

Alabama Medical Cannabis Commission Meeting

Minutes

December 1, 2023

The Alabama Medical Cannabis Commission met on December 1, 2023, at the Alabama State House, room 200. The meeting was called to order by Chairman Rex Vaughn at 1:02 P.M. Chairman Vaughn announced that the Commission would stand in recess until members who were delayed by traffic could join. The Chairman reconvened the meeting at 2:00 P.M.

Chairman Vaughn led the Commission's invocation. The roll was taken with a quorum present. Commission members present for the meeting were Mr. Rex Vaughn, Dr. William Saliski, Dr. Sam Blakemore, Mr. Dwight Gamble, Dr. Eric Jensen, Ms. Loree Skelton, Judge Charles Price, Ms. Taylor Hatchett, Mr. James Harwell, Dr. Jerzy P. Szaflarski, and Mr. Dion Robinson. Dr. Angela Martin was absent from the meeting. Dr. Jimmie Harvey was not present for the roll call at the opening of the meeting; however, he arrived prior to the Commission's consideration of processor applicants and was present from that point forward.

Chairman Vaughn presented the minutes from the October 26, 2023, Commission meeting. A motion to approve the minutes was made by Dr. Saliski, seconded by Dr. Jensen, and received unanimous approval by the Commission.

Chairman Vaughn presented the minutes from the November 27, 2023, Commission meeting. A motion to approve the minutes was made by Mr. Gamble, seconded by Dr. Blakemore, and received unanimous approval by the Commission.

Chairman Vaughn presented the minutes from the November 28, 2023, Commission meeting. A motion to approve the minutes was made by Mr. Gamble, seconded by Dr. Jensen, and received unanimous approval by the Commission.

Chairman Vaughn presented the minutes from the November 29, 2023, Commission meeting. A motion to approve the minutes was made by Mr. Harwell, seconded by Dr. Jensen, and received unanimous approval by the Commission.

Chairman Vaughn thanked Commission members and applicants for participating in presentations on November 27-29. He noted that applicants were not obligated to make presentations and that they would still be subject to an award of a license even if they did not participate in the presentations. Chairman Vaughn then recognized Mr. Justin Aday to discuss the procedures and process for the meeting.

Mr. Aday began by reviewing several aspects of the emergency rule (538-X-3-.20ER) adopted by the Commission at its October 12, 2023, meeting. He reminded members that their licensing decisions were to be made without regard to the previous third-party scores as detailed in the litigation settlement. He reminded members that an applicant's failure to make a presentation does not preclude the applicant from being considered for licensure. He also noted that applicants were provided an opportunity to show cause in response to potential pass/fail notations identified by the Commission. He explained that for the license categories being

considered by the Commission during this meeting (cultivator, processor, dispensary, state testing laboratory and secure transporter), fifteen applicants were sent a pass/fail show cause notice and four of those applicants failed to submit a response. He referenced the summary of pass/fail show cause responses included in the Commissioners' packet.

Mr. Aday also discussed the procedures provided in the emergency rule for ranking and voting on applicants who are subject to an award of license. He explained that once pass/fail matters are disposed of, Commissioners would be provided a ranking sheet per license category. He further explained that Commissioners will rank applicants in descending order by assigning a unique numerical ranking for each applicant. He reminded Commissioners that all rankings shall give due consideration to all statutory and regulatory criteria. In addition, he noted that Alabama Code §20-2A-51(b) requires that, in the categories being considered, at least one-fourth of all licenses be awarded to minority applicants.

Mr. Aday explained that compiled ranking sheets would be collected, compiled, and sorted in descending order. The Commission would then consider the applicants in order based on their average rank value until all applicants have been considered or until the statutory license limit has been reached. He noted that members joining by Zoom would receive the ranking sheet at the same time as those participating in person and that those members would respond with their rankings via email. In conclusion, he reminded members that the compiled rankings, identifying each applicant and commissioner, would be made available for public inspection after the meeting and posted on the AMCC website.

Chairman Vaughn then moved to discuss the four applicants who failed to respond to their pass/fail show cause notices. Those applicants included First Choice Farms, LLC (cultivator), Alabama Green Transport, LLC (secure transporter), Global Security Group, Inc. (secure transporter), and ALA Labs (state testing laboratory). A motion to eliminate the four applicants who did not respond to the pass/fail show cause notice was made by Dr. Saliski, seconded by Dr. Jensen and received unanimous approval from the Commission.

Chairman Vaughn moved to consider the eleven applicants who submitted a response to the pass/fail show cause notice. He reminded members that the applicants' responses were included in the Commissioners' materials. He opened the floor to consider eliminating any one or more of the eleven applicants. With no further discussion or motions made, the Commission continued with its subsequent decision items.

Cultivator ranking sheets were distributed, completed, collected, and compiled. Each Commissioner was provided a list of cultivator applicants in order of their average ranking. The Commission proceeded to consider the award and denial of cultivation licenses.

After receiving the compiled and averaged rankings it was determined that the highest-ranking applicants, CRC of Alabama, LLC and Greenway Botanicals, LLC received the same average ranking. Subsequently, pursuant to Rule 538-X-3-.20(ER), a drawing was held to determine the order for which those two applicants would be considered. The drawing determined that CRC of Alabama, LLC would be considered first.

Chairman Vaughn presented CRC of Alabama, LLC. Mr. Harwell made a motion to award CRC of Alabama, LLC a cultivator license. A second was made by Dr. Blakemore and the applicant received approval by the Commission. Ms. Skelton was present but did not vote.

Chairman Vaughn presented Greenway Botanicals, LLC. Dr. Blakemore made a motion to award Greenway Botanicals, LLC a cultivator license. A second was made by Mr. Gamble and the applicant received approval by the Commission. Ms. Skelton was present but did not vote.

Chairman Vaughn presented Gulf Shore Remedies, LLC. Dr. Jensen made a motion to award Gulf Shore Remedies, LLC a cultivator license. A second was made by Dr. Saliski and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented Native Black Cultivation, LLC. Mr. Gamble made a motion to award Native Black Cultivation, LLC a cultivator license. A second was made by Ms. Skelton and the applicant received approval by the Commission. Dr. Saliski voted against the motion.

Chairman Vaughn presented Creek Leaf Wellness, Inc. Dr. Blakemore made a motion to award Creek Leaf Wellness, Inc. a cultivator license. A second was made by Mr. Gamble and the applicant received approval by the Commission. Chairman Vaughn voted against the motion.

Chairman Vaughn presented Twisted Herb Cultivation, LLC. Mr. Gamble made a motion to award Twisted Herb Cultivation, LLC a cultivator license. A second was made by Dr. Jensen and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented I AM FARMS. Judge Price made a motion to award I AM FARMS a cultivator license. A second was made by Dr. Saliski and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented Blackberry Farms, LLC. There was no motion to award Blackberry Farms, LLC a cultivator license.

Chairman Vaughn presented Pure by Sirmon Farms, LLC. Dr. Szaflarski made a motion to award Pure by Sirmon Farms, LLC a cultivator license. The motion failed due to lack of a second.

Chairman Vaughn presented Sanitus, LLC. A motion to award Sanitus, LLC a cultivator license was made by Dr. Jensen and seconded by Judge Price. The motion failed with Chairman Vaughn, Dr. Blakemore, Dr. Saliski, Mr. Gamble, Ms. Hatchett, Mr. Harwell, and Dr. Szaflarski voting against the motion.

Chairman Vaughn presented James Gang Dispensary, LLC. There was no motion to award James Gang Dispensary, LLC a cultivator license.

Having considered all cultivator applicants, processor ranking sheets were distributed, completed, collected, and compiled. Each Commissioner was provided a list of processor applicants in order of their average ranking. The Commission proceeded to consider the award and denial of processor licenses in descending rank order.

Chairman Vaughn presented Organic Harvest Lab, LLC. Mr. Harwell made a motion to award Organic Harvest Lab, LLC a processor license. A second was made by Ms. Skelton and the applicant received approval by the Commission. Dr. Szaflarski voted against the motion.

Chairman Vaughn presented Coosa Medical Manufacturing. Dr. Blakemore made a motion to award Coosa Medical Manufacturing a processor license. A second was made by Ms. Skelton and the applicant received approval by the Commission. Chairman Vaughn, Dr. Jensen, Dr. Szaflarski, and Dr. Harvey voted against the motion.

Chairman Vaughn presented 1819 Labs, LLC. Dr. Jensen made a motion to award 1819 Labs, LLC a processor license. A second was made by Mr. Gamble and the applicant received approval by the Commission. Chairman Vaughn, Dr. Saliski, and Ms. Skelton voted against the motion.

The compiled and averaged rankings reflected that Enchanted Green, LLC, and Jasper Development Group Inc. received the same average ranking. Subsequently, pursuant to Rule 538-X-3-.20(ER), a drawing was held to determine the order for which those applicants would be considered. The drawing determined that Jasper Development Group, Inc. would be considered first.

Chairman Vaughn presented Jasper Development Group, Inc. Dr. Jensen made a motion to award Jasper Development Group, Inc. a processor license. A second was made by Dr. Blakemore and the applicant received approval by the Commission. Ms. Skelton and Judge Price voted against the motion.

Following the previous vote, Chairman Vaughn noted that the Commission had awarded the statutory limit of processor licenses. Dr. Saliski raised a procedural question regarding whether the Commission was able to vote on the other processor applicant who tied for the fourth position (Enchanted Green, LLC) to see which of the tied applicants received the highest number of affirmative votes. Chairman Vaughn recognized Mr. Mark Wilkerson to address Dr. Saliski's question. Mr. Wilkerson advised the Commission that any such action would require a prevailing motion to reconsider the previous vote. There was no further discussion or motion regarding processor licenses.

Next, dispensary ranking sheets were distributed, completed, collected, and compiled. Each Commissioner was provided a list of dispensary applicants in order of their average ranking. The Commission then moved to consider the award and denial of dispensary licenses in descending rank order.

Chairman Vaughn presented CCS of Alabama, LLC. Mr. Harwell made a motion to award CCS of Alabama, LLC a dispensary license. A second was made by Ms. Skelton and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented GP6 Wellness, LLC. Mr. Gamble made a motion to award GP6 Wellness, LLC a dispensary license. A second was made by Dr. Jensen and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented Capitol Medical, LLC. Mr. Harwell made a motion to award Capitol Medical, LLC a dispensary license. A second was made by Ms. Skelton and the applicant received approval by the Commission. Chairman Vaughn, Dr. Blakemore, Dr. Saliski, Dr. Szaflarski, and Dr. Harvey voted against the motion.

Chairman Vaughn presented RJK Holdings AL, LLC. Dr. Blakemore made a motion to award RJK Holdings AL, LLC a dispensary license. A second was made by Dr. Saliski and the applicant received approval by the Commission. Dr. Jensen, Ms. Skelton, and Judge Price voted against the motion.

Following the previous vote, Chairman Vaughn noted that the Commission had awarded the statutory limit of dispensary licenses. The Commission proceeded to consider secure transport applicants.

Ms. Hatchett made a motion to consider awarding all secure transporter applicants a license since there is no statutory limit on the number of secure transport licenses that the Commission may award. A second was made by Judge Price. The motion failed with Chairman Vaughn, Dr. Blakemore, Dr. Saliski, Dr. Jensen, Ms. Skelton, and Dr. Harvey voting against the motion.

Secure Transporter ranking sheets were then distributed, completed, collected, and compiled. Each Commissioner was provided a list of secure transport applicants in order of their average ranking. The Commission proceeded to consider the award and denial of secure transporter licenses in descending order.

Chairman Vaughn presented Alabama Secure Transport, LLC. Dr. Saliski made a motion to award Alabama Secure Transport, LLC a secure transporter license. A second was made by Ms. Skelton and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented Tyler Van Lines, LLC. Dr. Blakemore made a motion to award Tyler Van Lines, LLC a secure transporter license. A second was made by Mr. Gamble and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented Pick Up My Things. Ms. Skelton made a motion to award Pick Up My Things a secure transporter license. A second was made by Dr. Jensen and the applicant received unanimous approval by the Commission.

Chairman Vaughn presented International Communication, LLC. Dr. Jensen made a motion to award International Communication, LLC a secure transporter license. A second was made by Dr. Szaflarski and the applicant received approval by the Commission. Dr. Saliski voted against the motion.

Chairman Vaughn presented Soraya Schultz. A motion to award Soraya Schultz a secure transporter license was made by Ms. Hatchett and seconded by Mr. Gamble. The motion failed with Chairman Vaughn, Dr. Blakemore, Dr. Saliski, Dr. Jensen, Ms. Skelton, Judge Price, Mr. Harwell, Dr. Szaflarski, and Dr. Harvey voting against the motion.

Chairman Vaughn presented XLCR, Inc. A motion to award XLCR, Inc. a secure transporter license was made by Dr. Jensen and seconded by Ms. Hatchett. The motion failed with Chairman

Vaughn, Dr. Blakemore, Dr. Saliski, Ms. Skelton, Judge Price, Mr. Harwell, Dr. Szaflarski, and Dr. Harvey voting against the motion.

Chairman Vaughn presented Harvell Motor Company, Inc. There was no motion to award Harvell Motor Company, Inc. a secure transporter license.

Having considered all secure transporter applicants, the Commission proceeded to consider the award and denial of state testing laboratory licenses.

With there only being one state testing laboratory applicant, Chairman Vaughn presented Certus Laboratories. Dr. Jensen made a motion to award Certus Laboratories, LLC a state testing laboratory license. A second was made by Ms. Skelton and the applicant received unanimous approval by the Commission.

Chairman Vaughn asked for a motion to deny all applications in the license categories previously considered (cultivator, processor, dispensary, secure transporter and state testing laboratory) from applicants who were not awarded a license. A motion to deny such applicants was made by Mr. Gamble, seconded by Dr. Jensen, and received unanimous approval by the Commission.

Chairman Vaughn noted that applicants who had been awarded a license would be invoiced for the required license fee and that the AMCC staff would be coordinating pre-issuance site inspections. He also noted that those applicants who had been denied a license have until December 15, 2023, to request an investigative hearing. Concluding his remarks, Chairman Vaughn encouraged members to review materials and participate in the upcoming integrated facility applicant presentations.

There being no further business, a motion to adjourn was made by Judge Price, seconded by Ms. Skelton, and unanimously approved by the Commission. The meeting adjourned at 4:18 P.M.

Approved on: _____

Secretary: _____