

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**November 28, 2007**  
**Agenda**

*Board members present in Nome: Shirley Gifford; Billy Andrews; Gail Niemi; present via teleconference: William Tull. All votes taken by roll call.*

**1. ADMINISTRATION**

**A.** Approve minutes of the September 6, 2007 Board meeting.  
*Postponed until next meeting*

**B.** Delegate tie-breaking vote to the Director.  
*Motion to delegate tie-breaking vote to the Director made by Mr. Andrews; Ms. Niemi seconds the motion;*

**2. ADMINISTRATIVE MATTERS**

**A. INFORMAL CONFERENCES**

**B. HEARING OFFICER DECISIONS**

**C. SETTLEMENT AGREEMENT**

**D. VOLUNTARY RELINQUISHMENT OF LICENSE**

**E. REQUEST FORMAL HEARING**

**F. SUSPENSION**

**G. BOARD CONSIDERATION**

**1. Removal from Bootlegger List** **Attachment 2G-1**  
*No motion – name to remain on Bootlegger List. Mr. Tull asked that Director Griffin look into creating a procedure for name removal in the future.*

**2. Request to revise R/E Place – Public Convenience statutes & regulations** **Attachment 2G-2**  
*No motion. Board suggests that Mr. Ellis take legislative steps to change the statutes.*

**3. 06/07-1863 Dexter Roadhouse;** Michael G. West; located at Mile 8 Taylor Highway in an Unorganized Area; beverage dispensary license.

Information regarding a complaint against license. **Attachment 2G-3**  
*No motion. Postponed for further review by the Director.*

**4. Enomatic Wine Serving Systems**

**Attachment 2G-4**

*No motion required; Director Griffin to continue gaining information on this system for possible use by licensees in the future. The Board will review on a case by case basis, but as a whole is against the idea of allowing this system to be used unless it is behind the bar (ie., not to be utilized by patrons, but only served by licensee/agent)*

**5. Chili’s in Wasilla** (no license on file or in process.)

**Attachment 2G-5**

*No motion*

**3. CONSENT AGENDA**

*Mr. Tull motions to approve Consent Agenda as read; Mr. Andrews seconds the motion; approved 4-0*

**A. 07/08--4738 Big Su Lodge;** Knik Kountry Liquor Inc.; located at 36535 S Parks Hwy in MatSu Borough; **transfer of location** of a beverage dispensary license; backgrounds complete

**AND**

07/08--4741 **Knik Kountry Liquors;** Knik Kountry Liquor Inc.; located at 36535 S Parks Hwy in MatSu Borough; **transfer of location** of a package store license; backgrounds complete

All statutory requirements have been met. MatSu Borough does not protest. Temporary approvals issued.

**B. 07/08-4729 Fairbanks Golf Course;** Fairbanks Golf Course, Inc.; located at 1735 Farmers Loop Rd in Fairbanks North Star Borough; **new** golf course license; backgrounds on file.

**AND**

06/07-3560 **Fairbanks Golf Course;** Fairbanks Golf Course, Inc.; located at 1735 Farmers Loop Rd in Fairbanks North Star Borough; **transfer of ownership** of a package store license; backgrounds on file.

All statutory requirements have been met. Fairbanks North Star Borough has not responded (notice sent 8/1/07)

**C. 07/08-4696 Gene’s Place;** Northern Lights Expresso, Inc.; located at 217 5<sup>th</sup> Ave in Seward; beverage dispensary – tourism seasonal license.

Waiver                      1<sup>st</sup> Request    2007 Fees paid

**D. 07/08-2344 Joey’s;** BVG, Inc.; located at 1420 E Tudor Rd in Anchorage; beverage dispensary license.

Waiver                      1<sup>st</sup> Request    2007 Fees paid

**E. 07/08-4725 Olympic Center Sandwich & Catering;** Jens H. & Annelise Hansen; located at 701 W 36<sup>th</sup> Ave in Anchorage; **new** restaurant/eating place license, backgrounds complete.

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

F. 07/08-3897 **Sweet Basil Cafe**; Buba Corporation; located at 1021 W Northern Lights Blvd in Anchorage; **transfer of location** of a restaurant/eating place license; from 335 E St; backgrounds complete.

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

G. 06/07-4742 **Wal-Mart Supercenter #3814**; Wal-Mart Stores, Inc.; located at 6525 Glacier Highway in Juneau; **transfer of ownership, location & name change** of a package store license; from Mark'n Pak Inc., D.B.A. Budget Liquor, located at 5165 Glacier Hwy; backgrounds complete.

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

H. 08/09-782 **Northward Cocktail Lounge**; Donnor LLC; located at No Premises in Fairbanks; beverage dispensary license.

Waiver                    1<sup>st</sup> Request    2007   Fees paid

I. 08/09-4733 **Applebee's**; Wasilla Apple, Inc.; located at No Premises in MatSu Borough; beverage dispensary license.

Waiver                    2<sup>nd</sup> Request    2007   Fees paid

J. 06/07-4418 **Silver Shadow**; Silversea Catering Ltd. LLC; located in Alaskan Waters; common carrier – seasonal license.

Waiver                    1<sup>st</sup> Request    2007   Fees paid

K. 08/09-2565 **Iron Horse, The**; John J. Sexton & Bertram J. Ryder (deceased); located at No Premises in Fairbanks; beverage dispensary license.

Waiver                    1<sup>st</sup> Request    2007   Fees paid

L. 07/08-4850 **Glacier City Restaurant**; Glacier City Restaurant, Inc.; located at Girdwood Elementary School Subdivision, Tract E-3 in Anchorage; beverage dispensary license.

Waiver                    1<sup>st</sup> Request    2007   Fees paid

M. 06/07-3055 **That One Place**; Thomas Basin LLC; located at No Premises in Ketchikan; beverage dispensary license.

Waiver                    1<sup>st</sup> Request    2007   Fees paid

N. 07/08-2510 **Quinnat Landing Hotel**; Utopia, Incorporated; located at No Premises in Bristol Bay Borough; beverage dispensary – tourism license.

Waiver                    1<sup>st</sup> Request    2007   Fees paid

O. 06/07-4605 **No DBA**; Alaska Liquor Distributors, Inc.; located at No Premises in Fairbanks North Star Borough; package store license.

**AND**

06/07-4564      **No DBA;** Alaska Liquor Distributors, Inc.; located at No Premises in Fairbanks;  
package store license.

**AND**

06/07-4597      **No DBA;** Alaska Liquor Distributors, Inc.; located at No Premises in Fairbanks North  
Star Borough; package store license.

Waiver            1<sup>st</sup> Request    2007    Fees paid

P. 07/08-4039    **Wild Strawberry, The;** James & Pamela Moore; located at 138 Second Ave in Haines  
Borough; R/E Place license.

Waiver            1<sup>st</sup> Request    2007    Fees paid

Q. 06/07-4590    **Westerdam, MS;** Holland America Line Inc.; located in Alaskan Waters; common  
carrier – seasonal license.

Waiver            1<sup>st</sup> Request    2007    Fees paid

R. 07/08-355     **BPO Elks Lodge # 420;** Bpo Elks Lodge # 420; located at No Premises in Juneau;  
club license.

Waiver            1<sup>st</sup> Request    2007    Fees paid

S. 08/09-2289    **AMF East 40/Gold Room Lounge;** AMF Bowling Centers, Inc.; located at No  
Premise in Anchorage; beverage dispensary license.

Waiver            1<sup>st</sup> Request    2007    Fees paid

**END CONSENT AGENDA**

#### **4. DELEGATION CONSENT AGENDA**

***Mr. Andrews motions to approve Delegated Consent Agenda as read; Ms. Neimi seconds the motion; approved 4-0***

**A. 07/08-4730 Alaska Avalanche;** Alaska Avalanche Hockey Club LLC; located at 1001 S Mack Dr in Wasilla; **new** recreational site license; backgrounds not complete.

All statutory requirements have been met. City of Wasilla does not protest. Temporary approval issued

**B. 07/08-4726 Alaska Chinook Lodge;** Richard D. Mallowney, Jr.; located at 1545 Angler Dr in Kenai; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have **not** been met (State Fire Marshal). City of Kenai has not responded.

**C. 07/08--3272 Chatanika Gold Camp;** Chatanika Gold Camp Inc.; located at 5550 Steese Hwy in Fairbanks North Star Borough; **transfer of ownership** of a beverage dispensary license; from Jack I. O'Brien; backgrounds not complete.

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

**D. 07/08-2724 Cyrano's Crepes & Books;** Cyrano's Crepes & Books LLC; located at 411 D St in Anchorage; **transfer of ownership** of a restaurant/eating place license; from Jerry H. Harper; backgrounds not complete.

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

**E. 07/08-597 Knik Bar & Liquor Store;** Sharon A. Antilla; located at Mile 13.5 Knik Goose Bay Rd in MatSu Borough; **transfer of ownership** of a beverage dispensary license from Donnelly Inc.; backgrounds not complete.

**AND**

**07/08-596 Knik Bar & Liquor Store;** Sharon A. Antilla; located at Mile 13.5 Knik Goose Bay Rd in MatSu Borough; **transfer of ownership** of a package store license from Donnelly Inc.; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest.

**F. 08/09-639 Lake Louise Lodge;** Lake Louise Lodge, LLC; located at Mile 16.1 Lake Louise Rd in MatSu Borough; **transfer of ownership** of a beverage dispensary license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest.

**G. 07/07-4728 Mermaid Cafe;** Andrew & Sally Wills.; located at 3487 Main St in Homer ; **new** restaurant/eating place – public convenience license; from The Family Restaurant, A Partnership; backgrounds not complete.

All statutory requirements have been met. City of Homer approves. Temporary approval issued.

**H.** 06/07-4721 **Mom & Pop's**; Kyong S. Kim; located at 601 W 36<sup>th</sup> Ave Ste 3 & 4 in Anchorage; **transfer of ownership** of a package store license, backgrounds not complete.

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

**I.** 06/07-4564 **No DBA**; Patrick Kohls; located at No Premise in Fairbanks; **transfer of ownership** of a package store license; backgrounds not complete.

All statutory requirements have been met. City of Fairbanks has not responded (notice sent 8/15/07).

**J.** 07/08-4737 **City of Nulato package Store**; City of Nulato; located at 163 Nik'aghun St in Nulato; **new** package store license; backgrounds not complete.

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

**K.** 07/08-4715 **Odom Corporation, The**; Odom Corporation, The; located at 2266 Industrial Blvd in Juneau; **new** wholesale – malt beverage/wine license; backgrounds complete.

All statutory requirements have *not* been met (State Fire Marshal has not responded). City & Borough of Juneau has not responded. (Notice sent 6/21/07)

**L.** 07/08-4715 **Pataya Sushi Restaurant**; Khamprasay K. Sundara; located at 290 Yenlo St in Wasilla; **new** restaurant/eating place – public convenience license, backgrounds not complete.

All statutory requirements have *not* been met (State Fire Marshal has not responded). City of Wasilla approves.

**M.** 06/07-2812 **Pizza Verona**; Patricia McGivney; located at 256 S Franklin; **transfer of ownership** of a restaurant/eating place license; from Nikoloas Manaolakakis; backgrounds not complete.

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

**N.** 06/07-1866 **Sushi & Sushi Restaurant**; LMK Inc.; located at 3337 Fairbanks St in Anchorage; **transfer of ownership & name change** of a restaurant/eating place license; from Peter Y. Park, D.B.A. Kimchi; backgrounds not complete.

All statutory requirements have *not* been met (Dept. of Revenue has not responded). Municipality of Anchorage does not protest.

**O.** 07/08-3897 **Sweet Basil Cafe**; Buba Corporation Inc.; located at 184 S Franklin St in Juneau; **transfer of ownership & name change** of a beverage dispensary license; from Rendezvous Inc., d.b.a. Rendezvous; backgrounds not complete.

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

**P.** 07/08-4727 **A Taste of Thai**; Alaska's Taste of Thai LLC; located at 11109 Old Seward Hwy in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

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

**Q.** 06/07-3608 **Thai Cuisine – 2 – Restaurant;** Michey Chanthaboury; located at 3020 Minnesota Dr in Anchorage; **transfer of ownership & name change** of a restaurant/eating place license; from Hyung Man Yang, D.B.A. Golden China Restaurant; backgrounds not complete.

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

**R.** 07/08-313 **TK Maguires & Prospector Hotel;** Juneau Hospitality LLC; located at 375 Whittier St in Juneau; **transfer of ownership & name change** of a beverage dispensary – tourism license; backgrounds not complete.

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

**S.** 07/08-3956 **Café Myriad;** Seward Street Restaurant Corporation; located at No Premise in Juneau; **RE-transfer of ownership, location & name change** of a restaurant/eating place license; from Barry & Carlene Shaw, D.B.A. Barcar’s, located at 230 Seward St; backgrounds not required.

*AND Simultaneous*

07/08-4731 **Tokyo Japanese Steak House;** Yoon Corp.; located at 9116 Mendenhall Mall Rd in Juneau; **transfer of ownership, location & name change** of a restaurant/eating place license; from Seward Street Restaurant Corporation, D.B.A. Café Myriad, located at No Premises; backgrounds not complete.

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

**END DELEGATION CONSENT AGENDA**

**5. PROTESTS**

**A.** 7/08-3748 **Silver Gulch Brewing & Bottling Co.;** Silver Gulch Brewing & Bottling Inc.; located at 2195 Old Steese Hwy North in Fairbanks North Star Borough; brewery license.

State of Alaska, Department of Revenue, Tax Division *protests continued operation* of license based on non-payment of taxes from September 2006 to present. **Attachment 5A**

**Mr. Andrews motions to delegate approval to Director Griffin; Ms. Niemi seconds the motion; approved 4-0**

**6. OTHER FILINGS**

**A.** 07/08-4735 **China Sea Restaurant;** Young & Kyung O. Yoo; located at Lot 6 & 7 Whittier Harbor Triangle in Whittier; *new* restaurant/eating place – public convenience seasonal license; backgrounds not complete.

This is an application for “public convenience” license. 13 AAC 104.335(3) states that the Board may issue a license under AS 04.11.400(g) *if* the governing body of the municipality **approves** the application. The City of Whittier failed to respond with “approval” within sixty (60) day period following notification.

**Mr. Andrews motions to delegate approval to Director Griffin after contacting the City of Whittier to confirm that notification was received, and to confirm if action had been taken to approve or protest; Ms. Niemi seconds the motion; approved**

**B** 07/08-232 **Corner Bar, The;** Carol Udd; located at No Premises in Nenana; beverage dispensary license.

**AND**

07/08-233 **Corner Bar, The;** Carol Udd; located at No Premises in Nenana; package store license.

Waiver                  3<sup>rd</sup> Request    2007 Fees paid    **Attachment 6B**  
*Ms. Niemi makes motion to accept waiver with warning that a complete application for transfer be received in ABC Board office within 90 days; Mr. Andrews seconds the motion; approved 4-0*

**C.** 07/08-2884 **Fred Meyer;** Fred Meyer Stores, Inc.; located at No Premises in Anchorage; package store license.

Waiver                  4<sup>th</sup> Request    2007 Fees paid    **Attachment 6C**

*November 29, 2006: 3<sup>rd</sup> waiver approved by the Board with following Agenda Minutes:*

**Ms. Niemi motioned to accept waiver; Ms. Gifford seconds the motion.**

**Discussion: Mr. Gordon stats that a 4<sup>th</sup> waiver is routinely denied; and if this license comes before the Board for a 4<sup>th</sup> waiver, there “better be something coming out of the ground!”**

**VOTE: All votes YES 5-0, motion approved.**

*11/28/07 – Mr. Andrews motions to deny waiver; Ms. Niemi seconds the motion; Mr. Tull votes NO; Mr. Andrews, Ms. Niemi & Ms. Gifford vote to approve the motion; Motion approved 3-1 to deny the waiver. License is no longer valid.*

**7. BACKGROUND INFORMATION**

**8. MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

Date of next meeting: **January 30, 2008**

Location of next meeting: **Juneau**

***There will be a work session tentatively scheduled for January 8, 2008, in Anchorage, beginning at 9:00 am***

**ABC Board  
ADDENDUM**



**3. CONSENT AGENDA (cont.)**

*(Approved – see Consent Agenda)*

**T. 08/09-4011 Seven Seas Navigator, M/V;** Regent Seven Seas Cruises, Inc.; located in Alaskan Waters; common carrier – seasonal license.

Waiver                1<sup>st</sup> Request                                2007    Fees paid

**U. 08/09-4668 Bremen, M/V;** Sea Chefs Cruise Management GMBH.; located in Alaskan Waters; common carrier – seasonal license.

Waiver                1<sup>st</sup> Request                                2007    Fees paid

**V. 07/08-3518 4<sup>th</sup> Avenue Theatre;** 4<sup>th</sup> Avenue Theatre Inc.; located at 630 W 4<sup>th</sup> Ave in Anchorage; beverage dispensary license.

Waiver                1<sup>st</sup> Request                                2007    Fees paid

**W. 06/07-323 Harry's Restaurant;** Harry's Bar & Grill, Inc.; located No Premise in Anchorage; beverage dispensary license.

Waiver                1<sup>st</sup> Request                                2007    Fees paid

**X. 06/07-4589 2Go Tesoro;** Tesoro Northstore Company; located No Premise in Anchorage; package store license.

Waiver                1<sup>st</sup> Request                                2007    Fees paid

**Y. 08/09-4417 Last Roundup Restaurant;** The Last Roundup LLC; located No Premise in Fairbanks; restaurant/eating place license.

Waiver                1<sup>st</sup> Request                                2006    Fees paid

**AND**

Waiver                2<sup>nd</sup> Request                                2007    Fees paid

**Z. 07/08-4504 Jalapenos Tequila Bar/Jalapenos Mexican Restaurant;** Upriver Inc.; located No Premise in Fairbanks; beverage dispensary license.

Waiver                1<sup>st</sup> Request                                2007    Fees paid

**End Consent Agenda**

**6. OTHER FILINGS (cont.)**

