

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**Agenda**  
**July 14, 2009**

**Board members present:**

Bob Klein, Chairman  
Ellen Ganley, Vice Chair  
Joe DelDonno, Member – late arrival (11:15 – TSA issues at airport caused late departures)  
Belen Cook, Member  
Ethan Billings, Member

**Staff members present:**

Shirley Gifford, Director  
Bob Beasley, Enforcement Supervisor – late arrival (11:15 – TSA issues)  
Dawn Holland-Williams, Licensing Supervisor  
Richard Finney, Enforcement, FB  
Reeda Jaramillo, Licensing Examiner

● **ADMINISTRATION**

- A. Approve minutes of the May 7, 2009 Board meeting.

Ellen Ganley **motions to approve**

Belen Cook **seconds the motion**

[10:11:36 AM](#)

Approved 4-0 (Joe DelDonno was not present)

- B. Delegate tie-breaking vote to the Director.

Ellen Ganley **motions to approve**

Ethan Billings **seconds the motion**

[10:11:56 AM](#)

Approved 4-0 (Joe DelDonno was not present)

- C. The Board will allot a period of time at 2:00 PM for public testimony on issues that are not on this agenda. Public testimony was taken at this time.

● **DIRECTOR BRIEFING**

- A. **Director Memo**

**Attachment - A**

● **INFORMAL CONFERENCES**

None

● **HEARING OFFICER DECISIONS**

Ellen Ganley **motions to adopt the hearing officer recommendations**

Ethan Billings **seconds the motion**

[10:08:26 AM](#)

Approved 4-0 (Joe Deldonno was not present)

- **SETTLEMENT AGREEMENTS**

**673 Louie's Douglas Inn;** Peterson Pacific Holding Inc.

**Beverage dispensary;** located at 915 3rd St in Juneau.

License renewal *protest was upheld* at May 7, 2009 ABC Board meeting. Licensee has paid all associated fees (City taxes, Board fees, etc.) License is currently in "good standing" with City & Borough of Juneau.

Ellen Ganley **motions to renew license**

Ethan Billings **seconds the motion**

[10:13:32 AM](#)

Approved 4-0 (Joe Deldonno was not present)

- **VOLUNTARY RELINQUISHMENT OF LICENSE**

None

- **SUSPENSION**

**3913 La Fiesta Dos;** Nohemi Reyes De Zambrano

**Attachment - 3913**

Restaurant/eating place license located at 1051 E Bogard Rd in Wasilla.

**Imposition of suspension based on AS 04.11.370(a)(4) (TAM Violation)**

**Ignatio Torres – translator for Ms. Zambrano**

Ellen Ganley **motions to suspend license (liquor only) for 4 days with -0- days suspended; \$-0- fine**

Ethan Billings **seconds the motion**

Discussion – Joe – thinks the suspension should be more severe

Ellen Ganley amends motion to change to 15 days suspended

Amended motion is not seconded

[2:45:03 PM](#)

Original motion is denied 2-3 (Billings, Klein - **FOR**; Ganley, Cook, DelDonno - **AGAINST**)

Ellen Ganley **motions to suspend for 30 days 15 suspended – no fine, no other violations within a year**

Belen Cook **seconds the motion**

[2:47:03 PM](#)

Approved 3-2 (Ganley, Cook, DelDonno – **FOR**; Billings, Klein **AGAINST**)

● **BOARD CONSIDERATION**

**AG-1 A.G. Opinion regarding catering permits at schools.**

**Attachment - AG-1**

Ellen Ganley **motions to find that event is not a school event; and, approve the issuance of the permit; and, instruct staff to bring before the Board similar requests on a case by case basis**

Ethan Billings **seconds the motion**

[11:37:26 AM](#)

Approved 5-0

**4929 Bear Creek Winery; Bear Creek Winery LLC**

**Attachment - 4929**

**New winery/bottling works license to be located in Kachemak.**

Based on the unique issue being presented, staff and applicant would like direction from the Board on how to proceed.

**No action – no application before Board at this time. The consensus of the Board is that a bottling works license would be an appropriate type for this situation.**

**4838 Sled Dog Liquor; Denali Park Grocery, Inc.**

**Attachment - 4838**

**Package store license located at Mile 238.4 Parks Hwy in Denali Borough.**

Licensee would like to have two locations operational under license, one location during off (winter) season, second location during tourist season, without requirement of two transfers per year.

**No action – “sense of the Board”**

**Billings – need more info – seasonal licenses moving could be a major issue throughout the State**

**Cook – need more info – not comfortable with the idea**

**Ganley – same feelings – moving back & forth – slippery slope**

**DelDonno – same – need more info**

**Klein – slippery slope – approving moveable licenses could present an undesirable precedent**

**Testimony - Dan Coffey; Valerie Therein; Frank Trudeau; Mike (?)**

**REG Draft regulation for resealing wine.**

**Attachment - REG**

Ellen Ganley **motions to approve 13 AAC 104.410 - resealing wine served with a meal for removal from licensed premise**

Belen Cook **seconds the motion**

[10:20:06 AM](#)

Approved 4-0 (Joe DelDonno was not present)

**APSN Criminal justice information records for Board's use in determinations.  
informational**

**Attachment – APSN**

**DNM** Fairbanks proposal to ban sale of alcohol to chronic inebriates.  
**Informational**

**Attachment – DNM**

**NOV** Notice of Violations  
**Informational**

**Attachment – NOV**

● **CONSENT AGENDA**

- 600 Chart Room; Kodiak Inn Inc.**  
**Transfer of ownership (stock transfer)** of a beverage dispensary - tourism license; located at 236 Rezanof W in Kodiak; backgrounds complete.  
All statutory requirements have been met. Kodiak does not protest.
- 2159 Club 210 East; Club 210 East Inc.**  
**Transfer of ownership** (stock transfer) of a beverage dispensary license; located at 720 Muldoon Rd in Anchorage; background complete.  
All statutory requirements have been met. Municipality of Anchorage does not protest.
- 4901 Denali Princess Wilderness Lodge - Base Camp Bistro; Alaska Hotel Properties LLC**  
**AND**
- 4902 Denali Princess Wilderness Lodge - Music of Denali; Alaska Hotel Properties LLC**  
**Transfer of ownership & name change** of a package store license  
  
New beverage dispensary - tourism licenses; both located at 238.5 Parks Hwy in Denali Borough; backgrounds complete.  
All statutory requirements have been met; Denali Borough does not protest. Temporary approvals issued.
- 4307 McKinley Village Lodge - Bear's Den; ARAMARK Sports and Entertainment Services LLC**  
**Transfer of ownership** of a beverage dispensary - tourism seasonal license; located at Mile 231.1 Parks Hwy in Denali Borough; from ARAMARK Corporation; backgrounds complete.  
All statutory requirements have been met. Denali Borough does not protest. Temporary approval issued.
- 4866 Midnight Sun Brewing Co; Midnight Sun Brewing LLC**  
**Transfer of location** of a brewery license; located at 8111 Dimond Hook Dr in Anchorage; from 7329 Arctic Blvd; backgrounds complete.  
All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.
- 416 North Lakes Liquor; North Lakes Liquor Inc.**  
**Transfer of ownership** of a package store license; located at No Premise in MatSu Borough; from Four Corners Lounge, Inc.; backgrounds complete.  
All statutory requirements have been met. MatSu Borough does not protest.
- 4898 Panorama Pizza Pub; Leslie LeQuire**  
New beverage dispensary - tourism license; located at Mile 224 Parks Hwy in Denali Borough; backgrounds complete.  
  
**AND**

**4899 Panorama Pizza Pub; Leslie LeQuire**

New brewpub license; located at Mile 224 Parks Hwy in Denali Borough; backgrounds complete.

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

**1181 Two Rivers Lodge; Two Rivers Lodge Inc.**

**Transfer of ownership** of a beverage dispensary license; located at 4968 Chena Hot Springs Rd in Fairbanks North Star Borough; from Two R's LLC; backgrounds complete.

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

**WAIVERS**

**2614 2 Go Tesoro; Tesoro Northstore Company**

Waiver of a package store license located at No Premise in Anchorage.

**2nd Waiver Fees Paid                      2009**

Ellen Ganley **motions to approve (as read)**

Belen Cook **seconds the motion**

[10:39:02 AM](#)

Approved 4-0 (Joe DelDonno was not present)

**END CONSENT AGENDA**

● **DELEGATED CONSENT AGENDA**

**2721 Alaska Ship Supply; Western Pioneer, Inc.**

**Transfer of location** of a package store license; located at 487 Salmon Way in Unalaska; from 2029 Airport Beach Rd #2; backgrounds complete.

All statutory requirements have *not* been met (Fire). Unalaska does not protest.

**4910 Azucar Fina; Creative Latin Businesses Inc. (pronounced - Azu-ka)**

**New** restaurant/eating place license; located at 3677 College Rd # 9 in Fairbanks; backgrounds not complete. All statutory requirements have been met. Fairbanks does not protest. Temporary approval issued.

**4912 Baranof Island Brewing Company; Baranof Island Brewing Company LLC**

**New** brewery license; located at 212 Smith St Unit 4 in Sitka; backgrounds not complete.

All statutory requirements have *not* been met (DEC); Sitka does not protest.

**4905 Benny's Grill; 08 Capitol, Inc.**

**Transfer of ownership** of a restaurant/eating place license; located at 101 S Santa Claus Ln in North Pole; from Winglee Properties, LLC, No Name; backgrounds not complete.

All statutory requirements have been met; North Pole does not protest. Temporary approval issued.

**223 Big Dog Liquor; Buffalo Center, Incorporated**

**Transfer of ownership & name change** of a package store license; located at mile 1412.5 Alaska Hwy in an unorganized area; from ATAP, Inc. D.B.A. Mountain House Lodge/Cellar Package Store.

**AND**

- 1698 Snowhook Club, The; Buffalo Center, Incorporated**  
**Transfer of ownership & name change** of a beverage dispensary license; located at mile 1412.5 Alaska Hwy in an unorganized area; from ATAP, Inc. D.B.A. Mountain House Lodge/Cellar Package Store; backgrounds not complete.  
All statutory requirements have been met. There is no local governing body.
- 4548 Brewster's; Restaurant Concepts LLC**  
**Transfer of ownership (stock transfer)** of a beverage dispensary license; located at 354 Old Steese Hwy in Fairbanks; backgrounds complete.
- AND**
- 4247 Brewster's; Restaurant Concepts LLC**  
**Transfer of ownership (stock transfer)** of a beverage dispensary license; located at 3578 Airport Way in Fairbanks; backgrounds complete.  
All statutory requirements have been met. Fairbanks has not responded (60 days on July 19, 2009).
- 1090 Cattle Company Steakhouse; Taurian BA, LLC**  
**Transfer of ownership** of a beverage dispensary license; located at 300 Tudor Rd in Anchorage; from ARG Enterprises Inc.; backgrounds not complete.  
All statutory requirements have been met. Municipality of Anchorage has not responded (notification sent April 23, 2009).
- 4863 Comfort Suites of Anchorage; B&L Motels Inc**  
**New restaurant/eating place license** located at 2919 W International Airport Rd in Anchorage; backgrounds not complete.  
All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.
- 1308 Country Liquor; Country Liquor LLC**  
**Transfer of ownership & name change** of a package store license; located at 140 S Willow St in Kenai; from Foodtown Liquor Inc., D.B.A. Kenai Country Liquor; backgrounds not complete.  
All statutory requirements have been met. Kenai does not protest. Temporary approval issued.
- 4897 Denali Arts Council; Denali Arts Council**  
**New recreational site license**; located at 22249 South D St in MatSu Borough (Talkeetna); backgrounds not complete.  
All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued.
- 4891 Firetap Alehouse & Restaurant; O'Malley Alehouse & Pizza LLC**  
**Transfer of ownership, location & name change** of a beverage dispensary license; located at 10950 O'Malley Centre Dr in Anchorage; from Harry's Bar & Grill Inc.; D.B.A. Harry's Restaurant; located at 101 W Benson Blvd; backgrounds not complete.  
All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.
- 4914 Flying Squirrel Bakery Café; Flying Squirrel Bakery Café LLC**  
**New restaurant/eating place license**; located at 26205 S Talkeetna Spur in MatSu Borough (Talkeetna); backgrounds not complete.  
All statutory requirements have been met. MatSu Borough does not protest.
- 4776 Glacier Creek Distillery; Glacier Creek Distillery LLC**  
**Transfer of location** of a distillery license; located at 1540 N Shoreline Dr in MatSu Borough;

from 7931 Cottrell-Campus; backgrounds not complete.  
All statutory requirements have *not* been met (Fire/DEC). MatSu Borough does not protest.

- 456 Gold Hill Liquor; Gold Hill, Inc.**  
**Transfer of ownership** of a package store license; located at 3040 Parks Hwy in Fairbanks North Star Borough; from Philip & Genevieve Carboy; backgrounds not complete.  
All statutory requirements have been met. Fairbanks North Star Borough does not protest.  
Temporary approval issued.
- 4924 Inn at Whittier; Whittier Inn, LLC**  
**New** beverage dispensary - tourism license; located at Harbor Lp Rd in Whittier; backgrounds not complete.  
All statutory requirements have been met. Whittier does not protest. Temporary approval issued.
- 4896 Knik River Lodge; Knik River Lodge LLC**  
**New** restaurant/eating place - seasonal license; located at 29979 E Knik River Rd in MatSu borough; backgrounds not complete.  
All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued.
- 4889 Knik Super Store; RMB, LLC**  
**Transfer of ownership, location & name change** of a package store license; located at 5721 S Knik Goose Bay Rd in MatSu; from Brett Dittlinger & Mary Lemery, located at No Premise, No DBA; backgrounds not complete.  
All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued.
- 4925 McKinley Village Lodge - Lucky Miss Saloon; ARAMARK Sports & Entertainment Services LLC**  
**New** beverage dispensary - tourism seasonal license; located at Mile 231.1 Parks Hwy in Denali Borough; backgrounds complete.  
All statutory requirements have *not* been met (DEC). Denali Borough does not protest.
- 4845 Paris Bakery & Café; Michel J. Bieri LLC**  
**New** restaurant/eating place license; located at 500 Muldoon Ste 6 in Anchorage; backgrounds not complete.  
All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.
- 4915 Railway Cantina; Taco Dans LLC**  
**New** restaurant/eating place - public convenience license; located at 1401 4th Ave in Seward; backgrounds not complete.  
All statutory requirements have been met. City of Seward approves. Temporary approval issued.
- 4927 World, The; The World of ResidenSea II, Ltd.**  
**New** common carrier - seasonal license; located in Alaskan Waters; backgrounds not complete.  
All statutory requirements have been met. No local governing body. Temporary approval issued.
- 4875 Saltery Lodge; Naha Bay Land Company, LLC**  
**New** lodge - seasonal license; located at Loring in Ketchikan Gateway Borough; backgrounds not complete.  
All statutory requirements have been met. Ketchikan Gateway Borough does not protest. Temporary approval issued.

**4906 Taco Del Mar; NTF, LLC**

New restaurant/eating place; located at 930 Old Steese Hwy., # D in Fairbanks; backgrounds not complete.

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

**3827 Vallarta's Mexican Restaurant; Vallarta's Mexican Restaurant LLC**

**Transfer of ownership & name change** of a restaurant/eating place license; from Felipe Rodriquez & Elias Padila; D.B.A. Vallarta's; backgrounds not complete.

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

Ellen Ganley **motions to approve (as read)**

Ethan Billings **seconds the motion**

[10:43:42 AM](#)

Approved **4-0** (Joe DelDonno was not present)

**END DELEGATED CONSENT AGENDA**

- **PROTESTS**

None

- **OTHER FILINGS**

None

**4589 2 Go Tesoro; Tesoro Northstore Company**

**Attachment - 4589**

Waiver of a package store license located at No Premise in Anchorage.

**3rd Waiver**

**Fees Paid**

**2009**

Ellen Ganley **motions to approve with a warning that a fourth waiver will not be granted**

**No second**

**Motion dies for lack of a second. Waiver is not approved.**



**4318 Tonsina River Lodge; Beck's Company** **Attachment - 4319**  
**Transfer of ownership** of a beverage dispensary license; located at Mile 79 Richardson Hwy in an unorganized area; from Tonsina Lodge LLC; backgrounds not complete.

**AND**

**4319 Tonsina River Lodge; Beck's Company**  
**Transfer of ownership** of a package store license; located at Mile 79 Richardson Hwy in an unorganized area; from Tonsina Lodge LLC; backgrounds not complete.

All statutory requirements have *not* been met (Labor). No local governing body. There is one pre-transfer lien in the file from Alaska Distributor's. The licensee is attempting to contact the creditor to pay the debt (\$1017.45). Paid – lien lifted at printing.

*Delegated approval would be appropriate.*

**Testimony - Sharon Forster; Jamie Stapleton; Kevin Fitzgerald; Mark Gager; Serge & Elana Beck; Barbara Dragseth**

Ellen Ganley **motions to approve (delegation)**

Joe DelDonno **seconds the motion**

[12:53:11 PM](#)

Approved 5-0

- **BACKGROUND INFORMATION**  
None
- **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**  
None
- **EXPIRED LICENSES**  
None

Date of next ABC Board meeting: **September 23**

Location of next ABC Board meeting: **None**

**Board informational request for next meeting:**

- **Number of brewpubs – location and type (BD vs R/E Place)**
- **Number of breweries; wineries; distilleries**
- **Pursue legislation on internet sales**