

State of Alaska
Alcoholic Beverage Control Board
August 9, 2006
Agenda Minutes

All members present except for William Tull (Mr. Tull *was* present for items 6A & 6B)

1. ADMINISTRATION

A. Approve minutes of June 15, 2006 Board meeting.

Approved 4-0

B. Delegate tie-breaking vote to the Director.

Approved 4-0

2. ADMINISTRATIVE MATTERS

A. INFORMAL CONFERENCES

B. HEARING OFFICER DECISIONS

C. SETTLEMENT AGREEMENT

D. VOLUNTARY RELINQUISHMENT OF LICENSE

E. REQUEST FORMAL HEARING

F. SUSPENSION

1. 05/06-3467 **Golden Shanghai**; Ying Po Liu.; located at 1900 Airport Way in Fairbanks; restaurant/eating place license.

Staff request up to 45-day suspension for licensee conviction.

Attachment 2F-1

Suspend for 45 days with 30 days suspended and a \$1000 fine. Suspension to begin with 30 days.

G. BOARD CONSIDERATION

1. 04/05-3808 **Harbor Lights Restaurant, The**; Club Crème de Cordova; located at 531 1st St in Cordova; beverage dispensary license.

License was given approval by the Board for *resurrection & renewal* on April 20, 2006, *if* conditions were met. Conditions were that a *cashiers check or money order*, in the total amount of **\$5450** be in the office of the ABC Board no later than close of business April 27, 2006. This condition was not met by close of business. Licensee was verbally given further direction on April 28, 2006, but has not complied to date.

Attachment 2G-1

Resurrection and renewal upheld. Licensee given until November Board meeting – must file for Waiver of Operation and pay the \$2500 fee associated with waiver.

2. **Request for removal of name from list of Persons Convicted of Sale Without a License** [Attachment 2G-2](#)

No action.

3. 06/07-825 **Panhandle Bar**; BJV Inc.; located at 312 W 4th Ave in Anchorage; beverage dispensary license.

Conditions to be placed on license.

[Attachment 2G-3](#)

Condition # 1 amended to include: “Licensee must contact APD monthly to discuss necessity of a meeting.

All conditions adopted, approved 4-0

4. **Shipment of alcoholic beverages by *package stores*, via facsimile.**

[Attachment 2G-4](#)

No action

5. **Proposed Legislation**

[Attachment 2G-5](#)

Discussed – no action necessary.

6. 06/07-533 **Houston Lodge**; Houston Lodge, Inc.; located at Mile 57 Parks Hwy in Houston; beverage dispensary license.

AND

06/07-534 **Houston Lodge**; Houston Lodge, Inc.; located at Mile 57 Parks Hwy in Houston; package store license.

Officer/minor shareholder background history.

[Attachment 2G-6](#)

Postponed until October 4, 2006 meeting

7. **Club Dispensary liquor licenses**

[Attachment 2G-7](#)

Staff to draft regulation(s) to be presented to Board at October 4, 2006 meeting.

8. **Underage persons on licensed premises**

[Attachment 2G-8](#)

Motion to approve Restaurant Designation Permits for the Yard and Deck, restricted to “dining only” – Approved 4-0.

9. **Club License – New Law**

[Attachment 2G-9](#)

Send letter to all licensed clubs

3. CONSENT AGENDA Approved 4-0

A. 06/07-4611 **Buskin River Lounge**; The Kishan Group Inc.; located at 1395 Airport Way in Kodiak Island Borough; **new** beverage dispensary- tourism license; backgrounds complete.

All statutory requirements have been met. Kodiak Island Borough does not protest. Temporary approval issued July 17, 2006.

(Move 3B to Delegated Consent Agenda)

B. 06/07-4599 **Panorama Pizza Pub**; Leslie LeQuire; located at Mile 224 Parks Hwy in Denali Borough; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. Denali Borough approves. Temporary approval issued July 6, 2006.

END CONSENT AGENDA

4. DELEGATION CONSENT AGENDA Approved 4-0

A. 06/07-4610 Acapulco Restaurant; Juan Rodriquez; located at 10672 Kenai Spur Hwy Ste #107-108 in Kenai; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. City of Kenai approves. Temporary approval issued June 14, 2006.

B. 06/07-4606 Alaska's Enchanted Lake Lodge; Alaska's Enchanted Lake Lodge, Inc.; located at the Northern Border of Katmai National Park overlooking Novianuk Lake in an Unorganized Borough; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have been met. No local governing body. Temporary approval issued July 17, 2006.

C. 06/07-2925 China Express/Hyon; H & Y Inc.; located at 425 W 5th Ave in Anchorage; **transfer of ownership** of a restaurant/eating place license from China Express/Sorabol LLC; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Temporary approval issued June 23, 2006.

D. 06/07-4617 Chinooks Waterfront; Gene Minden; located at 1404 4th Ave in Seward; **transfer of ownership, location & name change** of a beverage dispensary license from Harbor Dinner Club Inc, d.b.a. Harbor Dinner Club; backgrounds not complete.

All statutory requirements have been met. City of Seward does not protest. Temporary approval issued July 5, 2006.

E. 06/07-4501 Clipper Odyssey; New World Ship Management Co., LLC (stock transfer); located in Alaskan Waters; **transfer of ownership** of a common carrier – seasonal license; backgrounds not complete.

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

F. 06/07-4608 Crystal Creek Lodge; CC Lodge LLC; located at Naknek River Mile 5.5 in the Bristol Bay Borough; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have been met. Bristol Bay Borough does not protest. Temporary approval issued June 28, 2006.

G 05/06-753 Flying Fish, The; Steve & Lisa Nolan; located at No Premises in Kenai Peninsula Borough; **transfer of ownership & name change** of a beverage dispensary license from Barbara Pennington & Susan Gilbertson, d.b.a. The Robin's Nest, backgrounds not complete.

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

H. 06/07-4596 Flying Moose, The; Ron Henry & Zach Henry; located at 43685 Sterling Hwy in Soldotna; **new** restaurant/eating place – public convenience license;; backgrounds not complete.

All statutory requirements have been met. City of Soldotna approves.

I. 06/07-4613 **Harbor Dinner Club**; Two Rivers Properties II, LLC; located at 139 4th Ave in Seward; **new** restaurant/eating place – public convenience; backgrounds not complete.

All statutory requirements have been met. City of Seward approves. Temporary approval issued June 19, 2006.

J. 06/07-4607 **Homeshore Café**; Michael Atkins & Dawn Walker; located at 1252 Wilson Rd in Gustavus; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have *not* been met (DEC has not responded). City of Gustavus approves.

K. 06/07-4605 **No D.B.A.**; Alaska Liquor Distributors Inc.; located at No Premises in Fairbanks North Star Borough; **transfer of ownership, location & name change** of a package store license from Roxy Frey, d.b.a. Salcha Liquor Store, located at 8837 Richardson Hwy; backgrounds complete.

All statutory requirements have been met. Fairbanks North Star Borough has not responded (notice sent May 11, 2006).

L. 06/07-4597 **No Name**; Alaska Liquor Distributors Inc.; located at No Premises in Fairbanks North Star Borough; **transfer of ownership, location & name change** of a package store license from Kelco Properties Inc., d.b.a. Minute Mart, located at Mile 329.5 Parks Hwy; backgrounds complete.

All statutory requirements have been met. Fairbanks North Star Borough has not responded (notice sent May 11, 2006).

M. 05/06-3753 **Outback Steakhouse**; Anchorage Outback, Inc.; located at 101 W 34th Ave in Municipality of Anchorage; **transfer of ownership** of a beverage dispensary license from Oasis Springs Inc.; backgrounds not complete.

All statutory requirements have *not* been met (Dept. of Rev. has not responded). Municipality of Anchorage does not protest.

N. 05/06-3361 **Riverside House**; River Place Investments Corp.; located at 44611 Sterling Hwy in Soldotna; **transfer of ownership** of a beverage dispensary - tourism license from Riverside Properties, Inc.; backgrounds not complete.

All statutory requirements have been met. City of Soldotna does not protest. Temporary approval issued June 9, 2006.

O. 05/06-4604 **Sabai Taste of Thai Restaurant**; Nong Hagstanand; located at 1401 E Parks Hwy in Wasilla; **transfer of ownership, location & name change** of a restaurant/eating place license from Samuel Lee Richardson, d.b.a. Sammy's, located at 1081 Parks Hwy; backgrounds not complete.

All statutory requirements have been met. City of Wasilla does not protest. Temporary approval issued July 26, 2006.

P. 05/06-3773 **Schwabenhof**; Schwabenhoff Two LLC; located at Mile 7.5 Palmer Wasilla Hwy in MatSu Borough; **transfer of ownership** of a beverage dispensary license from Schwabenhof Inc.; backgrounds not complete.

All statutory requirements have been met. MatSu Borough does not protest. Temporary approval issued July 11, 2006.

Q. 06/07-4618 **Stikine Inn**; Southeast Properties, LLC; located at 107 Stikine Ave in Wrangell; **new** beverage dispensary – tourism license; backgrounds not complete.

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

R. 06/07-4562 **Tutka Bay Wilderness Lodge**; Jon L. Osgood; located at N59° 28.28' W 151° 30.11' in the Kenai Peninsula Borough; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have been met. Kenai Peninsula Borough does not protest. Temporary approval issued June 28, 2006.

S. 06/07-4561 **Waites Winery**; Robert J. Waites; located at 2321 Clements Dr in Anchorage; **new** winery license; backgrounds not complete.

All statutory requirements have **not** been met (TTB {Alcohol, Tobacco, Tax & Trade Bureau} notification not confirmed.) Municipality of Anchorage does not protest.

END DELEGATION CONSENT AGENDA

5. PROTESTS

~~A. 06/07-582 Pit, The; HOH Inc.; located at 800 Airport Rd in the Bristol Bay Borough; beverage dispensary license.~~

~~AND~~

~~06/07-583 Pit, The; HOH Inc.; located at 800 Airport Rd in the Bristol Bay Borough; package store license.~~

~~Local governing body *protests* based on delinquent taxes in the amount of **6698.56** (as of July 25, 2006.)~~
Attachment 5A

~~*Protest lifted prior to Board meeting.*~~

B. 06/07-3147 **Point After, The**; Cheng-Mong, Inc.; located at 600 Old Steese Hwy in Fairbanks; beverage dispensary license.

Local governing body *protests* based on delinquent taxes in the amount of **\$25,950.69** (as of July 20, 2006.)
Attachment 5B

Protest upheld 4-0

C. 06/07-4602 **Dove Island Lodge & Sitka Sportfishing**; Dove Island Lodge Sitka Sportfishing Charters LLC; located at Dove Island in the City & Borough of Sitka; **new** lodge – seasonal license; backgrounds not complete.

All statutory requirements have been met. City & Borough of Sitka *protests* based on objections found in CBS Ordinance 2006-19 A1.
Attachment 5C

Postponed until October 4, 2006 meeting

6. OTHER FILINGS

A. 06/07-4553 **Alaska Wild Berry Products**; Alaska Wild Berry Products, Inc.; located at 5225 Juneau St in Anchorage; **new** restaurant/eating place license; backgrounds not complete.

All statutory requirements have been met. Municipality of Anchorage does not protest. Limited menu.
Attachment 6A

Postponed until January or April 2007 meeting

B. 06/07-4498 **LoonAttic**; Team LLC; located at 2061 E Palmer-Wasilla Hwy in MatSu Borough; restaurant/eating place license; backgrounds complete.

All statutory requirements have been met. MatSu Borough does not protest.

This license was approved by the Board on 9/29/05; however, before operation, the building was lost in a fire. The owners have rebuilt, but due to current issues regarding limited menus, this application is back before the Board for further consideration.
Attachment 6B

No action (license approved at September 29, 2005 meeting)

C. 05/06-4527 **Kaladi Brothers Coffee**; Kaladi Brothers Coffee LLC; located at 621 W 6th Ave 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 November 4, 2005.

AND

Restaurant Designation Permit, items 1, 2, 3 & 4.

- License was *denied* 5-0 at November 22, 2005 Board meeting.
- License was *denied* 3-2 at April 20, 2006 Board meeting (*Director Griffin cast tie-breaking vote – Board Member William Tull was not present.*)
- Restaurant Designation Permit was not reviewed.

Attachment 6C

Postponed

7. **BACKGROUND INFORMATION**

8. **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

Date of next meeting: **October 4, 2006**

Location of next meeting: **Nome**

Date of next meeting: **November 29, 2006**

Location of next meeting: **Anchorage**