



**Alcoholic Beverage Control Board  
Meeting Minutes  
July 11, 2017  
Fourth Judicial District  
Fairbanks North Star Borough Assembly Chambers  
907 Terminal Street  
Fairbanks, Alaska**

**Members present:**

Bob Klein, chair  
Ellen Ganley, vice chair  
Bobby Evans  
Tom Manning (via teleconference)

**Members absent:**

Rex Leath

**Staff present:**

Erika McConnell, AMCO director  
Harriet Milks, AMCO attorney  
Jedediah Smith, Local Government Specialist

**Meeting called to order**

**9:03 am**

● **DIRECTOR BRIEFING**

**A. Director's Report**

*Erika McConnell: Provided in writing. New licensing staff. Two administrative staff have left for other positions in the state. Revenues for FY17: \$2,028,446 in program receipts. 1366 alcohol event permits or 5.5 permits processed per work day. Share \$850,000 with local governments in shared revenue. Research into tourism licenses turned over to special assistant to commissioner. Information forthcoming at Sept. 13 meeting in Nome. Deadline for all applications is August 25.*

**B. Discussion of Server Education Course Reviews**

*McConnell: Statutes and regulations require review of materials every three years. Board delegated to staff. Enforcement has been reviewing material.*

*Bob Klein: I asked this to come forward because I saw a recent review enforcement staff did for CHARR renewal. Their review went well beyond the 16 points in title. Suggestions on booklets*

handed out. The booklet was printed at the request of Director Cote. Comments were presented in a way that suggested book needs to be corrected or we won't approve your program. It is outside the scope of reviewing the course content. In terms of having the board do the work, I would really suggest we don't do that.

McConnell: In supplemental information, if staff identifies statements that the staff feels are not accurate, is that something we should bring to the board?

Klein: That shouldn't be the criteria in which the program is approved. Our criteria should be the 16 points covered...for clarification, we opened the question "how do we serve rural areas?"

## ● ADMINISTRATION

### A. Approval of April 6, 2017 Meeting Minutes

### B. Approval of April 13, 2017 Meeting Minutes

McConnell requests meeting minutes be tabled for these minutes due to staffing shortages.

Ellen Ganley moves to table minutes. Bobby Evans seconds.

Minutes tabled 4-0.

## ● PUBLIC TESTIMONY

### A. Period of time for public testimony on issues not on this agenda. **9:15am**

Beth McEwen, city and borough of Juneau: Process request, for both marijuana and alcohol to LGB. We have 60 days to provide comments. I know the AMCO staff is doing the best they can. We received notice after COB on Friday, I would hope the beginning date to start the clock ticking would begin on the following Monday.

## ● BOARD GOVERNANCE **9:19am**

Roll call, no conflicts declared.

## ● ENFORCEMENT UPDATE **9:20am**

### A. Enforcement Report

James Hoelscher: written report in board packet. Re-implementing shoulder tap program and focusing enforcement efforts on preventing sale to underage. Program was federal grant funded, but put on hold in 2015 during Title 4 re-write process. There are no grants to cover the cost of travel and use of underage purchasers. We believe we have found a way to do compliance checks at minimal cost to the State. 16 rural inspections. Reviewed 403 permits.

Evans: Are you able to reach out to rural communities (wet like Nome, damp like Kotzebue or Barrow?)

Hoelscher: It is a different approach than reaching out to local law enforcement. If it is successful, we can take that same model and implement it in smaller, rural communities. It is important that we get good footing before we implement it across the state.

Pricing—a licensee can't charge two different prices for an alcoholic drink in a single day. Some licensees are implementing changes in drink pricing to offset the cost of entertainment. Enforcement cannot find a record of this interpretation. For example, pints and shots a dollar until 7 pm, then increasing the price during entertainment. Enforcement seeks guidance from the board about how statute should be enforced to ensure consistency among licensees.

*Klein: The statute is written because of the age old practice of happy hour. Set the price low to attract people to your establishment, giving them incentives to drink. What you are describing is the reverse of that.*

*Tom Manning: Is this something that is happening a lot? Or is this one establishment.*

*Hoelscher: It is happening every day. There is one establishment that makes it a common practice, and we've heard of other licensees.*

*Evans: It is a reversal of the situation because their pricing is practically all day.*

*Ganley: If the reason for raising the price is to cover the cost of entertainment, couldn't that be dealt with by a cover charge?*

*Klein: Or an announcement of a cover charge and still*

*Harriet Milks: No reference to happy hour. Statute references the functional aspect of pricing change. It doesn't really matter what you call it. You can't have a pricing change for one group of people...and another people. Statute unambiguously says you cannot have different drink prices throughout the day.*

*Evans: Can you have one brand at a discounted price for the whole day and that would conform?*

*Milks: I see no issue with charging for top or bottom shelf liquors. This has to do with changing the price during different hours throughout the day.*

*Evans: It sounds like this is in violation*

*Klein: There is no wiggle room. Either go with a cover charge or go to the legislature. You have to charge one price during the day.*

## **B. Notices of Violation Issued and Licensee Responses**

*McConnell: Regulations don't provide middle ground between Notice of Violation and opportunity to issue a civil fine. There are many issues that don't rise to the level of revocation or suspension, but this can hopefully be addressed during regulations changes if the Title 4 re-write is implemented.*

## ● **CONSENT AGENDA**

**9:45 AM**

- A. 826 Tequila 61: JJT, LLC**  
445 West 4<sup>th</sup> Avenue, Anchorage  
**License: Beverage Dispensary**

### **Transfer of controlling interest.**

Local governing body: Municipality of Anchorage does not protest.

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

Temporary issued.

- B. 2985 Moody Brews BBQ & Catering: Steven and Julie Moody**  
211 Cross Way, City of North Pole

### **License: Restaurant or Eating Place**

From: First Security Investments DBA Pagoda Chinese Restaurant;

431 N. Santa Claus Lane, North Pole

### **Transfer of ownership and location.**

Local governing body: City of North Pole does not protest.

Approvals: Department of Labor, Department of Revenue, Department of Environmental Conservation, Fire Marshal

Background investigations: complete

Temporary issued.

- C. 4617 Chinook Waterfront:** Fam Alaska Inc.  
1404 4<sup>th</sup> Avenue, Seward  
**License: Beverage Dispensary**  
From: Aqua Pesca

**Transfer of ownership.**

Local governing body: City of Seward does not protest.  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete

- D. 4912 Baranof Island Brewing Company:** Baranof Island Brewing Co. LLC  
1209 A Sawmill Creek Road, Sitka

**License: Brewery**

From: Rick Armstrong (50%) and Suzan Hess (50%) to Rick Armstrong (51%),  
Suzan Hess (41%) and undisclosed (9%); and from 215 Smith St., Units A & B

**Transfer of controlling interest and location.**

Local governing body: City and Borough of Sitka does not protest.  
Approvals: Department of Environmental Conservation  
Background investigations: complete  
Temporary issued.

- E. 5571 MS Oosterdam:** Holland America Line N.V. LLC  
Alaska Waters  
**License: Common Carrier – Seasonal**

**New license application.**

Background investigations: complete  
Temporary issued.

*Ganley moves to adopt items on the consent agenda. Evans seconds.  
Motion carries 4-0.*

● **DELEGATED CONSENT AGENDA**

**9:45**

- A. 493 Ninilchik Liquor Store:** Ninilchik Liquor Store, LLC  
15945 Sterling Hwy, Ninilchik  
**License: Package Store**  
From: Echo Lake Superior Meat and Proc., LLC

**Transfer of ownership.**

Local governing body: pending Kenai Peninsula Borough  
Approvals: Department of Revenue, Department of Labor  
Background investigations: pending

- B. 739 Moochers Bar:** Moochers LLC  
Front and A Street, Nenana  
**License: Beverage Dispensary**

From: Carolene Lilly-Weiss

**Transfer of ownership.**

Local governing body: pending City of Nenana  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete

**C. 740 Moochers Bar:** Moochers LLC

Front and A Street, Nenana

**License: Package Store**

From: Carolene Lilly-Weiss

**Transfer of ownership.**

Local governing body: pending City of Nenana  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete

**D. 979 Rosie's Bar & Grill:** Charine Rae Johnson

112 Salmon Way, Pelican

**License: Beverage Dispensary**

From: Rose's Bar & Grill LLC

**Transfer of ownership.**

Local governing body action: pending City of Pelican  
Approvals: Department of Revenue  
Pending: Department of Labor  
Background investigations: pending

**E. 2069 Nikko Garden:** Luche Incorporated

36100 Kenai Spur Highway, Soldotna

**License: Restaurant or Eating Place**

From: Si Cha Sin

**Transfer of ownership.**

Local governing body action: pending Kenai Peninsula Borough  
Approvals: Department of Labor, Department of Revenue  
Background investigations: pending

**F. 2275 Garcia's Cantina:** Garciar Birchwood Ltd. Partnership

11901 Business Blvd. Ste 104, Eagle River

**License: Beverage Dispensary**

From: Cantina Inc.

**Transfer of ownership.**

Local governing body: pending Municipality of Anchorage  
Pending: Department of Labor, Department of Revenue  
Background investigations: pending

**G. 2502 Swiftwater Seafood Café:** Varly's Whittier Delights, LLC

Lot 8 Triangle Lease Area, Whittier

**License: Restaurant or Eating Place**  
From: Donald and Margaret Varlamos

**Transfer of ownership.**

Local governing body action: pending City of Whittier  
Pending: Department of Labor, Department of Revenue  
Background investigations: complete

- H. **2847 No DBA:** Nash Holland, LLC  
No Premises, Fairbanks  
**License: Beverage Dispensary**  
From: Scruff-N-Porks, Inc.

**Transfer of ownership and location.**

Local governing body: City of Fairbanks does not protest  
Approvals: Department of Labor, Department of Revenue  
Background investigations: pending

- I. **3505 Big Lake Super Store:** AK Inc.  
14991 W. Big Lake Road, Big Lake  
**License: Package Store**  
From: RAWR Inc.

**Transfer of ownership.**

Local governing body: pending Matanuska-Susitna Borough  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete

- J. **4174 Big Daddy's Bar-B-Q & Banquet Hall:** RTG, LLC  
107 Wickersham Street, Fairbanks  
**License: Beverage Dispensary**  
From: Steven Moody (25%), Julie Moody (25%), Jeffrey Oden (25%), and Jennifer Oden (25%)  
To: Jeffrey Oden (50%) and Jennifer Oden (50%)

**Transfer of controlling interest.**

Local governing body: pending City of Fairbanks  
Approvals: Department of Labor, Department of Revenue  
Background investigations: pending

- K. **4433 Mountain Market:** Mountain Corporation  
151 3<sup>rd</sup> Avenue South, Haines  
**License: Package Store**  
From: Mary Jean Sebens (100%) to The Mary Jean Sebens and Michael Andrew Borcik  
Revocable Trust (100%)

**Transfer of ownership.**

Local governing body: pending Haines Borough  
Pending: Department of Labor, Department of Revenue  
Background investigations: pending

- L. 4584 Tracy's King Crab Shack:** Genuine Ventures LLC  
Lot C1 Juneau Subport (S23 T41S R67E), Juneau  
**License: Restaurant or Eating Place**  
From: Doug Trucano; No premises

**Transfer of location and ownership.**

Local governing body: pending City and Borough of Juneau  
Pending: Department of Labor, Department of Revenue, Department of Environmental Conservation  
Background investigations: complete

- M. 4707 Skagway Brewing Company:** Skagway Brewing Company, Inc.  
240 4<sup>th</sup> Avenue (Block 25, Lot 9a), Skagway  
**License: Brewpub**  
From: 730C Broadway Street

**Transfer of location.**

Local governing body action: pending Skagway Borough  
Pending: State Fire Marshal, Department of Environmental Conservation  
Background investigations: complete

- N. 4742 Glacier Hwy LLC:** Glacier Hwy LLC  
6525 Glacier Hwy, Juneau  
**License: Package Store**  
From: Wal-Mart Stores, Inc

**Transfer of ownership.**

Local governing body: pending City and Borough of Juneau  
Approvals: Department of Labor, Department of Revenue  
Background investigations: pending

- O. 4754 Skagway Brewing Company:** Skagway Brewing Company, Inc.  
250 4<sup>th</sup> Avenue (Block 25, Lot 9a), Skagway  
**License: Beverage Dispensary**  
From: 730C Broadway Street

**Transfer of location.**

Local governing body: pending Skagway Borough  
Pending: Department of Environmental Conservation, Fire Marshal  
Background investigations: complete

- P. 4889 Knik Super Store:** AK Inc.  
5721 S. Knik Goose Bay Road, Big Lake  
**License: Package Store**  
From: RMB LLC

**Transfer of Ownership.**

Local governing body: pending Matanuska-Susitna Borough  
Approvals: Department of Labor  
Pending: Department of Revenue  
Background Investigations: complete

- Q. 4971 Beak Restaurant:** Beak LLC  
2 Lincoln Street Suite 1A, Sitka  
**License: Restaurant or Eating Place**  
From: Graced, Inc. DBA The Larkspur Cafe

**Transfer of Ownership and DBA change.**

Local governing body: pending City and Borough of Sitka  
Approvals: Department of Revenue, Department of Labor – Worker’s Compensation  
Pending: Department of Labor – Employment Security  
Background investigations: pending

- R. 5022 Sakura Sushi:** Sakura Suski LLC  
991 S. Hermon Road Suite 600, Wasilla  
**License: Restaurant or Eating Place**  
From: Rinna Zheng

**Transfer of ownership.**

Local governing body: pending City of Wasilla  
Approvals: Department of Labor, Department of Revenue  
Background investigations: pending

- S. 5150 Yakitori Sushi House:** Yakitori, LLC  
2834 E. Tudor Road Suite B, Anchorage  
**License: Restaurant or Eating Place**  
From: Choon Chit Shim

**Transfer of ownership.**

Local governing body: pending Municipality of Anchorage  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete

- T. 5559 Piccolinos Restaurant:** Piccolinos Restaurants Inc.  
12801 Old Glenn Highway, Eagle River  
**License: Restaurant or Eating Place**

**New license application.**

Local governing body: pending Municipality of Anchorage  
Background investigations: complete

- U. 5561 M/V Bremen:** sea chefs Cruises Worldwide GmbH (Limited)  
Alaskan Waters  
**License: Common Carrier**

**New license application.**

Background investigations: pending  
Temporary issued (in error).

- V. 5562 M/V Europa:** sea chefs Cruises Worldwide GmbH (Limited)  
Alaskan Waters  
**License: Common Carrier**



**New license application.**

Background investigations: pending  
Temporary issued (in error).

- W. 5566 Matanuska Brewing Company:** Matanuska Brewing Company, LLC  
513 South Valley Way, Palmer  
**License: Brewery**

**New license application.**

Local governing body: pending Matanuska Susitna Borough  
Pending: Department of Environmental Conservation, Fire Marshal  
Background investigations: complete

- X. 5567 Ramen House by Saijo:** Ramen House by Saijo LLC  
149 E. Fireweed Lane, Anchorage  
**License: Restaurant or Eating Place**

**New license application.**

Local governing body: pending Municipality of Anchorage  
Background investigations: pending

- Y. 5568 Ninilchik 132-6 Cabins and R.V. Park:** Glen Thomas  
13364 Sterling Highway, Ninilchik  
**License: Restaurant or Eating Place**

**New license application.**

Local governing body: pending Kenai Peninsula Borough  
Approvals: Department of Environmental Conservation, Fire Marshal  
Background investigations: pending

- Z. 5572 Tozai Ramen:** Tozai, LLC  
639 W. International Airport Road #1A, Anchorage  
**License: Restaurant or Eating Place**

**New license application.**

Local governing body: pending Municipality of Anchorage  
Background investigations: pending

- AA. 5573 Cooper Landing Brewing Company:** Cooper Landing Brewing Company, LLC  
34898 Caribou Heights Circle, Cooper Landing  
**License: Brewery**

**New license application.**

Local governing body: pending Kenai Peninsula Borough  
Pending: Department of Environmental Conservation, Fire Marshal  
Background investigations: pending

- BB. 5575 Celebrity Infinity:** Royal Alaska Beverage Cruise Sales LLC  
Alaska Waters

**License: Common Carrier – Seasonal**

**New license application.**

Background investigations: pending

**CC. 5576 Radiance of the Seas:** Royal Alaska Beverage Cruise Sales LLC  
Alaska Waters

**License: Common Carrier – Seasonal**

**New license application.**

Background investigations: pending

**DD. 5577 Celebrity Solstice:** Royal Alaska Beverage Cruise Sales LLC  
Alaska Waters

**License: Common Carrier – Seasonal**

**New license application.**

Background investigations: pending

**EE. 5578 Explorer of the Seas:** Royal Alaska Beverage Cruise Sales LLC  
Alaska Waters

**License: Common Carrier – Seasonal**

**New license application.**

Background investigations: pending

**FF. 5579 Anchorage Alehouse:** Anchorage Alehouse, LLC  
2830 C Street, Anchorage

**License: Restaurant or Eating Place**

**New license application.**

Local governing body: pending Municipality of Anchorage

Background investigations: pending

*Ganley moves to adopt the delegated consent agenda. Evans seconds.  
Motion carries 4-0.*

● **MATTERS FROM PREVIOUS MEETINGS**

9:55am

**A. 1377 No DBA:** Papa Sugar Daddy's LLC

No Premises, Fairbanks

**License: Beverage Dispensary**

From: Wilde Berry LLC DBA Grizzli's; 44 College Road Suite B, Fairbanks

**Transfer of ownership and location, and DBA change.**

Local governing body: City of Fairbanks does not protest.

Approvals: Department of Revenue

Background investigations: complete

**Objections received from the Department of Labor and multiple creditors. Wilde Berry has filed for bankruptcy.**

*McConnell: The board has seen this application in past. Dept. of Labor objects to transfer, multiple creditors object. Board tabled application in April. Bankruptcy trustee objects. When an entity that holds a liquor license goes into bankruptcy, the license is one of the assets that the bankruptcy trustee then has the charge of dealing with. They use the money from selling off those assets to pay off creditors.*

*Jason Gazewood (represents Licensee Mr. Hatcher): Mr. Hatcher has a security agreement with Wildberry LLC. Other claims are not related to the license, they are related to business. The person who holds interest in the license has priority.*

*McConnell: The board did not discuss issue, but tabled it pending resolution of objections.*

*Gazewood: Bankruptcy filed in February. It was a no asset estate. The Wildberry asset was listed as unsecured interest. Trustee has identified it. Claims associated with it are related to underlying business. Not related to license.*

*Milks: I would need to look at this more carefully before I offer advice to the board.*

*Gazewood: Asset has value. Wage claim falls into the general practice of business.*

*Klein: The board cannot proceed without legal advice.*

*Milks: Please provide board with relevant information.*

*Hatcher: I submitted information to Sarah Oates in April. I gave her the paperwork and five preceding contracts under Wildberry.*

*Evans moves to table the transfer. Ganley seconds.*

*Motion to table carries 4-0.*

**B. Request for Reconsideration of Decision to Require Waivers  
Of Operation (made April 6, 2017)**

**3268 Salty Sal's Liquor Cabinet:** House of Liquors, Inc.

321-B Lincoln Street, Sitka

**License: Package Store**

**Renewal and minimum operating requirements.**

*McConnell: We're asking the board to reconsider decision to require operating waivers made on April 6. Summarized discrepancies, and approve pending application. Information they provided did not meet the requirements of minimum operating requirements. 304.170(j) requires elements of proof. It is possible they meet the requirements but haven't provided sufficient proof.*

*Steve Reader (licensee): Provided sworn affidavits of employees testifying she worked the minimal hours. Manager has done the same. We would never have gotten to this point, but it took time to find a new location, and approval for license. One of the discrepancies that the timing doesn't show: overlapping months due to pay periods. Bookkeeper out of town. This is a seasonal business. If it weren't for the cruise ships, we wouldn't have the license. By the time we got it, it was September and the season was over. We decided to try to meet the requirements. We're operating now. One of the days we were open in October, we did three dollars. That's tough. There is no one walking around downtown Sitka.*

*Ganley: Your request for the 3<sup>rd</sup> and 4<sup>th</sup> waiver, was that due to perceived lack of support for waiver request?*

*McConnell: My recommendation to Board in April was for 1<sup>st</sup> and 2<sup>nd</sup> waiver.*

*Reader: We only need a third waiver. We don't need a 4<sup>th</sup> waiver.*

*Klein: The board could decide if you did your best to meet operating requirements, you don't need a waiver.*

*Evans: What items were they missing?*

*McConnell: The licensee has burden of proof. They must provide signage with hours of operation, but they did not provide the correct hours.*

*Reader: We base our schedule on the cruise ships. If there are no ships, we don't open.*

*Ganley moves to reconsider April action granting waiver approval. Evans seconds.*

*Board votes 3-0 (Manning dropped off call)*

*Evans: We've seen licensees hold these licenses for years and tie it up. I think we need to look at the minimum operating requirements and be a little tougher.*

*Ganley moves to renew. Evans seconds.*

*Motion carries 3-0.*

**Meeting recesses at 10:23 am for 5 minute break to reconnect with Board Member Manning**

**Meeting called back to order 10:30. Tom Manning rejoins via telephone.**

**C. 1034 907 Club: Nine OH Seven Corporation**

2541 S Rosalie Court, Big Lake

**License: Beverage Dispensary**

From: Zachary and Anjanette Steer DBA Sheep Mountain Lodge; No Premises

**Transfer of ownership, location, and DBA change.**

Local governing body: Matanuska-Susitna Borough does not protest.

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

**Matanuska-Susitna Borough Conditional Use Permit has been appealed to Superior Court.**

*McConnell: In 2015, an application for transfer was submitted. The Mat-Su Borough protested the transfer, and the protest was upheld. In late 2016, another application was submitted, at which time the Borough again protested, and the board upheld the protest awaiting the outcome of the Conditional Use Permit hearing. The Borough did issue a conditional use for the transfer to the new location. But that decision was appealed. The board tabled the matter in December of 2016 to await the outcome of the appeal to the Borough's appellate board. The board of adjustment's decision was appealed to Superior Court. The Court issued a stay on the Conditional Use Permit for one year or until the Superior Court appeal is complete. The licensee is not permitted to use the Conditional Use Permit. Staff recommends to table to application for one year or until the stay on conditional use is lifted.*

*Ganley moves to table. Evans seconds.*

*Evans: Can we approve with delegation, if situation is resolved in between meetings?*

*Klein: We can. The question is whether it is appropriate.*

*Ganley: We haven't fully considered the public comment. This is more complicated than what we can delegate.*

*Klein: This belongs at the local level. I'd rather see the Superior Court decision happen, then have the Borough make its decision before this comes to us.*

*Manning: At this point, the Borough has made its decision, correct? If this was the Borough doing the appeal, that would make sense. But it looks like the Borough has made their decision.*

*McConnell: It was property owners that appealed. One thing that was not provided to the Board were the reasons for the appeal. There were concerns the Board of Adjustment process was flawed.*

*Milks: In any event, they don't have the Conditional Use Permit, so the license cannot be issued.*

*Klein: It is within our purview to approve with delegation?*

*Evans: My question is do we have the authority to approve with delegation?*

*Ganley's motion to table fails 1-3, Ganley votes in favor.*

*Evans moves to approve the license with delegation. Manning seconds.*

*Motion carries 3-1, Ganley votes no.*

**D. 4165 Three Bears:** Three Bears Alaska, Inc.

1900 Airport Way; Valdez

**License: Package Storre**

**Consideration of license renewal application.**

**Local governing body:** City of Valdez rescinds protests on condition that Three Bears sells the license within six months.

*McConnell: Transferring a license without board approval is significant action. Recommend the board direct me to issue an accusation.*

*Steve Mierop, Vice President and CEO of Three Bears: Presented information to Board, including email record of correspondence with AMCO staff. There isn't an attorney who would know what the paper of record is for Tok. Also, from the licensee's side, why it is necessary to talk with staff. Sometimes we're faced with contradictory or confusing information. Regulations posted on AMCO website are inconsistent with regulations adopted and signed by the Lt. Governor.*

*Tried to operate in Valdez for a number of years. Also tried to sell license. For us, it is strict enforcement after the fact. I'm checking check box when renewing Valdez, but it's*

*We met the operating requirements. The solution we worked out with City of Valdez is the contract we have.*

*Klein: You are the license operator. You are the one that is responsible. You moved it to a location that was not approved. You were selling out of an unlicensed premises.*

*Mierop: We're willing to give the license up.*

*Evans: This violation of operating at an unlicensed premises is serious.*

*Ganley: If we decide on the renewal, we'll want to be very clear on timelines regards to the sale. Look at instead of six months, maybe three.*

*Evans moves to deny the renewal. Ganley seconds.*

*Motion carries 4-0.*

*Manning states he will not be able to participate after the lunch break and requests TAB 16 to be considered before lunch.*

**E. Reconsideration of Decision to Deny Renewal (made April 13, 2017) 11:15 am**

**4897 Denali Arts Council:** Denali Arts Council

22249 S D Street, Talkeetna

**License: Recreational Site**

*McConnell: There is a long history with Rec Site licenses, first identified by a legislative audit. Many are not compliant with AS 4.11.210. At the meeting in April, there were 6 rec site licenses that came before the board. This one came up as one that did not meet the definition of a rec site license requirement. At the February meeting, the Board identified a handful of licenses that didn't meet the requirements, approved their renewal, but also said "this will be the last renewal." I sent the licensee a board action of the denial of renewal. The licensee requested an informal conference with the director. Also sent proposed language in SB 76.*

*Ganley moves to reconsider. Manning seconds.  
Motion carries 3-1, Evans votes no.*

*Colleen Love, director of Denali Arts Council: Never as an administrator have had as difficult time receiving an interpretation of a statute and regulation.*

*In 2005, there was a revised bill that sought to have the most revised language. A recreational license is an events based license. You're not going to find the venue open if you show up 2 hours before. It is only open for the event. With the Summit case, that was not an event-based license. We are an events-based facility. We don't have a movie theater, we don't have clubs. It is community based programming. The statute doesn't have a list of what it excludes. And it doesn't even have an exhaustive list of what it does include. We hold 50 events. Trying to get a catering permit for all events seems like it would be something the AMCO office would want to avoid.*

*Debi Whittaker, board member, speaks.*

*Becky Matisse, board member, speaks.*

*Manning: Couldn't find a license type that would be more appropriate. Would like to move this be renewed. Where does this type of rec license go next?*

*Evans: The 2014 legislative audit basically said, "you guys need to look at these recreational licenses because they're out of bounds." I still stand that this is outside the statute.*

*Klein: My opinion goes in two directions. One is that we did over-interpret recreational site licenses and auditors were right for slapping our hands. The question is, what about those businesses that were established when we were playing fast and loose with the law? We gave credence to the fact that people had invested time and money around the action of this board. Title 4, as it stands, allows for time for these businesses to find other ways to make a living. Your situation should be brought to the attention to Sen. Micciche*

*McConnell: A theatre license might be more appropriate.*

*Love: There are two problems with that. You need a mezzanine and a separate theatre. Also, you need a BDL holder. It wouldn't benefit a small theatre in a rural community.*

*Manning moves to renew license with notification that there will not be another renewal. Ganley seconds with the comment that other arts councils statewide use permits.*

*Motion carries 3-1, Evans votes no.*

**F. Request for Reconsideration of Decision to Deny Transfer of Location, Ownership, and DBA Change (made December 5, 2016)**

**4170 Tapas:** Tapas, Inc.

603 Lacey Street, Fairbanks; Fairbanks

**License: Beverage Dispensary**

From: Café de Paris Catering Company DBA Lavalley's Bistro; 575 1<sup>st</sup> Avenue

**Transfer of ownership, location, and DBA change.**

Local governing body: **City of Fairbanks protests pending issuance of a Certificate of**

**Occupancy**

Approvals: Department of Labor, Department of Revenue, Department of Environmental Conservation

Background investigations: complete

*McConnell: The transfer application originally came to the Board in November 2015. Board approved with delegation a transfer. Objection from the City of Fairbanks and from DEC. In 2016, because the protests had not been lifted, the transfer was denied. But the conditions have now been lifted by DEC.*

*Ganley moves to reconsider. Evans seconds.  
Motion carries 4-0.*

*Ganley moves to approve renewal with delegation. Evans seconds.  
Motion carries 4-0.*

**Meeting recesses until 12:45 pm**

**Meeting back online at 1:06 pm. Mr. Manning is excused.**

*John Rodda, speaking for reconsideration on 9 Oh 7 Club: Big Lake Community Council has pulled support for 907 club and requesting a delay on transfer and no action be taken until appeal action is complete. The State has issued a pedestrian safety traffic study that the Borough has acknowledged the conflicts. The Borough itself has filed a notice of non-participation. Legal and Planning Departments will not defend Board of Appeals because of the conflict.*

*Evans: My understanding is the local governing body is the Borough, and they did not have a protest.*

*Ganley moves to reconsider 9 Oh 7 Club. Evans seconds.  
Motion fails 1-2, Evans and Klein vote no.*

**G. 4380 Gold Miners Lodge Restaurant and Motel:**

Gold Miners Lodge Restaurant and Motel, LLC  
20333 W Parks Highway, Houston  
**License: Restaurant or Eating Place**

**License renewal.**

Local governing body: **City of Houston protests due to non-operation of the license.**

**H. 4526 Gold Miners Lodge Restaurant and Motel:**

Gold Miners Lodge Restaurant and Motel, LLC  
Mile 60.5 Parks Highway, Houston  
**License: Beverage Dispensary – Tourism**

**License renewal.**

Local governing body: **City of Houston protests due to non-operation of the license.**

*McConnell: There was insufficient evidence of complying with minimum operating requirements.  
Brian and Sandy Gauthier, licensees, speak.*

*Klein: If the local government does not withdraw its protest, we have to rule on it.*

*Gauthier: They were not contending whether we were open, it was because we did not submit as much taxes, that was their issue.*

*Klein: I think we can find this protest is arbitrary, capricious and unreasonable.*

*Ganley moves to dismiss the protest as arbitrary, capricious and unreasonable. Evans seconds.  
Motion carries 3-0.*

*Ganley moves to renew license. Evans seconds.  
Motion carries 3-0.*

- I. 4388 Central Corner:** Central Corner LLC  
Mile 128 Steese Highway, Central  
**License: Package Store**

**Transfer effectuated in error.**

*John Howard & Suzanne Howard, licensee: documentation from Fairbanks fuel submitted showing overpayment to Fairbanks Fuel.*

*Evans moves to table and have parties work it out. Ganley seconds.*

*McConnell: not sure any action needs to be taken, but could give licensee the direction to work this matter out prior to renewal period.*

*Evans withdraws motion.*

*Board directs the matter to be resolved prior to renewal period.*

- J. Refund Request**  
**4584 Zephyr:** Doug Trucano  
No Premises  
**License: Restaurant / Eating Place**

*McConnell: licensee requesting a refund of renewal late fee. Transfer was effectuated after renewal notice was sent out. Licensees are responsible for knowing the statutes and regulations. This is a new licensee though.*

*Ganley moves to refund the late fee. Evans seconds.  
Motion carries 3-0.*

- K. Request to Correct the Record of February 2, 2017**  
**5458 and 5459 Quake! Brewing Company:** Quake! Brewing Company, LLC  
12812 Old Glenn Hwy, #A12, Anchorage  
**License: Restaurant or Eating Place and Brewpub**

**License was denied on February 1, 2017.**

*McConnell: old memo didn't explain that there were multiple reasons why license was denied. Applicant wishes to show landlord refused to meet conditions required by municipality. New memo has been drafted to replace old, if board adopts. Applicant wants record to reflect more accurately reasons for denial.  
Board accepts new memo by acclamation.*

**L. MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

**2:15 pm**

- 1. 5533 Kusko Liquor:** Cezary J Maczynski  
801 Front Street, Bethel  
**License: Package Store**

**New license application.**



Local governing body: **City of Bethel protests**  
Approvals: State Fire Marshal  
Background investigations: complete

2. **5542 Tundra Liquor Cache:** Steve Chung  
105 Hoffman, Bethel  
**License: Package Store**

**New license application.**  
Local governing body: **City of Bethel protests.**  
Approvals: State Fire Marshal  
Background investigations: complete

3. **5544 ACC Liquor Store:** The North West Company (Intl), Inc.  
1110 Bridge Avenue, Unit No. 1, Bethel  
**License: Package Store**

**New license application.**  
Local governing body: **City of Bethel protests**  
Pending: State Fire Marshal  
Background investigations: complete

*McConnell: One applicant has not applied for a conditional use permit, one has been denied a conditional use permit, and one will have theirs reviewed on Thursday night. This matter is still percolating at the local level so my recommend to board is to table this license.*

*Bethel Mayor Richard Robb: None of the three applications have a CUP issued. All have been protested based on that matter. One correction must be pointed out. Kusko Liquor has not been denied a CUP. It is still in process. There is a planning commission meeting in two days. Tundra Liquor Cache has been denied a CUP. AC store is still in process. No objection to tabling.*

*Evans: Will this board have all the information to make a decision by September?*

*Mayor Robb: I certainly hope so.*

*Steve Chung, Tundra Liquor Cache, appears in person and presents information to the board regarding appeal to city and city planner's findings. Had to prepare notes on appeal from memory because city had no record of the hearing.*

*Cezary Maczynski, Kusko Liquor, speaks telephonically.*

*Walter Pickett, Alaska Commercial Company, speaks telephonically.*

*Patty Burns, city of Bethel, speaks telephonically.*

*Evans moves to table this application until the September meeting. Ganley seconds.*

*Motion carries 3-0.*

## ● **BOARD CONSIDERATION**

### **A. Recommend Investigator Chiesa to Carry Firearm**

*Evans moves to approve with delegation. Ganley seconds.*

*Motion carries 3-0.*

### **B. Request for Refund of Waiver and Penalty Fees**

**2724 Cyrano's Crepes & Books:** Cyrano's Crepes & Books, LLC

413 D Street, Anchorage  
**License: Restaurant or Eating Place**

*Lynn Murphy, Cyrano's, requests the board waive the fees and penalties.  
No motion made to waive. Fees and penalties will stand.*

- C. 4746 Applebee's Grill & Bar:** Apple North, Inc.  
4331 Credit Union Drive, Anchorage  
**License: Beverage Dispensary**  
From: Kodiak Apple, Inc., DBA Applebee's Neighborhood Grill

**Transfer of ownership with security interest and DBA change.**

Local governing body: pending Municipality of Anchorage  
Pending: Department of Labor  
Approvals: Department of Revenue  
Background investigations: pending

*Milks: No specific accounting has been performed on transfer with security interest; It is bad practice to rely on the idea the board will view any information submitted to the board as proprietary.*

*Klein: Unless we have to adjudicate, we take our traditional look.*

*Ganley moves to approve with delegation. Evans seconds.  
Motion carries 3-0.*

- D. 5569 The Porterhouse Grill:** The Porterhouse Grill LLC  
44619 Sterling Highway Suite 6, Soldotna  
**License: Restaurant or Eating Place – Public Convenience**

**Appeal of Director's decision that new license application is incomplete. (AS 04.11.560(a))**

*McConnell: Signatures for public convenience license submitted over time. License examiner was not properly counting signatures. Only 518 signatures had been submitted by deadline. City of Soldotna said 704 signatures were required. This application is not complete. Applicant has been informed about that decision and has appealed to board.*

*Jeffrey O'Neill, restaurant consultant: The original building was destroyed by a storm. The owners were forced to move to city of Soldotna. I realized they couldn't transfer a license from outside the city to inside the city without following the procedures. The owner contacted ABC board and was told by AMCO staff to submit an application. At the time, I was consulting with other clients and was not involved in this process. The owner said he'd received license. License was issued on March 30. Ultimately if I hadn't said anything they could have continued to sell alcohol without the transfer.*

*I worked with AMCO staff to ask where we stood with numbers of signatures. That's where the 626 signatures came from, and we were told we needed 78 more. So we relied on that information to gather more signatures. In 90 days, we gathered 1600 signatures. The business spent \$100,000 to upgrade the building. We're not seeking the license as a means of revenue. There has to be some balance when an agency staff comes to a conclusion. At some point they have to live with that decision. We're asking the board to have the agency stand by its initial ruling. According to Wasilla method, you required one signature per household. If we used that, we would only need 450 signatures.*

*McConnell: Memo from the city of Soldotna cites census block data to calculate population. City estimates 1,403 persons over the age of 21, thus requirement is 702. We turn to the local governing body to determine the population requirements. Petition instructions on AB-12. Two layers of issues. Nothing*

*in regulations on how to determine number of signatures. The question is whether signatures are valid. Of the ones submitted in 130 day period, many are for residents not within the one mile limit. Board can direct us to work with city or applicant on signature threshold.*

*ONEill: We're almost to 2,000 signatures. I would say that 20 percent are from Kenai or Sterling. I don't know how you validate signatures, but I think if we ask and the email says "the official number is 626, that leads me to believe someone checked to make sure these were verified and replied with a big smiley face." We were told specifically these had been validated.*

*Ganley: I'm going to propose we deem the signatures complete. We have a licensee that has made a good faith effort. They were misinformed about what the number was. We have to be consistent. This has nothing to do with the number. It has to do with the process on our end. We know they got signatures. They got lots of signatures.*

*Klein: We have a less than perfect system for determining populations and signature requirements. Public convenience is going away under SB76. I hesitate to get too exacting.*

*McConnell: I am concerned that the board is moving towards issuing a license that isn't in compliance with the regulations.*

*ONEill: Are the signatures you are counting the most recent. Earlier signatures were ones we went door-to-door in winter. December and February signatures (there are 1500) should be a greater percentage of compliance. We went above and beyond.*

*Ganley moves to determine the application complete and approve the license. Evans seconds. Motion fails 2-1. Evans votes no.*

*Klein: There it is. We just did it.*

**E. 5584 Swanson's Liquor Store:** Swanson's Liquor Store, LLC  
230 Tundra Street, Bethel  
**License: Package Store**

**New license application.**

Local governing body: pending City of Bethel

Pending: Fire Marshal

Approvals: Department of Environmental Conservation

Background investigations: complete

*Director recommends tabling.*

*Ganley moves to table application. Evans seconds.*

*Motion carries 3-0.*

● **PROTESTS OF LICENSE RENEWAL APPLICATIONS**

**A. 277 & 278 Cordova Hotel & Bar:** Dorene K. Wickham  
1<sup>st</sup> Between A & B Streets; Cordova  
**License: Beverage Dispensary & Package Store**

Local governing body: **City of Cordova requests condition that delinquent sales tax accounts are paid in full by September 15, 2017.**

*Ganley moves to approve with delegation. Evans seconds.*

*Motion carries 3-0.*

● **REQUESTS FOR REINSTATEMENT AND RENEWAL**

- A. 61 Anchor Bar & Grill:** Tiny Wings, Inc.  
207 Breakwater Avenue, Cordova  
**License: Beverage Dispensary**

**Renewal application complete May 10, 2017.**  
Local governing body: City of Cordova does not protest.  
Temporary issued.

- B. 62 Anchor Liquor Store:** Tiny Wings, Inc.  
207 Breakwater Avenue, Cordova  
**License: Package Store**

**Renewal application complete May 10, 2017.**  
Local governing body: City of Cordova does not protest.  
Temporary issued.

*Director: The licensee missed Feb 28 deadline and is requesting reinstatement. Up to the board to evaluate requests. 304.160 (e)&(f)*

*Ganley moves to renew items A&B. Evans seconds.  
Motion carries 3-0.*

- C. 200 No DBA:** Donald P. Skewis and Frank Dahl  
No Premises; Anchorage  
**License: Beverage Dispensary**

**Renewal application complete June 13, 2017**  
Local governing body: pending Municipality of Anchorage

*Frank Dahl: Extenuating circumstances. This was an honest mistake. We thought we had another year on the license.*

*Evans moves to reinstate. Ganley seconds.  
Motion carries 3-0.*

- D. 432 Trappers' Den Tavern:** Trappers Den Tavern, Inc.  
Mile 2 Tok Cutoff Road, Gakona  
**License: Package Store**

**Renewal application complete May 26, 2017.**  
Local governing body: None  
Temporary issued.

- E. 1168 Trappers' Den Tavern:** Trapper's Den Tavern, Inc.  
Mile 2 Tok Cutoff Road, Gakona  
**License: Beverage Dispensary**

**Renewal application complete May 26, 2017.**

Local governing body: None

Temporary issued.

*McConnell: This licensee contacted AMCO office proactively, trying to renew prior to renewal period.*

*Ganley moves to renew. Evans seconds.*

*Motion carries 3-0.*

**F. 652 Lighthouse Grocery: Williams Incorporated**

10750 N Tongass Hwy, Ketchikan

**License: Package Store**

**Renewal application complete March 29, 2017.**

Local governing body: pending Ketchikan Gateway Borough

*Ganley moves to approve with delegation. Evans seconds.*

*Motion carries 3-0.*

**G. 1848 Riptide Liquor and Video Store: Williams Incorporated**

930 Rainy Lane, Thorne Bay

**License: Package Store**

**Renewal application complete March 29, 2017.**

Local governing body: pending City of Thorne Bay

*Evans moves to renew. Ganley seconds.*

*Motion carries 3-0.*

**H. 2037 Lake Creek Lodge: Lake Creek Fishing Lodge LLC**

12 Miles East of Skwentna, Skwentna

**License: Package Store—Seasonal**

**Renewal application complete May 2, 2017.**

Local governing body: Matanuska-Susitna Borough does not protest.

*Evans moves to approve with delegation. Ganley seconds.*

*Motion carries 3-0.*

**I. 2097 Route 33: TR2, Inc.**

3300 Spenard Road, Anchorage

**License: Beverage Dispensary**

**Renewal application complete March 29, 2017.**

Local governing body: Municipality of Anchorage does not protest.

Temporary issued.

*Ganley moves to renew with delegation. Evans seconds.*

*Motion carries 3-0.*

- J. 4150 KK Hometown Restaurant:** Hyun Sook Kim  
3020 Minnesota Drive #17, Anchorage  
**License: Restaurant or Eating Place**

**Renewal application complete June 1, 2017.**

Local governing body: pending Municipality of Anchorage

*Evans moves to approve with delegation. Ganley seconds.*

*Motion carries 3-0.*

- K. 5012 Sackett's Smokehouse Kenai Grill:** Sackett's Smokehouse Corp  
16201 Sterling Highway, Sterling  
**License: Restaurant or Eating Place**

**Renewal application complete April 3, 2017**

Local governing body: Kenai Peninsula Borough does not protest.  
Temporary issued.

*Evans moves to approve with delegation. Ganley seconds.*

*Motion carries 3-0.*

- L. 5045 Unwined:** NW Alaska Properties LLC  
751 E. 36<sup>th</sup> Avenue #113, Anchorage  
**License: Package Store**

**Renewal application complete April 11, 2017.**

Local governing body: Municipality of Anchorage does not protest.

*Jack Nimms: Enforcement removed license because failure to renew.*

*Daryl Webb: We paid dearly for this mistake. We've never had an issue. It'll never happen again.*

*Ganley moves to renew. Evans seconds.*

*Motion carries 3-0.*

- M. 5086 Great Alaska Adventure Lodge:** Great Alaska Fish Camp Inc.  
33881 Sterling Highway, Sterling  
**License: Outdoor Recreational Lodge - Seasonal**

**Renewal application complete April 10, 2017.**

Local governing body: Kenai Peninsula Borough does not protest.  
Temporary issued.

*Laurence John: I'm in the process of taking over from my 83 year old father. We've been in the same community. We don't change our address, just have mail forwarded. Mistake was made by post office.*

*Ganley moves to renew. Evans seconds.*

*Motion carries 3-0.*

- M. 5087 Bahay Kubo Restaurant:** Maricel Medina  
3020 Minnesota Drive, Suite 13; Anchorage

**License: Restaurant or Eating Place**  
From: Erica Ciabu DBA Kubo Restaurant

**Renewal application complete.**  
Local governing body: Municipality of Anchorage does not protest.  
Temporary issued.

*Ganley moves to renew. Evans seconds.  
Motion carries 3-0.*

**N. 5250 Alaska Quest:** Alaska Quest Charters, Inc.  
Alaskan Waters  
**License: Common Carrier**

**Renewal application complete April 5, 2017.**

*Ganley moves to renew. Evans seconds.  
Motion carries 3-0.*

**O. 5370 Jimmy Sushi Restaurant:** Jimmy Restaurant, Inc.  
11401 Old Glenn Highway #103, Eagle River  
**License: Restaurant or Eating Place**

**Renewal application complete April 11, 2017**  
Local governing body: Municipality of Anchorage does not protest.  
Temporary issued.

*Ganley moves to renew. Evans seconds.  
Motion carries 3-0.*

● **OBJECTIONS**

**A. 4967 M/V Safari Quest:** Innersea Discoveries Alaska Inc.  
Alaskan Waters  
**License: Common Carrier**  
From: Innersea Discoveries LLC

**Transfer of ownership.**  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete  
**Objections received from Stabbert Yacht and Ship.**

**B. 5080 M/V Wilderness Discoverer:** Innersea Discoveries Alaska Inc.  
Alaskan Waters  
**License: Common Carrier**  
From: Innersea Discoveries LLC

**Transfer of ownership.**  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete

**Objections received from Stabbert Yacht and Ship.**

- C. 5158 M/V Safari Endeavor:** Innersea Discoveries Alaska Inc.  
Alaskan Waters  
**License: Common Carrier**  
From: Innersea Discoveries LLC

**Transfer of ownership.**

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

**Objections received from Stabbert Yacht and Ship.**

- D. 5159 M/V Wilderness Explorer:** Innersea Discoveries Alaska Inc.  
Alaskan Waters  
**License: Common Carrier**  
From: Innersea Discoveries LLC

**Transfer of ownership.**

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

**Objections received from Stabbert Yacht and Ship.**

- E. 5293 M/V Safari Explorer:** Innersea Discoveries Alaska Inc.  
Alaskan Waters  
**License: Common Carrier**  
From Innersea Discoveries LLC

**Transfer of ownership.**

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

**Objections received from Stabbert Yacht and Ship.**

*McConnell: Effective July 7, security has been verified in form of escrow account. Objector lifts objection but wants to retain right to object in future.*

*Ganley moves to renew items A through E. Evans seconds.  
Motion carries 3-0.*

● **BEVERAGE DISPENSARY – TOURISM LICENSE APPLICATIONS**

- A. 941 Swiss Alaska Inn:** Christopher S. Byrd  
22056 South F Street, Talkeetna  
**License: Beverage Dispensary - Tourism**  
From: Werner Rauchenstein

**Transfer of ownership.**

Local governing body: Matanuska-Susitna Borough does not protest.  
Approvals: Department of Labor, Department of Revenue  
Background investigations: complete



McConnell: AS 4.11.400(d) requires a dining facility. Tourism statement doesn't mention dinner. Breakfast only.

Ganley moves to renew. Evans seconds.  
Motion carries 3-0.

- B. 1443 Sheraton Anchorage Hotel & Spa:** Ashford TRS Nickel LLC  
401 E. 6<sup>th</sup> Avenue, Anchorage

**License: Beverage Dispensary - Tourism**

From: Ashford TRS Corporation (100%) to Ashford TRS Nickel Senior Mezz LLC (100%)

**Transfer of controlling interest.**

Local governing body: pending Municipality of Anchorage

Background investigations: complete

Ganley moves to renew with delegation. Evans seconds.  
Motion carries 3-0.

### ● BEVERAGE DISPENSARY – DUPLICATE LICENSE APPLICATIONS

- A. 5560 Skagway Brewing Company:** Skagway Brewing Company, Inc.  
250 4<sup>th</sup> Avenue (Block 25, Lot 9a), Skagway

**License: Beverage Dispensary – Duplicate**

**New license application.**

Local governing body: Municipality of Skagway Borough does not protest.

Approvals: Department of Environmental Conservation

Pending: Fire Marshal

Background investigations: complete

Ganley moves to renew. Evans seconds.  
Motion carries 3-0.

### ● RESTAURANT / EATING PLACE – PUBLIC CONVENIENCE LICENSE APPLICATIONS

- A. 5563 Homer Spit Oyster Bar:** Suvi Mirja Bayly  
3851 Homer Spit Road, Homer

**License: Restaurant / Eating Place – Public Convenience**

**New license application.**

Local governing body: City of Homer does not protest.

Approvals: Department of Environmental Conservation, Fire Marshal

Background investigations: complete

Temporary issued.

Ganley moves to renew. Bobby Evans seconds.  
Motion carries 3-0.

### ● FIRST AND SECOND WAIVERS

**TAB 51**

- A. 2724 Cyrano's Crepes & Books:** Cyrano's Crepes & Books, LLC

413 D Street, Anchorage  
**License: Restaurant or Eating Place**

**First waiver application (2015).**

- B. 2724 Cyrano's Crepes & Books:** Cyrano's Crepes & Books, LLC  
413 D Street, Anchorage  
**License: Restaurant or Eating Place**

**Second waiver application (2016).**

- C. 2870 Delta Sportsman's Association:** Delta Sportsman's Association, Inc.  
0.4 Mile Nome Trail, Delta Junction  
**License: Club**

**First waiver application (2015).**

- D. 2870 Delta Sportsman's Association:** Delta Sportsman's Association, Inc.  
0.4 Mile Nome Trail, Delta Junction  
**License: Club**

**Second waiver application (2016).**

- E. 3123 Hangar Lounge:** David K. Freeman  
Mile 1.5 S. Big Lake Road, Big Lake  
**License: Beverage Dispensary**

**Second waiver application (2015).**

- F. 3272 Chatanika Gold Camp:** Chatanika Gold Camp LLC  
5550 Steese Highway, Fairbanks  
**License: Beverage Dispensary – Tourism**

**First waiver application (2016).**

*Ganley moves to approve all first and second waivers. Evans seconds.  
Motion carries 3-0.*

● **THIRD WAIVERS**

**TAB 52**

- A. 3123 Hangar Lounge:** David K. Freeman  
Mile 1.5 S. Big Lake Road, Big Lake  
**License: Beverage Dispensary**  
**Third waiver application (2016).**

*McConnell: Board did not know the licensee had received 1<sup>st</sup> and 2<sup>nd</sup> waiver in 2013. Waivers had been issued to previous owner in 89, 90, and 91.*

*Klein: Board changed so waivers go with applicant not the license. What is the reason this is going to third?*

*McConnell: Investigator found the licensee did not meeting minimum operating requirements based on signage, evidence of purchases, etc.*

*Ganley moves to approve with accompanying warning there will be no fourth waiver. Evans seconds.  
Motion carries 3-0.*

● **REGULATIONS**

**A. Background Checks**

*Ganley moves to open project and release draft for public comment. Evans seconds.  
Motion carries 3-0.*

**B. Bona Fide Restaurant / Licensed Premises**

*Ganley moves to open project and release draft for public comment. Evans seconds.  
Motion carries 3-0.*

**C. Tribal Identification**

*Evans moves to open project and release draft for public comment. Ganley seconds.  
Motion carries 3-0.*

● **NEXT ABC BOARD MEETING**

**Agenda deadline for September 13 meeting: August 25, 2017**

**Meeting adjourns at 4:51 pm.**

Minutes prepared by:  
Jed Smith  
Local Government Specialist

Minutes reviewed by:



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Erika McConnell  
Director