (CED sponsored)
Sent: Tuesday, July 14, 2020 4:32 PM
To: Jessika Smith; Marijuana Licensing (CED sponsored); Lance Wells; David Parker; Dave Parker
Subject: RE: Incomplete Application- Fat Tops, LLC - License #23810

Good afternoon,

All of the corrections appear to be in order, except now the restroom is included in the restricted access area. On Diagram 1 and Diagram 2 & 5, please either, move the red restricted access area outline so that the restroom is not included, **OR** just label the restroom as unrestricted. Hopefully you will be able to get this correction in by midnight tonight, in which case I will be able to deem the application complete and send the required notices, most likely tomorrow.

Thank you,

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

From: Jessika Smith [mailto:livingbetternaturally@live.com]
Sent: Tuesday, July 14, 2020 2:10 PM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Lance Wells <lwells@gci.net>; David Parker <daveparker907@gmail.com>; Dave Parker <fattops@gmail.com>
Subject: Re: Incomplete Application- Fat Tops, LLC - License #23810

Jacque-

I have attached a new MJ02 and MJ03 for this licensee, as well as proof of PFD receipt. Please let me know if you need anything further.

Thanks,

Jessika

Sent from Outlook

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Tuesday, July 14, 2020 1:56 PM
To: livingbetternaturally@live.com <livingbetternaturally@live.com>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; lwells@gci.net <lwells@gci.net>;

daveparker907@gmail.com <daveparker907@gmail.com>; fattops@gmail.com <fattops@gmail.com>
Subject: RE: Incomplete Application- Fat Tops, LLC - License #23810

Hello Jessika and Everyone,

I updated the address in the database and the online application.

Regarding 3 AAC 306.025(c), that 90-day requirement is for the application to be moved into the "Review Queue". I am under the understanding that all of our marijuana licensing staff agrees with this interpretation. I'm not sure about you having to redo the notices during the correction period for other applications (maybe it was for a different reason or a misunderstanding), but for this application we do not need a new MJ-07, MJ-08, or publisher's affidavit. Thank you for attempting to handle this ahead of time and I hope this helps to clarify things for you.

Thank you,

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

From: Jessika Smith [mailto:livingbetternaturally@live.com]
Sent: Tuesday, July 14, 2020 11:49 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; Lance Wells <lwells@gci.net>; David Parker <daveparker907@gmail.com>; Dave Parker <fattops@gmail.com>
Subject: Re: Incomplete Application- Fat Tops, LLC - License #23810
Importance: High

Jacque-

First of all- thank you SOO much for all your help!

I have confirmed the physical address to be 35975 Kenai Spur Hwy., **Soldotna**, AK, 99669; Kenai Peninsula Borough is the local government. If you can fix that on your end - that would be outstanding and greatly appreciated.

Regarding the public notice(s) and MJ07/08/affidavit:

I've had numerous clients required to repost or republish when their notice(s) expired during the corrections period. Mr. Parkers initial post and publish was several months ago and in pursuance of 3 AAC 306.025 (c) - I directed him to repost and republish.

3 AAC 306.025(c) states: After the applicant completes the notice requirements in (b) of this section and submits each remaining application requirement listed in 3 AAC 306.020, the applicant must pay the application and license fees set out in 3 AAC 306.100. The notice requirements in (b) of this section must be given within the 90 days preceding the submittal of all application requirements listed in 3 AAC 306.020 and the application and license fee.

I anticipated that once the PFD/MJ02/MJ03 corrections were in- we would then be reminded of the 90-day period and asked to repost and republish. Is licensing now accepting notice within 90 days of all documents initially submitted rather than requirements complete?

As to your second email, yes, it is my intent to submit all corrections documents together and will have those to you shortly. Please advise as to whether or not the current application of 3 AAC 306.025(c) necessitates the 07/08/affidavit or if you just want the 02/03/PFD stuff and I'll get the remaining documents back to you in the next hour.

Thanks,

Jessika

Sent from Outlook

From: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Sent: Tuesday, July 14, 2020 11:12 AM
To: livingbetternaturally@live.com <livingbetternaturally@live.com>
Cc: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>; lwells@gci.net <lwells@gci.net>
Subject: RE: Incomplete Application- Fat Tops, LLC - License #23810

Good morning, Jessika,

Just to make sure, the correct address is: 35975 Kenai Spur Hwy., Soldotna, AK, 99669, right? And the local government is Kenai Peninsula Borough? If this is accurate, I can go into the database and fix the physical address so that a roll back

is not needed. I can just use the original Online Application in which Soldotna is listed as the local government, but I should be able to edit that as well.

Unless I am missing something, a new publisher's affidavit, MJ-07, MJ-08 shouldn't be necessary. Please clarify why you think the public notices are needed again.

It is possible for this to be deemed complete, as long as all of the requested corrections/clarifications are submitted today.

Thank you,

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

From: Jessika Smith [mailto:livingbetternaturally@live.com]
Sent: Tuesday, July 14, 2020 10:41 AM
To: Marijuana Licensing (CED sponsored) <marijuana.licensing@alaska.gov>
Cc: Lance Wells <lwells@gci.net>
Subject: Fwd: Incomplete Application- Fat Tops, LLC - License #23810

Ms. Drulis,

Mr. Parker asked me to help clean up his app and submit corrections. The license had been rolled back and reinitiated before my arrival. I just noticed that Kenai Peninsula Borough waS keyed in for local govt as well as in the address line itself. Do I make remaining paperwork match with "Kenai peninsula borough " as city (??!!??) or do we need to roll back- again? If so is there even time? I have his PFD proof and the updated MJ02 and a new mj07 and 08 as well as an updated MJ03 with proper labels and had him run the ad again. I'm waiting for the publishers affidavit to come through now. Can we still get this one through? Corrections deadline is today. Please advise.

Thanks,

Jessika
7505655

Sent from my iPhone

Begin forwarded message:

> **From:** David Parker <daveparker907@gmail.com>
> **Date:** July 6, 2020 at 4:43:41 PM AKDT
> **To:** Jessika Smith <livingbetternaturally@live.com>
> **Subject: Incomplete Application- Fat Tops, LLC - License #23810**
>
> ---------- Forwarded message ----------
> From: "Marijuana Licensing (CED sponsored)" <marijuana.licensing@alaska.gov>

Date: Jul 6, 2020 2:48 PM
Subject: FW: Incomplete Application- Fat Tops, LLC - License #23810
To: "daveparker907@gmail.com" <daveparker907@gmail.com>
Cc: "Marijuana Licensing (CED sponsored)" <marijuana.licensing@alaska.gov>

Hello,

This is a courtesy reminder that I have not received the corrections for your application. This email does not extend the 90-day deadline mentioned in the incomplete letter, that deadline is July 14, 2020.

Thank you,