



**Alcoholic Beverage Control Board
Meeting Agenda**

****Subject to change due to viral emergency***

**August 18, 2020 at 9:00 am
Second Judicial District**

Call-in Number: 1-800-315-6338, code 69173#

All times are approximate. Lunch from 12:00 noon to 1:00pm

● **ADMINISTRATION** **9:00 am**

A. Call to Order

9:00 am

B. Roll Call

*Glenn Brady, Industry Member & Chair
Rex Leath, Public Safety Member & Vice Chair
Charlie Cross, Rural Public Member
Sara Erickson, Public Member
Dana Walukiewicz, Industry Member*

*Glen Klinkhart, Interim Director
Joan Wilson, Assistant Attorney General
James Hoelscher, Enforcement Supervisor
Carrie Craig, Records and Licensing Supervisor*

C. Approval of Agenda

Dana Walukiewicz motions to approve the agenda. Rex Leath seconds. None opposed, motion passes.

D. The Emergency and the June 9, 2020 meeting minutes are not ready for approval.

● **BOARD GOVERNANCE** **9:05 am**

9:03 am: There are no conflicts to declare.

● **PUBLIC TESTIMONY**

9:10 am

Based on current circumstances, the Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations. The call-in number is 1-800-315-6338, code 69173#.

9:04 am: Sarah Oates, President & CEA of Alaska CHARR, proposes a regulation project regarding alcohol server education to be allowed statewide, including urban areas, via Zoom or a similar video teleconference format. 3 AAC 304.365. Ms. Oates will email her proposal to Director Klinkhart and to Jane Sawyer. Glenn Brady says they will review. Ms. Oates says the AB-15's processing times went very quickly according to feedback from members. Staff has gone above and beyond to help the industry.

9:14 am: There are no further comments. Public testimony is closed.

● **DIRECTOR'S REPORT**

9:30 am

TAB 1

9:15 am: Director Klinkhart provides a summary of his report. Speaks about Enforcement challenges. Rex Leath says it would be advantageous to have the discussion. Director Klinkhart says they could schedule the meeting within the next 30 – 45 days. There is a suggestion to poll people within the next 7 days. James Hoelscher agrees with the Director. The Director will send out the poll within the next week. There are no further questions for the Director.

● **ENFORCEMENT REPORT**

9:35 am

TAB 2

9:24 am: James Hoelscher summarizes his report. Speaks about virtual inspections. There have been very little complaints. Asks what the Board would like him to provide in addition to what he has already been providing to them in his report. Glenn Brady personally would like to see a broad sense of his resources being utilized for a various of enforcement tasks. Less numbers. Rex Leath says they have been doing a good job giving an overall snapshot. He is well served. Rex L. says the biggest issue is getting the Board's direction on priorities. James appreciates the feedback. Asks the Board to help request a report writing management system. There are no further questions for James Hoelscher.

A. Notices of Violation Issued and Licensee Responses

TAB 3

9:39 am: James Hoelscher points out page 7 of the NOVS – not to single out – just as a generalization regarding the placement of warning signs. Glenn B. asks James if there is anything troubling in this packet. James says some complaints about curbside dining. Dana W. asks if any NOVs in this section ended up having a fine. Glenn B. answers the Board would decide the fine issue or any disciplinary actions. Dana W. asks if these require follow up by the Board – do they need to take any action? Director Klinkhart states this is part of the process that will be discussed. James agrees with the Director. There are no further questions/comments from the board.

● **LICENSING REPORT**

9:45 am

TAB 4

9:51 am: Carrie Craig summarizes her report. Glenn B. comments that the work that the staff has done lately has been great. Thanks everyone on behalf of the industry and the state. There are no further questions/comments.

● **TEMPORARY LICENSED PREMISES DIAGRAM CHANGE APPLICATIONS** 9:50 am **TAB 5**

9:55 am: Director Klinkhart summarizes the memo. Glenn B. skimmed through the applications and liked the amount of detail. Dana W. asks the Director if the licensee is the one to coordinate with LGB or does our office handles that - the process? The Director says that staff has been working with the Municipality – case by case basis. All Anchorage applications have been sent to the Municipality. Joan Wilson says this would be good time to start thinking about what happens on 11/15/2020. Out of state vendors will be using tents all winter long with heaters. Dana W. comments there may be a desire in the future to have temporary premises outside to take advantage of the good weather. Is there a desire by the Board to allow the temporaries to continue in the future – regulation project possibly – post-pandemic. Glenn B. says this is one of the silver linings of Covid and it’s a valuable discussion to have. How to address seasonal seating post-pandemic? Future discussion – separate bullet point.

● **RESOLUTION FROM THE CITY OF BETHEL** 10:00 am **TAB 6**

10:10 am: Director Klinkhart summarizes the issue. Joan Wilson provides further background. Lori Strickland, City Clerk for the City of Bethel, is present on the phone. The City received a number of complaints regarding the excess of alcohol being sold without food. The licensee has agreed to come into compliance with the intent. Joan Wilson asks if the Board wants to request the Governor to fix the suspension. Sara E. agrees with the Chair – a blanket approach throughout the state is not the way to go. Glenn B. asks if the Board has the authority to place conditions on specific licensees in certain areas. Joan Wilson says the Board does have the authority, but it’s muddy. A suspension order would be the best path. Glenn B. says this issue has resolved itself. Ms. Strickland answers, yes. Glenn B. says that the Board will remain vigilant about circumstances like this and they will exercise their authority without waiting for the Governor. Rex L. says the process as it is now is working. He doesn’t think they should take them on, one by one.

● **BOARD CONSIDERATION** 10:30 am

A. **5821 Hump Island Oyster Company:** Marble Seafoods, LLC **TAB 7**
55*31.13N 131*46.02W, Ketchikan Gateway Borough
License: Restaurant/Eating Place

Requesting refund for the payment of a late waiver fee for 2019.

10:26 am: Director Klinkhart and Glenn B. provide a summary of the background. The licensee is not present. Dana W. asks when they applied for their license. Carrie Craig provides the application dates. Dana W. says there doesn’t seem to be any delay on the office side. Rex L. points out the licensee’s comment about their business decision to not to use the license. Dana W. concurs. **Glenn B. says there should be no action. No motion is made.**

● **REQUESTS FOR LICENSE REINSTATEMENT AND RENEWAL**

A. **1116 Tangle River Inn:** Naidine O Johnson **TAB 8**
Mile 20 Denali Highway, Paxson
License: Beverage Dispensary - Tourism

Renewal application; request for reinstatement.
Background investigations: pending

- B. 1117 Tangle River Inn:** Naidine O Johnson
Mile 20 Denali Highway, Paxson
License: Package Store

TAB 9

Renewal application; request for reinstatement.

Background investigations: pending

*10:35 am: Director Klinkhart summarizes the tab. Carrie Craig points out that 1116 is a Beverage Dispensary-Tourism license. The licensee is not present on the phone. Sara E. is disappointed that the licensees are not present to speak to the issue. Carrie clarifies that the licensees are notified about the board meetings. Dana W. says coverage is spotty in that area. Rex L. points out that this is a long-standing business – no violations and he would like to talk to them. Rex L. would reinstate. Sara E. asks Carrie multiple questions. Carrie answers. Sara E. doesn't think that's a good enough excuse - doesn't feel sorry for them – this should be a priority. It is not the Board's job to make excuses for the licensees. Glenn B. says they could table – strongly recommend they be present to provide more background as a possible option. Dana W. is leaning towards Rex's thoughts. **Dana W. motions to reinstate and renew both licenses #1116 and #1117. Charlie C. seconds.** Sara E. says she would be more on their side if they were present. **None opposed, motion passes.***

● **PUBLIC HEARINGS – PROTESTS**

- A. 1264 Alaska Commercial Company:** The North West Company (International) Inc.

TAB 10

716 Ocean Cape Road, Yakutat

License: Package Store

From: Yakutat Adventures, LLC located at 989 Airport Road, dba The Yakutat Lodge

Transfer of ownership and location with dba name change.

Local governing body action: protest by the City and Borough of Yakutat

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

Background investigation: complete

City and Borough of Yakutat protests transfer of ownership and location based on the determination by CBY that is not in the best interest of the community.

10:57 am: Present are: Aaron Spurbeck with Alaska Commercial Company (ACC), Walter Pickett, Jeff Mancini, Sarah Hyderman, who is the CBY attorney. Larry Powell and Raymond are residents who wish to testify. Jana Weltzin represents YCC Inc. public testimony. Cathy Bremner, resident.

Aaron Spurbeck, ACC: summarizes his letter in the packet - Claims the City and Borough is being arbitrary and capricious. States there are conflicts of interest. The city planning commission issued a CUP for this license at this location. There is direct financial competition. He asks the Board to reject the protest and approve the transfer. No questions from the Board at this time.

Sarah Hyderman, CBY attorney, points out that Board must uphold the protest unless it is arbitrary or capricious. The applicant wants the business in the center of town, operating year round. The first license was by the airport, attached to the lodge to serve the airport and travelers. Summarizes the protest points. There are no school lunches served within the school – students go to the grocery store for lunch. One member has a conflict of interest – the mayor. She removed herself from the room when the protest

was approved. The existing license already supports the population in the center of town. Population limits – one license in the center of town is sufficient.

Glenn B. asks if there is a legal separation between the City & Borough of Yakutat. Sarah Hyderman says no – there is no organized city within the borough. The location move was not going from one to another. There are no questions from the Board.

Jana Weltzin for YCC. Inc: provides background of YCC – community minded. There are conflicts of interests, but it was mitigated. 2014 Bering Sea Saloon would be a precedent. Protests should be upheld. There are no questions from the Board.

Larry Powell, resident: was a member of the city council and mayor for 24 years. Most police calls in CBY are alcohol related. Agrees with the attorney of the city and borough. This transfer is not in the community's best interest. No questions from the Board.

Raymond Sensmeyer (?), resident: City Assembly and Tribal Authority – chief of police. Speaks about the location and community gathering place. The Glass Door, YCC gives back to community – ACC will not. No questions from the Board.

Cathy Bremner, resident: asks the Board to uphold the protest.

Cindy Bremner, current Mayor of Yakutat: says she does have a conflict of interest and did remove herself from the discussion. Not a free trade industry – heavily regulated.

Robin Demoss, resident: asks the Board to uphold the protest.

John Williams, resident: asks the Board to uphold the protest.

Debbie Demoss, resident: one liquor store is more than enough. It is oo close to the kids.

Glenn B. asks Joan Wilson her opinion if this is legally arbitrary or capricious. Joan says that is attorney/client discussion for an Executive Session. Glenn B. retracts his question. He asks what is the will of the Board?

Charlie C. says he wasn't on the Board at the time of the Bering Sea transfer and is interested if this is precedent.

Joan Willson is not familiar with that transfer. Jana Weltzin says there is some information about it in her letter.

Aaron Spurbeck asks if ACC has an opportunity to respond to the points. He says the primary thread is that they are fixated on the location not the transfer itself. ACC reached out to the City ahead of time to discuss what would be in the City's best interest. Location could possibly be modified. They would be providing job training, employment opportunities.

Glenn B. asks Carrie Craig if a new location would be a whole new transfer application. Carrie says not really – talks about the process if they changed location.

Sarah Hyderman, City and Borough attorney, says renovation of the structure would not be addressing the issue. The city and borough would have to review the change of location. Carrie states that notifying the local governing body would be part of the process.

Glenn B. asks for the will of the Board. No action would mean the transfer would not proceed – de-facto upholding of the protest. Discussion of options.

Dana W. motions to table for purposes of discussion. *Hopes the two parties can find their way forward. Move it back to their court. Too much evidence to disregard the protest. Sara E. seconds. Sara asks for a timeline – next meeting in October? None opposed, motion passes.*

12:09 pm: Lunch

1:03 pm: Reconvene

- B. 5891 Main Event:** Main Event Services LLC
1041 East 76th Avenue, Unit A, Anchorage
License: Restaurant/Eating Place

TAB 11

New license application.

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending approval of special land use permit as required by AMC 21.03.040C.4.b. and the Director of the Planning Department

1:04 pm: Glenn B. states that some the content of the documents in Tab 11 and 12 are slightly garbled. Glenn B. asks for licensee, who is not present. Dana W. motions to deny with 180-day abeyance. Charlie C. seconds. None opposed, motion passes.

- C. 5902 Zip Kombucha:** Zip Kombucha LLC
3404 Arctic Boulevard, Anchorage
License: Brewery

TAB 12

New license application.

Local governing body action: protest by Municipality of Anchorage

Municipality of Anchorage protests pending approval of special land use permit as required by AMC 21.03.040C.4.a and the by Assembly.

1:07 pm: Glenn B. asks for the licensee – none are present. Dana W. motions to deny with 180-day abeyance. Charlie C. seconds. None opposed, motion passes.

● **OBJECTIONS**

- A. 493 Bear's Den Liquor:** Three Bears Alaska, Inc.
15945 Sterling Highway, Ninilchik
License: Package Store
From: Ninilchik Liquor Store, LLC dba Ninilchik Liquor Store

TAB 13

Transfer of ownership and dba name change.

Local governing body action: pending Kenai Peninsula Borough

Pending: Department of Labor

Approvals: Department of Revenue
Background investigations: completed
Public objection received.

*1:09 pm: Glenn B. asks for the licensee. Steve Mierop with Three Bears, VP. This is a transfer of ownership, not a change of location. KBP submitted a non-objection 8/5/2020. Glenn B. asks if the applicant has had communication with KPBB – Steve Mierop says the transferor did a little bit. Richard Enclewski, current owner of license, confirms this has been well vetted. **Sara E. motions to approve with delegation. Dana W. seconds. None opposed, motion passes.***

● **TOURISM**

- A. 5917 Residence Inn by Marriott Anchorage Midtown: JL 35th Avenue Hotel, LLC** **TAB 14**
1025 East 35th Avenue, Anchorage
License: Beverage Dispensary-Tourism

New license application.

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

*1:23 pm: **Sara E. motions to approve with delegation. Dana W. seconds. The licensee is not present. None opposed, motion passes.***

● **DELEGATED CONSENT AGENDA – NEW & TRANSFER APPLICATIONS** **TAB 15**

*1:26 pm: Glenn B. reads the following applications into the record. **Charlie C. motions to approve all applications in this tab with delegation. Dana W. seconds. None opposed, motion passes.***

A. Liquor Stores USA North, Inc.

License: Package Store

Applications for transfer of controlling interest.

From: a Nevada Corp, Liquor Stores USA Holdings Inc. at 100%

To: Afognak Commercial Group, LLC at 100%

1. 114 Brown Jug Spenard

3900 Spenard Road, Anchorage

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

2. 162 Brown Jug Eagle River

11221 Old Glenn Highway, Eagle River

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

3. 169 Brown Jug Bragaw

1555 South Bragaw, Anchorage

Local governing body action: pending Municipality of Anchorage

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

4. 322 Brown Jug

9200 Old Seward Highway, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

5. 395 Brown Jug Fireweed

525 West Fireweed Lane, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

6. 613 Brown Jug

509 West Parks Highway, Wasilla
Local governing body action: pending City of Wasilla and Matanuska-Susitna Borough
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

7. 686 Brown Jug Whaler

7927 Peck Avenue, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

8. 759 Brown Jug Mountain View

119 South Klewin Street, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

9. 1072 Brown Jug Minnesota

3727 Spenard Road, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

10. 1174 Brown Jug Tudor

3561 East Tudor Road, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

11. 1410 Brown Jug Wasilla

1350 South Seward Meridian Parkway, Wasilla
Local governing body action: pending City of Wasilla and Matanuska-Susitna Borough
Approvals: Department of Labor, Department of Revenue

Background investigations: pending

12. 1461 Brown Jug Warehouse

4140 Old Seward Highway, Anchorage

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

13. 1561 Brown Jug

No Premises, Anchorage

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

14. 1941 Brown Jug Independence Park

2101 Abbott Loop Road, Anchorage

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

15. 1967 Brown Jug

5400 East Northern Lights Boulevard, Anchorage

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

16. 3322 Brown Jug Fine Wines, Spirit and Beer

930 West 5th Avenue, Anchorage

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

17. 4069 Brown Jug- College Mall

2220 East Northern Lights Boulevard, Anchorage

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

18. 4076 Brown Jug - Fairbanks

559 Harold Bentley Avenue, Fairbanks

Local governing body action: pending City of Fairbanks and Fairbanks North Star Borough

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

19. 4453 Brown Jug #670

2451 East Sun Mountain Village Drive, Wasilla

Local governing body action: pending City of Wasilla and Matanuska-Susitna Borough

Approvals: Department of Labor, Department of Revenue

Background investigations: pending

20. 4520 Brown Jug Northern Lights at Spenard

1203 West Northern Lights Boulevard, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

21. 4558 Brown Jug

1106 North Muldoon Road #110, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

22. 4775 Brown Jug Dimond and Victor

2203 West Dimond Boulevard, Anchorage
Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

B. 301 The Office: 18-1 LLC

1987 East Bogard Road, Units E and F, Wasilla
License: Beverage Dispensary
From: Foxglove, LLC dba No DBA located at No Premises

Transfer of ownership and dba name change and location.

Local governing body action: pending City of Wasilla and Matanuska-Susitna Borough
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

C. 2728 McGivney's Sports Bar & Grill: Molly Ventures Inc.

9101 Mendenhall Mall Road, Juneau
License: Beverage Dispensary
From: Tracy LaBarge at 51% and David McGivney at 49%
To: David McGivney at 100%

Transfer of controlling interest.

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

D. 3924 Alaska Raceway Park: Top End, Inc.

5599 South Race Way, Palmer
License: Recreational Site
From: The Lackey Family Trust at 96% and Michelle Maynor at 4%
To: The Lackey Family Trust at 48% and Michelle Maynor at 52%

Transfer of controlling interest.

Local governing body action: pending Matanuska-Susitna Borough
Approvals: Department of Labor, Department of Revenue

- E. 4192 Seong sushi bar JH inc:** JH Inc
740 W 9th Street, Juneau
License: Restaurant/Eating Place
From: Jeong Hee Kim dba Seongs Sushi Bar

Transfer of ownership and dba name change.

Local governing body action: pending City and Borough of Juneau
Pending: Department of Labor – Worker’s Compensation
Approvals: Department of Revenue
Background investigations: pending

- F. 4965 Marcello’s Greek and Italian Restaurant:** Marcello’s LLC
551 West Parks Highway, Wasilla
License: Restaurant/Eating Place
From: FCAOLM LLC

Transfer of ownership.

Local governing body action: pending City of Wasilla and pending Matanuska-Susitna Borough
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

- G. 5921 Stoney Creek Brew House:** Otter Life LLC
33366 Stoney Creek Avenue, Seward
License: Brewery

New license application.

Local governing body action: pending Kenai Peninsula Borough
Pending: Department of Environmental Conservation
Background investigations: pending

- H. 5924 Co-Ho Imports AK:** GFA Corporation
2092 Jordan Avenue, Suite 550, Juneau
License: Wholesale-General

New license application.

Local governing body action: pending City and Borough of Juneau
Pending: Department of Environmental Conservation
Background investigations: pending

- I. 5926 FatBurger:** Arctic Monty LLC
3548 Airport Way, Fairbanks
License: Restaurant/Eating Place

New license application.

Local governing body action: pending City of Fairbanks and Fairbanks North Star Borough
Approvals: Department of Environmental Conservation
Pending: State Fire Marshall
Background investigations: pending

● **CONSENT AGENDA – NEW & TRANSFER APPLICATIONS**

TAB 16

1:31 pm: Glenn B. reads the following applications into the record. Dana W. motions to approve all applications in this tab. Charlie C. seconds. None opposed, motion passes.

- A. 4855 ConocoPhillips Alaska, Inc. – N792CP:** ConocoPhillips Alaska, Inc.
Alaskan Skies
License: Common Carrier
From: ConocoPhillips Alaska, Inc. – N660CP

Transfer of liquor license to a new airplane.
Background investigations: complete

- B. 5174 ConocoPhillips Alaska, Inc. – N796CP:** ConocoPhillips Alaska, Inc.
Alaskan Skies
License: Common Carrier
From: ConocoPhillips Alaska, Inc.- N668CP

Transfer of license to a new airplane.
Background investigations: complete

- C. 5920 Serenade of the Seas:** Royal Alaska Beverage Cruise Sales LLC
Alaskan Waters
License: Common Carrier

New license application.
Background investigations: complete

- D. 5925 Alaska Air – Cold Bay:** ASA Beverages LLC
Alaskan Skies
License: Common Carrier

New license application.
Background investigations: complete

● **REGULATIONS**

- A. Proposed Regulations Projects**

1. Board Requests

1:34 pm: Glenn B. speaks of Sarah Oates proposal. Sarah Oates, president and CEO of CHARR, is present. Dana W. asks about the process. Glenn B. says Jane and Joan should review, then bring it back to the Board, who will then decide to publish for public comment. Joan is confident in Ms. Oates written regulations. Sara E. supports public comment at this juncture. Sara E. motions to open a regulation project and for staff to post for public comment with any typos corrected and come back at the next meeting. Dana W. seconds. None opposed, motion passes.

B. Opened Regulations Projects

1. Public Comment Period Closed

A. Repackaging by Package Stores

TAB 17

Status: Public comment closed July 31, 2020. Comments received for consideration.

Potential Board Actions: Vote to adopt; amend draft and put out for public comment; send back to staff for more work; close project without action.

1:42 pm: Sara E. motions to close the project with no action. Dana W. seconds. Dana W. asks if there were specific objections to the repackaging of cider. Glenn Brady says no. Sassan Mossanen, with Denali Brewing, is present. The difference of interpretation is between manufacturers and package stores. Cap the ABV. Cider vs. ready-made cocktails discussion. Joan says it would need to go back out for public comment if they modify. Dana W. withdraws his second. He would like to keep it open and modify it specifically to cider. Sara E. asks if this is something they have to do or wait for the legislature to do. Glenn B. says these subjects are not in SB52. The legislature has different priorities. Sara E. does not withdraw her motion. No second – motion dies. Dana W. motions to amend to remove wine and distilled spirits and barrels. In place of wine: cider for purposes of public comment. Rex L. seconds. Sara E. is opposed. Motion passes, 4-1.

2. Tabled projects

A. Combined Tasting Rooms

TAB 18

Status: Tabled at June meeting for further discussion. Public comment closed March 13, 2020.

Potential Board Actions: Vote to adopt; amend and put out for public comment; close project without action.

2:05 pm: Glenn B. summarizes the history of this project. Dana W. motions to close the project. Rex L. seconds. Glenn B. warns about SB52 passing the future – a lot of projects will come to be. Sara E. asks about the limits of drinks allowed. Glenn clarifies that each license type has its own limits in statute. Sara E. states it is a public safety issue. Glenn B. mentions that some companies have internal policies that limits the number of drinks. Dana W. agrees. Discussion between Dana W. and Sara E. Glenn B. asks how long can the Board leave a project in dormant status. Joan Wilson answers they can leave it tabled. There may be a conflict of interest for Dana W. Sara E. suggests motioning to table and let the legislature deal with it. Glenn B. says that is perfectly reasonable on the surface. The more new breweries, wineries and distilleries come into being and that change occurs it will be hard the longer it is pending. Joan Wilson says if it is tabled, she will look into industry members voting. Dana W. will remove his motion. Sara E. motions to table to next meeting in October. Rex L. doesn't see the challenge. Charlie C. says it is telling that all the public comments are against the proposed regulation. Charlie C. seconds. Dana W. recuses himself from the vote. None opposed, motion passes.

3. Revised Drafts Requested by Board

A. Death of a Licensee

TAB 19

Status: Revised draft requested at November 2019 meeting based on public comment.

Potential Board Actions: Put out for public comment; amend draft and put out for public comment; send back to staff for more work; close project without action.

2:45 pm: Joan Wilson provides background and reads the statute pertaining to this regulation, AS 04.11.030(a). Asks for the Board's thoughts. The Board does care who continues to operate the license. Joan says she can make a legal distinction between an LLC with one person should cease operation as opposed to an LLC with three people could continue to operate. It should go out for public comment again. C type corporations: Corporations owning corporation – what then? **Rex L. motions to put out for public comment. Dana W. seconds. None opposed, motion passes.**

● **TOPICS FOR FUTURE DISCUSSION BY ABC BOARD**

3:00 pm

- Enforcement Priorities

Glenn Brady mentions the discussion earlier regarding the polling and upcoming special meeting.

- Board Development

Glenn Brady says this could be ethics, education or things of that nature.

- Staffing/Resources

Glenn Brady states this subject is about keeping the Board up to speed with staffing, budgets, resource, filling staff positions while executing the will of Board.

- Online Licensing Portal

Global workflow. This would be regarding tools, not only for Licensing but for Enforcement as well.

- AB-15 for seasonal outdoor seating

Consider or discuss formalizing.

Sara E. appreciates Glenn's input and leadership on the Board. She doesn't want to be blindsided, but trusts Glenn B. and Director Klinkhart to make those day-to-day decisions and discussions.

● **ALCOHOL MAILBOX**

TAB 20

All correspondence received in the alcohol@alaska.gov inbox from May 23, 2020 – July 31, 2020.

3:13 pm: Comments regarding specific license complaints.

● **NEXT ABC BOARD MEETING**

Agenda deadline for October 27, 2020 meeting: October 9, 2020

● **ADJOURN**

3:16 pm: Adjourned