



**Marijuana Control Board
Special Meeting Agenda
Third Judicial District
Anchorage, Alaska**

August 27, 2025, via Zoom

Join Zoom Meeting starting at 9:45 am

<https://amco-alaska.gov.zoom.us/j/81297653905?pwd=TI3CKRdajcV0Zo0xpQrdnyOeG4C39k.1>

Meeting ID: 812 9765 3905

Passcode: 608162

Telephone

(719) 359-4580

Passcode: 81297653905#

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

Times are approximate

● **ADMINISTRATION**

9:50 am

A. Call to Order

At 9:50 am Chair Bailey Stuart opens meeting via zoom only.

B. Roll Call

- *Bailey Stuart, Chair – Industry - present*
- *Ely Cyrus, Vice Chair – Rural - present*
- *Christopher Jaime – Public Safety - present*
- *Lacy Wilcox – Industry- present*
- *Dr. Brück Clift – Public Health - present*

- *AMCO Staff Present*

- Kevin Richard, Director
- Harriet Milks, Agency Attorney
- Jane P. Sawyer, Program Coordinator
- Regina Cruz, Licensing Supervisor
- Kristina Serezhenkov, Local Government Liaison
- Joe Bankowski, Enforcement Supervisor

C. Approval of Agenda

Chair Bailey Stuart would like to limit any public comment to 3 minutes and all board members agree. Lacy Wilcox moves to approve agenda, Dr. Bruck Clift seconds. Christopher Jaime- yes, Ely Cyrus- yes, Dr. Brück Clift – yes, Lacy Wilcox – yes, Bailey Stuart-yes, motion carries.

● DECLARATION OF POTENTIAL CONFLICTS OF INTEREST

No conflicts of interest or changes made.

● INFORMAL CONFERENCE

10:00 am

0:08:00

- *Informal Conference Attendees Present*
 - Nick Coltman/Tip Top LLC
 - Evanjelina Gonzalez/Wolf Town Farm LLC
 - Niel Ainsworth/Attorney for Ms. Gonzalez
- Tip Top, LLC / Nick Coltman 100% License 14359
The application to transfer the license to Wolf Town Farm, LLC / Evanjelina Gonzalez 100%, was denied at the June 2025 board meeting; the board believed the transfer of the license to Wolf Town Farm, LLC is not in the best interest of the public. The current licensee, Tip Top, LLC, has requested an informal conference with the board under 3 AAC 306.085. If the informal conference does not resolve the matter...the applicant may, not later than 15 days from the informal conference, request a formal hearing under 3 AAC 306.090.

At 10:00 am Board Chair Bailey Stuart confirms licensee Nick Coltman is on the line and opens informal conference by asking if Nick Coltman prefers to go into executive session or have a public discussion. Nick Coltman preference is to hold the conference in public discussion.

Board Chair Bailey Stuart asks Nick Coltman if he would like to start by giving a statement and he does. Nick Coltman apologizes for not being at last meeting and notes he has not yet received a requested transcript of that meeting and because of this, he does not have all the necessary information about what the issues are. He closes by saying he is available to address any questions or concerns the board might have.

Board Chair Bailey Stuart enters into a question and answer session with Nick Coltman. Management agreement topics covered are; the employee/manager status of Evanjelina Gonzales, the dates the management agreement was entered into by both parties and discrepancies in those dates, the type of compensation (fee or salary) Evanjelina Gonzales received and discrepancies noted in the answers, the notice of violation(s) that occurred on the premises, and the lease of the premises and discrepancies in who is leasing the premises,

Attorney Neil Ainsworth interjects and there is a discussion with disagreement between the board, Nick Coltman, and Neil Ainsworth regarding what a management agreement is, financial interest issues, compensation and regulations. Board Chair Stuart Bailey reiterates that if profit and loss from the operation of the business falls on Evanjelina Gonzales than this is a financial interest in the business.

Regarding compensation; Board Chair Bailey Stuarts notes that Evanjelina Gonzales stated she did 'everything for free' and misrepresented her reimbursement.

Nick Coltman is unsure about how Evanjelina Gonzales was compensated and advises he must check with his accounting about the compensation.

Board Chair Bailey Stuart and Nick Coltman are in agreement that Nick Colman is responsible to know the details of his business operations.

Board discussion continues with Nick Coltman answering questions on Department of Revenue non-compliance issues. The board asks staff for clarification of the transfer process and DOR. Jane P. Sawyer explains the process and how notices are sent to DOR. She also notes that for the month of August neither Tip Top nor Wolf Town Farms are on the DOR delinquent list but this could mean that if non-compliance is an issue that it might be for taxes 'somewhere else'

Board discussion of the history of notices of violations for the license includes specific instances of violations, those violations that took place under the management of Evanjelina Gonzales, any corrective measures the licensee took to address the violations and payment of penalties.

Board Chair Bailey Stuart and Nick Coltman discuss debts owed by Nick Coltman and how that impacts the success of the transfer application. Nicki Coltman comments on some aggressive action by one of his debtors.

Board Chair Bailey Stuart asks Evanjelina Gonzales to explain why she claimed she worked from free and this was false. Evanjelina Gonzales states there was no false statement by her and that all the money (profit) from operating the business goes back into the business. Board Chair Bailey Stuart reads portion of operating agreement on the record...

Lacy Wilcox asks Evanjelina Gonzales asks about a specific notice of violation in which an employee named James may have been involved in overselling. She notes that in a previous statement Evanjelina Gonzales advised that one of the staff's login id was used for the overselling transaction but that employee was not present. Was that 'not presen't employee James or was James present for that (overselling) transaction? Evanjelina Gonzales says it was not James that did that transaction and Lacy Wilcox asks for the enforcement investigator to speak to this.

Investigator Joe Bankowski can't speak to that particular incident because the Investigator, Rukes, is on leave. He does refer back to the informal conference on that matter that there exists a statement that multiple employees were using 'his' (Jame's) login.

Discussion involving the board, Investigator Bankowski and Neil Coltman ensues regarding the missing video footage of that incident and the stipulation agreement surrounding that incident. Nick Coltman opines that at that time they admitted fault, paid the \$10K fine, and trained staff, thereby adequately addressing the issue.

Ely Cyrus inquires if the employees that were involved in the incident (with the missing video footage and overselling) were just moved around in the company or were they terminated? He earlier understood that any employee associated with the incident had been terminated. Neil Ainsworth asks for clarification of Ely Cyrus' question and what is his concern. Ely Cyrus declines to restate the question.

Lacy Wilcox advises she wants to know if employee James was present and oversold at the retail store and then was moved to be an employee at the concentrate license? Evanjelina Gonzales states James had nothing to do with it.

Board Chair Bailey Stuart states, for the record, the video surveillance for this incident was not provided but the enforcement officer at the location saw the incident with his own eyes.

Board Chair Bailey Stuart asks the board if anyone has other questions.

Lacy Wilcox expresses concerns about being uncertain what date the management agreement was actually entered into and when it was signed. There is a back and forth discussion including a question and answer between the board and Nick Coltman, Evanjelina Gonzales and Neil Ainsworth regarding discrepancies surrounding statements on the timeline and exact date the agreement came into effect.

Board Chair Bailey Stuart asks Attorney Harriet Milks for guidance with making a motion to continue with the denial (of the transfer application). Harriet Milks advises that the discussion should happen in executive session. Ely Cyrus notes that Nick Coltman preferred a public discussion and asks why the board should go into executive session. Harriet Milks confirms that the advice of counsel is sufficient reason to do this.

Nick Coltman confirms he is fine with the board going into executive session.

1:06:37 (recording 170402) - Lacy Wilcox moves to go into executive sessions for attorney/client advice, Christopher Jaime seconds., Christopher Jaime- yes, Ely Cyrus- yes, Dr. Bruck Clift-yes, Lacy Wilcox- yes, Bailey Stuart-yes. Motion carries.

At 11:00 am board goes into executive session.

0:00:07 (recording 193846) At 11:41 am board reconvenes and is back on record.

- *Bailey Stuart, - present*
- *Ely Cyrus, - present*
- *Christopher Jaime - present*
- *Lacy Wilcox - present*
- *Dr. Brück Clift - present*

Board Chair Bailey Stuart opens and summarizes. The board finds that direct financial interest is given to Evanjelina Gonzales in violation, there are lease inconsistencies with who controls the property, DOR

has reported non-compliance, Nick Coltman certified there were no debts but in fact, had two debtors, and compliance and regulation failures persist. She urges the board to uphold the denial and also restate the reasons for denial.

Lacy Wilcox moves to rescind denial of the June 2025 meeting for license transfer of Tip Top, LLC, 14356. Reasons of denial 3 AAC 306.080(d)(1) and 3 AAC 306.080(a)(6). Lt. Jaime seconds. Lt. Jaime, yes; Ely Cyrus, yes; Dr. Clift, yes; Lacy Wilcox, yes; Bailey Stuart, yes. Motion carries.

Lacy Wilcox moves to deny 3 AAC 306.080(g)(1),(6),(7), and (10), and 3 AAC 306.015(a). Lt. Jaime seconds. Lt. Jaime, yes; Ely Cyrus, yes; Dr. Clift, yes; Lacy Wilcox, yes; Bailey Stuart, yes. Motion carries.

Nick Coltman disagrees with the board's findings.

● **PUBLIC COMMENT NOT RELATED TO AGENDA ITEMS** – at the discretion of the Chair

0:04:47 (recording 193846) At 11:45 am Board Chair Bailey Stuart opens for public comments and after seeing no comments she closes this at 11:45 am.

● **BOARD COMMENTS**

Bailey Stuart mentions she has requested the office to send marijuana mailbox items to the board at frequent intervals. Ely Cyrus brings up the concern of discussing the emails in violation of the Open Meetings Act. Board members will be bcc'ed as to avoid a reply-all situation.

● **NEXT MARIJUANA CONTROL BOARD MEETING**

The next regular meeting is scheduled for **September 17-18, 2025, Anchorage.**

● **ADJOURN**

0:08:01 (recording 193846) 11:49am. Lacy Wilcox moves to adjourn. Lt. Jaime seconds.