



**Alcoholic Beverage Control Board
Meeting Minutes
April 6, 2017
Third Judicial District
Atwood Building
Rooms 102 & 104
Anchorage, Alaska**

Board Members Present:

Ellen Ganley, Vice Chair, Public Member
Bobby Evans, Rural Member
Thomas Manning, Industry Member
Rex Leath, Public Safety Member

Staff Members Present:

Erika McConnell, Director
Sarah Oates, Program Coordinator

Legal Counsel Present:

Harriet Milks, Assistant Attorney General

Call to Order

9:17am

Ellen Ganley welcomes Rex Leath, new public safety Board member.

● **DIRECTOR BRIEFING**

A. Director's Report

9:18am

TAB 1

Erika McConnell briefs the Board of AMCO updates.

She talks about theatre licenses with the Board members and asks if they would be supportive of staff's interpretation of 3 AAC 304.105(b) where it says "as appropriate" to not include the requirement under (b)(6) for theatre license applications.

Erika McConnell apologizes to the Board members that the packet was not available in advance of the meeting. She requests that the Board amend the agenda to address tabs 1-30 and 57-58 today, and have the remainder of the tabs be considered during a meeting next week. She states that tabs 27 and 28 have had the protests lifted and will not need to be considered.

● **ADMINISTRATION**

- A. **Approve Minutes of the February 1, 2017 Board Meeting** 9:26am **TAB 2**
Bobby Evans moves to approve the minutes.
Tom Manning seconds the motion.
Motion carries unanimously.

● **PUBLIC TESTIMONY**

- A. Period of time for public testimony on issues not on this agenda. 9:28am
Please phone 1-800-315-6338 code 69173#.

Steve Mitchell provides testimony regarding caterer's permits at Fairbanks Drama Association. He states that they work through Bobby's Downtown and that the ideal solution would be a theatre license. He passes out documents to the Board members.

Patty Burley asks if she will be able to talk about tabling of agenda items.

Representative Zach Fansler voices concerns about tabling the Bethel applications, as the City of Bethel has paid to fly people here today and made time to speak with the Board about the applications.

Beth McEwen, Juneau Deputy City Clerk, welcomes new members to the meeting and states that she will be following SB 76.

Leif Albertson, Bethel City Councilman, states that he flew here today to discuss specific items and that the City Council has worked very hard to have a systematic process, as alcohol has been a very controversial issue. He states that he doesn't know what the right thing to do is at this point, as far as moving forward, as he isn't clear when things will be heard.

Bobby Evans states that now would be a good time to talk about the agenda.

Steve Chung, applicant for Tundra Liquor Cache in Bethel, asked if the Board could squeeze one more tab in today.

Ellen Ganley states that at this point, most of the people who would provide testimony are assuming that it's not going to happen today.

The Board members agree to take public testimony on tabs 31-56 and 59 today starting at 12:30, as numerous people flew in or showed up today to do so, but that consideration of those items and tabs 60-65 will not occur until next week's meeting.

Harriet Milks reminds the public that there will be adequate time for all persons who wish to provide testimony regarding any of the agenda items between today's and next week's meetings.

● **BOARD GOVERNANCE**

9:46am

Harriet Milks asks that the Board members disclose any updates regarding potential conflicts with the Ethics Act.

Tom Manning states that he has nothing new.

Bobby Evans states that he is on other Boards, but that the only thing that might be applicable would be that he is the Director of a corporation that owns land on which Brown Jug holds a license.

Harriet Milks states that the way that that would work is when Brown Jug has an application come before the Board, Mr. Evans would disclose the potential conflict, and the Chair, as the ethics manager, would decide if he should recuse himself due to conflict.

Ellen Ganley states that she has no updates.

Rex Leath states that he has no conflicts, is not a partner in any businesses that would come before the Board involving Title 04.

Shirley Marquardt, Director of Board and Commissions, hands out a memo and briefly discusses some board etiquette points with the members.

● **LICENSING UPDATE**

- A. Licensing Report** **9:52am** **TAB 3**
Sarah Oates briefs the Board on licensing team updates, including statistics and staff changes. She states that the agenda deadline for the July, 2017 meeting will be June 23, 2017; written public testimony can be provided to the Board if submitted after that date, but the individual would need to provide a copy for each Board member.

● **ENFORCEMENT UPDATE** **9:56am**

- A. Enforcement Report** **TAB 4**
James Hoelscher briefs the Board on enforcement updates, including statistics and staff changes.
- B. Notices of Violation Issued and Licensee Responses** **10:15am** **TAB 5**
James Hoelscher briefs the Board on the notices of violation and states that some of them are pending future accusations.

● **BOARD CONSIDERATION**

- A. Training for Alcohol Professionals (TAP): Alaska CHARR** **10:17am** **TAB 6**
- Consideration of alcohol server education course renewal.**
James Hoelscher states that all of the recommended changes are there to make sure that there isn't any misinformation given out regarding Title 04.
Joe Hamilton states that the course does hit all of the points outlined in the statute.

Dale Fox, President and CEO of Alaska CHARR, provides testimony regarding the TAP course, stating that he would need to appeal some of the requested changes. He passes out copies of the Title 04 book, copies of the TAP course books, and a memo to the Board with CHARR responses to the requested changes. He states that there are two issues that were brought up that are contrary to the law: "Adulteration or Misbranding of Alcohol" and "How to Calculate BAC", and then he goes through each of the requested changes one at a time.

Tom Manning asks if Mr. Fox has spoken with Investigator Hamilton about these issues. Dale Fox states that he has not and recommends that he appeal to the director. Ellen Ganley states that Investigator Hoelscher should be involved in that discussion.

Tom Manning moves to have Mr. Hoelscher, Mr. Fox, and anyone else who the director feels should be involved should get together on this to make sure that there's clarity. Rex Leath seconds the motion.

Motion carries unanimously.

James Hoelscher asks if the Board would have any issue with extending the validity of the temporary approval until the next meeting, as Mr. Fox was informed that it was only valid until this meeting.

The Board members agree that that would be appropriate.

- B. 1139 Spenard Paradise Inn & Lounge:** Hyun Ju & Kyong Teak Song **10:38am** **TAB 7**
3001 Spenard Road; Anchorage
License: Beverage Dispensary – Tourism

Consideration of license renewal application.

Bobby Evans moves to deny.

Joe Hamilton speaks to the Board about the licensee's felony conviction and the fact that the licensee continues to lease out his property, which is prohibited for a tourism license.

Rex Leath seconds the motion.

Tom Manning asks if there has ever been a suspension of the license.

Joe Hamilton states that in 2002, the license was suspended.

Ellen Ganley adds that the suspension was for 45 days.

Motion to deny passes unanimously.

- C. 1441 Acres Beverage Center:** Edgewater Grill, LLC **10:50am** **TAB 8**
Airport Road/Richardson Highway; Valdez
License: Package Store

Consideration of 2016/2017 license renewal application.

Erika McConnell informs the Board that at the April, 2016 meeting, the Board voted to deny an application for a fourth waiver of operation, but that the Board did not clearly deny the renewal application.

Bobby Evans moves to deny the renewal.

Tom Manning seconds the motion.

Motion carries unanimously.

- D. 4165 Three Bears:** Three Bears Alaska, Inc. **10:52am** **TAB 9**
1900 Airport Way; Valdez
License: Package Store

Consideration of license renewal application.

City of Valdez protests due to non-operation of the license.

Erika McConnell informs the Board that just this morning, staff received an email from the City of Valdez that reads, "On Tuesday the Valdez City Council voted to rescind their protest of the 3 Bears License with the condition that 3 bears sell or transfer the license within a period not to exceed 6 months. The vote was 5 yea and 2 absent..."

Steve Mierop, licensee, and Joan Travostino, legal counsel for Three Bears, provide testimony regarding the application.

Sarah Oates reminds the Board that AS 04.11.430(b) clearly requires that licenses be located at a premises.

Steve Mierop requests that he be afforded the opportunity to meet with the director as allowed under the administrative code.

Bobby Evans moves to table until the July meeting to give the Board time to do some more research and to give the director time to meet with the licensee.

Tom Manning seconds the motion.

Sarah Oates reads 3 AAC 304.170(j) and states that this was originally put on the agenda because staff has determined the licensee did not meet the burden of proof required under the regulation.

Motion carries unanimously.

- E. 5053 Rapids Camp Lodge:** Rapids Camp Lodge, Inc. **11:17am** **TAB 10**
1 Rainbow Run (King Salmon); Bristol Bay Borough
License: Outdoor Recreation Lodge

Consideration of criminal history reports and license renewal application.

Ellen Ganley asks if the Board should go into executive session.

Harriet Milks states that it sounds like that should be

Bobby Evans moves to go into executive session.

Tom Manning seconds the motion.

None opposed.

Bobby Evans moves to come out of executive session.

11:47am

Rex Leath seconds the motion.

None opposed.

Sarah Oates clarifies for the record that the authority for the executive session is AS 44.62.310(c)(2).

Tom Manning moves to approve the renewal for 5053 Rapids Camp Lodge with the condition that the licensee report when the matter with the felony commissions is resolved. Rex Leath seconds the motion. Motion carries unanimously.

Rex Leath moves to open a regulations project to change the terminology of "commission" to "conviction" under 3 AAC 304.180(a)(1). Bobby Evans seconds the motion. Motion carries unanimously.

● **MATTERS FROM PREVIOUS MEETINGS**

- A. 1034 907 Club:** Nine OH Seven Corporation **11:48am** **TAB 11**
2541 S Rosalie Court (Big Lake); Mat-Su Borough
License: Beverage Dispensary
From: Zachary and Anjanette Steer DBA Sheep Mountain Lodge; No Premises

Transfer of ownership, location, and DBA change.
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete
Matanuska-Susitna Borough Conditional Use Permit has been appealed to Superior Court.
Erika McConnell requests that the Board clarify whether the motion made at the February 1, 2017 Board meeting was to table the application until all appeals are complete or just until the local appeal process was complete.

*Bobby Evans moves to continue tabling through July.
Tom Manning seconds the motion.
Motion carries unanimously.*

- B. 5087 Bahay Kubo Restaurant:** Maricel Medina **12:03pm** **TAB 12**
3020 Minnesota Drive, Suite 13; Anchorage
License: Restaurant / Eating Place
From: Erica Ciabu DBA Kubo Restaurant

Transfer of ownership and DBA change.
Pending: Department of Revenue
Background investigations: Pending
Municipality of Anchorage protests pending payment of taxes owed and certification from the Anchorage Fire Department. Department of Labor objects due to lack of proof of required workers' compensation coverage.
No action, delegation continues.

- C. 5531 Beluga Billiards:** Michael Clancy **12:05pm** **TAB 13**
3841 W Dimond Blvd; Anchorage
License: Restaurant / Eating Place

New license application.
Background investigations: Complete

Municipality of Anchorage protests pending certification from the Anchorage Fire Department and approval of a special land use permit by the Planning Department.
The Board clarifies that the approval at the February 1, 2017 meeting was with delegation.

● **RENEWAL APPLICATIONS – MINIMUM OPERATING REQUIREMENTS**

- A. 2724 Cyrano’s Crepes & Books:** Cyrano’s Crepes & Books, LLC **12:06pm** **TAB 14**
413 D Street; Anchorage
License: Restaurant / Eating Place
Tom Manning moves to approve the renewal with the condition that waivers of operation for calendar years 2015 and 2016 are filed within 30 days.
Erika McConnell suggests that the Board direct the director to issue an advisory
Bobby Evans seconds the motion.
Motion carries, 3-1 (Rex Leath votes No).

● **RENEWAL APPLICATIONS – MINIMUM OPERATING REQUIREMENTS** **12:35pm**

Ellen Ganley reads the list of license applications being considered: 2870, 3123, 3268, and 3272.
Sarah Oates suggests that the Board consider a motion to approve the renewals with the condition that waivers of operation for any calendar years during which proof of operation were not met are filed within 30 days.
Tom Manning moves Ms. Oates’ suggestion.
Bobby Evans seconds the motion.
Ellen Ganley clarifies that the approval would be with delegation.
Motion carries unanimously.

Sarah Oates clarifies that if waivers are not filed by the end of the 30 days, that the renewals will be denied and the applicants will be sent notices of defense and right to appeal.
The Board members nod and voice agreement.

- B. 2870 Delta Sportsman’s Association:** Delta Sportsman’s Assn., Inc. **TAB 15**
.4 Mile Nome Trail; Outside/Unorganized
License: Club
- C. 3123 Hangar Lounge:** David K Freeman **TAB 16**
Mile 1.5 Big Lake Road; Mat-Su Borough
License: Beverage Dispensary
- D. 3268 Salty Sal’s Liquor Cabinet:** House of Liquors, Inc. **TAB 17**
321-B Lincoln Street; Sitka
License: Package Store
- E. 3272 Chatanika Gold Camp:** Chatanika Gold Camp, LLC **TAB 18**
5550 Steese Highway; Fairbanks North Star Borough
License: Beverage Dispensary – Tourism

● **PROTESTS OF LICENSE RENEWAL APPLICATIONS**

- A. **2124 McCoy's on 28th:** 636, LLC 12:43pm TAB 19
636 28th Avenue (Upstairs); Fairbanks
License: Beverage Dispensary

City of Fairbanks protests until violations in Fairbanks Fire Department memo are addressed and corrected.

Bobby Evans moves to approve the license with delegation.

Tom Manning seconds the motion.

Motion carries unanimously.

- B. **2847 Bojangles:** Scruff-N-Pork's, Inc. 12:45pm TAB 20
1351 Cushman Street; Fairbanks
License: Beverage Dispensary

City of Fairbanks protests due to public health and safety concerns.

Curtis Hatcher, owner, provides testimony and documents to the Board members.

Tom Manning moves to approve the renewal with the condition that the sale and that a transfer application be received within 30 days.

Harriet Milks recommends that the Board make the record as clear as possible and suggests adding language that if the transfer doesn't go through, then the license renewal application is denied, or perhaps there is one 30-day extension after that.

Tom Manning requests that that language be added to his motion.

Bobby Evans seconds the motion.

Motion carries unanimously.

- **BREAK** 1:23pm

- **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS** 1:32pm TAB 33

Ellen Ganley reminds the public that the Board is receiving public testimony regarding this matter, but that it will not make a decision until next week.

Patty Burley, Bethel City Attorney, provides testimony regarding alcohol in Bethel and applications for the last remaining package store license in Bethel. She states that ACC Liquor Store has yet to file an application for a conditional use permit. She states that Mr. Maczynski has struggled with coming up with two parking spaces, as required by the City. She states that Mr. Chung's conditional use permit application was denied.

Tom Manning asks whether the applicants have an appeal process with the City.

Patty Burley states that they do, but that Mr. Chung has not yet appealed.

Steve Chung, applicant for Tundra Liquor Cache, provides testimony regarding the City's protest of his application. He states that the two reasons behind the protest were the lack of a conditional use permit and about the City's concerns regarding ingress and egress. He states that the reasoning behind the City's denial of his conditional use permit had nothing to do with the code and that the appeal process is ongoing.

Patty Burley states that Mr. Chung's establishment is really close to the highway and speaks to the last section of the City's resolution regarding ingress and egress.

- A. **5533 Kusko Liquor:** Cezary J Maczynski TAB 34
801 Front Street; Bethel
License: Package Store

New license application.
Approvals: State Fire Marshal
Background investigations: Complete
City of Bethel protests.

- B. **5542 Tundra Liquor Cache:** Steve Chung TAB 35
105 Hoffman; Bethel
License: Package Store

New license application.
Approvals: State Fire Marshal
Background investigations: Complete
City of Bethel protests.

- C. **5544 ACC Liquor Store:** The North West Company (Intl), Inc. TAB 36
1110 Bridge Avenue, Unit No. 1; Bethel
License: Package Store

New license application.
Pending: State Fire Marshal
Background investigations: Complete
City of Bethel protests.

● **PROTESTS OF LICENSE RENEWAL APPLICATIONS**

- C. **3494 Lone Star Steakhouse & Saloon:** 2:01pm TAB 21
Lone Star Steakhouse & Saloon of Alaska, Inc.
4801 C Street; Anchorage
License: Beverage Dispensary

Municipality of Anchorage protests pending payment of taxes owed.
Rex Leath requests clarification that the notification was sent to the Municipality on December 20, 2016, and not 2017, as indicated in the director's memo. Erika McConnell confirms that it was.

Bobby Evans moves to uphold the protest with a 30-day abeyance in order to afford the applicant time to pay the taxes and have the protest lifted. Tom Manning seconds the motion. Motion carries unanimously.

- D. **4056 Cottonwood Fishing Lodge:** Cottonwood Fishing Lodge, LLC 2:04pm TAB 22
Yentna River, Mouth of Lake Creek; Mat-Su Borough
License: Restaurant / Eating Place

Matanuska-Susitna Borough protests pending payment of \$100 review fee.

*Rex Leath asks at what point the Board becomes a fee collecting agency.
Bobby Evans moves to approve the renewal with delegation.
Tom Manning seconds the motion.
Motion carries unanimously.*

- E. 4317 Eddie’s Sports Bar:** Rockdance, Inc. **2:07pm** **TAB 23**
6300 Old Seward Highway; Anchorage
License: Beverage Dispensary – Duplicate

Municipality of Anchorage protests pending payment of taxes owed.
*Bobby Evans moves to uphold the protest with a 30-day abeyance.
Tom Manning seconds the motion.
Motion carries unanimously.*

- F. 4350 Coyote Santo:** Coyote Santo, LLC **2:08pm** **TAB 24**
135 W Dimond Blvd; Anchorage
License: Beverage Dispensary

Municipality of Anchorage protests pending certifications from the Anchorage Fire Department, the Department of Health & Human Services, and the Building Safety Official, and approval of a special land use permit by the Assembly.
*Bobby Evans moves to approve the renewal with delegation.
Tom Manning seconds the motion.
Motion carries unanimously.*

- G. 4380 Gold Miners Lodge Restaurant and Motel:** **2:09pm** **TAB 25**
Gold Miners Lodge Restaurant and Motel, LLC
20333 W Parks Highway; Houston
License: Restaurant / Eating Place

City of Houston protests due to non-operation of the license.
AMCO Enforcement has found that the licensee has not met the burden of proof of operation as required under 3 AAC 304.170(j).
Brian Gauthier, licensee, provides testimony about the operation of this license and 4526, and he states that he probably should have applied for a waiver. He provides photos and documents for the Board.

Mayor Thompson, City of Houston, provides testimony regarding the City’s protest, citing City Code and stating that the documentation provided by the applicant to the City was unsatisfactory.

Sarah Oates reminds the Board and licensees about recordkeeping requirements outlined in regulation, and reads 3 AAC 304.455(a) for the record. She points out that in the documents provided by Mr. Gauthier, one of the photos shows a sign on the door of the establishment that says, “This month only AS 04.11.330(a)(3)”, which indicates that the licensee was aware of the operating requirements.

*Bobby Evans moves to table until the July meeting, and to allow the applicant 30 days to provide adequate proof to staff as required under 3 AAC 304.170(j).
Tom Manning seconds the motion.*

*Ellen Ganley reminds the applicant that he needs to work with the City of Houston to determine what his appeal right are regarding the City's protest.
Motion carries unanimously.
Erika McConnell asks for clarification whether this action is for both license #s 4380 and 4526.
The Board members agrees that it is for both licenses.*

- H. 4526 Gold Miners Lodge Restaurant and Motel:** TAB 26
Gold Miners Lodge Restaurant and Motel, LLC
Mile 60.5 Parks Highway; Houston
License: Beverage Dispensary – Tourism

**City of Houston protests due to non-operation of the license.
AMCO Enforcement has found that the licensee has not met the burden of proof of operation as required under 3 AAC 304.170(j).
Action taken with #4380.**

- I. 4837 Knik Kountry Liquor:** Knik Kountry Liquor, Inc. 2:45pm TAB 27
16512 E Anaconda Avenue; Mat-Su Borough
License: Package Store

**Matanuska-Susitna Borough protests due to delinquent Real Property Taxes owed.
Erika McConnell informs the Board that the protest has been rescinded.
Tom Manning moves to approve the renewal.
Bobby Evans seconds the motion.
Motion carries unanimously.**

● **PROTESTS OF CONTINUED OPERATION**

- A. 297 De Canter Inn:** UMFA, Inc. TAB 28
Mile 107 Sterling Highway; Kenai Peninsula Borough
License: Beverage Dispensary

**Kenai Peninsula Borough protests due to delinquent and unpaid taxes.
No action, protest lifted.**

- B. 2951 AMVETS Post #4:** AMVETS Post #4 TAB 29
42126 Kalifornsky Beach Road; Kenai Peninsula Borough
License: Club

**Kenai Peninsula Borough protests due to delinquent and unpaid taxes.
No action, protest lifted.**

- C. 5477 Hooked Alehouse & Grill:** Hooligans Lodging & Saloon, Inc. 2:46pm TAB 30
44715 Sterling Highway; Soldotna
License: Beverage Dispensary – Tourism

City of Soldotna protests due to delinquent and unpaid taxes.

Stephanie Queen, Planning Director with the City of Soldotna, adds that the Kenai Peninsula Borough also wished to protest, but it is not the local governing body for this business. She states that the amount owed in January, when the protest was filed, was approximately \$53,000, with \$11,500 being owed to the City and the remainder to the Borough. She adds that in an email from this morning from the Borough, the amounts given were approximately \$16,000 in sales tax and approximately \$34,000 in property tax.

Bobby Evans moves to uphold the protest and order the licensee to cease operations with an abeyance period of 30-days to pay the taxes.

Rex Leath seconds the motion.

Motion carries unanimously.

Sarah Oates asks for clarification on whether the 30-day abeyance would be by which the protest would need to be lifted and notice received by the staff.

The Board members agree that that is the intent of the motion, as the Board cares about the protest and sometimes licensees work out payment plans with the local governing body.

● **CONSENT AGENDA**

2:54pm

TAB 57

Tom Manning moves to approve the consent agenda.

Rex Leath seconds the motion.

Motion carries unanimously.

- A. 2827 Wooden Wheel Cove Trading Post:** James Brian Mason
Lot #2 Port Protection Subdivision; Outside/Unorganized
License: Package Store
From: Jack M Mason

Transfer of ownership.

Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

- B. 4366 Fred Meyer:** Fred Meyer Stores, Inc.
535 W Evergreen Avenue; Palmer
License: Package Store
From: 650 Cobb Street

Transfer of location.

Local governing body: City of Palmer does not protest
Background investigations: Complete
Temporary approval has been issued.

- C. 4590 ms Eurodam:** Holland America Line N.V., LLC
Alaskan Waters
License: Common Carrier
From: ms Westerdam

Transfer of location (new vessel) and DBA change.

Background investigations: Complete

- D. 5298 Golden Princess:** Princess Cruise Lines, Ltd.

Alaskan Waters
License: Common Carrier
From: Sun Princess

Transfer of location (new vessel) and DBA change.
Background investigations: Complete

- E. **5299 Emerald Princess:** Princess Cruise Lines, Ltd.
Alaskan Waters
License: Common Carrier
From: Crown Princess

Transfer of location (new vessel) and DBA change.
Background investigations: Complete

- F. **5350 Lahn Pad Thai Downtown Express:** Lahn Pad Thai Downtown Express, LLC
302 G Street; Anchorage
License: Restaurant / Eating Place
From: Pasta Avanti, LLC DBA Pasta Avanti

Transfer of ownership and DBA change.
Local governing body: Municipality of Anchorage does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

- G. **5536 33' Cat 2:** Allen Marine Tours, Inc.
Alaskan Waters
License: Common Carrier

New license application.
Background investigations: Complete
Temporary approval has been issued.

- H. **5537 Sea Otter Express:** Allen Marine Tours, Inc.
Alaskan Waters
License: Common Carrier

New license application.
Background investigations: Complete
Temporary approval has been issued.

- I. **5538 Sea Lion Express:** Allen Marine Tours, Inc.
Alaskan Waters
License: Common Carrier

New license application.
Background investigations: Complete
Temporary approval has been issued.

- J. **5539 St. Innocent:** Allen Marine Tours, Inc.

Alaskan Waters
License: Common Carrier

New license application.
Background investigations: Complete
Temporary approval has been issued.

- K. 5540 St. Anastasia:** Allen Marine Tours, Inc.
Alaskan Waters
License: Common Carrier

New license application.
Background investigations: Complete
Temporary approval has been issued.

- L. 5543 Yama Sushi:** Jung Gue Lee
351 Muldoon Road #B; Anchorage
License: Restaurant / Eating Place

New license application.
Local governing body: Municipality of Anchorage does not protest
Background investigations: Complete

END OF CONSENT AGENDA

- **DELEGATED CONSENT AGENDA** 2:58pm TAB 58
Tom Manning moves to adopt the delegated consent agenda.
Bobby Evans seconds the motion.
Motion carries unanimously.
Ellen Ganley states for the record that these have all been approved with delegation.

- A. 93 Barry's Baranof Lounge:** Barry's Baranof Lounge, Inc.
1166 Gambell Street; Anchorage
License: Beverage Dispensary
From: Barry Tanner (90%) to Heidi Tidler (75%)

Transfer of controlling interest.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor
Pending: Department of Revenue
Background investigations: Pending

- B. 270 Lavelle's Taphouse:** Lavelle's Taphouse, LLC
414 2nd Avenue, Suite B; Fairbanks
License: Beverage Dispensary
From: Arlette Eagle-Lavelle

Transfer of ownership.
Local governing body action: City of Fairbanks does not protest

Approvals: Department of Labor
Pending: Department of Revenue
Background investigations: Complete

- C. 534 Three Bears:** Three Bears Alaska, Inc.
17119 W Parks Highway; Houston
License: Package Store
From: No Premises; No DBA

Transfer of location and DBA change.

Local governing body action: Pending City of Houston
Approvals: State Fire Marshal
Background investigations: Complete

- D. 1059 Raven Landing Center:** Retirement Community of Fairbanks, Inc.
1222 Cowles Street; Fairbanks
License: Beverage Dispensary
From: Gary W Falls & Howard R Thies, No DBA; No Premises, Fairbanks North Star Borough

Transfer of location under AS 04.11.400(k), ownership, and DBA change.

Local governing body action: Pending City of Fairbanks and Fairbanks North Star Borough
Approvals: Department of Environmental Conservation, Department of Labor, Department of Revenue
Background investigations: Pending

- E. 1456 Kinley's Restaurant:** Kinley's Restaurant & Bar, Inc.
3230 Seward Highway; Anchorage
License: Beverage Dispensary
From: Piccolino's Restaurants, Inc. DBA Piccolino's; 12801 Old Glenn Highway

Transfer of location, ownership, and DBA change.

Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

- F. 1796 Willie's Quick Mart:** Willie's Quick Mart, LLC
11012 W Rezanof Drive West; Kodiak Island Borough
License: Package Store
From: The North West Company (International), Inc. DBA AC Express / Bells Flats

Transfer of ownership and DBA change.

Local governing body action: Pending Kodiak Island Borough
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

- G. 2159 Blues Central:** Fish or Cut Bait, LLC
609 F Street; Anchorage
License: Beverage Dispensary
From: Club 210 East, Inc. DBA Club 210 East; No Premises

Transfer of location, ownership, and DBA change.

Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

- H. 2300 Down East Saloon:** Down East Saloon, LLC
3125 E End Road; Homer
License: Beverage Dispensary
From: Down East, Inc.

Transfer of ownership.

Local governing body action: Pending City of Homer
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

- I. 2444 Fort Yukon Community Liquor:** City of Fort Yukon
Tract VI Block 23; Fort Yukon
License: Package Store – Community
From: 1st Avenue – Lot 4, Block 41

Transfer of location.

Local governing body action: City of Fort Yukon does not protest
Approvals: State Fire Marshal
Background investigations: Complete

- J. 3039 Mad Moose Bar & Grill:** The Mad Moose Bar & Grill, LLC
205 S Willow Street; Kenai
License: Beverage Dispensary
From: Don Jose's, LLC DBA Don Jose's Mexican Restaurant

Transfer of ownership and DBA change.

Local governing body action: Pending City of Kenai
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

- K. 3715 Sea Bird, M/V:** Lindblad Expeditions, Inc.
Alaskan Waters
License: Common Carrier
From: Special Expeditions, Inc.

Transfer of ownership.

Pending: Department of Labor, Department of Revenue
Background investigations: Pending

- L. 3716 Sea Lion, M/V:** Lindblad Expeditions, Inc.
Alaskan Waters
License: Common Carrier
From: Special Expeditions, Inc.

Transfer of ownership.

Pending: Department of Labor, Department of Revenue

Background investigations: Pending

- M. 4374 Bear Creek Winery, LLC:** Bear Creek Winery, LLC
60203 Bear Creek Drive; Kachemak
License: Winery
From: Dorothy Fry (50%) and William Fry (50%)
To: Dorothy Fry and Bill Fry, Trustees of Fry Community Property Trust (100%)

Transfer of controlling interest.

Local governing body action: City of Kachemak does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

- N. 4598 Crab Cracker Seafood Bar:** Florida Bill, LLC
5 Salmon Landing Market, Suite 110A; Ketchikan
License: Restaurant / Eating Place
From: Walker Investments, LLC DBA Ketchikan Fish Market Crab Cracker Seafood Bar

Transfer of ownership and DBA change.

Local governing body action: Pending City of Ketchikan
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

- O. 4686 Albatross:** Settler's Bay Golf Course, LLC
7621 S Frontier Drive; Mat-Su Borough
License: Beverage Dispensary
From: Welsh & Wheeler Enterprises, LLC DBA WWE; No Premises

Transfer of location, ownership, and DBA change.

Local governing body action: Pending Matanuska-Susitna Borough
Approvals: Department of Labor, Department of Revenue
Pending: State Fire Marshal, Department of Environmental Conservation
Background investigations: Complete

- P. 4929 Bear Creek Winery, LLC:** Bear Creek Winery, LLC
60473 Bear Creek Drive; Kachemak
License: Bottling Works
From: Dorothy Fry (50%) and William Fry (50%)
To: Dorothy Fry and Bill Fry, Trustees of Fry Community Property Trust (100%)

Transfer of controlling interest.

Local governing body action: City of Kachemak does not protest
Approvals: Department of Labor
Pending: Department of Revenue
Background investigations: Pending

- Q. 5534 Skwentna Services:** Cindi A Herman
100 Happiness Lane; Mat-Su Borough
License: Outdoor Recreation Lodge

New license application.

Local governing body action: Matanuska-Susitna Borough does not protest
Pending: State Fire Marshal, Department of Environmental Conservation
Background investigations: Complete

- R. 5547 Seabourn Sojourn:** Seabourn Cruise Line Limited
Alaskan Waters
License: Common Carrier

New license application.

Background investigations: Pending

- S. 5549 Bread & Brew:** Bread & Brew, LLC
1450 East Tudor Road; Anchorage
License: Restaurant / Eating Place

New license application.

Local governing body action: Pending Municipality of Anchorage
Background investigations: Pending

- T. 5551 Fried Rice Express Asian Cuisine:** Cheng H Li
21426 Old Glenn Highway; Anchorage
License: Restaurant / Eating Place

New license application.

Local governing body action: Pending Municipality of Anchorage
Background investigations: Pending

- U. 5552 Baleen Brewing Co.:** Baleen Brewing Co., LLC
884 Mizzen Lane; Ketchikan Gateway Borough
License: Brewery

New license application.

Local governing body action: Pending Ketchikan Gateway Borough
Pending: State Fire Marshal, Department of Environmental Conservation
Background investigations: Pending

END OF DELEGATED CONSENT AGENDA

● **NEXT ABC BOARD MEETING**

3:10pm

The Board members agree on Thursday, April 13, 2017 at 1:00pm for a telephonic meeting to consider the remaining items on the agenda.

Bobby Evans states that he has noticed that the minutes are a lot more detailed than they were formerly.

Sarah Oates states that the meeting minutes are beefed up for controversial items and for adverse actions that could lead to appeals in order to make the Board's decisions more legally defensible.

Ellen Ganley states that because there are so many licenses in Denali, that the Board really should consider meeting in Denali.

Sarah Oates suggests that the staff could look into having a general email sign-up created for alcohol updates like the PSUM email for marijuana updates.

The Board members state that they would be interested in that.

● **ADJOURN**

3:50pm

Bobby Evans moves to adjourn.

None opposed.

Minutes prepared by:



Sarah D. Oates
Program Coordinator

Reviewed and approved by:



Erika McConnell
Director