

**State of Alaska
Alcoholic Beverage Control Board
Agenda Minutes
Friday, February 26, 2010**

GIL – add “public testimony – 9:00 to newspaper notice of meeting

8:47:03 AM

Board members present:

Chairman Bob Klein

Vice Chair Ellen Ganley - Teleconference

Member Joe DelDonno

Member Belen Cook

Member Ethan Billings

All votes will be via roll call

Staff members present:

Director Shirley Gifford - Teleconference

Enforcement Supervisor Bob Beasley

Licensing Supervisor Dawn Holland-Williams

● **DIRECTOR BRIEFING**

8:47:12 AM

A. Director Memo

Attachment DIR

8:55:25 AM convictions

● **10-Year Strategic Plan**

Attachment 10-YP

8:58:43 AM - End

● **ADMINISTRATION**

9:00:54 AM - On the record

A. Elect Chair and Vice Chair.

Chairman Klein asked if any member would like to be Chair or Vice Chair, hearing none, he said that he would like to remain Chair. Ms. Ganley agreed to remain the Vice Chair.

B Approve minutes of the November 19, 2009 Board meeting.

Minutes approved via signatures.

C. Delegate tie-breaking vote to the Director.

Belen Cook motions to approve

Joe DelDonno seconds the motion

9:04:12 AM - Approved 5-0

● **10-Year Strategic Plan**

Attachment 10-YP

Joe DelDonno motions to approve the strategic plan

Belen Cook seconds the motion

11:10:10 AM - Approved 5-0

Public Testimony Period of time for public testimony on issues that are not on this agenda.

John Biner – questioned the tourism exemption via population - [9:05:23 AM](#)
Voiced concern over the pending transfer of a beverage dispensary license (#671) and the pending issuance of a beverage dispensary – tourism license (4945) and a brewpub license (4946) in the Denali Borough. He feels that there are already too many licenses in the area.

[9:11:00 AM](#)

[9:11:49 AM](#) Ruben Prell (?) hard to go door to door to get signatures for a restaurant/eating – public convenience license in Juneau. [9:17:34 AM](#) - End

[9:17:41 AM](#) Joan Deering – Paradise Café – downtown Juneau – agrees that it is difficult to get a restaurant license. Different subject – thinks that the “new” atmosphere and operation of the Breakwater is great – says the town loves it.... [9:22:36 AM](#) - End

Jack Manning – Juneau Charr [11:21:49 AM](#)
4.16.160 – serving “restricted” persons – 04.21.030

[9:22:51 AM](#) (Chair requests that future meetings allow for at least a 30-minute period of time for public comments. Additionally, future public notice of upcoming ABC Board meetings should contain info about the public comment period (including the time that public comment will begin.)

- **INFORMAL CONFERENCES**

None

- **HEARING OFFICER DECISIONS**

None

- **SETTLEMENT AGREEMENTS**

144 Board of Trade Saloon; MJW Inc. Accusation No. 09-07
Beverage dispensary license located at 212 Front St in Nome.

Attachment 144

[11:05:44 AM](#)

Dir. Gifford - Issue has been ongoing for more than a year. Licensee as agreed to 45 day suspension with 35 days suspended and \$2000 fine - [11:07:36 AM](#)

Joe DelDonno **motions to approve settlement offer as recommended**
Belen Cook **seconds the motion**

[11:09:19 AM](#) - **Approved 5-0**

- **VOLUNTARY RELINQUISHMENT OF LICENSE**

None

- **SUSPENSION**

785 Northern Liquors; Albert W. Gartz & Ok Sun Gartz

Attachment 785

Package store license located at 266.5 Richardson Hwy in Delta Junction.

Conviction: furnishing alcohol to a minor.

- **See first item on Sanctions List (previous suspension)**

[9:23:42 AM](#)

Mr. Gartz on teleconference

Joe DelDonno **motions to** suspend the license for 45 days with 38 suspended and a \$1000 fine.

Ethan Billings **seconds the motion**

[9:33:27 AM](#) -**Approved 5-0**

Licensee would prefer to be suspended next week to remodel

4731 Tokyo Japanese Steakhouse; Yoon Corp.

Attachment 4731

Restaurant/eating place license located at 9116 Mendenhall Mall Rd in Juneau; transfer of ownership pending to DJ LLC (see Other Filings - Item 4731)

Conviction: D.B.A. name change without prior written approval of the Director.

[9:33:58 AM](#)

Attorney Brandon Marx – states that it was his fault that the paperwork for transfer was not filed timely.

Joe DelDonno **motions to fine \$2500 with no suspension (based on pending transfer – this agenda)**

Belen Cook **seconds the motion**

YES - Ellen Ganley, Joe DelDonno, Belen Cook

NO – Ethan Billings, Bob Klein

[9:52:04 AM](#) - **Approved 3-2**

4326 Chico's Mexican Restaurant; Catarino & Maria Patricia Robles

Attachment 4326

Restaurant/eating place license located at 435 Dock St in Ketchikan

Conviction: furnishing alcohol to a minor – 2nd offense before Board

Attorney Geoffrey Currall on behalf of Ms. Robles

Joe DelDonno **motions to** suspend alcohol sales for 45 days with 38 days suspended and \$1000 fine

Belen Cook **seconds the motion**

[9:58:58 AM](#) - **Approved 5-0**

[9:59:49 AM](#) **BREAK**

[10:10:29 AM](#) **ON THE RECORD**

1142 Tips Bar; Hae Won Incorporated

Attachment 1142

Beverage dispensary license located at 12349 Old Glenn Hwy in Anchorage (Eagle River)

Conviction - no alcohol server training

[10:45:20 AM](#)

[10:50:41 AM](#)

Belen Cook **motions to suspend for 45 days with 40 suspended and a \$1000 fine**

Ellen Ganley **seconds the motion**

[10:55:49 AM](#)

[10:58:01 AM](#) - **Approved 5-0**

● **BOARD CONSIDERATION**

806 Office Lounge; Nura Abdul-Halim

Attachment 806

Beverage dispensary license; located at 545 Northern Lights Blvd in Anchorage.

Licensee catered an event on 10/24/09 at the Alaska Native Justice Center in Anchorage under catering permit # 09-5061. Payment for permit was returned NSF.

Staff request revocation of catering permit privileges for a period of time.

Board directs Staff to handle administratively.

175 Breakwater Inn Restaurant & Lounge; Q Enterprise Inc

Attachment 175

Beverage dispensary - tourism license located at 1711 Glacier Ave in Juneau.

Information provided to the Board regarding the current operation of the license, and the concerns of surrounding neighborhood residents. The City & Borough of Juneau is requesting that the Board defer action on the liquor license renewal until the next ABC Board meeting.

[11:01:29 AM](#)

Joe DelDonno **motions to postpone until next meeting**

Belen Cook **seconds the motion**

[11:03:23 AM](#) - **Approved 5-0**

219 Chena Hot Springs Resort; Chena Hot Springs Resort, LLC

Attachment 219 - 220

Beverage dispensary license located at Mile 57 Chena Hot Springs Rd in Fairbanks North Star Borough.

AND

220 Chena Hot Springs Resort; Chena Hot Springs Resort, LLC

Package store license located at Mile 57 Chena Hot Springs Rd in Fairbanks North Star Borough.

Questions as to the validity of serving alcoholic beverages in certain areas of the resort (specifically the Ice Museum). Should this be an extension of the licensed premise (full resort)?

[10:10:29 AM](#) back on the record- Dir. Gifford - [10:18:17 AM](#)

Issue before the Board – catering permits in tents – not an issue for the Board

Operation of the package store – hours of operation – Mr. Karl to provide proof

Selling of tickets for drinks at Ice Hotel – should it be considered part of the licensed premise?[10:20:24 AM](#)

4.11.090(d) – other areas can be approved by the Board

[10:21:17 AM](#) - Bernie Karl (Chena) - PowerPoint presentation

In Alaska since 1973 – family business – 65 or 165 employees

Ice “museum” is *not a* hotel – it is the largest ice structure in the world – 6 years without issues

[10:24:04 AM](#)

8000 pounds of ice - Each glass is carved ice - 445 acres (self-contained village) - Open 365 days per year

220600 visitors per year. All employees carry a valid TAMs cards.

[10:27:26 AM](#)

All patrons are ID checked before provided alcohol – three (3) drink limit for all

Scheduled tours – only 21 and over can sit at the ice bar

Ice museum tickets are sold at the activity center (ID is checked twice – MANDATORY)

In 12 years – no problems - Package store is for tourists only

Malfunction for about 2-3 minutes [10:32:50 AM](#)

Back on - [10:35:34 AM](#)

Mr. Klein – where is the alcohol stored?

Only sell one drink (apple martini) at the Ice Museum – tours last approximately 25 minutes – max 45 minutes

Mr. Klein - [10:38:43 AM](#)

Staff’s concern is the control of alcohol

[10:39:29 AM](#)

Room service is provided to rooms on the resort

No motion means that business resumes same

Mr. Klein view – this is a very unique business

Ms. Cook – question – are we setting a precedence?

Mr. Klein – this is unlike any other business, no precedence in his opinion

Ellen – has visited the resort and feels that the supervision is very good

Mr. Deldonno – this is a very well run establishment – sees no issue

Ethan – same thoughts

[10:44:02 AM](#) - **No action**

4279 T.G.I. Fridays; Out in the Boonies, Inc.

Attachment 4279

Beverage dispensary license located at C St & Tudor in Anchorage.

Questions regarding AS 04.16.015 (pricing & private functions)

[11:15:47 AM](#)

“legalized happy hour”???

Staff requests some guidance as to what constitutes “Private functions”

Mr. Klein suggests that Staff take as case by case and/or come up with a set of rules

[11:19:29 AM](#)

1142 Tips Bar; Hae Won Incorporated

Attachment 1142

Beverage dispensary license located at 12349 Old Glenn Hwy in Anchorage (Eagle River).

Licensee requests waiver of late penalty fee for renewal. States that he personally delivered his renewal application and check in drop box on the front of the ABC Office. The application and check were not found.

Joe DelDonno **motions to** refund \$500 penalty fee
Ethan Billings **seconds the motion**

[10:59:49 AM](#) - **Approved 5-0**

NOV Notice of Violations

Attachment NOV

[11:29:18 AM](#)

● **CONSENT AGENDA**

4950 Klondike Restaurant & Lounge; Harris Yang

New beverage dispensary - tourism license; located at 1347 Bedrock St in Fairbanks; backgrounds complete. All statutory requirements have been met. Fairbanks does not protest. Temporary approval issued.

4817 Manhattan Pizza; Manhattan Pizza LLC

Transfer of ownership of a restaurant/eating place license; located at 2602 Spenard Rd in Anchorage; backgrounds complete.

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

4507 Miguel's Restaurant; Miguel's LLC

Transfer of ownership & name change of a beverage dispensary license; located at 1235 Airport Way Ste 1 in Fairbanks; from Market Basket, Inc., D.B.A. Trio Restaurant and Lounge; backgrounds complete. All statutory requirements have been met. Fairbanks does not protest. Temporary approval issued.

729 Millers Cave; Northway Airport Enterprises LLC

Transfer of ownership of a beverage dispensary - tourism license; located at Mile 7 Northway Rd in an Unorganized area; from James R. & Rose Moody; backgrounds complete.

AND

928 Prop Shop; Northway Airport Enterprises LLC

Transfer of ownership of a package store license; located at Mile 7 Northway Rd in an Unorganized area; from James & Rose Moody; backgrounds complete.

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

867 Pioneer Liquor & Gas; Dean & Megan Davidson

Transfer of ownership & name change of a package store license; located at Mile 18 Hope Hwy in the Kenai Peninsula Borough; from V & R Davidson & Melodee Monson, D.B.A. Pioneer Liquor; backgrounds complete.

All statutory requirements have been met. Kenai Peninsula Borough has not responded (60 days have lapsed.)

4943 Specialty Imports; Specialty Imports Inc.

New wholesale general license; located at 540 W 8th St in Juneau; backgrounds complete.

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

4907 Taco Del Mar; NTF, LLC

New restaurant/eating place license located at 2001 E 88th Ave #105 in Anchorage; background complete.

AND

4908 Taco Del Mar; NTF, LLC

New restaurant/eating place license located at 4505 Spenard Rd #B in Anchorage; background complete.

AND

4909 Taco Del Mar; NTF, LLC

New restaurant/eating place license located at 110 W Tudor Rd #A in Anchorage; background complete.

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

4752 Thai House Restaurant; Sivilay & Malada Vongsamath

New restaurant/eating place license; located at 9191 Old Seward Hwy #1 in Anchorage; backgrounds complete.

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

4826 Valley Winery & Brew Supply; Bobo Enterprises of Alaksa LLC

New winery license located at 1705 Ranch Rd in MatSu Borough; backgrounds complete.

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

3243 Froso's Family Dining; Dionysus LLC

Transfer of ownership, location & name change of a beverage dispensary license; located at 35433 Kenail Spur Hwy in Soldotna; from The Crossing Inc., located at 44789 Sterling Hwy, D.B.A. Crossing; backgrounds complete.

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

68 No DBA; Market Basket Inc.

Transfer of ownership, location & name change of a package store license; located at No Premise in Fairbanks North Star Borough; from Helen M. Kennedy, D.B.A. Wagon's North Trading Post, located at 3342 Chena Hot Springs Rd; backgrounds complete.

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

1st Waivers Fees Paid 2009

542 Husky Lounge; The Kishan Group, Inc.
Beverage dispensary license located at 1521 E Cushman in Fairbanks.

1625 The "O"; Prime, Inc.
Beverage dispensary license located at No Premise in Anchorage.

2nd Waivers Fees Paid 2009

328 Drop In/El Sombrero; Foxx Inc.
Beverage dispensary license located at 853 Cushman St in Fairbanks.

4952 Dog House, The; Rainy Day, Inc.
New beverage dispensary license located at 312 Harbor Ave in Coffman Cove; backgrounds complete.
All statutory requirements have been met. Coffman Cove does not protest.

11:31:14 AM

Joe DeIDonno **motions to approve Consent Agenda as approved**
Ethan Billings **seconds the motion**

11:31:29 AM -Approved 5-0

END CONSENT AGENDA

● **DELEGATED CONSENT AGENDA**

4061 Aleutian Sports Bar & Grill; L:VS Adak LLC (stock transfer)
Transfer of ownership & location of a beverage dispensary license to 42446 Kagalaska Dr in Adak; from Bldg 35001 Transit Rd; backgrounds complete.
All statutory requirements have *not* been met (DEC & Fire have not responded). Adak has not responded (notice sent 11/9/09).

4214 A Taste of Alaska Lodge; Kory Walter Eberhardt
Transfer of ownership of a restaurant/eating place license; located at 551 Eberhardt Rd in Fairbanks North Star Borough; from Deborah L. Eberhardt; backgrounds not complete.
All statutory requirements have been met. Fairbanks North Star Borough does not protest.

3875 Alaska Cadillac Café; Little Goose Restaurants, LLC
Transfer of ownership of a restaurant/eating place license; located at Mile 49 Parks Hwy in MatSu Borough; Cadillac Restaurants LLC; backgrounds not complete.
All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued.

4947 Alaska Team Imports; Jon Sandbom
New wholesale malt beverage - wine license; located at 814 W Northern Lights # B1 in Anchorage.
All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.

4850 Arctic Valley Ski Area; Anchorage Ski Club Inc.
New recreational site license located at Mile 7 Arctic Valley Rd in Anchorage; backgrounds not complete.
All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.

4350 Three Amigos Mexican Restaurant; Victor Hurtado & Jose Diaz
Transfer of ownership of a beverage dispensary license; located at 360 Boniface Pkwy # A30-31 in Anchorage; from Jaliscos Inc.; backgrounds not complete.
All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued.

4962 Glacier Express M/V; Seward Wildlife Cruises LLC
New common carrier - seasonal license; located in Alaskan Waters; backgrounds not complete.
All statutory requirements have been met. No local governing body.

4748 Harbor Sushi; Unisea, Inc.
Transfer of location & name change of a beverage dispensary license; located at 188 Gilman Rd in Nome; from No Premise, D.B.A. Latitudes; backgrounds not complete.
All statutory requirements have *not* been met (Fire/DEC). Nome does not protest.

3323 Home Run Concessions; Home Run Concessions LLC
Transfer of ownership & name change of a recreational site - seasonal license; located at 901 Mystery Ave in Wasilla; from Kimberly A. Weeks, D.B.A. Mat-Su Concessions; backgrounds not complete.
All statutory requirements have been met. Wasilla does not protest.

4944 Husky; Husky LLC
New restaurant/eating place - public convenience license; located at 235 Front St in Nome; backgrounds not complete.
All statutory requirements have *not* been met (Fire). Nome approves the issuance of the license.

612 King Mountain Lodge; King Mountain Lodge, L.L.C.
Transfer of ownership of a beverage dispensary license; located at 34097 Glenn Hwy in the MatSu Borough; from Circle "J" Inc.; backgrounds complete.
All statutory requirements have *not* been met (Revenue). MatSu Borough has not responded (60 days have lapsed.)

968 Riverview Quick Stop; Riverview Quick Stop Inc. (stock transfer)
Transfer of ownership (stock) of a package store license; located at 1316 Badger Rd in Fairbanks North Star Borough; backgrounds complete.
All statutory requirements have *not* been met (Revenue). Fairbanks North Star Borough does not protest.

4960 Silver Shadow, M/V; Silversea Provisioning LLC
New common carrier - seasonal license; located in Alaskan Waters; backgrounds not complete.
All statutory requirements have been met. No local governing body.

4725 Wings 'N Things; WingWorld, Inc. (stock transfer)
Transfer of ownership (stock) of a restaurant/eating place license; located at 701 W 36th Ave Unit A17 in Anchorage;
All statutory requirements have *not* been met (Revenue). Municipality of Anchorage does not protest.

[11:34:33 AM](#) - Joe DelDonno **motions to approve**
Ethan Billings **seconds the motion**

[11:35:00 AM](#) - **Approved 5-0**

END DELEGATED CONSENT AGENDA

[11:37:06 AM](#) - Five (5) minute break

[1:32:06 PM](#) - Back on the record

- **PROTESTS**

4824 Mandarin Kitchen; Zong Li, LLC

Attachment 4824

Transfer of ownership & name change of a restaurant/eating place license; located at 3020 Minnesota Dr # 6&7 in Anchorage; from Bounhom Choummittaphanh, D.B,A., Thai and Chinese Cuisine; backgrounds not complete.

All statutory requirements have *not* been met (Labor). Municipality of Anchorage *protests* based on Fire & administrative site plan review (of an existing licensed premise).

Staff recommends approval with delegation pending protest lift by Muni.

Joe DelDonno **motions to approve**

Belen Cook **seconds the motion**

[1:37:01 PM](#) - **Approved 5-0**

- **OTHER FILINGS**

4446 Alaska 1910; Elizabeth Rollins

Attachment 4446

Beverage dispensary license located at No Premise in Fairbanks North Star Borough.

Application for 1st waiver. License history shows an agreement between licensee and former Director Griffin, through AAG Linda Kesterson, that no further waivers would be approved for this license.

Fees have not been accepted. Licensee provided a credit card number, but based on the difference in fees, staff chose not to charge fees until direction received from the Board of Directors.

"1st" waiver fees would be \$1250.00

"6th" waiver fees would be \$40,000.00

Ms. Rollins was to be present but her plane could not land, was diverted.

Joe DelDonno **motions to postpone**

Belen Cook **seconds the motion**

[11:59:51 AM](#) - **Approved 5-0**

677 Joe's Bar; Robert L. Magnuson Sr., Executor of the Valkyrie Magnuson Estate

Transfer of ownership of a beverage dispensary license; located in McGrath; from Valkyrie L. Magnuson (deceased); backgrounds not complete.

AND

678 Joe's Bar; Robert L. Magnuson Sr., Executor of the Valkyrie Magnuson Estate

Transfer of ownership of a package store license; located in McGrath; from Valkyrie L. Magnuson (deceased); backgrounds not complete.

All statutory requirements have *not* been met (Labor). McGrath has not responded (60 days have lapsed).

Lien received from K & L Dist. Carol Panduren (K&L) states that K&L would not object to the transfer, as long as no license is issued prior to the debt being paid.

Joe DelDonno **motions to approve with delegation and that the debt to K&L be paid off within six (6) months**

Ethan Billings **seconds the motion**

[1:55:54 PM](#) - **Approved 5-0**

2565 El Dorado Bar & Grill; El Dorado Bar & Grill Inc. Attachment 2565
Transfer of ownership, location, & name change of a beverage dispensary license; located at 530 3rd Ave in Fairbanks; from John Sexton, located at No Premise, D.B.A. Iron Horse; backgrounds not complete.

All statutory requirements have *not* been met (Fire). Fairbanks does not protest, but wishes to include *conditions*:

Establishment is a full-service restaurant. City of Fairbanks wishes to include the condition that "*alcoholic beverages to be served only when the restaurant is open.*"

Staff recommendation after talking to Mario Valderrain (Officer/Director in El Dorado): delegated approval with condition(s) attached.

[1:37:33 PM](#)

Joe DelDonno **motions to approve with delegations with conditions attached**

Belen Cook **seconds the motion**

[1:39:32 PM](#) - **Approved 5-0**

115 Big D Bar; Robert Dale Tobey Attachment 4597
Transfer of ownership of a beverage dispensary license; located at Mile 274.5 Richardson Hwy in an unorganized area; from Phillip H. Sobers; backgrounds not complete.

AND

3769 Big D Package Store; Robert Dale Tobey Attachment 4597
Transfer of ownership of a package store license; located at Mile 274.5 Richardson Hwy in an unorganized area; from Phillip H. Sobers; backgrounds not complete.
All statutory requirements have been met. No local governing body.

Transfer of these licenses is based on an agreement with Mr. Sobers related to Accusation # 09-06.

[1:39:59 PM](#)

Joe DelDonno **motions to approve with delegation pending final signed agreement with Mr. Sobers**

Ethan Billings **seconds the motion**

[1:41:56 PM](#) - **Approved 5-0**

671 Sourdough Brewing Company; Denali Visions 3000 Corporation
Transfer of ownership, location & name change of a beverage dispensary license; located at Mile 248.4 Parks Hwy in Denali Borough; from Longhorn Liquor Inc., D.B.A. Longhorn Bar, located at Mile 136 Denali Hwy; backgrounds complete.
All statutory requirements have *not* been met (DEC & Fire). Denali Borough does not protest.

AND

4696 Sourdough Brewing Company; Denali Visions 3000 Corporation
New brewpub license; located at Mile 248.4 Parks Hwy in Denali Borough; backgrounds complete.
All statutory requirements have *not* been met (DEC, Fire, & TTB Approval). Denali Borough does not protest.

The shareholders in this corporation also control Denali Park Grocery, Inc., which is the licensee for Sled Dog Liquor, a package store license located at Mile 238.4 Parks Hwy. (This does not appear to be contrary to AS 04.11.450 as long as AS 04.11.135(a)(6) is adhered to.)

[11:57:38 AM](#)

Joe DeDonno **motions to approve** with delegation
Ellen Ganley **seconds the motion**

[11:58:07 AM](#) - **Approved 5-0**

4945 Cantwell Lodge & Longhorn Saloon; Longhorn Liquor Inc.
New beverage dispensary – tourism license; located at Mile 136 Denali Hwy in Denali Borough; backgrounds complete.
All statutory requirements have been met. Denali Borough does not protest.

Joe DeDonno **motions to approve**
Belen Cook **seconds the motion**

[11:58:36 AM](#) - **Approved 5-0**

[11:04:14 AM](#) - Tourism license question – Mr. Klein
Chairman Klein requests that a committee of staff and Board members to develop consistent rules for tourism licenses.

3147 Point After; Chen-Mong, Inc.
Beverage dispensary - seasonal license located at No Premise in Fairbanks.

Attachment 3147

2nd & 3rd Waiver 2008 - 2009 Fees Paid
Postpone until next meeting [1:45:40 PM](#)

4374 Bear Creek Winery; Bear Creek Winery LLC
Winery license renewal; located at 60203 Bear Creek Rd in Kachemak.

Attachment 4374

Objection to renewal from community member. City of Kachemak does not protest. Letter dated December 10, 2010.

[1:47:07 PM](#) - No action

4580 Glacier City Restaurant; Glacier City Restaurant, Inc.
Beverage dispensary license located at No Premise in Anchorage.

Attachment 4580

3rd Waiver 2009 Fees Paid

License is pending transfer to Las Margaritas LLC, located at 8001 Seward Hwy in Anchorage. Transfer is not ready to be acted upon at this time.

Staff recommends approval of waiver, based on the pending transfer to a current licensee, to be located at a premise that was recently licensed as a full service restaurant with beverage dispensary license.

Joe DelDonno **motions to approve with no further waivers**
Belen Cook **seconds the motion**

[1:51:06 PM](#) - Approved 5-0

4731 Asiana Gardens; DJ LLC
Transfer of ownership & name change of a restaurant/eating place license; located at 9116 Mendenhall Mall Rd in Juneau; from Yoon Corp., D.B.A. Tokyo Japanese Steak House; backgrounds not complete. All statutory requirements have been met. City & Borough does not protest.

Attachment 4731

Staff recommendation: delegated approval pending Board decision on Title 4 violation. See under "Suspensions", item # 4731, page 3.

Joe DelDonno **motions to approve with delegation**
Ethan Billings **seconds the motion**

[1:53:10 PM](#) - Approved 5-0

4558 Brown Jug; Liquor Stores USA North Inc.
Transfer of location of a package store license; located at 1106 N Muldoon Rd #110 in Anchorage; from No Premise; backgrounds complete.

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

Mr. Klein removed himself from this item

Ms. Ganley

Joe DelDonno **motions to approve**
Ethan Billings **seconds the motion**

[11:36:35 AM](#) - Approved 4-0

- **BETHEL**

Each of the following liquor license applications have been protested by the City of Bethel based on an advisory vote in January 2010.

4954 123 BBQ Express; Grace Seo

New restaurant/eating place license; located at 120 A Eddie Hoffman Hwy in Bethel; backgrounds complete. All statutory requirements have *not* been met (DEC/Fire).

4956 Alaska Commercial Company AC Value Center; The North West Company International Inc.

New package store license, located at 514 Ridgecrest St in Bethel; Backgrounds complete. All statutory requirements have *not* been met (Fire).

4953 Corina's Restaurant; Kilsun Park

New restaurant/eating place license; located at 238 East Ave Slough in Bethel; backgrounds complete. All statutory requirements have *not* been met (DEC/Fire).

4955 Dimitri's Restaurant; Maro Kargas

New restaurant/eating place license; located at 281 4th Ave in Bethel; backgrounds complete. All statutory requirements have *not* been met (DEC/Fire).

4951 Osaka Restaurant; Kilsun Park

New restaurant/eating place license; located at 431 Ridge Crest in Bethel; backgrounds complete. All statutory requirements have *not* been met (DEC/Fire).

4963 VFW; Robert V. Lindsey Post No. 10041

New club license; located at 150 Akiak Dr in Bethel; backgrounds complete. All statutory requirements have *not* been met (DEC/Fire).

[1:33:38 PM](#) - The Board is faced with two choices:

- Find the protest(s) by the City of Bethel are *arbitrary, capricious, and unreasonable, and the reason for that finding*; or,
- Deny all applications based on the protest(s) being found to be valid.

Ellen Ganley **motions to deny all Bethel applications based on local governing body protest**
Joe DelDonno **seconds the motion**

[1:35:51 PM](#) - **Approved 5-0**

- **BACKGROUND INFORMATION**

None

- **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

None

- **EXPIRED LICENSES**

None

Date of next ABC Board meeting: **Anchorage** Location: **May 4, 2010**

[1:58:27 PM](#)

[1:58:42 PM](#) Off the record [1:58:57 PM](#)