

STATE OF ALASKA
ALCOHOLIC BEVERAGE CONTROL BOARD
July 18, 2001

AGENDA

1. **ADMINISTRATION**

- a) Approve Board minutes of April 25, 2001.
- b) Delegate to the director tie-breaking vote.

Approved

1A

2. **ADMINISTRATIVE MATTERS**

A. Informal Conferences

Corner Bar; Mitchell & Kathleen Demientieff

Case No. 01-05

Attachment #2-A

14 days suspension of license with all but 3 days suspended, \$1,000 fine with all but \$300 suspended, 2 years probation.

B. Hearing Officer Decisions

Fireweed Baker & Café; Fireweed Bakery & Café Inc.

Case No. 00-05

Attachment #2-B

Decision Adopted in Entirety.

2A

C. Settlement Agreement

D. Suspensions

E. Miscellaneous

Personal appearance by Jay Ramras re: Compliance Checks.

- Operator feedback regarding compliance checks/stings
- Server convicted last year and this year – letters to file from employees
- Compliance checks a good general idea – but in practice when it happens it creates paranoia and inequities

1A

3. **CONSENT AGENDA**

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- A. **Restaurant Designation Permits;** Board consideration of staff recommendations.

Attachment #3-A

- B. 01/02-1348 **Channel Bowl;** Alaska Bowl Inc; Pres-Lawton H Knight; VP/Sec-Teresa M Knight; 608 Willoughby Ave-Juneau; transfer of **ownership** of a beverage dispensary license from Channel Bowl Inc.

All statutory requirements have been met. City & Borough of Juneau does not protest. **Final approval Security Agreement**

Attachment #3-B

- C. 00/01-3125 **Emerald Sea, M/V;** Emerald Tours Inc; Pres-Russell Mager; Sec/Tr-Nichole Bouwens; Alaskan waters; transfer of **ownership** of a seasonal common carrier license from Emerald Sea Inc.

All statutory requirements have been met. No governing body.

Final approval

Attachment #3-C

- D. 00/01-4051 **Garden Relievers;** Garden Relief LLC; Pres-Darwin Biver Jr; Cartee Fields-Anchorage; application for **new** seasonal recreational site license; postponed from August 29, 2000 meeting.

Application has been withdrawn.

Attachment #3-D

- E. 01/02-4103 **Geraldos Restaurant & Pizzeria;** Gary & Arlene Falls; 3226 Airport Way-Fairbanks; transfer of **ownership, location & name change** of a restaurant or eating place license from Jung K Correll; 3401 Airport Way; Fiestas.

All statutory requirements have been met. City of Fairbanks does not protest. **Final approval**

Attachment #3-E

- F. 01/02-4110 **Harbor's Edge Restaurant;** David Piwonski & Noreen Wood; 107 N Harbor Drive-Valdez; application for **new** restaurant or eating place, public convenience license under AS 04.11.400(g).

All statutory requirements have been met. City of Valdez approved this application. **Final approval**

Attachment #3-F

- G. 00/01-4105 **JR's Café;** JR's Café Inc; Pres-Alex Carrillo III; VP-Rudimar Pasion; Sec-Alex Carrillo Jr; Tr-Reynaldo Jose; 9400 Glacier Hwy-Juneau; transfer of **ownership, location & name change** of a restaurant or

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eating place license from Valley Restaurant LLC; 9320 Glacier Hwy;
Valley Restaurant.

Application has been withdrawn.

Attachment #3-G

- H. 00/01-1632 **Jack Sprat**; Weits III LLC; Managing member-Frans R Weits; Olympic Circle Unit #1-Girdwood; transfer of **ownership & name change** of a restaurant or eating place license from Silva Juric; Adria Diner & Bakery.

All statutory requirements have been met. Mun. of Anchorage does not protest. **Final approval**

Attachment #3-H

- I. 01/02-3334 **Klondike Express, M/V**; E Bradford & Helen L Phillips; Alaska waters; transfer of **ownership** of a seasonal common carrier license from Yukon River Cruises Inc.

All statutory requirements have been met. No governing body.

Final approval

Attachment #3-I

- J. 01/02-2739 **Lacie's Pizza**; Willaim D & Patricia A Gillen; 1801 Parks Hwy-Wasilla; transfer of **ownership & name change** of a restaurant or eating place license from Vision Restaurant LLC; Godfather's Pizza #2507.

All statutory requirements have been met. City of Wasilla does not protest. **Final approval**

Attachment #3-J

- K. 01/02-4113 **Radiance of the Sea, M/V**; Royal Caribbean Cruises Ltd; Pres-Jack Williams; VP/CFO-Richard Glasier; VP/Tr-Bonnie Biumi; VP/General Counsel-Michael Smith; Alaskan waters; application for **new** seasonal common carrier license.

All statutory requirements have been met. No governing body.

Final approval

Attachment #3-K

- L. 01/02-4126 **Zaandam, M/V**; Holland America Line-Westours Inc; Pres-Alton Lanterman; VP/Finance-Larry Calkins; Sec-Daniel Grausz; Tr-Todd Kimmel; Alaskan waters; application for **new** seasonal common carrier license.

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All statutory requirements have been met. No governing body.

Final approval

Attachment #3-L

- M. 01/02-4111 **Wilderness Express Railcars #1 & #2**; Royal Celebrity Tours Inc; Pres-Craig Milan; VP/Ops-Bob Stone; Sec-Michael Smith; Tr-Bonnie S Biuni; application for two (2) **new** seasonal common carrier licenses.

All statutory requirements have been met. No governing body.

Final approval

Attachment #3-M

- N. 00/01-0996 **Yukon Spirits**; Yukon Spirits LLC; Managing member-Kevin Tubbs; Member-Randy T Kaer; 3801 Old Seward Hwy-Anchorage; transfer of **ownership & name change** of a package store license from Safeway Inc; Safeway #406.

All statutory requirements have been met. Mun. of Anchorage does not protest. **Final approval**

Attachment #3-N

- O. 01/02-3077 **Panda Restaurant**; Hyun Sook Ko; 605 E Northern Lights Blvd-Anchorage; transfer of **ownership** of a restaurant or eating license from Su Ku Lee.

All statutory requirements have been met. Mun. of Anchorage does not protest.

- P. 01/02-4116 **Discovery, M/V**; Dean W Rand; Alaskan waters; application for a **new** seasonal common carrier license; background not completed.

All statutory requirements have been met. No governing body. **Final approval**

Attachment #3-P

- Q. 01/02-4115 **Clipper Odyssey, M/V**; New World Ship Management Co LLC; PV/Marine Operations & Sec-Gary E Welsh; VP/Hotel Operations-John Dalton; Alaskan waters; application for **new** seasonal common carrier license.

And

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- R. 01/02-4114 **Yorktown Clipper, M/V**; same as above; **new** seasonal common carrier license.

All statutory requirements have been met. No governing body. **Final approval** Attachment #3-R

- S. 01/02-3944 **Ketchikan Brewing Co**; Ketchikan Brewing Co LLC; Managing Member-Kevin Canon; 607 Mission Street-Ketchikan; brewery license.

Voluntary relinquishment

And

- T. 01/02-4131 **Ketchikan Brewing Co**; Ketchikan Brewing Co LLC; Managing Member-Kevin Cannon; 602 Dock Street #101-Ketchikan; application for **new** brewpub license.

And

- U. 00/01-4130 **Ketchikan Brewing Co**; same as above; transfer of **ownership, location & name change** of a beverage dispensary license from Spruce Mill Development Co Ltd; #5 Salmon Landing; Kingfisher Bar.

All statutory requirements have been met. City of Ketchikan does not protest. **Final approval** Attachment #3-U

- V. 01/02-2113 **Ichiban Restaurant**; Pyung Ki & Mi Kyong Kim; 2488 E Tudor Road-Anchorage; transfer of **ownership** of a restaurant or eating place license from Tien Min & Young Sook Tang.

All statutory requirements have been met. Mun. of Anchorage does not protest. **Final approval** Attachment #3-V

- W. 01/02-3800 **Iris Café & Saloon, The**; Melodee A Weber; 900 Noble St-Fairbanks; transfer of **ownership & name change** of a beverage dispensary license from Jack I O'Brien; Golden Nugget Grill.

All statutory requirements have been met. City of Fairbanks does not protest. **Final approval** Attachment #3-W

- X. 00/01-1508 **Dillinger's Hide Out Lounge**; Pacific Rim Associates LLC; Managing Member-Michael M Vivlamore; Member-Gerald N Ganatos; 720 Old

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Steese Hwy-Fairbanks; transfer of **ownership & name change** of a beverage dispensary license from Alaska Pacific Properties Inc; Back Door Lounge.

All statutory requirements have been met. City of Fairbanks does not protest.

- Y. 01/02-4109 **Fu-Do Restaurant**; Mong Chen Inc; Pres-Dana Y Ma; 2600 E Tudor Rd-Anchorage; transfer of **location & name change** of a beverage dispensary license from no premises; Ah Sa Wan.

All statutory requirements have been met. Mun. of Anchorage does not protest. **Final approval**

Attachment #3-Y

- Z. 01/02-3711 **Panda Express**; Richie B Chung; 800 E Dimond Blvd #241-Anchorage; transfer of **ownership** of a restaurant or eating place license from Joe-Yong Yun.

All statutory requirements have been met. Mun. of Anchorage does not protest. **Final approval**

Attachment #3-Z

- AA 00/01-4050 **Oriental Garden**; Wei Neng Huang; 2960 C Street-Anchorage; transfer of **ownership** of a restaurant or eating place license from Young Sook Kim.

All statutory requirements have been met. Mun. of Anchorage does not protest. **Final approval**

Attachment #3-AA

- BB 01/02-0810 **Mike's Elbow Room**; Abbott & Abbott LLC; Managing Member-Michael W Abbott; Member-A. Norene Abbott; 108 Main Street-Ketchikan; transfer of **ownership & name change** of a beverage dispensary license from Bill & Sally Smart; 108 Cocktail Bar.

All statutory requirements have been met. City of Ketchikan does not protest. **Final approval**

Attachment #3-BB

- CC 00/01-0419 **Bostons**; Goethe LLC; Managing Member-Richard Helwing; Member-Tiro Alaska Ltd; Member-BTCT Holdings (US) Ltd; no premises-Fairbanks; transfer of **ownership, location & name change** of a

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beverage dispensary license from Jack O'Brien; 500 First Ave; Gold Exchange Bar & Grill (2 waivers for license-1999 & 2000).

All statutory requirements have been met. City of Fairbanks does not protest.

DD 01/02-4121 **El Mariachi**; Michelle Mendez; 541 Third Avenue-Fairbanks; application for **new** restaurant or eating place license.

All statutory requirements have been met. City of Fairbanks does not protest.

Attachment #3-DD

EE 01/02-1510 **K & L Distributors**; K & L Distributors Inc; Pres/Ceo-Daniel Levine; Chairman-Mark Levine; ExVP-Stanley Levine; Sec/Tr-Paul Thieme; 6307 Arctic Spur Road-Anchorage; transfer of **ownership** (corporate stock) of a general wholesale license from K & L Distributors Inc.

And

FF 01/02-0617 **K & L Distributors**; same as above; 945 Elizabeth St-Fairbanks; general wholesale license.

And

GG 01/02-4081 **K & L Distributors**; same as above; 8420 Airport Road-Juneau; wholesale, malt beverage & wine license.

And

HH 01/02-3704 **K & L Distributors**; same as above; 2501 E Valley Road-Renton WA; general wholesale license.

All statutory requirements have been met. Mun. of Anchorage, City of Fairbanks & City & Borough of Juneau do not protest.

II 00/01-0251 **Club Bottle Shoppe, The**; Lerberg Inc; Pres-Erik Tonnegard; Sec-Diane Ronnegard; 504 First Avenue-Cordova; package store license.

Voluntary relinquishment

Attachment #3-II

JJ 01/02-4132 **Kostas Place**; Kostas Manolakakis; 606 Broadway-Unalaska; application for **new** restaurant or eating place public convenience license under AS 04.11.400(g).

All statutory requirements have been met. City of Unalaska approved this application.

Attachment #3-JJ

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End of Consent Agenda

Consent Agenda Approved

4A

4. Delegation Consent Agenda

- A. 01/02-4104 **North Star Golf Club**; North Star Golf Club Inc; Pres-Hawley Evans; VP-Star L Evans; Sec/Tr-Melinda F Evans; 330 Golf Club Drive; application for **new** golf course license; backgrounds not completed.

All statutory requirements have been met. Fairbanks North Star Borough does not protest. **Final approval**

Attachment #4-A

- B. 01/02-4125 **Whales Resort Lodge**; Whalers Lounge Inc; Pres-William R Fannemel; Sec-Tracey L Campbell; Whales Pass; application for **new** seasonal beverage dispensary license; backgrounds not completed.

All statutory requirements have been met. No governing body. Attachment #4-B

- C. 01/02-4127 **Glacial Reflections Catering**; Glacial Reflections Catering Inc; Pres-Scott Evers; VP-Sheryl Newman-Evers; Alaska railroad; application for two (2) **new** seasonal common carrier licenses; backgrounds not completed.

All statutory requirements have been met. No governing body.
Final approval

Attachment #4-C

- D. 01/02-4124 **Bremen, M/V**; HCC Hanseatic Cruise Catering Corp; Pres-Wolf-Rudiger Kratzmeir; Alaskan waters; application for **new** seasonal common carrier license; backgrounds not completed.

All statutory requirements have been met. No governing body.

Attachment #4-D

- E. 01/02-4135 **Spirit of Oceanus, M/V**; Spirit of Oceanus Ltd; CEO-Richard G West; Pres-Jeff Krida; VP-Mary Novak-Beatty; Sec-Stephan Coonrod; Alaskan waters; application for **new** seasonal common carrier license; backgrounds not completed.

All statutory requirements have been met. No governing body.

Temporary approval issued

Attachment #4-E

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- F. 00/01-1859 **Uptown Motel/Louie's**; Schilling Alaska Inc; Pres-David L Schilling; VP-Michael Schilling; Sec/Tr-Claire T Schilling; 47 Spur View Drive-Kenai; transfer of **ownership** (corporate stock) of a beverage dispensary tourism license issued under AS 04.11.400(d) from Schilling Alaska Inc; backgrounds not completed.

And

- G. 00/01-2237 **Uptown Motel/Backdoor Lounge**; same as above; beverage dispensary tourism duplicate license.

All statutory requirements have been met. City of Kenai does not protest.

- H. 01/02-4133 **China King Restaurant**; Lian De Zheng & Fang Song Lin; 639 W International Airport Rd #A1-Anchorage; application for **new** restaurant or eating place license.

All statutory requirements have been met. Mun. of Anchorage **protests** for conditional use permit. Attachment #4-H

- I. 01/02-4123 **Ding How Restaurant**; Jong Rey Lee; 1241 Muldoon Road-Anchorage; application for **new** restaurant or eating place license.

All statutory requirements have been met. Mun. of Anchorage **protests** for conditional use permit. Attachment #4-I

- J. 01/02-4139 **Petro Alaska Food Mart North**; Petro Alaska Inc; Pres-Edward B Steffen; VP-Nicholas A Gefre; Sec/Tr-Charles T Beck; 11860 N Tongass Hwy; transfer of **ownership, location & name change** of a package store license from T & E Enterprises Inc; Mile 15 N Tongass Hwy; Clover Pass Liquor Store; backgrounds not completed.

All statutory requirements have been met. Ketchikan Gateway Borough does not protest.

End Delegation Consent Agenda

Delegation Agenda Approved

5. 00/01-1586 **Bonanza Grill**; Jack I O'Brien; no premises-Fairbanks; transfer of **ownership, location & name change** of a beverage dispensary license

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from Fairbanks Motel Investments Corporation; 2223 S Cushman Street;
Overboard (3 waivers on license- 1998, 1999 & 2000).

All statutory requirements have been met. City of Fairbanks does not
protest. 1 creditor objection-Dept. of Labor Attachment #5

Approved with delegation when protests are cleared.

1A _____

6. 00/01-1186 **Korea House**; Kyung Sun Kang; 3337 Fairbanks Street-Anchorage;
transfer of **ownership** of a restaurant or eating place license from Tae
Won Park.

All statutory requirements have been met. Mun. of Anchorage does not
protest. 2 creditor objections-Dept. of Labor & Alaska Distributors.Attachment #6

Approved with delegation when protests are cleared.

4A _____

7. 00/01-1166 **Triangle Club**; Triangle Club Inc; Pres/Tr-Leann Thomas; VP/Sec-
Petre J Schneider; 251 Front Street-Juneau; transfer of **ownership**
(corporate stock transfer) of a beverage dispensary license.

All statutory requirements have been met. City & Borough of Juneau
does not protest.

Approved. Joe Thomas did not participate – conflict of interest.

4A _____

8. 01/02-4119 **An Extreme Party on Wheels**; Christopher T Toliver & Tony L
Toliver; Alaska highways; application for a **new** common carrier
license.

All statutory requirements have been met. No governing body.

Denied. Not in the public's best interest.

Attachment #8

1A _____

9. 01/02-4106 **Fireweed Restaurant**; Fireweed Bakery & Café Inc; Pres-Abraham
Gillett; Sec-Aaron McCowan; Historic Bldg #37 Blacksmith Road-
Haines; application for **new** restaurant or eating place license.

All statutory requirements have been met. City of Haines does not
protest; competing application under 15 AAC 104.110.

Attachment #9

Approved

2B

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10. 01/02-4120 **Mountain Market**; Mountain Corporation; Pres/Tr-Mary Jean Sebens; VP-John Carlson; Sec-Ron Weishahn; 151 3rd Avenue-Haines; application for **new** restaurant or eating place license.

All statutory requirements have been met. City of Haines does not protest; competing application under 15 AAC 104.110.

Attachment #10

Denied. No population to support license.

2B _____

11. 01/02-4023 **Sam McGee**; Fox Hill Investments LLC; Managing Member-James Dunlap; Member-Paul Carter; Alaskan waters; seasonal common carrier license; request to revise board conditions.

Board consideration.

Attachment #11

Amend conditions on license to allow docking at any commercially zoned facility. Other conditions remain the same.

1B _____

12. 01/02-4122 **Sternwheeler Tanana Chief**; Greatland Tours Inc; pres-Alfred Ketzler Jr; VP-Craig Ketzler; Sec-Roger Burggraf; Tr-Kal Kennedy; Alaskan waters; application for **new** seasonal common carrier license.

All statutory requirements have been met. No governing body. **Final approval Investigative report**

Attachment #12

Craig Ketzler reinstated to Board of Directors w/limited involvement in alcohol service; annual backgrd checks for 5 years.

1A & 1B

13. 01/02-4129 **Sternwheeler Riverboat Discovery II**; Alaska Riverways Inc; Pres-Charles (Skip) Binkley Jr; VP-James L Binkley; Sec/Tr-John E Binkley; Alaskan waters; application for **new** seasonal common carrier license.

All statutory requirements have been met. No governing body.

Attachment #13

Approve new license with same restrictions as previous license.

1B _____

14. 01/02-4118 **Three Bears**; L & J Enterprises Inc; Pres-Larry Weisz Sr; VP-David A Weisz; Sec/Tr-Janeen M Weisz; 10575 Kenai Spur Hwy-Kenai; transfer of **ownership, location & name change** of a package store license from Ethel D Henderson (deceased); 3.5 Mile N. Kenai Rd; Eadies Frontier Liquor; backgrounds not completed.

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All statutory requirements have been met. City of Kenai does not protest. 1 objection **Final approval** Attachment #14

Approved with delegation when objection cleared.

4A _____

15. 01/02-4085 **Aleutian Package Store**; Aleutian Package Store Partnership; Richard R Koso & Dick Jacobson; Administration Bldg-Adak; application for **new** package store license; postponed from April 25, 2001 meeting.

All statutory requirements have been met. No governing body at time of application; City of Adak. Attachment #15

Approved

5A _____

16. 00/01-4117 **Pilot House**; Pilot House Inc; Pres-Ron Bellows; VP-Marlys D Hanson; Sec/Tr-Kenneth Bellows; 485 Katlian Street-Sitka; transfer of **location** of a beverage dispensary license from 713 Katlian Street.

All statutory requirements have been met. City & Bor of Sitka does not protest. Objections Attachment #16

Approved with conditions. No live music without director's approval, 50% of gross revenues from food.

4A _____

17. 00/01-3188 **Max's Mountain Bar & Grill**; Mountain Jams Entertainment LLC; Operating/Member-Kevin C Sweeney; Sec/Member-Kevin M Penny; Tr/Member-Lorene B Young; Crow Creek Road; transfer of **ownership** of a beverage dispensary license from Edward M James.

All statutory requirements have been met. Mun. of Anchorage **protests** for taxes. Attachment #17

Approved with delegation once taxes have been paid.

4A _____

18. 01/02-1912 **Gold Rush Saloon**; O & W Corporation; Pres-Bill Williams; 3399 Peger Road-Fairbanks; transfer of **ownership** (transfer of corporate stock) of a beverage dispensary license from O & W Corporation.

Delegated at April 25, 2001 meeting pending completion of background check. **Investigative report** Attachment #18

Approved transfer with annual background checks for next 5 years. Any alcohol violations require return of license to ABC Board.

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1A _____

19. 00/01-4108 **Fred Meyer Muldoon**; Fred Meyer of Alaska Inc; Pres-Warren F Bryant; VP/Tr-Lawrence M Turner; VP/Sec-Paul W Heldman; VP/Asst.Tr-James C Aalberg; 7701 DeBarr Rd-Anchorage; transfer of **ownership, location & name change** of a package store license from Northwest Retail Ventures LLC; 5530 E Northern Lights Blvd; Alaska Marketplace #579.

All statutory requirements have been met. Mun. of Anchorage **protests** this application for taxes. 5 creditor objections Attachment #19
Approved with delegation when taxes and protests are cleared.

4A _____

20. 01/02-4134 **Bavarian Café**; Dawson L Carroll; Cabin #16 Alaskaland; application for **new** seasonal restaurant or eating place license.

All statutory requirements have been met. City of Fairbanks **protests** this application. Application has been withdrawn. Attachment #20
Read into record.

4A _____

21. 00 **TAMS**; Alcohol Server Training; request for internet version of TAMS class as alternative for classroom instruction.

Board consideration Attachment #21
Approved as alternative for CHARR/TAMS rural program.

4A _____

22. 00/01-0710 **Mecca Bar**; Donald J Bonacci; 549 2nd Avenue-Fairbanks; transfer of **ownership** of a beverage dispensary license from Donald J Burnett (deceased).

All statutory requirements have been met. City of Fairbanks does not protest.

Approved transfer.

1A _____

23. 00/01-0782 **Northward Cocktail Lounge**; Donald Burnett (deceased); Northward Building-Fairbanks; beverage dispensary license; request for extension of time to transfer license under AS 04.11.030.

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Board consideration. Attachment #23

Approved 90 day extension.

1A _____

24. 00/01-0357 **Don Jose's Mexican Restaurant;** Don Jose's LLC; no premises-
Anchorage; beverage dispensary license; 4th waiver request; fees paid.

Board reconsideration. Attachment #24

Waiver granted with understanding it will be last waiver. Must show evidence of license transfer within 120 days. All appeals have been waived by licensee.

5A _____

25. 01/02-3083 **Inlet Tower Suites;** Cherrier & King, Partner-Roland J Cherrier (deceased) & Earl S King (deceased); 1200 L Street-Anchorage; beverage dispensary tourism license issued under AS 04.11.400(d).

2001-2002 renewal Attachment #25

License forfeited. May operate with caterer's permits or application for new license within 120 days with no waiver of rights.

5A _____

26. 00/01-2184 **Point Lodge, The;** Snowshoe Corporation; Pres-Patti Billman; Sec/Tr-Dan Billman; Mile 17.2 Lake Louise Road; beverage dispensary tourism license issued under AS 04.11.400(d).

2000-01 renewal. Matanuska-Susitna Borough **protests** for unpaid taxes.

Attachment #26

Approved. Protest lifted. Taxes paid.

4A _____

27. 01/02-0301 **Del Rois;** James McGill, Carole McGill & Rose Sowinski; Mile 39.5 Old Palmer Hwy; beverage dispensary license.

And

28. 01/02-0302 **Del Rois;** same as above; package store license.

2001-2002 renewals Attachment #28

Denied renewal.

4A _____

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29. 00

Regulations; regulations required under AS 04.11.491(f).

Board consideration.

Attachment #29

Move forward on draft regulations.

1A _____

Date of next meeting: September 13, 2001

Location of next meeting: Anchorage