

North Carolina Industrial Hemp Commission

MINUTES

April 6, 2017 2:00 PM

Telephone / Internet Conference Call

| Commission attendees | Other official attendees |
|----------------------|--|
| | |
| Guy Carpenter | Vernon Cox, Plant Industries |
| Chief Tony Godwin | Jon Lanier, NCDA&CS |
| Billy McLawhorn | Ann Brown, NCDOJ |
| Tom Melton, PhD | Lori Pfister, Research Stations Division |
| Sheriff Sam Page | |
| Fen Rascoe | |
| Pat Short | |
| Sandy Stewart, PhD | |
| Guochen Yang, PhD | |

Call to Order – Dr. Tom Melton, Chair

- Roll-call: Carpenter, Rascoe, Short, Stewart, and Melton are heard. Godwin, McLawhorn, Page and Yang not heard.

Statement Concerning Conflicts of Interest – Dr. Tom Melton, Chair

Opening Statement – Dr. Tom Melton, Chair

- **Janyne** – having technical difficulties
- **Stewart** – Sherriff Page has contacted Sandy via cell phone about unable to contact.

Recognition of Conference Call – Dr. Tom Melton, Chair

- Express the necessity of each speaker identifying himself each time he speaks on the call.
- What to Expect - conditions on the call for Commissioners and Listening guests.

Approval of Minutes from March 29, 2017 meeting – Dr. Tom Melton, Chair

- Melton calls for a motion to approve the minutes from the March 29th meeting? *Carpenter makes the motion, Short seconds it. Unanimous vote.*

Old Business

- Discussion of response to DEA inquiry
Stewart – letter was sent asking for clarification of application of federal laws as it relates to interstate movement of seed or harvested plant material. There has been no response in writing or verbal.
- Consideration of new license applications & consideration of tabled license applications from 3/29/17 meeting.
Melton – call for motion to approve or deny this group pf applications. *Short makes the motion to approve this group, Rascoe seconds it.* Melton reads the names of applicants: Jason O’Neil Chaffin, James Andrew Deaton, Sarah Diane Stokes, Timothy Jake Weavil, Brad Ward, Jacob Lee Weavil, Daniel Todd Wilkerson. *Votes in favor – Carpenter, McLawhorn, Page, Rascoe, Short, Stewart. Approved.*
Melton – addresses the Group 2 has the same issue as the previous meetings concern with the seed source stated as internal to the US. *Stewart – makes a motion to table this round of applications as well as leave the previously tabled applications at this time while directing the Plant Industry Division to contact these applicants to see if they would change their seed source until this situation with the DEA is further clarified. McLawhorn seconds the motion.*

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Guy Carpenter Chief Tony Godwin Billy McLawhorn

Sheriff Sam Page Fen Rascoe Pat Short Dr. Guochen Yang

Discussion: **Stewart** – the communication we have had with the DEA at this time has been limited to them seeing the seed movement across state line as illegal. While we see the federal law differently we would continue to seek more clarity. At this time by approving these licenses the feeling is the IHC would be placing these applicants in jeopardy of violating federal law in the eyes of the DEA. **Rascoe** – has some information to share. Suggests Executive Session. **Brown** – if you want to receive advice from your counsel regarding matters of possible litigation you can go into executive session. *Rascoe makes the motion to go into executive session. Short seconds motion. Votes in favor – Carpenter, McLawhorn, Page, Rascoe, Short, Stewart. Approved.*

{Due to technical difficulties Chairman Dr. Melton suggest the commission move on in topics while they wait for the private executive break-out internet meeting.}

- Permanent Rule Making
Melton – The commission needs to begin considering any changes that need to be made to the rules. One such change would be at the counsel of the both the university and of the commission the rules could to be amended to include the university labs to do more research. **Brown** – efforts are being made to explore some of the issues and concerns with the university programs and seed source issues, ways to coordinate to work with the university as a pilot program. Questions if there's a need of legislative changes or how we see the program working? These are a lot of the same issue working with the DEA. **Lanier** – agrees with Anne. **Melton** - a researcher wants to do some lab work. There's some question as to whether the rules allow this. We may be able to adopt this in the permanent rules. If there are any other changes to these temporary rules we need to begin that conversation. Requests that all come to the next meeting with information regarding the rules.
- Chief Tony Godwin and Sherriff Sam Page are present and audible.

The selected individuals are brought into a separate internet meeting for the executive session. Minutes recorded on separate document.

- The meeting resumes:

Roll-call: Carpenter, Godwin, McLawhorn, Page, Rascoe, Short, Stewart, and Melton are heard. Yang not heard.

Melton makes a call for a motion for session to go back into public session. *Carpenter makes the motion. Rascoe seconds, Unanimous vote.*

- **Stewart** – restates his motion to table the group 2 applicants from today as well as the previously tabled group, while asking the PID to contact those applicants to consider changing their seed source to potentially be approved at the next meeting. McLawhorn had seconded this motion. Discussion: **Melton** – Concern is how long can these applications be tabled? How easily is it to change seed sources? Also, the consideration is the desire to get clones for the CBD oil growers. **Stewart** – is not certain that the cloning and interstate movement is completely out, but at this time. If circumstances change the licensees have the time to change their seed source if that happens. **McLawhorn** - expediency is the key. **Carpenter** – completely agrees that he doesn't want to do anything wrong but wants to side with the farmers. **Short** – expresses the lack of ability to see a quick end to this. **Page** – question if the persons that have been tabled have 30 days' notice to offer the PID that the seed source is different, can they feasibly change that request within 30 days? **Stewart** – restates: how long does it take to change your intentions? Only a matter of a phone call to the Department of Agriculture. Also reminds the commission that the DAG has to go out and inspect these fields and the kind of a position it puts these inspectors in to see that the seed source is from within the US states if we

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