



**Marijuana Control Board
Meeting Agenda
Third Judicial District**

**Atwood Building Conference Room, First Floor,
550 W 7th Avenue, Anchorage AK 99501**

**April 17, 2024, at 9:00 am
Join Zoom Meeting**

<https://amco-alaska-gov.zoom.us/j/81993749703?pwd=AgT04oyhOJc7ZD3qH63hGRwx3PoyAE.1>

Meeting ID: 819 9374 9703

Passcode: 142385

Dial by your location

+1 (719) 359-4580

+1 (669) 900-6833

**April 18, 2024, at 9:00 am
Zoom Link:**

<https://amco-alaska-gov.zoom.us/j/83271122643?pwd=t1mgsizze5s2F8NXN95wNUkLmKNamR.1>

Meeting ID: 832 7112 2643

Passcode: 894572

Dial by your location

+1 (719) 359-4580

+1 (669) 900-6833

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

9:00 am

A. Call to Order

Meeting called to order at 10:05; delayed start due to lack of quorum

B. Roll Call –

*Bruce Schulte, Board Chair, Public Member, present in person
Bailey Stuart, Industry Member, present in person
Ely Cyrus, Rural Public Member, present on zoom*

*Joan M. Wilson, Director, present in person
Kevin Higgins, Assistant Attorney General, present in person
Jane Sawyer, Program Coordinator, present in person
Joe Bankowski, Acting Chief Enforcement Supervisor, present in person
Steven Johnson, Special Investigator, present in person
Jeff Rukes, Special Investigator, present in person
Regina Cruz, Records and Licensing Supervisor, present in person
Kristina Serezhenkov, Regulation Specialist, present on zoom
Gabriel Gonzales, Local Government Specialist, present on zoom*

C. Approval of Agenda –

Bailey S. moves to approve agenda, Ely C. seconds. Bruce S. states that there are topics in the agenda that may need to be deferred to a later meeting with full board members. Ely apologizes for his tardiness due to conflict with dates. None opposed, motion carries.

D. AMCO Meeting Code of Conduct

TAB 1

E. Top 10 Zoom FAQ

TAB 2

F. Approval of January 31-February 1, 2024, MCB Meeting Minutes

TAB 3

Bailey S. motions to approve January 31 – February 1, 2024, meeting minutes. Ely C. Seconds. None opposed, motion carries.

B. Schulte question K. Higgins if board chair can second the motion is able to second the motion. Bailey S. moves to approve the chair of the Marijuana Control Board for here and going forward the ability to second motions being made by the board, Ely C. Seconds. None Opposed, motion carries 3-0.

● BOARD GOVERNANCE

9:05 am

Bailey S. states on the record that she does the administration for the Governor’s task force on recreational marijuana which entails she does the meeting minutes and has no voting powers and has a consulting business that does consult with licensees and none of which are on this agenda, and she will be sure to inform the board as it comes up.

● PUBLIC TESTIMONY

9:10 am

Chris Owens – Partner of Denali Fire is present in person. He speaks up about an incident of his License being put on administrative hold by error. AMCO made attempts to have the situation rectified and had sent out an advisory warning. It had caused a dent to his business before 420, due to vendors thinking his license was under investigation. The incident caused a dent into his business due to the Metrc warning. Since the situation was unable to be fixed through metrc it had caused a big problem. Bruce S. understands his saying but hoping the licensees are listening and it helps his business. Licensee would like to propose that it is more scrutinized with authority when putting a license on administrative hold and an adjustment with metrc to rectify the situation in a quick manner.

Brandon Emmette- Co Chair of the Governor’s Task Force and Licensee is present in person. Speaks on HB119; a product of the tax taskforce recommendation and alters the way the Marijuana taxes are collected and the amounts. Asking for more support of the bill. Bruce S. speaks up and clarifies the importance of the support of the bill.

Lacey Wilcox – Licensee present on zoom. Welcome Bailey. Offers a window to potentially offer to the finance committee the language on SB234 if a letter can come to the board to help finance that it can be companioned with SB119. Suggesting a conversation with finance or with Somner if it can include the extension board and would not be opposed.

Jana Weltzin – Atty of the industry. Welcome Bailey. Speaks about the Board’s direction to staff as to when accusations be brought forward, suggests the board to look on their direction to the Director on accusations and informal conference.

10:45 am Public Testimony is closed.

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 mcb.amco@alaska.gov

Recordings and transcripts are available on AMCO’s website here:
<https://www.commerce.alaska.gov/web/amco/MCBMeetingDocuments>

● DIRECTOR’S REPORT

TAB 4

Director Wilson Summarizes her report. Bailey states she will be in Utqiagvik in June. A brief discussion if the meeting should be done in one or two days. A discussion on accusations and the process.

● ENFORCEMENT

A. Supervisor’s Report

TAB 5

B. Notices of Violation Issued and Licensee Responses

TAB 6

C. Notices of Violation for Unpaid Taxes

TAB 7

D. Discussion of Accusation Procedure for Tax Delinquency (no tab)

Acting Supervisor Investigator Joe Bankowski gives summary. Bruce S. asks to add on the incident with Denali Fire. Bailey S. asks about metrc and policies when placing a license on administrative hold and would like a follow up on the metrc incident. Bailey S. asks about RFD readers and there is a discussion on the accuracy. Bailey S. about the acceptable amount of weight missing; Joe B. responds that it is a case-by-case situation. Joe B. brings up a licensee inquiring about a blunt with tobacco as a wrapper and how are we going to view it, previously the wrappers were just package. Bruce S. responds that there is currently no direction on how to regulate the tobacco wrappers. Ely C. makes a statement about the RFD readers that Metrc is holding monopoly on the hardware. Director Wilson responds that there are not many manufacturers and will get more information on it and will bring back to the board.

● LICENSING STATISTICS

TAB 8

Regina C. summarizes her report. There are no questions from the board.

● BOARD ACTION ON MARIJUANA HANDLER PERMIT(S)

4/18/2024-9:03 am – Executive session/ Deliberative session

4/18/2024 -9:51am - Back to regular session

- **MHP 34108, Michael Edwards**

This matter is discussed under deliberative session on 4/18/24.

Mr. Edwards online

Bruce Schulte asks Mr. Edwards whether he would like to hold the meeting in private session.

Mr. Edwards states he would like the meeting in private session.

Board goes into deliberative session.

Board comes back on the record. Kevin Higgins clarifies that the session should have been executive session and not deliberative session, and that the reason for going into executive session is to protect the potential reputation concerns of Mr. Edwards.

Bailey Stuart moves to issue a civil fine of \$100 to marijuana handler 34108, Michael Edwards, with a 180-days suspension of the MHP for violating 3 AAC 306.325(a). Ely Cyrus seconds. No objections. Motion passes. 3-0

- **MHP 16754, Donald Brooks II**
- **MHP 28853, Dexter Aikey**

Donald Brooks II and Dexter Aikey on the line. Mr. Brooks and Aikey are both on the same phone.

Bailey moves to go into deliberative session on board actions of MHP 16754 and MHP 28853. Bruce seconds.

Board comes back on the record at 1:23 pm. Board members Bailey Stuart, Bruce Schulte, Ely Cyrus present.

Bailey moves to table MHP 16754, Donald Brooks II, and MHP 28853, Dexter Aikey, indefinitely. Ely seconds. Joan mentions that these two matters might come back to the board in a different manner. No further discussion. No objections. Motion passes. 3-0

● INFORMAL CONFERENCES

- **Anchorage Bowl, LLC d/b/a Anchorage Bowl Lic. 12316 - NOV AM-23-2100**

Shelton Landon is okay with open meeting.

Investigator Rukes present.

Bruce Schulte initiates conversation.

Mr. Landon speaks to the notice of violation issued to him regarding persons under 21 years of age on the licensed premises. He lets the board know he had an informal conference with the director. He believes the violation should have been a warning or a suspended fine. He admits he committed the violation...

Director Wilson clarifies this is a contested notice of violation, and the violation was admitted to. She clarifies she has the right to rescind the notice of violation, she did not in this case because she believed the fine of \$100 was appropriate for the circumstances. She tells the board preponderance of the evidence has been proven...Mr. Landon still believes a warning should have been sufficient...

Board members offer thoughts and points of view...setting of precedence, ripple effect. Director Wilson states a factor was that Mr. Landon did not communicate to us the situation. The violation was discovered via a complaint.

Kevin Higgins, agency attorney, clarifies on the process of this matter: a contested NOV. Cites and reads 3 AAC 306.809(f)...

Recommended penalty by Director is \$100...more discussion...

Bailey moves to vacate notice of violation for license 12316, Anchorage Bowl. Ely seconds. No further discussion. Bailey, yes. Ely, no. Bruce, no. Motion fails 2-1.

Bailey moves to uphold the notice of violation with the civil fine of \$100 for license 12316, Anchorage Bowl. Ely seconds. Ely asks if this is a matter that can be deferred to the next meeting. He would like more viewpoints...would like to see a regulation. Bailey, no. Ely, no. Bruce, no. Motion fails.

Bailey moves to table the notice of violation for license 12316, Anchorage Bowl, to the next meeting. Ely seconds. No further discussion. Motion passes 3-0.

● SERVED ACCUSATIONS – NO RESPONSE

- **Kelsey J Martinsen and Sarinee Nuamnui d/b/a Happy Cannabis Lic. 10201**

Kelsey is on the phone.

Bailey moves to impose a fine of \$2000/suspended \$1625/ fine to pay \$375 within 60 days. Six months probation. Ely seconds. Bailey mentions the fact he did not respond. No objection. Motion passes. 3-0
Ely asks if this is appealable. Kevin Higgins: they can appeal an imposition of the penalty to the superior court. Letter goes out. The motion becomes effective 30 days from the letter.

- **AK Kush, LLC d/b/a AK Kush Lic. 12523**

Lloyd on the line.

Director Wilson presents the accusation. The licensee was served. The licensee did not reply. The issue includes: failure to track product to a significant volume, failure to keep recording/video surveillance. Director seeks all remedies available, including revocation of the license.

Conversation...

Bailey moves to place license 12523, AK Kush, on 360 days suspension, 270 days suspended, 90 days active suspension. \$5000 civil fine; \$4000 suspended. Destruction all current inventory, including live plants. Probation for two (2) years, and comply with all his obligations under the regulations. Ely seconds. Further comments: diversion, public safety, maintenance of books. Bailey, yes. Ely, yes. Bruce, yes. Motion passes 3-0.

● REGULATIONS

A. Regulations Tracking Sheets

TAB 9

Bruce S. introduces Tab 9. Bailey S. asks question about regulations process timeframes and mentions the 'plant height' regulations project. Joan W. gives timeframe examples and speaks to Department of Law process for regulations. Kristina S. gives update on plant height, overlapping premises project, and drive-through window location.

B. Opened Regulations Projects

1. Public Comment Period Closed. **Public oral comments may not be received at this meeting for this section.**

a. Special Investigator Hiring Standards

TAB 10

Status: Public comment closed March 8, 2023. A comment was received.

Potential Board Actions: TBD at meeting

Bailey S. moves to adopt and send to Law for final review. Bruce S. seconds. Board discussion. Board discusses public safety seat not present and remarks that project was vetted by public safety seat at prior meetings. None opposed. Motion carries 3-0.

b. Application Process Food Safety Permit Requirement

TAB 11

Status: Public comment closed April 12, 2023. Comments were received.

Potential Board Actions: TBD at meeting

Bailey S. moves to adopt and send to Law for final review. Ely C. seconds. Board discussion. Joan W. brings up that public health member seat vacant. Bailey S. speaks to upholding public health standards for food and DEC health requirements. Bruce S. mentions this project does not alter food and safety requirements as much as changes application process. None opposed. Motion carries 3-0.

2. Board Discussion

a. Management Agreements

TAB 12

Status: Draft for board discussion

Potential Board Actions: TBD at meeting

Joan W. introduces and speaks to genesis of this issue and gives overview. Board discussion. Liability and responsibility for license operation is discussed. Bruce S. mentions it is paramount to know who is participating in the industry. Possibility of out-of-state managers participating in industry is discussed. Ely C. moves to open a regulatory project to consider regulating management services agreements. Bailey S. seconds. None opposed. Motion carries 3-0.

Further board discussion. Joan W. mentions, using alcohol as an example, the use of management service agreements during the license transfer process is most common. Kristina S. gives examples from alcohol management agreements. Bailey S. asks a question on signatures and effective dates on these agreements. Bruce S. notes there may be inadvertent conflict that is challenging as the only sanction against a bad actor manager is their handlers permit. Bruce S. gives baseline on what management agreement regulations should address. Discussion on fee requirements and touches on financial interest. Investigators Bankowski, Rukes, Johnson provide input.

b. Informal Conference

TAB 13

Status: Draft for board discussion

Potential Board Actions: TDB at meeting

Joan W. and Kevin H. introduces, and this is a preliminary working draft. Board discussion. Bailey S. moves to send back to staff for more work. Ely C. seconds. Motion carries 3-0.

● **NEW RETAIL MARIJUANA STORE APPLICATIONS**

- A. License #36998:** **GOOD Cannabis** **TAB 14**
Licensee: Good LLC
Premises Address: Area B, Lot 7 of Harbor View Subdivision
Local Governments: City of Whittier
Consideration: **Retail application with exterior window pick-up and see memo**

Jana W. Attorney for licensee present in person with the applicant and provides additional information. Bailey S. asks about the running water and cleaning areas, Licensee responds with the common restrooms and will work with Department of Conservation on the requirements. Bailey S. moves to approve license #36998 with delegation, Ely C. Seconds. None opposed, motion carries 3-0.

- B. License #36739:** **Fat Tops, LLC** **TAB 15**
Licensee: Fat Tops, LLC
Premises Address: 33200 Sterling Hwy.
Local Governments: Kenai Peninsula Borough
Consideration: **Retail application with exterior window pick-up**

David Parker – Licensee present on zoom. Bailey S. asks why he is limiting himself with the bulk packages; licensee responds that it is a small facility. Bailey S. moves to approve with delegation, Ely C. seconds. None opposed, motion carries 3-0.

- C. License #35545:** **No Limit** **TAB 16**
Licensee: WNDJ, LLC
Premises Address: 300 W. Tudor Road
Local Governments: Anchorage
Consideration: **Retail Application with Onsite Consumption and see memo**

Jana W. Atty. for licensee present in person – Bruce S. comments on the size of the building and location and the protest from the municipality. Jana W. responds on the Protest from the Municipality the protest for conditional land use permit is a standard process. Jana W. states that it is the first on site consumption for edibles for Anchorage. Bailey S. moves to approve with delegation, Ely C. seconds. None opposed, motion carries 3-0.

● **NEW STANDARD MARIJUANA CULTIVATION FACILITY APPLICATIONS**

- A. License #35546:** **No Limit** **TAB 17**
Licensee: WNDJ, LLC
Premises Address: 300 W. Tudor Road
Local Governments: Anchorage

Consideration: Will need delegation- See memo

Jana W. Atty for Licensee present in person- Bailey S. asks about the odor control on how they plan to be proactive with it. Bailey motions to table application until tomorrow when licensee is present to answer questions on odor; None opposed, motion carries. Tabled from 4/17/24 meeting. Jana W. Atty and Licensee present in person. Bailey S. asks if there is a proactive way to change the filters instead of waiting for an odor. Licensee responds that she is has upgraded her filter system and changes it every 60 days. Jana W. states that they will change their language and be more proactive when making changes to the filter. Bailey S. moves to approve with delegation, Ely C. seconds. None opposed, motion carries 3-0.

● **NEW MARIJUANA CONCENTRATE MANUFACTURING FACILITY APPLICATIONS**

A. License #36527: **DDIII** **TAB 18**
Licensee: North North Enterprises, LLC
Premises Address: 12548 W. Westen Drive
Local Governments: Houston; Matanuska-Susitna Borough
Consideration: Will need delegation – see memo

Jana W. Atty for Licensee present in person; licensee Donnie is present on zoom. Bailey S. asks if product bubble bud if he’s measuring by weight or ratio; licensee responds by weight. Bailey S. asks what wrapper he is using for his blunts, licensee responds by normal paper. Bailey S. moves to approve with delegation, Ely seconds, motion carries. None opposed, motion carries 3-0.

● **NEW MARIJUANA PRODUCT MANUFACTURING FACILITY APPLICATIONS**

A. License #36794: **Snowcapped Gardens** **TAB 19**
Licensee: Snow Capped Gardens L.L.C
Premises Address: 13150 E. Soapstone Road Building #2
Local Governments: Matanuska-Susitna Borough
Consideration: Will need delegation – see memo

Martin Brown Licensee present on zoom – Bailey S. moves to approve the licensed premises with delegation, Bruce S. seconds. Bailey states that they will be labeling the product information on the bottom of the containers and there is no way that it will be legible. There is a discussion on the labeling of jars with the licensee. None Opposed, motion carries. Bailey S. moves to approve the products with AMCO approval on the finishing packaging solution as a part of the delegation, Ely C. seconds. Bruce S. directs licensee to provide AMCO office with finished sample of the labels to ensure it is legible. None opposed, motion carries 3-0.

B. License #36957: **SupHerb** **TAB 20**
Licensee: SupHerb, LLC
Premises Address: 2121 N Post Rd.
Local Governments: Anchorage
Consideration: Will need delegation – see memo

Christine Williams Licensee present on zoom – Bailey S. motions to approve the licensed premises with delegation, Ely C. seconds. Bailey S. asks about ventilation. Licensee responds that it is a very tall building

with ventilation in the entire building. Bruce S. asks about extraction. Licensee responds that there will be no extractions, combustibles, and solvents. None opposed, motion carries. Bailey S. moves to approve the products with delegation, Ely C. seconds. Bailey S. asks about the coloration of the gummy. Licensee responds that it is a muted color and will get it muted by the gelatin, oil, and no extra coloring. None opposed, motion carries 3-0.

4/17/24: 5:30pm Recessed

4/18/24: 9:02am Reconvened

Roll Call

Bruce Schulte, Board Chair, Public Member, present in person

Bailey Stuart, Industry Member, present in person

Ely Cyrus, Rural Public Member, present on zoom

4/18/2024-9:03 am – Executive session/ Deliberate session

4/18/2024 -9:51am - Back to regular session

● **LICENSE OWNERSHIP TRANSFER APPLICATIONS**

Tabs 22,23,29,30,31,32 and 33 are transfers that the board will consider individually. Bailey S. moves to approve Tabs 21,24,25,26,27,28 and 34 with delegation, Ely C. seconds. None opposed, motion carries 3-0.

- | | | |
|--------------------------|---|----------------------|
| A. License #10021 | Enlighten Alaska, LLC | <u>TAB 21</u> |
| Current Licensee (from): | Enlighten Alaska, LLC (Jane Stinson 50%, Leah Levinton 25%, Evan Levinton 25%) | |
| New Licensee (to): | Enlighten Alaska, LLC (LiveWell, LLC 100%) | |
| License Type: | Retail Marijuana Store | |
| Premises Address: | 2600 Spenard Road | |
| Local Governments: | Municipality of Anchorage | |
| Consideration: | Will need delegation | |
| | | |
| B. License #10080 | Dream Green Farms | <u>TAB 22</u> |
| Current Licensee (from): | DGF Enterprises, INC. (Justin Rolan 44%, Kenneth Knight 42%, Sandra Habermann 14%, Mark Habermann 0%). | |
| New Licensee (to): | DGF Enterprises, INC. owned by (Kenneth Knight 50%, Sandra Habermann 50%, Mark Habermann 0%). | |
| License Type: | Standard Marijuana Cultivation Facility | |
| Premises Address: | 2939 Porcupine Dr. Suite A. | |
| Local Governments: | Municipality of Anchorage | |
| Consideration: | Will need delegation | |
| | | |
| C. License #10082 | Einstein Labs | <u>TAB 23</u> |
| Current Licensee (from): | Einstein Enterprises, INC. (Justin Rolan 44%, Kenneth Knight 42%, Sandra Habermann 14%, Mark Habermann 0%). | |
| New Licensee (to): | Einstein Enterprises, INC. owned by (Kenneth Knight 50%, Sandra Habermann 50%, Mark Habermann 0%). | |
| License Type: | Standard Marijuana Cultivation Facility | |

Premises Address: 2939 Porcupine Dr. Suite B.
Local Governments: Municipality of Anchorage
Consideration: Will need delegation

*Board will consider tabs 21 and 22 in block due to same ownership.
Jana W. Atty for Licensee present in person along with Licensee and shareholders. Brief discussion on the attendance and document for Mr. Roland.
Bailey moves to approve transfers for tab 22 and 23 with delegation, Ely C. seconds. None opposed, motion carries.*

- D. License #21551** **Enlighten Gardens** **TAB 24**
Current Licensee **(from)**: Enlighten Gardens, LLC (Jane Stinson 50%, Leah Levinton 25%, Evan Levinton 25%)
New Licensee **(to)**: Enlighten Gardens, LLC (LiveWell, LLC 100%)
License Type: Standard Marijuana Cultivation Facility
Premises Address: 524 E 48th Ave 1B
Local Governments: Municipality of Anchorage
Consideration: Will need delegation
- E. License #21552** **Enlighten Extracts** **TAB 25**
Current Licensee **(from)**: Enlighten Extracts, LLC (Jane Stinson 50%, Leah Levinton 25%, Evan Levinton 25%)
New Licensee **(to)**: Enlighten Extracts, LLC (LiveWell, LLC 100%)
License Type: Marijuana Product Manufacturing Facility
Premises Address: 524 E 48th Ave 1A
Local Governments: Municipality of Anchorage
Consideration: Will need delegation
- F. License #34403** **Enlighten Alaska** **TAB 26**
Current Licensee **(from)**: Enlighten Alaska Old Seward, LLC (Jane Stinson 50%, Leah Levinton 25%, Evan Levinton 25%)
New Licensee **(to)**: Enlighten Alaska Old Seward, LLC (LiveWell, LLC 100%)
License Type: Retail Marijuana Store
Premises Address: 7317 Old Seward Highway
Local Governments: Municipality of Anchorage
Consideration: Will need delegation
- G. License #10315** **Green Elephant, LLC** **TAB 27**
Current Licensee **(from)**: Green Elephant, LLC (Richard Dudas 50%, Jennifer Canfield 50%)
New Licensee **(to)**: Green Elephant, LLC (Richard Dudas 100%)
License Type: Standard Marijuana Cultivation Facility
Premises Address: 101 Mill St. Suite A
Local Governments: Juneau (City and Borough of)
Consideration: Will need delegation
- H. License #10844** **Green Elephant, LLC** **TAB 28**
Current Licensee **(from)**: Green Elephant, LLC (Richard Dudas 50%, Jennifer Canfield 50%)
New Licensee **(to)**: Green Elephant, LLC (Richard Dudas 100%)

License Type: Retail Marijuana Store
Premises Address: 101 Mill St. Suite B
Local Governments: Juneau (City and Borough of)
Consideration: Will need delegation

I. License #12488 **Thirdstate** **TAB 29**
Current Licensee **(from)**: H.E. Holdings, LLC (John Hoff 100%)
New Licensee **(to)**: H.E. Holdings, LLC (Haley Essig 75%, John Hoff 25%)
License Type: Standard Marijuana Cultivation Facility
Premises Address: 200 Pheasant Farm Road
Local Governments: Fairbanks North Star Borough
Consideration: Will need delegation

J. License #13424 **Midnight Sun Manufacturing** **TAB 30**
Current Licensee **(from)**: Midnight Sun Manufacturing, LLC (Phillip Schnieder 100%)
New Licensee **(to)**: H.E. Holdings, LLC (Haley Essig 75%, John Hoff 25%)
License Type: Marijuana Concentrate Manufacturing Facility
Premises Address: 28011 Old Parks Highway
Local Governments: Matanuska – Susitna Borough
Consideration: Will need delegation

Board considers tabs 29,30, and 33 in block. Bailey S. moves to approve, Ely S. seconds. None opposed, motion carries 3-0.

K. License #17250 **Pipe and Leaf: Premium Alaskan Cannabis** **TAB 31**
Current Licensee **(from)**: Pipe and Leaf, LLC (John Hoff 100%)
New Licensee **(to)**: Pipe and Leaf, LLC (Haley Essig 75%, John Hoff 25%)
License Type: Retail Marijuana Store
Premises Address: 3546 Airport Way
Local Governments: City of Fairbanks; Fairbanks North Star Borough
Consideration: Will need delegation; Exterior Window Pick up

L. License #23934 **Pipe and Leaf: Premium Alaskan Cannabis** **TAB 32**
Current Licensee **(from)**: Midnight Sun Distributors, LLC (Phillip Schnieder 100%)
New Licensee **(to)**: Pipe and Leaf, LLC (Haley Essig 75%, John Hoff 25%)
License Type: Retail Marijuana Store
Premises Address: 28011 Old Parks Highway, Suite 1
Local Governments: Matanuska-Susitna Borough
Consideration: Will need delegation; Exterior Window Pickup

Board will consider tab 31 and 32 in block. Bailey S. moves to approve with delegation, Bruce S. seconds. None Opposed, motion carries 3-0.

M. License #30593 **Pipe and Leaf: Premium Alaskan Cannabis** **TAB 33**
Current Licensee **(from)**: Pipe and Leaf, LLC (John Hoff 100%)
New Licensee **(to)**: Pipe and Leaf, LLC (Haley Essig 75%, John Hoff 25%)
License Type: Retail Marijuana Store
Premises Address: 899 Old Steese Highway
Local Governments: City of Fairbanks; Fairbanks North Star Borough

Consideration: Will need delegation

N. License #11664	LBS	<u>TAB 34</u>
Current Licensee (from):	Suilnua, LLC (Cannaceuticals Enterprises, INC. 100%)	
New Licensee (to):	Buffalo Chase LLC(Chase Mazzoli 49%, Casey Wilkins 51%)	
License Type:	Standard Marijuana Cultivation Facility	
Premises Address:	5600 N. Cunningham Road	
Local Governments:	Matanuska-Susitna Borough	
Consideration:	Will need delegation	

● **LICENSE CONVERSION APPLICATIONS**

A. License #32497	Arctic Ice Extracts	<u>TAB 35</u>
Current License:	Arctic Ice Extracts (Formerly known as Sweet Matanuska Gold Extractions, LLC)	
Old License Type:	Marijuana Concentrate Manufacturing Facility	
New License Type:	Standard Marijuana Product Manufacturing Facility	
Premises Address:	972 N Satisfied Drive, Suite B	
Local Governments:	Matanuska-Susitna Borough	
Consideration:	Will need delegation	

Jana W Atty. for licensee present in person and Licensee Tony present on zoom. Jana W. gives overview of the conversion. Bailey motions to approve conversion, Ely C. seconds. None opposed motion carries 3-0. Bailey questions the ingredients in the smoothie product and how it will be preserved. Bailey S. moves to approve products with delegation, Ely C. seconds. None opposed, motion carries 3-0.

● **BOARD CONSIDERATION**

A. License #14619:	Denali Fire Extracts	<u>TAB 36</u>
Licensee:	Denali Fire Brown LLC	
License Type:	Marijuana Product Manufacturing Facility	
Premises Address:	6209 Mike Street	
Local Governments:	Municipality of Anchorage	
Consideration:	Licensee is asking to add nicotine to existing products	

Jana W. Atty for Licensee and Chris Owens Licensee present on zoom. Bruce S. suggests tabling this application to the next board meeting when there is a Public Health Board member present. Bailey S. moves to table to next meeting, Ely C. seconds. Bailey S. states that there are no tobacco warnings on the packaging. Ely C. is curious on the Alaska Tobacco warnings and how that will intertwine with the state laws. None opposed, motion carries 3-0.

B. License #18545:	Nome Grown LLC	<u>TAB 37</u>
Licensee:	Nome Grown LLC	
License Type:	Retail Marijuana Store	
Premises Address:	605 W. 2 nd Ave	

Local Governments: City of Nome
Consideration: **Revised MJ 14 with a MJ-31 Walk or Drive Through Exterior window**

Background: *At the August 2023 Board Meeting in Nome. Bruce S. motions to approve the operating plan change with delegation to submit the amended MJ-31 with the director's delegation to approve it. Eliza M. seconds. Investigator Johnson speaks of Enforcement's concerns, there are two separate buildings and addresses. There is a discussion about the window in the cultivation and removal of product from restrictive area to non-restrictive areas. Bruce S. motions to amend the motion to table consideration of this issue to the November meeting. Eliza M. seconds. None opposed, motion passes.*

Jana W. Licensee present in person, Gregory Smith License present on zoom. Jana gives overview on the premises and changes that were complete that were requested by the board. Ely C. asks how to consider the different types of vehicle traffic ie, all-terrain vehicles, snow machine. Licensee responds that they will allow all vehicles and strict protocols in place and will adjust if needed. Licensee gives overview of the premises and addresses the concerns of the chair. Enforcement states they have no issues with the window since the licensee had addressed the changes requested. Bailey S. moves to approve, Ely C. seconds. Bailey comments he's gone above and beyond. None opposed, motion carries 3-0.

C. License #36580: **The Tufted Puffin** **TAB 38**
Licensee: The Tufted Puffin LLC
Premises Address: 408 Port Ave
Local Governments: City of Seward; Kenai Peninsula Borough
Consideration: **Additional Objections received during objection period
Premises Diagram issues**

Jana W. Atty for Licensee along with Licensees Randy and Jennifer Well present in person. Jana W. provides overview. Discussion on the regulation of having a wall dividing for the consumption for edibles only. Board agrees to continue with the approval of this License with the consideration that the onsite consumption of edibles is not allowed due to the regulation. Licensee will work with enforcement when a barrier is in place. The board acknowledges the objections that were received after the January board meeting and have no need to take further action into it.

D. License #37255: **Double Eagle Cannabis** **TAB 39**
Licensee: Essenkay, LLC
Premises Address: 2500 Spenard Road Unit B
Local Governments: Municipality of Anchorage
Consideration: **Retail application with Exterior window pick-up
Municipality of Anchorage does not allow for exterior window**

Jana W. Atty. present in person, gives overview of the application. The Municipality of Anchorage voted against the drive through the drive through already exists on this premises. Jana asks that the state approve it with the understanding that it won't be approved until the code is changed. Bailey S. motions to approve with delegation on the retail. Ely C. seconds. None opposed, motion carries. Bailey S. moves to approve the retail application with delegation on the exterior drive-up window. None opposed, motion carries 3-0.

E. License #10094: **Alaskabuds, LLC** **TAB 40**

Licensee: Alaskabuds, LLC
Premises Address: 1005 E 5th Ave
Local Governments: Municipality of Anchorage
Consideration: MJ-31 Exterior Window/Drive Thru Application
Municipality of Anchorage does not allow for exterior window

Nick Miller, Licensee present in person. Nick Miller gives overview of the application. A discussion with the drive-up window and the municipality. Nick M. states in January the Municipality had voted to not allow drive throughs or walk-up windows, before that time they were specifically allowed, and he had applied prior to that time. Nick M. states that he invested time and money on the window and before January it was allowed. Nick M. believes that the drive up had already been approved in December for anchorage. Director counters the statement, stating the cities was unaware that they had to disallow them since the because the was no prohibition in marijuana regulations permitting them. Nick M. believes that the municipality regulations say that they are allowed for marijuana when the state allowed it, states they specifically take them out. Bailey moves to approve the exterior window drive up application with delegation. Ely C. seconds. None opposed, motion carries, 3-0.

Recess at 11:32

Reconvene at 11:45

● **2023/2024 Renewals**

TAB 41

Licensee: FSE, Inc

A. License #20827:

Good Titrations

License Type:

Retail Marijuana Store

Premises Address:

506 Merhar Ave Fairbanks, AK 99701

Local Government: City of Fairbanks

B. License #20829

Good Titrations

License Type:

Standard Marijuana Cultivation Facility

Premises Address:

506 Merhar Ave Fairbanks, AK 99701

C. License #10886

Good Titrations

License Type:

Marijuana Product Manufacturing Facility

Premises Address:

1770 Donald Ave Suite B Fairbanks, AK 99701

Consideration: MJ-18 Residency Verification: Licensee Billy Jo Gehrig – Appeal of a Denied MJ18 verification

Jana W. Atty. for Licensee. Licensee is present on the attorney's phone. Jana gives overview and provides a MJ20a waiver, as the licensee. Investigator Jeffrey R. gives overview of his discussion with the licensee. A discussion regarding PFD and her residency. Bailey S. motions to table this renewal to the June meeting. Ely. C is up for tabling the application until the June meeting, he currently doesn't believe that she is doesn't qualify to be a resident in Alaska. Bruce S. in inclined to agree and open to table the application. Jana W. Atty. requests that the board table it to come up with another alternative. Bailey S. motions to table to the June meeting with full board. Ely C. seconds. None opposed, motion carries 3-0.

● **FEES DISCUSSION**

Maya A. brings to the board a discussion on fees for fiscal 2025.

● **BOARD REQUESTS (IF ANY)**

Bailey S. moves to open a regulations project at 306.100 regarding fees with priority on renewal fees and reducing fees and refundability. Ely C. seconds. Board discussion on fees and biennial fees. None opposed, motion carried 3-0.

Bailey S. moves to open a regulations project at 306.370 for the refined onsite consumption for edibles only. Ely C. seconds. None opposed, motion carries 3-0.

Bailey S. moves to open a regulation project to look at emergency family regulations to allow, in certain cases, children into facilities. Kevin H. gives input on possibly how to address this issue, mentions necessity defense. Board discussion on if this should be a regulations project or board policy. No seconds.

● **MARIJUANA MAILBOX**

TAB 42

All correspondence received in the Board's inbox from January 19, 2024, to April 5, 2024.

Bruce S. comments on the medical marijuana issue on mailbox. No other comments.

● **ADDITIONAL PUBLIC TESTIMONY**

Jana Weltzin and Jason Brandeis, Attorneys representing the industry present in person, speaks on Management Agreements.

Jason Brandeis, Atty for the industry present in person, speaks on Medical Marijuana.

Lacey Wilcox, Licensee present on zoom, speaks on the minors allowed in the premises and raising a family in the industry.

Ryan Tunseth, AMIA Representative present on zoom, Congratulations to Ms. Stewart. Continue to advocate for HB119. Support the extension of the MCB and anything to move SB234 along. Thank you to the staff.

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 mcb.amco@alaska.gov

● **BOARD COMMENTS**

Bailey S.: To the industry when you receive a Notice of Violation, please acknowledge it, and respond. Happy to be here and represent the industry.

Ely C.: No board comments.

Bruce S.: Thanks Bailey S. and staff. Inclined to 1 day meeting if Utqiagvik.

- **NEXT MARIJUANA CONTROL BOARD MEETING**

The next meeting is scheduled for June 26-27, 2024, Utqiagvik. The deadline for complete applications is June 7, 2024.

- **ADJOURN**

1:28 pm Adjourned.