

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**September 6, 2007**  
**Agenda**

All Board members are present: Mike Gordon; Shirley Gifford; Billy Andrews; Gail Niemi; William Tull

1. **ADMINISTRATION**

A. Approve minutes of the July 11, 2007 Board meeting.

**Ms. Gifford motions to approve; Mr. Andrews seconds the motion; Approved 5-0**

B. Delegate tie-breaking vote to the Director.

**All Board members are present; therefore, a tie-breaking vote is not necessary.**

2. **ADMINISTRATIVE MATTERS**

A. **INFORMAL CONFERENCES**

B. **HEARING OFFICER DECISIONS**

C. **SETTLEMENT AGREEMENT**

D. **VOLUNTARY RELINQUISHMENT OF LICENSE**

E. **REQUEST FORMAL HEARING**

F. **SUSPENSION**

1. 06/07-1872 **Hogg Brothers Café & Watering Trough**; Original Hogg Brothers Inc., The; located at 1049 W Northern Lights Blvd in Anchorage; restaurant/eating place license.

Board consideration of suspension.

**Attachment 2F-1**

**Ms. Gifford motions to suspend 45 days with 30 days suspended (7 days for furnishing alcohol to a minor; 4 days per TAM violation) and a \$1000 fine;**

**Mr. Andrews seconds the motion;**

**Discussion:**

**Ms. Gifford closely followed the Violation Matrix when making the motion and originally thought about suspending a total of 21 days (seven {7} days per violation), but reduced the TAM violation suspensions to four (4) days;**

**Ms. Niemi thinks the motion is severe for a first offense;**

**Mr. Tull thinks that the violations are serious, but that the penalty is rather stiff;**

**Mr. Gordon agrees that Ms. Gifford is following the Violation Matrix very closely, but has not always agreed with past suspensions; thinks that this motion is a bit heavy handed.**

**VOTE: Mr. Andrews - YES; Ms. Gifford - Yes; Ms. Niemi – NO; Mr. Gordon – NO; Mr. Tull - YES**

**Approved 3-2**

**BOARD CONSIDERATION**

**3. CONSENT AGENDA**

**A. 07/08-4722 Alaska Wild Berry Products;** Alaska Wild Berry Products Inc.; located at 5225 Juneau St in Anchorage; **new** recreational site license; backgrounds complete.

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

**B. 07/08-4145 Naptowne Inn & Cafe;** Naptowne Services LLC (stock transfer); located at 35570 Sterling Hwy in Kenai Peninsula Borough; **transfer of ownership** of a restaurant/eating place license; backgrounds on file.

All statutory requirements have been met. KPB has not responded (notice sent 5/10/07)

**C. 06/07-848 Pike's Landing;** Pike's on the River, Inc.; located at 4438 Airport Way in Fairbanks North Star Borough; **transfer of ownership** of a beverage dispensary license; from Pike's Waterfront Lodge LLC; backgrounds on file.

**AND**

06/07-4035 **Pike's Waterfront Lodge;** Pike's on the River Inc.; located at 1850 Hoselton Rd in Fairbanks North Star Borough; **transfer or ownership & name change** of a beverage dispensary – tourism license; from Pike's Waterfront Lodge LLC, d.b.a. Midnight Sun Bar & Grill; backgrounds on file.

All statutory requirements have been met. Fairbanks North Star Borough has not responded (within 60-day period). Temporary approvals issued.

**D. 07/08-946 Ranch House Lodge;** Ward & Son, Inc. (stock transfer); located at Mile 173 Glenn Hwy in an Unorganized area; **transfer of ownership** of a beverage dispensary – seasonal license; backgrounds on file.

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

**E. 07/08-3487 Salchaket Road House;** Thompson Ventures LLC; located at 9162 Richardson Hwy in Fairbanks North Star Borough; **RE- transfer of ownership & name change** of a package store license; from Salcha River Lodge, Inc., d.b.a. Salcha River Lodge; backgrounds on file.

**AND**

07/08-3406 **Salchaket Road House;** Thompson Ventures LLC; located at 9162 Richardson Hwy in Fairbanks North Star Borough; **RE- transfer of ownership & name change** of a restaurant/eating place license; from Salcha River Lodge, Inc., d.b.a. Salcha River Lodge; backgrounds on file.

All statutory requirements have been met. Fairbanks North Star Borough has not responded (notice sent 6/7/07.)

**END CONSENT AGENDA**

**Mr. Andrews motions to approve; Ms. Niemi seconds the motion; Approved 5-0**

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

**A. 07/08-4690 Bobby's Downtown;** Delta Epsilon Inc.; located at 609 2<sup>nd</sup> Ave in Fairbanks; **transfer of ownership & name change** of a beverage dispensary license; from Upriver Inc., d.b.a. Jalapenos Tequila Bar/Jalapenos Mexican Restaurant; backgrounds not complete.

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

**B. 06/07-418 Buckets Sports Grill;** Buckets North Inc.; located at 43960 Sterling Hwy in Soldotna; **transfer of ownership** of a restaurant/eating place license; from Buckets Inc.; backgrounds not complete.

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

**C. 07/08--4714 Chilkoot Trail Lodge;** Fred & Karen Hosford; located at 7 Mile Dyea Rd in Skagway; **new** lodge seasonal license; backgrounds not complete.

All statutory requirements have *not* been met (Fire & DEC have not responded). City of Skagway has not responded (notice sent 6/19/07).

**D. 07/08-4733 Applebees;** Wasilla Apple, Inc.; located at No Premise in MatSu Borough; **transfer of ownership & name change** of a beverage dispensary license; from Bret Dittlinger & Mary Lemery, d.b.a. Polelock Bar & Likker; backgrounds on file.

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

**E. 06/07-3957 Coho's;** Shirley Perkins; located at #6 Glacier View in Elfin Cove (unorganized); **transfer of ownership** of a beverage dispensary license from Shirley & William Perkins; backgrounds on file.

All statutory requirements have *not* been met (Labor & Revenue have not responded. No local governing body.

**F. 07/08-2791 Fort Seward Lodge & Restaurant;** Scott Sundberg, Viviane T. Trimble & Nicholas M. Trimble; located at #39 Mud Bay Rd in Haines; **transfer of ownership & name change** of a beverage dispensary – tourism license; backgrounds not complete.

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

**G. 06/07-1557 Galley, The;** Fernando & Mary Nicolas.; located at 2334 Tongass Ave in Ketchikan ; **transfer of ownership** of a restaurant/eating place license; from The Family Restaurant, A Partnership; backgrounds not complete.

All statutory requirements have been met. City of has not responded. Temporary approval issued.

**H.** 07/08-4721 **Hanseatic, M/V**; Sea Chefs Cruise Management GmbH; located in Alaskan Waters; **new** common carrier - seasonal license, backgrounds not complete.

All statutory requirements have been met. No local governing body. Temporary approval issued.

**I.** 06/07-589 **Kito's Kave Bar & Liquor**; Kito's Kave, Inc. (stock transfer); located at 200 Chief John Lot in Petersburg; **transfer of ownership** of a beverage dispensary license; backgrounds not complete.

**AND**

06/07-590 **Kito's Kave Bar & Liquor**; Kito's Kave, Inc. (stock transfer); located at 200 Chief John Lot in Petersburg; **transfer of ownership** of a package store license; backgrounds not complete.

All statutory requirements have been met. City of Petersburg has not responded (notice sent 6/26/07).

**J.** 07/08-4717 **Johann's**; Jo-Hansen's Inc.; located at 11901 Old Glenn Hwy in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage has not responded (notice sent 6/21/07).

**K.** 06/07-639 **Lake Louise Lodge**; Lake Loise 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 **not** been met (Labor & Revenue have not responded). MatSu Borough does not protest.

**L.** 06/07-1644 **Longmere Lake Liquor & Grocery**; Sun Sil Sims & Michael E. Butler; located at Mile 88.5 Sterling Hwy/36590 Balsam Fir Cir in Kenai Peninsula Borough; **transfer of ownership & name change** of a package store license, from Longmere Lake Liquor Inc.; backgrounds not complete.

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

**M.** 07/08-3938 **Peking Restaurant**; Myong Sun Chong; located at 100 Gilman Rd in Unalaska/Dutch Harbor; **transfer of ownership** of a restaurant/eating place license; from Chil Sun Selle; backgrounds not complete.

All statutory requirements have been met. Unalaska/Dutch Harbor does not protest.

**N.** REMOVED

**O.** 06/07-772 **Rendezvous Lounge**; NYT 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.** 07/08-3651 **Steamers at the Docks;** Sunny Cove LLC; located at 76 Front St in Ketchikan; **transfer of ownership** of a beverage dispensary license; from Montgomery Inc.; backgrounds on file.

All statutory requirements have **not** been met (Labor has not responded.) City of Ketchikan does not protest.

**Q.** 06/07-3113 **Trail Lake Lodge;** 5-4 LLC; located at Mile 29.5 Seward Hwy in the Kenai Peninsula Borough; **transfer of ownership** of a beverage dispensary - tourism license; backgrounds not complete.

All statutory requirements have **not** been met (Labor & Revenue have not responded). Kenai Peninsula Borough does not protest.

**R.** 06/07-1211 **Village Bar, The;** Wade Ball Inc. (stock transfer); located at 408 W Marine Way in Kodiak; **transfer of ownership** of a beverage dispensary license; backgrounds on file.

All statutory requirements have **not** been met (Labor has not responded.) City of Kodiak has not responded (notice sent 6/22/07)

#### **END DELEGATION CONSENT AGENDA**

**Item A from Page 7 is included in the Delegation Consent Agenda**

**Mr. Andrews motions to approve; Ms. Niemi seconds the motion; Approved 5-0**

5. **PROTESTS**

6. **OTHER FILINGS**

7. **BACKGROUND INFORMATION**

A. 07/08-1915 **Thane Ore House**; Virginia A. Jefferson; located at 4400 Thane Rd in Juneau; **transfer of ownership** of a restaurant/eating place license; from George Jefferson (deceased); backgrounds not complete.

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

License transfer was denied on 2/17/05 to applicant's spouse due to background information.

**Attachment 7A**

**Ms. Niemi declares a conflict of interest; Mr. Andrews agrees that a conflict of interest exists; Ms. Gifford agrees that a conflict of interest exists; Mr. Gordon does not agree that a conflict of interest exists; Mr. Tull does not agree that a conflict of interest exists. Ms. Niemi recuses herself from voting.**

**Ms. Gifford motions to go into Executive Session; Ms. Niemi seconds the motion; Approved 5-0  
Ms. Gifford motions to exit Executive Session; Ms. Niemi seconds the motion; Approved 5-0;  
Mr. Tull motions to approve the transfer with the conditions that Mr. Jefferson not be allowed access to the bar area, and that he not be allowed to serve customers or handle monetary transactions within the licensed premise;  
Ms. Gifford seconds the motion;  
Approved 4-0**

8. **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

Date of next meeting: **Wednesday, November 28, 2007**

Location of next meeting: **Nome**

**ADDENDUM  
ABC Board Meeting  
September 6, 2007**

**4. DELEGATION CONSENT AGENDA (Cont.)**

**S.** 07/08-180 **Rayme's Liquor Store;** Rayme's Bar Inc.; located at Corner of Front & Case in Wrangell; **transfer of ownership & name change** of a package store license; from Brigham, Inc., d.b.a. Shady Lady Brig Bar; backgrounds on file.

**AND**

07/08-179 **Rayme's Bar;** Rayme's Bar Inc.; located at Corner of Front & Case in Wrangell; **transfer of ownership & name change** of a beverage dispensary license; from Brigham, Inc., d.b.a. Shady Lady Brig Bar; backgrounds on file.

All statutory requirements have been *not* met. (At the printing of the agenda, the Wage and Hour Administration faxed the following attachments). City of Wrangell does not protest. **Attachment 4S**  
***Wage & Hour hold released prior to Board meeting.***