

**State of Alaska
Alcoholic Beverage Control Board
Meeting Minutes
Nome, Alaska
September 7, 2011**

- **ADMINISTRATION**

Board Members Present:

Chairman Bob Klein
Vice Chair Ellen Ganley
Member Belen Cook
Member Ethan Billings (telephonically)
Member Marvin Yoder (telephonically)

Staff Members Present:

Director Shirley Gifford
Licensing Supervisor Lauren Edades

ABC Board Counsel Present:

Assistant Attorney General John Novak

Approval of minutes for the July 12, 2011 Board Meeting

- **DIRECTOR BRIEFING**

Director's Report

- **Bob Klein asks if there is any objection to the approval of the agenda**
No objection
Motion Carried 5-0

- **PUBLIC TESTIMONY**

[10:09:36 AM](#)

Period of time for public testimony on issues not on this agenda. As no one was in the audience or on the telephone until 10:25 a.m. the Consent Agenda was read.

Cussy Kauer appears in person at 10:25 a.m. and was afforded the opportunity to talk about the loss of her grandson, Jamison. Jamison was on his way to school when he was struck and killed in Fairbanks by a driver reported to be under the influence of prescription drugs. A discussion ensued regarding the possible need for new laws.

- **CONSENT AGENDA** [10:13:41 AM](#)

Ellen Ganley **Reads License #4076 Brown Jug Transfer (Bob Klein recluses himself)** [10:14:14 AM](#)
 Belen Cook **Motions to approve license transfer**
 Ethan Billings **Seconds the motion**
Motion Carried 4-0

Belen Cook **Motions to approve the agenda**
 Ellen Ganley **Seconds the motion**
Motion Carried 5-0
- **NEXT BOARD MEETING DATE** [10:20:08 AM](#)

December 6, 2011 in Anchorage
 (Later changed to December 7, 2011 due to conflict)
- **SUPREME COURT DECISION** [10:20:50 AM](#)

Director Gifford and Mr. Novak brief the board on the Supreme Court decision of the appeal of Fish Heads Bar & Grill.
- **BOARD CONSIDERATION**

 - **Recommendation for Investigator to be armed** [10:39:00 AM](#)

Ellen Ganley **Motions to approve Investigator to be armed**
 Belen Cook **Seconds the Motion**
Motion Carried 5-0
 - **Revisions to Policies & Procedures** [10:42:05 AM](#)

Ellen Ganley **Motions to approve Revised Policies & Procedures with delegated authority for corrections**
 Belen Cook **Seconds the Motion**
Motion Carried 5-0
- 170 **Mountain View Liquor & Grocery** [10:52:40 AM](#)
Request for Extension of Time for Transfer of License

Ellen Ganley **Motions to grant the extension of time for 90 days**
 Belen Cook **Seconds the Motion**
Motion Carried 5-0
- 1193 **Club Valdez** [10:55:55 AM](#)
Revocation of License

Ellen Ganley **Motions for Revocation of License**
Belen Cook **Seconds the Motion**
Motion Carried 5-0

4379 Skagway Pizza Station [10:59:15 AM](#)
Transfer Request/Advisory Discussion

Licensees Mark and Elizabeth Smith will look into changing lot lines for a single address.

5019 Denali Brewing Company [11:36:00 AM](#)
Discussion Regarding Error of Issuance of Brewery & Restaurant Eating Place. To be reheard at December 6, 2011 Board Meeting.

LUNCH

(Ellen Ganley leaves the meeting)

- **PROTESTS**

1617 Yamato Ya Restaurant [1:50:38 PM](#)
Yamato, Inc: Municipality of Anchorage
License Type: Transfer Restaurant Eating Place.
3501 Old Seward Highway
Municipality of Anchorage *protests* based on pending approval from Anchorage Fire Department

Belen Cook **Motions to uphold the protest with delegation**
Ethan Billings **Seconds the Motion**
Motion Carried 3-0 (Marvin Yoder out of meeting)

4367 El Rodeo Mexican Restaurant [1:52:05 PM](#)
El Rodeo Inc: Municipality of Anchorage
License Type: Beverage Dispensary FROM 222, Inc.
333 W 4th Avenue Ste 208 (No Premise)
Municipality of Anchorage *protests* based on pending Conditional Use Permit.

Belen Cook **Motions to uphold the protest with delegation**
Ethan Billings **Seconds the Motion**
Motion Carried 3-0 (Marvin Yoder out of meeting)

4750 Anchorage Billiard Palace: [2:06:10 PM](#)
B.P. Billiards LLC: Municipality of Anchorage
License Type: Transfer Beverage Dispensary
903 W Northern Lights Blvd. #100 & 101

Municipality of Anchorage *protests* based on pending approval from Anchorage Fire Department. Building is currently under construction.

Belen Cook **Motions to uphold the protest with delegation**
Ethan Billings **Seconds the Motion**
Motion Carried 3-0 (Marvin Yoder out of meeting)

(Marvin Yoder returns telephonically)

4985 Bare Distillery: [2:22:20 PM](#)

Bare Distillery Alaska: Municipality of Anchorage

License Type: Distillery

6310 A Street

Municipality of Anchorage *protests* based on pending approval from Anchorage Fire Department and Health and Human Services.

Belen Cook **Motions to uphold the protest with delegation**
Ethan Billings **Seconds the Motion**
Motion Carried 3-0 (Marvin Yoder out of meeting)

5036 Arch Rock Lounge: [2:30:10 PM](#)

Qagan Tayagungin Tribe: Sand Point

License Type: Beverage Dispensary Tourism

City of Sand Point Protests

Belen Cook **Motions to postpone issue until next meeting**
Ethan Billings **Seconds the Motion**
Motion Carried 4-0

(Ethan Billings leaves the meeting telephonically)

5044 Korean Garden: [2:59:46 PM](#)

Leanne Kang: Municipality of Anchorage

License Type: New Restaurant Eating Place

300 Dimond Blvd. Ste 67

Municipality of Anchorage *protests* based on pending approval of Administrative Site Plan Review and Anchorage Fire Department.

Belen Cook **Motions to uphold the protest with delegation**
Marvin Yoder **Seconds the Motion**
Motion Carried 3-0 (Ethan Billings out of meeting)

(Ethan Billings returns telephonically)

5084 Portage Glacier Café & Gifts: [3:11:15 PM](#)

Portage Glacier Café & Gifts LLC: Portage
License Type: New Restaurant Eating Place
401 Portage Loop Road
Municipality of Anchorage *protests* pending an Administrative Site Plan Review.

Belen Cook **Motions to uphold the protest with delegation**
Marvin Yoder **Seconds the Motion**
Motion Carried 4-0

- **RESURRECT AND RENEW**

1955 Olds River Inn: [3:02:30 PM](#)
Circle B LLC: Kodiak

Belen Cook **Motions to Resurrect & Renew**
Ethan Billings **Seconds the Motion**
Motion Carried 4-0

- **MEETING ADJOURNED** [3:12:15 PM](#)