Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 1/19/21

License #/Type: 23988 Standard Marijuana Cultivation Facilities

Licensee: Kerby Coman

Address: 6570 W. Trevett Circle #3, Wasilla, AK

DBA: Green Degree

AMCO Case #: AM21-0046

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

On 1-15-21, Inv. Hamilton responded to your facility to inspect a change in premises which included adding a building to your licensed premises. Upon arrival, it was learned the building was already being used for the past approximately two months; clones growing and marijuana processing. The inspection was conducted with Manager Laura Griffin. Noticeable was no restricted access placards on the two doors identified needing them leading into the restricted access area. The facility also lacked 100 percent camera coverage in the restricted access area. No cameras in the office, a blind spot in the hallway, two inoperable cameras causing blind spots, and blind spots in the drying room.

Approximately 18, 1 -2 pounds bags of flower were being processed in one room. Twenty-two clones were growing in addition to 6 pots with seeds planted were also growing in another room.

Your attention is directed to 3AAC 306.720: Video Surveillance and 3AAC 306.710: Restricted access areas and 3AAC 306.015(c): License conditions

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice of Violation. A licensee may respond, either orally or in writing to the Notice. 3 AAC 306.810 (2)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation, to correct any defect that is the subject of the notice of violation of AS 17.8 or this chapter.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

***Please send your response to the address below and include your marijuana license number in your response.**

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: J.R. Hamilton

SIGNATURE:

Delivered VIA: Email

Date:

updated 4/23/19

Davies, Jason M (CED)

From: Kerby Coman <kerby@hempire-co.com>
Sent: Friday, February 5, 2021 10:54 AM
To: CED AMCO Enforcement (CED sponsored)
Subject: Re: Green Degree, 23988, NOV.pdf

Hello and good day to you all.
This letter is my response to AMCO Case #AM21-0046 issued to licens #23988
We had submitted our change of premises to AMCO on 10-14-2020. The change of premises was a building that was previously licensed but with a different License that expired back in August of 2020. We use the building for harvesting, drying, and curing our crop. When it came time to harvest in November of 2020 it was 2nd nature for our team to utilize the building that we have been using over the past couple years to harvest our crop. I too failed to recognize at the time that the building that we had been using under a different license was still pending inspection. It wasn't until Investigator Hamilton showed up at the premises to do an inspection for the Change of Premises on 1-15-2021 that the inspection had not yet taken place. It was an honest mistake and was pure oversight on my part. It will not happen again. We are asking for your understanding on how this might happen and consider that when making a decision on our penalty for this NOV.
We had previously submitted a Change of Premises for License #12022 that was received by the AMCO office on 4-22-2020 and signed off by all parties by 5-7-2020. On 5-9-2020 i informed AMCO that we had completed the construction for the Change of Premises. We didn't hear back from enforcement on this until i had brought it to Investigator Hamilton's attention on 1-15-2021 that we still had not received any correspondence regarding this Change of Premises. We finally got an inspection for this on 1-29-2021. 265 days from the time I let AMCO know that the construction was finished and we were ready for an inspection for this Change of Premises is beyond an acceptable timeline. It is my opinion that Change of Premises need to take a higher priority and be handled with better care.
Thank you

Kerby Coman
President, GD Services
907-884-3153

On Tue, Jan 19, 2021 at 1:34 PM Hamilton, Joe (CED) <joe.hamilton@alaska.gov> wrote:

> Please follow instructions on notice.