

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**November 23, 2004**  
**Agenda**

**1. ADMINISTRATION**

**Board members present: Mike Gordon; Ellen Ganley; Duane Udland; Gail Neimi**

**Board member not present: Billy Andrews**

**A. Approve Board minutes of September 14, 2004.**

**Approved 4-0**

**B. Delegate to the director tie-breaking vote.**

**Approved 4-0**

**2. ADMINISTRATIVE MATTERS**

**A. INFORMAL CONFERENCES**

**B. HEARING OFFICER DECISIONS**

**C. SETTLEMENT AGREEMENT**

**1. 04/05-708 Maverick Saloon; TAG Inc.; located at 44698 Sterling Hwy. in Soldotna; beverage dispensary license.**

Settlement of Accusation #02-13

**Attachment 2C-1**

**Approved 4-0**

**D. REVOCAION/VOLUNTARY RELINQUISHMENT/NON-COMPLIANT**

**1. 03/04-3936 Keystone Seafood Grill, The; Arctic Structures LLC; located at 401 W Egan in Valdez; restaurant/eating place – public convenience.**

Voluntary relinquishment of license.

**Attachment 2D-1**

**Read into the record.**

**E. REQUEST FORMAL HEARING SUSPENSIONS**

**F. SUSPENSION**

**G. BOARD CONSIDERATION**

**1. 03/04-876 Pit Bar, The; Davorie Kowalski; located at Mile 3.5 Seward Hwy in the Kenai Peninsula Borough; beverage dispensary license.**

**AND**

**03/04-877 Pit Bar, The; Davorie Kowalski; located at Mile 3.5 Seward Hwy in the Kenai Peninsula Borough; package store license.**

Licensee deceased; Personal Representative requests *third* 120 day extension under AS 04.11.030(c). Licensee passed away April 14, 2004.

**HISTORY: 120-day extension approved June 25, 2004 ending October 24, 2004.**

**Further extension approved until November 23, 2004 meeting.**

**Attachment 2G-1**

**Approve until February 17, 2005 meeting and review further options if necessary at that time. 4-0**

**2. 04/05-135 Last Fronter Bar, The; Rance Brannon; located at 369 Muldoon Rd in Anchorage; beverage dispensary license.**

Request 90-day extension under AS 04.11.030 due to deceased licensee.

**Attachment 2G-2**

**Approved 4-0**

**3. 04/05-4232 Kodiak Jack's; JSR, Inc.; located at 537 Gaffney in Fairbanks; beverage dispensary license.**

Licensee requests time restrictions to be lifted based on "arbitrary, capricious and unreasonable" due to similar licenses in the area without similar restrictions.

**Attachment 2G-3**

**September 14, 2004 Board meeting - No Action; staff to investigate police reports of establishment and that of similar (5) establishments in the vicinity; reconsider at November 23, 2004 Board meeting.**

**Denied 3-1**

**4. Regulations regarding the banning of Vaporizing Alcohol Devices**

**Attachment 2G-4**

**Director asked to pursue legislation; send informational letter to Governor Murkowski and Congressional Delegation.**

**5. House Bill relating to seasonal alcoholic beverage licenses.**

**Attachment 2G-5**

**Director asked to add more information (more "tourist-type activities rather than just hunting and fishing) and upgrade definition; fee is too high.**

**6. FYI – "Kudos" letter for licensing staff**

**Attachment 2G-6**

**7. Bar Code Online Server Training**

**Attachment 2G-7**

**Director asked to pursue regulatory changes.**

3. **CONSENT AGENDA Approved 4-0**

**A. 04/05-4451 El Tango;** El Tango Inc.; located at 4300 Old Seward Hwy in Anchorage; **transfer of ownership, location & name change** of a beverage dispensary license from H&H Development Inc., dba Houlihans of Alaska, located at no premises; backgrounds complete.

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

***Items B – P: WAIVERS OF OPERATION***

**B. 04/05-3188 AKLAQ;** AKLAQ Incorporated; located at no premises in Anchorage; beverage dispensary license.

1<sup>st</sup> request      2004      Fees paid      **Attachment 3B**

**C. 03/04-4334 Eagle Liquor;** Carr-Gottstein Foods Co.; located at Mile 1.5 Seward Hwy in Seward; package store license.

1<sup>st</sup> request      2004      Fees paid      **Attachment 3C**

**D. 03/04-421 Fox Roadhouse;** Ancient Aurora, Inc.; located at 2195 Old Steese N in Fairbanks North Star Borough; beverage dispensary license.

1<sup>st</sup> request      2003      Fees paid      **Attachment 3D**

**E. 03/04-2884 Fred Meyer;** Fred Meyer Stores, Inc.; located at no premises in Anchorage; package store license.

1<sup>st</sup> request      2004      Fees paid      **Attachment 3E**

**F. 04/05-411 Fort Davis Roadhouse;** Michels Business Ventures, LLC; located at 1.25 Mile E of Nome, Nome Council Hwy; beverage dispensary license.

1<sup>st</sup> request      2004      Fees paid      **Attachment 3F**

**G. 03/04-4039 Wild Strawberry, The;** James & Pamela Moore; located at 138 Second Ave South in Haines; restaurant/eating place license.

1<sup>st</sup> request      2004      Fees paid      **Attachment 3G**

**H. 04/05-4422 Thibodeaus Valley Liquor;** Thibodeaus Market Inc.; located at 9106 Mendenhall Mall Rd in Juneau; package store license.

1<sup>st</sup> request      2004      Fees paid      **Attachment 3H**

**I. 03/04-209 Mad Fish Restaurant, The;** Catherine Kearns-Fitzgerald; located at 221 Main St in Seldovia; restaurant/eating place license.

1<sup>st</sup> request      2004      Fees paid      **Attachment 3I**

**J.** 03/04-4433 **Mountain Market**; Mountain Corporation; located at 151 3<sup>rd</sup> Ave in Haines; package store license.

1<sup>st</sup> request 2004 Fees paid

**Attachment 3J**

**K.** 03/04-2974 **Glacier Bar**; Henry W Irish; located at 113 Fairbanks St in Valdez; beverage dispensary license. (*License transferring to Anderson Bay, Inc. item #4V*)

1<sup>st</sup> request 2004 Fees paid

**Attachment 3K**

**L.** 04/05-859 **Wylie Coyote**; AOK, Inc.; located at no premises in Anchorage; beverage dispensary license.

1<sup>st</sup> request 2004 Fees paid

**Attachment 3L**

**M.** 03/04-3478 **Brown Jug/Midtown**; Brown Jug, Inc.; located at 1000 E Northern Lights Blvd in Anchorage; package store license.

2<sup>nd</sup> request 2004 Fees paid

**Attachment 3M**

**N.** 03/04-4314 **Gallos Restaurant #3**; Gallos Mexican Restaurant, Inc.; located at Lot 1 CSK Subd in Fairbanks; beverage dispensary license.

1<sup>st</sup> request 2004 Fees paid

**Attachment 3N**

**O.** 04/05-728 **Island Pub, The**; JD Entertainment, Inc.; located at 1102 2<sup>nd</sup> St in Juneau; beverage dispensary license.

1<sup>st</sup> request 2004 Fees paid

**Attachment 3O**

**P.** 03/04-753 **Millie's Moose River Inn**; Ardis Oaks; located at Mile 82.5 Sterling Hwy in Kenai Peninsula Borough; beverage dispensary license.

1<sup>st</sup> request 2004 Fees paid

**Attachment 3P**

**END CONSENT AGENDA**

#### 4. DELEGATION CONSENT AGENDA Approved 4-0

A. 03/04-4446 **Alaska 1910**; Elizabeth Rollins.; located at 4625 Old Airport Rd in the Fairbanks North Star Borough; **transfer of location** of a beverage dispensary license from 1403 Old Richardson Hwy; backgrounds complete.

All statutory requirements have been met. Fairbanks North Star Borough does not protest. Temporary approval issued November 9, 2004.

B. 03/04-4099 **Alpenglow Restaurant**; Grande Denali LLC; located at 238.2 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary - tourism license from Denali Bluffs Hotel, Inc.; backgrounds not complete.

All statutory requirements have been met. Denali Borough does not protest. Temporary approval issued September 16, 2004.

C. 04/05-4424 **Anvik River Lodge**; Aurora Ventures Inc.; located at N62, 52' 16.18", W160.41' 56.88" in an unorganized area; **new** beverage dispensary license; backgrounds not complete.

All statutory requirements have **not** been met – Department of Environmental Conservation does not approve; State Fire Marshal has not responded. There is no local governing body.

D. 04/05-4425 **Bernie's Bungalow Lounge**; Bernard Souphanavong; located at 626 D St in Anchorage; **new** beverage dispensary - duplicate license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage has not responded – CUP process under review.

E. 05/06-4443 **Bristol Bay Lodge**; Bristol Bay Lodge, Inc.; located at 16 Miles NW of Village of Aleknagik on NW end of Lake Aleknagik – USS 4706 in Aleknagik; **new** beverage dispensary license; backgrounds not complete.

All statutory requirements have been met. No local governing body.

F. 04/05-851 **Broiler, The**; Rodfather's LLC.; located at 8745 Glacier Hwy in Juneau; **transfer of ownership** of a restaurant/eating place license from Pizzazz Juneau Limited Partnership; backgrounds not complete.

All statutory requirements have been met. City & Borough of Juneau does not protest. Temporary approval issued October 1, 2004.

G. 04/05-4449 **Café 817**; Muffin Man & Company Inc.; located at 817 W 6<sup>th</sup> Ave in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage protests until CUP has been approved (applicant notified).

H. 04/05-4439 **Charlotte's**; Charlotte's Inc.; located at 115 S Willow Ste 102 in Kenai; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. City of Kenai does not protest. Temporary approval issued October 19, 2004.

I. 03/04-4436 **Chili's Grill & Bar**; Duke Investments LLC.; located at no premises in Fairbanks; **transfer of ownership, location & name change** of a beverage dispensary license from Intellitech Inc., dba Buffalo Bobs, located at 1705 S Cushman; backgrounds not complete.

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

J. 04/05-1625 **Club Oasis**; Prime, Inc.; located at 4801 Old Seward Hwy in Anchorage; **transfer of ownership** of a restaurant/eating place license from Ver-Del Enterprises Inc.; backgrounds not complete.

**AND**

04/05-1626 **Oasis Liquors**; Prime, Inc.; located at 4801 Old Seward Hwy in Anchorage; **transfer of ownership** of a package store license from Ver-Del Enterprises Inc.; backgrounds not complete

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued October 29, 2004.

K. 03/04-4445 **Community Tavern**; Aleut Community of St Paul.; located at 2050 Venia Minor Rd in St. Paul; **transfer of location** of a beverage dispensary license from 134 Tolson Blvd; backgrounds not complete.

All statutory requirements have been met. City of St. Paul does not protest. Temporary approval issued 9/24/04

L. MOVED

M. 03/04-855 **Grumpy's Liquor**; J&J Liquor Inc.; located at 20808 Bill Stephens Dr in Anchorage; **transfer of ownership** of a package store license from Grumpy's Inc.; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued October 14, 2004.

N. 04/05-3134 **Hooligans Lodging & Saloon**; Hooligans Lodging & Saloon Inc.; located at 44715 Sterling Hwy in Soldotna; **transfer of ownership** of a beverage dispensary - tourism license from Sally Hoskins; backgrounds not complete.

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

O. 05/06-4438 **Long Creek Snack Shack**; Larry Waters; located at 8721 Steese Hwy in Fairbanks North Star Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. FNSB has not responded.

P. 04/05-4442 **Maclaren River Lodge**; Paul & Susanna Echols; located at Mile 42 Denali Hwy in the MatSu Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have **not** been met (DEC has not responded). MatSu Borough does not protest.

Q. 03/04-656 **Linwood Bar**; Miller & Miller Inc.; located at 257 Main St in Seldovia; **transfer of ownership** of a beverage dispensary license from Jonal Inc.; backgrounds not complete.

**AND**

03/04-657 **Linwood Liquor Store**; Miller & Miller Inc.; located at 257 Main St in Seldovia; **transfer of ownership** of a package store license from Jonal Inc.; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approvals issued October 4, 2004.

R. 03/04-4280 **Mountaineer Grill**; Grande Denali LLC; located at 238.4 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary – tourism license from Denali Bluffs Hotel, Inc.; backgrounds not complete.

All statutory requirements have been met. Denali Borough does not protest. Temporary approval issued September 16, 2004.

S. 03/04-2111 **Roadside Inn**; KLB, Inc.; located at Mile 49.5 Parks Hwy in MatSu Borough; **transfer of ownership** of a beverage dispensary - tourism license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued October 4, 2004.

T. 04/05-1060 **Snyder Mercantile Co**; Lacano Investments LLC; located at Tenakee Springs; **transfer of ownership** of a package store license from Kadashan Bay Corporation; backgrounds not complete.

All statutory requirements have been met. City of Tenakee Springs has not responded with 60-day time limit.

U. 04/05-4440 **Susitna Food & Spirits**; Barratt Inn MGT Co LLC; located at 4616 Spenard Rd; **new** beverage dispensary – tourism license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued November 10, 2004.

V. 03/04-4444 **Landsharks**; Anderson Bay, Inc.; located at 121 Eagan Dr in Valdez; **transfer of ownership, location & name change** of a beverage dispensary license from Henry West Irish, located at 113 Fairbanks St, dba Glacier Bar; backgrounds not complete.

All statutory requirements have been met. City of Valdez has not responded within 60-day time limit (Sept 2, 2004 notification). (See Waiver – item #3K)

W. 05/06-3766 **Jalapeño's Mexican Restaurant**; Jalapeno's Inc.; located at 11823 Old Glenn Hwy #115 in Anchorage; **transfer of ownership & name change** of a restaurant/eating place license from Jimmy Nguyen dba Thai Siam Restaurant; backgrounds not complete.

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

X. 03/04-3303 **Sam's Club #6601**; Sam's West Inc.; located at 8801 Old Seward Hwy in Anchorage; **transfer of ownership** of a package store license from Wal-Mart Stores Inc.; backgrounds not complete.

**AND**

03/04-2386 **Sam's Club #6602**; Sam's West Inc.; located at 3651 Penland Pkwy in Anchorage; **transfer of ownership** of a package store license from Wal-Mart Stores Inc.; backgrounds not complete..

**AND**

03/04-3282 **Sam's Club #6603**; Sam's West Inc.; located at 48 College Rd in Fairbanks; **transfer of ownership** of a package store license from Wal-Mart Stores Inc.; backgrounds not complete..

All statutory requirements have been met. Municipality of Anchorage **AND** the City of Fairbanks do not protest.

Y. 04/05-1731 **Valley Center Store**; Eddie Anders; located at 7291 Chena Hot Springs Rd in Fairbanks North Star Borough; **re-transfer of ownership** of a package store license from Susie Stretch; backgrounds not complete.

All statutory requirements have been met. FNSB does not protest. Temporary approval issued November 12, 2004.

**AND**

04/05-1731 **Pleasant Valley Store**; Dennis & Rebekah Alexander; located at 7291 Chena Hot Springs Rd in Fairbanks North Star Borough; **transfer of ownership & name change** of a package store license from Eddie Anders, dba Valley Center Store; backgrounds not complete.

All statutory requirements have *not* been met (no response from Dept. of Labor or Revenue; no response from the FNSB – notification sent early November) – ***included in agenda as simultaneous filing to “re-transfer”.***

**END DELEGATION CONSENT AGENDA**



**5. PROTESTS**

**6 OTHER FILINGS**

**A. 05/06-4448 Glacier View Grill;** Glacier View Enterprises.; located at Mile 58.7 McCarthy Rd in an unorganized area; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have **not** been met – Fire Marshal has not responded. There is no local governing body. Letters & petition of protest. **Attachment 6A**  
**Approved 4-0**

**B 04/05-4441 Polaris Distributor;** Koala Inc.; located at 801 82<sup>nd</sup> Ave B-15 in Anchorage; **new** wholesale - general license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Two previous attempts by other applicants were denied based on unfavorable backgrounds.  
**Approved 4-0**

**7. BACKGROUND INFORMATION**

**8. EXPIRED LICENSE**

**9. WAIVERS OF OPERATION**

**A. 05/06-1680 Shirleyville;** Shirleyville Enterprises LLC; located at Granite Point in Shirleyville; restaurant/eating place license.

**AND**

05/06-3158 **Shirleyville;** Shirleyville Enterprises LLC; located at Granite Point in Shirleyville; package store license.

3<sup>rd</sup> request (both) 2004 Fees paid **Attachment 9A**  
**Both waivers approved 4-0 with letter warning that there will be no 4<sup>th</sup> waiver**

**B. 04/05-3371 Brown Jug/Muldoon;** Brown Jug Inc.; located at 7701 DeBarr Rd in Anchorage; package store license.

4<sup>th</sup> request 2004 Fees paid **Attachment 9B**  
**Approved 4-0 with condition that the license be in operation by June 30, 2005**

**C. 04/05-2320 Trophy Sports Hunting & Fishing Lodge;** Donald Ridl; located at 41150 Sterling Hwy in Kenai Peninsula Borough; beverage dispensary – seasonal license.

3<sup>rd</sup> request 2004 Fees paid **Attachment 9C**  
**Approved 4-0 with letter warning that there will be no 4<sup>th</sup> waiver**

Date of next meeting: **February 17, 2005**

Location of next meeting: **Juneau**

**ADDENDUM  
State of Alaska  
Alcoholic Beverage Control Board  
November 23, 2004**

**9. WAIVERS OF OPERATION (cont.)**

**D.** 03/04-3956 **Café Myriad**; Seward Street Restaurant Corporation; located at 230 Seward St in Juneau; restaurant/eating place license.

4<sup>th</sup> request                      2004                      Fees paid

**Attachment 9D**

**Approve 4-0 with condition that a complete transfer application be received in the ABC Board office by February 17, 2005 meeting. If the complete transfer application is not received by 2/17/05, the license will die and licensee agrees to give up all appeal rights.**