

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**July 13, 2005**  
**Agenda**

Board members present: Mike Gordon, Billy Andrews, Gail Niemi; and William Tull – via teleconference.

Duane Udland resigned his position prior July 13, 2005.

**1. ADMINISTRATION**

A. Approve Board minutes of May 5, 2005.

**Approved 4-0**

B. Delegate to the Director tie-breaking vote.

**Approved 4-0**

**2. ADMINISTRATIVE MATTERS**

**A. INFORMAL CONFERENCES**

**B. HEARING OFFICER DECISIONS**

1. 04/05-56 **American Legion Post #13**; American Legion Post #13; located at 205 Lincoln Street in Sitka; club license.

Hearing Officer's proposed decision on Accusation 03-03

**Attachment B1**

**Board accepts the Hearing Officer decision with the following conditions added:**

- 1. Mr. Aragon is no longer the American Legion Post #13 manager;**
- 2. American Legion Post #13 would be on notice that if any further issues with drugs were to occur, the license would be revoked without further proceedings;**
- 3. American Legion Post #13 would create a new bylaw addressing the issue of sale and use of drugs – if any, report to AMP#13 management and the American Legion Board.**

**Counsel has until Monday, July 18 to accept these conditions;**

***If they are not accepted, the Board will make a new recommendation at the September 29, 2005 meeting after reviewing the record and tape of the July 13, 2005 Board meeting;***

***If accepted, the imposition of the hearing officer recommendation would be implemented, with Board conditions as outlined.***

**C. SETTLEMENT AGREEMENT**

**D. VOLUNTARY RELINQUISHMENT OF LICENSE**

**E. REQUEST FORMAL HEARING SUSPENSIONS**

**F. SUSPENSION**

**G. BOARD CONSIDERATION**

1. 05/06-4500 **ERA Aviation N735AG**; Era Aviation Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds not complete. \*See item 3E

“New” licensee will be transferring this license within the first year of operation. Under 13 AAC 104.175(d), the Board has the discretion to “*deny an application to transfer a license to another person if the license was issued to the licensee less than one year before the date of proposed transfer.*” The licensee is asking that the Board grant approval to the Director to issue a temporary approval to the proposed transferee prior to the next Board meeting.

**Attachment G1**

**Approved 4-0 – Director allowed to issue a temporary approval to the transfer when complete application is received.**

**3. CONSENT AGENDA Approved 4-0**

- A. 05/06-4479 ESS Support Services Worldwide (Whit-Talk)**  
05/06-4480 **ESS Support Services Worldwide (Talk-Whit)**  
05/06-4481 **ESS Support Services Worldwide (Anch-Grandview-Whit)**  
05/06-4482 **ESS Support Services Worldwide (Whit-Grandview-Anch)**

Statewide Services Inc.; located on Alaska Railroad; common carrier-seasonal licenses; backgrounds complete.

All statutory requirements have been met. No local governing body. Temporary approvals issued 5/12/05.

- B. 05/06-4483 Princess Tours (Denali-Whittier)**  
05/06-4484 **Princess Tours (Whittier-Denali)**

Tour Alaska LLC; located on Alaska Railroad; common carrier – seasonal; backgrounds complete.

All statutory requirements have been met. No local governing body. Temporary approvals issued May 12, 2005.

- C. 05/06-4472 Sockeye Thai;** Sarah Hagerty & Lyrik Pitzman; located at 4246 Homer Spit Rd in Homer; **new** restaurant/eating place – public convenience license; backgrounds complete.

All statutory requirements have been met. City of Homer does not protest. Temporary approval issued May 18, 2005.

- D. 04/05-4487 Specialty Imports;** Specialty Imports Inc.; located at 540 W 8<sup>th</sup> St in Juneau; **transfer of location** of a wholesale – general license from 4119 Ingra St; backgrounds complete.

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

- E. 05/06-4500 ERA Aviation N735AG;** ERA Aviation Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds complete.

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

**END CONSENT AGENDA**

4. DELEGATION CONSENT AGENDA Approved 4-0

A. 04/05-4061 **Aleutian Sports Bar & Grill**; LVS Adak LLC.; located at Bldg 35001 Transit Rd in Adak; **transfer & name change** of a beverage dispensary license from VFW Pat Kelly Post #5562; backgrounds not complete.

All statutory requirements have *not* been met (Dept. of Labor protests – no explanation). City of Adak does not protest.

B. 05/06-4099 **Alpenglow Restaurant**; ARAMARK Sports and Entertainment Services Inc.; located at Mile 238.2 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary – tourism seasonal license from Grande Denali LLC; backgrounds not complete.

**AND**

05/06-4280 **Mountaineer Grill**; ARAMARK Sports and Entertainment Services Inc.; located at Mile 238.4 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary – tourism seasonal license from Grande Denali LLC; backgrounds not complete.

**AND**

05/06-4489 **Smoke Shack**; ARAMARK Sports and Entertainment Services Inc.; located at Mile 238.2 Parks Hwy in Denali Borough; **new** beverage dispensary – tourism seasonal license; backgrounds not complete. (Temporary approval issued May 17, 2005)

All statutory requirements have been met. The Denali Borough does not protest.

C. 05/06-4473 **Alexis Import/Export**; Bertin & Destinee Evina-Ze; located at 500 E Tudor Rd #10 in Anchorage; **new** wholesale – malt beverage/wine license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage has not responded.

D. 05/06-4486 **Alpine Garden Grill**; A.G.G. LLC; located at 259 MaCallister in MatSu Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have *not* been met (DEC has not responded; State Fire Marshal *does not approve* at this time). MatSu Borough does not protest.

E. 05/06-1744 **Chuck E. Cheese's**; CEC Entertainment Inc.; located at 308 E Norther Lights Blvd in Anchorage; **transfer of ownership** of a beverage dispensary license from C&A Restaurants, Inc.; backgrounds not complete.

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

F 05/06-4501 **Clipper Odyssey**; New World Ship Management Co, L.L.C.; located in Alaskan Waters; **new** common carrier – seasonal license; backgrounds not complete.

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

G. 05/06-4477 **Dancing Bears Fish Fry & Salmon Bake**; Tanya Parker; located at Mile 14 Talkeetna Spur Rd & Main St in MatSu Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued 6/7/05.

**H.** 05/06-4476 **Grand View Café & RV Campground**; Glenn Hwy Hospitality LLC; located at Milepost 109.5 Glenn Hwy in MatSu Borough; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have *not* been met (DEC has not responded). MatSu Borough does not protest.

**I.** 05/06-2101 **Kachemak Bowl**; Mark W. Cooper; located at 672 East End Rd in Homer; **transfer of ownership** of a recreational site license from M. Phyllis Cooper; backgrounds not complete.

All statutory requirements have been met. City of Homer does not protest.

**J.** 05/06-4502 **Norwegian Dream**; NCL (Bahamas) Ltd.; located in Alaskan Waters; **new** common carrier - seasonal license; backgrounds not complete.

**AND**

05/06-4492 **Norwegian Sun**; NCL (Bahamas) Ltd.; located in Alaskan Waters; **new** common carrier – seasonal license; backgrounds not complete. **AND**

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

**K.** 05/06-4469 **Peanut Farm Sports Grill, The**; The New Peanut Farm Inc.; located at 5227 Old Seward Hwy in Anchorage; **new** beverage dispensary - duplicate license; background not complete.

All statutory requirements have been met. The Municipality of Anchorage does not protest. Temporary approval issued June 1, 2005.

**L.** 05/06-876 **Pit, The**; Clear Creek Investments, Inc.; located at Mile 3.5 Seward Hwy in Kenai Peninsula Borough; **transfer of ownership & name change** of a beverage dispensary license from Davorie Kowalski; backgrounds not complete.

**AND**

05/06-876 **Pit, The**; Clear Creek Investments, Inc.; located at Mile 3.5 Seward Hwy in Kenai Peninsula Borough; **transfer of ownership & name change** of a package store license from Davorie Kowalski; backgrounds not complete.

All statutory requirements have been met. Kenai Peninsula Borough does not protest.

**M.** 05/06-4474 **Qdoba Mexican Grill**; Flavors West LLC; located at 702 E Benson Blvd in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued June 14, 2005.

**N.** 05/06-3943 **Seaview Café**; Adrienne L. Martin; located at Main Street in Kenai Peninsula Borough (Hope); **transfer of ownership** of a restaurant/eating place – seasonal license from Adrienni & Grant Stanley-Harris; background not complete.

All statutory requirements have been met. Kenai Peninsula Borough does not protest.

**O.** 04/05-4405 **Dragon Inn**; Tides Complex Inc. (stock transfer); located at 5000 Glacier Hwy in Juneau; **transfer of ownership & name change** of a restaurant/eating place license d.b.a. Chinese Palace; backgrounds not complete.

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

**P.** 05/06-4493 **Wild Spice**; Heritage Northwest Inc.; located at 140 Seward St in Juneau; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have **not** been met (DEC has not responded). City & Borough of Juneau does not protest.

**Q.** 05/06-3398 **Sunnahae Lodge**; Sunnahae Lodge LLC; located at 512 Water St in Craig; **transfer of ownership** of a beverage dispensary – tourism license from Shaan-Seet Inc.; backgrounds not complete.

All statutory requirements have been met. City of Craig does not protest. Temporary approval issued June 30, 2005.

**R.** 04/05-4133 **Taba Nara Restaurant**; Taba Nara Inc.; located at 639 W International Airport Rd #1A in Anchorage; **transfer of ownership & name change** of a restaurant/eating place license from Lian Di Zheng & Fang Song Lin d.b.a China King Restaurant; ; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued June 17, 2005.

**S.** 05/06-4499 **Three Bears**; L & J Enterprises, Inc.; located at 8151 E Palmer-Wasilla Hwy in MatSu Borough; **transfer of ownership, location & name change** of a package store license from Zackery & Anjaneete Steer, d.b.a. Sheep Mountain Lodge, located at Mile 113.5 Glenn Hwy; backgrounds not complete.

All statutory requirements have **not** been met (State Fire Marshal has not responded). MatSu Borough does not protest.

**T.** 05/06-4491 **Yorktown Clipper**; New World Ship Management Co, LLC; located in Alaskan Waters; **new** common carrier - seasonal license; backgrounds not complete.

All statutory requirements have been met. No local governing body. Temporary approval issued May 20, 2005.

**U.** 05/06-4496 **Crab Pot Restaurant, The**; Crab Pot Inc.; located at 303 Adams St in Seward; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. City of Seward does not protest. Temporary approval issued July 1, 2005.

**V.** 05/06-4478 **White Pass & Yukon Route (NB)**

05/06-4511 **White Pass & Yukon Route (SB)**

Pacific & Arctic Railway & Navigation Co; located on the White Pass & Yukon Railroad; **new** common carrier – seasonal licenses; backgrounds not complete.

All statutory requirements have been met. There is no local governing body.

**END DELEGATION CONSENT AGENDA**

## 5. PROTESTS

A. 04/05-4488 **R.J.'s Lounge & Grill**; Roy J. Stoltz; located at 3450 Airport Rd in Fairbanks; **transfer of location & name change** of a beverage dispensary license from 1703 30<sup>th</sup> Ave, d.b.a. RJ's Lounge; backgrounds not complete.

All statutory requirements have not been met (DEC has not responded. City of Fairbanks *protests* pending issuance of Certificate of Occupancy by the Fairbanks Building Department. **Attachment 5A**  
**Approve with delegation 4-0**

B. 05/06-2489 **Jonesville Café**; Austin & Lori Hobbs; located at Mile 61 Glenn Hwy in MatSu Borough; restaurant/eating place license.

MatSu Borough *protests* renewal based on delinquent property taxes in the amount of \$3492.54; failure to pay \$100 processing fee for each license renewal; and failure to obtain 2005 MSB business license.

**Approve with delegation 4-0**

**Attachment 5B**

C. REMOVED

D. REMOVED

E. 05/06-3898 **Y2K Liquors**; Vision Investment Group Inc.; located at 6020 Old Seward Hwy in Anchorage; **transfer of ownership** of a package store license from Sun Yi Lee; background not complete.

All statutory requirements have *not* been met (Dept. of Labor *protests*). Municipality of Anchorage *protests* based on delinquent property taxes in the amount of \$716. **Attachment 5E**  
**Approve with delegation 4-0**

## 6 OTHER FILINGS

A. 05/06-4471 **King Salmon Lodge**; King Salmon Lodge LLC; located at Mile 1 Naknek River Rd in Bristol Bay Borough; **new** beverage dispensary – tourism seasonal license; background not complete.

All statutory requirements have *not* been met (DEC has not responded). No official response from the Bristol Bay Borough, however, a resolution forwarded with affidavit states that the Bristol Bay Borough “does not oppose a new tourism license...with conditions that it sells only to fishing tourism package guests”.

**Attachment 6A**  
**Approve with delegation with condition that license sells only to fishing tourism package guests 4-0**

B. 05/06-4485 **Sicily's Pizza**; Sicily's Pizza, Inc.; located at 1201 E Dimond Blvd in Anchorage; **new** restaurant/eating place license; background not complete.

All statutory requirements have been met. Municipality of Anchorage has not responded (notice sent May 5, 2005.) *Special note*: this is a new application to replace a license that missed the renewal deadline for the period ending December 31, 2005. The population limitation will support this license.  
**Approve 4-0**

## 7. BACKGROUND INFORMATION

Date of next meeting: September 29, 2005

Location of next meeting: Nome/Anchorage