

State of Alaska
Alcoholic Beverage Control Board
February 24, 2009
Agenda

Location: Juneau

Board members present:

- **Bob Klein, Chairman**
- **Billy Andrews**
- **Gail Neimi**
- **Joe DelDonno**
- **Belen Cook**

1. ADMINISTRATION

A. Approve minutes of the November 6, 2008 Board meeting.

Motion to approve made by Mr. Billy Andrews

Ms. Neimi seconds the motion

Approved 5-0

B. Elect Chair and Vice Chair.

Based on the fact that only there will be only two returning Board members (Mr. Klein and Mr. DelDonno), this item is postponed until the next meeting (May 7, 2009).

C. Delegate tie-breaking vote to the Director.

Motion made to delegate the tie-breaking vote to the Director by Mr. Andrews

Mr. DelDonno seconds the motion

Approved 5-0

2. ADMINISTRATIVE MATTERS

A. INFORMAL CONFERENCES

1. 499 Harbor Bar & Lighthouse Restaurant; The Harbor LLC; located at 101 Front St in Haines; beverage dispensary license.

Accusation # 09-01

Attachment 2A-1

Motion made to go into executive session by Mr. Andrews

Ms. Neimi seconds the motion

Approved 5-0

Director recommends suspending the license for 4-7 days

Discussion between Board members, Mr. Ward, and Mr. Mallet (Atty)

Motion to go out of executive session made by Mr. DelDonno

Mr. Andrews seconds the motion
Approved 5-0

Motion made by Ms. Neimi to provide a verbal warning to the licensee that if he comes before the Board again (for one year) for any type of Title 4 violation, that the Board would take into consideration this issue.

No second
No Action

B. HEARING OFFICER DECISIONS

C. SETTLEMENT AGREEMENT

D. VOLUNTARY RELINQUISHMENT OF LICENSE

1. 152; **Bootleggers Cove**; CP Anchorage Hotel 2, LLC; located at 500 W 3rd Ave; package store – tourism license. **Attachment 2D-1**

Read into the record

E. REQUEST FORMAL HEARING

F. SUSPENSION

G. BOARD CONSIDERATION

1. 1946 **Red Robin**; Regency Management, Inc.; located at No Premise in MatSu Borough; beverage dispensary license.

History: See memo

Attachment 2G-1

Motion is made to grant the 5th and 6th waivers by Mr. Andrews

No second
No Action

2. **Director Memo**

Attachment 2G-2

Discussed during Director briefing.

3. **REMOVED**

4. 4523 **Sahara Restaurant**; Khaled Azzam; located at 2409 C St in Anchorage; restaurant/eating place license.

Licensee requests waiver of \$500 late penalty fee for renewal.

Attachment 2G-4

Motion – NO motion made
No Action

5. **ID requirements in liquor establishments.** Attachment 2G-5

Board directs staff to draft legislation requiring all patrons (of licensed premises), upon request of troopers or police, to show valid ID.

6. **ABC Board – name change proposal** Attachment 2G-6

Postpone until next meeting for more information

7. 4374 **Bear Creek Winery**; Bear Creek Winery LLC; located at 60203 Bear Creek Rd in Kachemak; winery license.

Statutory questions. Attachment 2G-7

Board will allow wine which is manufactured at licensees' first premise, to be sold at their second premise.

8. 1184 **Avenue Bar**; J.G. Pattee, Inc.; located at 338 W 4th Ave in Anchorage; beverage dispensary license.

Letter to adjacent business owners regarding “public service”. Attachment 2G-8

**Item discussed by Board
No Action**

9. **Catering permits issued at school or church premises.** Attachment 2G-9

Staff directed to request an updated Attorney General opinion

10. 4236 **Hilton Garden Inn**; Apple Six Services Anchorage I, LLC; located at 100 W Tudor Rd in Anchorage; beverage dispensary – tourism license.

NOV response and request to appear. Attachment 2G-10

The Board is asked by the licensee to dismiss the NOV. The Board finds that the NOV was not issued in error; therefore, the NOV is not open to appeal.

No Action

H. NOTICES OF VIOLATIONS Attachment H

No Action

3. CONSENT AGENDA

A. 4849 Git N' Go Liquor; J & S LLC; located at 2803 S Old Glenn Hwy (Mile 12) in the MatSu Borough; **transfer of location** of a package store license; from Mile 12 Old Glenn Hwy (1/4 mile south); backgrounds complete.

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

B. 4837 Knik Kountry Liquor; Knik Kountry Liquor Inc.; located at 16512 E Anaconda Ave in MatSu Borough (Talkeetna); **transfer of location** of a package store license; from 36535 S Parks Hwy; backgrounds complete.

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

C. 4846 Wal-Mart Supercenter #2722; Wal-Mart Stores Inc.; located at 537 Johansen Expressway in Fairbanks; **transfer of ownership, location & name change** of a package store license; from Patrick Kohls, no D.B.A. or premise; backgrounds complete.

All statutory requirements have been met. City of Fairbanks does not protest. Temporary approval issued.

D. MOVED

E. 4835 Henri Hawaii; Henri Hawaii, Inc.; located at 201 E Northern Lights Blvd #B in Anchorage; **transfer of location & name change** of a beverage dispensary license; from 300 W 36th Ave, D.B.A. Annarae's; backgrounds complete.

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

F. 3765 Chepo's Mexican Restaurant; J and L Enterprises, Inc.; located at 11535 Market St (Eagle River) in Anchorage; **transfer of ownership** of a beverage dispensary license; from Orozco Enterprises, Inc., backgrounds complete.

All statutory requirements have been met. Municipality of Anchorage has not responded (notice sent September 19, 2008.)

G. 606 Kelly's sports Pub; Kelly K. Kirby; located at 1617 Sawmill Creek Rd in Sitka; **transfer of ownership & name change** of a beverage dispensary license; from Kosta Alexandropoulos, D.B.A. Seiners Sports Bar & Grill; backgrounds complete.

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

H. 4846 WildFin; WildFin LLC; located at 517 W 7th Ave Ste 100 in Anchorage; **transfer of ownership, location & name change** of a beverage dispensary license; from Anchorage BBQ Inc, located at No Premise; backgrounds complete.

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

I. **Waivers of Operation**

1st Waiver	2008	Fees Paid
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- 2289 **Haute Quarter Grill**; Lynn & Alex Perez III; located at 17748 Kantishna Dr in Anchorage (Eagle River); beverage dispensary license.
- 4709 **Pacific Venus**; Japan Cruise Line, Inc.; located in Alaskan Waters; common carrier.
- 4711 **Asuka II, M/V**; NYK Cruises Co Ltd.; located in Alaskan Waters; common carrier.
- 4697 **Noordam, MS**; Holland America Line Inc.; located in Alaskan Waters; common carrier.
- 4591 **Zuiderdam, MS**; Holland America Line Inc.; located in Alaskan Waters; common carrier.
- 4507 **Trio Restaurant and Lounge**; Market Basket Inc.; located at 1235 Airport Way Ste 1 in Fairbanks; beverage dispensary license.

2nd Waiver 2008 Fees Paid

- 3518 **4th Avenue Theatre**; 4th Avenue Theatre Inc.; located at 630 W 4th Ave in Anchorage; beverage dispensary license.
- 2344 **Joey's**; BVG, Inc.; located at No Premise in Anchorage; beverage dispensary license.

Motion made by Mr. DelDonno to approve the consent agenda
Mr. Andrews seconds the motion
Approved 5-0

END CONSENT AGENDA

4. DELEGATION CONSENT AGENDA

A. 270 **Comet Club**; John H. Moneymaker; located at 208 Gaffney Rd in Fairbanks; **transfer of ownership** of a beverage dispensary license; from Richard G. Lundhagen; backgrounds not complete.

All statutory requirements have been met. City of Fairbanks does not protest. Temporary approval issued.

B. 4830 **Grape Tap, The**; The Grape Tap, LLC; located at 322 N Boundary St in Wasilla; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. City of Wasilla *approves*.

C. 698 **Marine Bar**; Beaver Connections Inc.; located at 640 Shakes St in Wrangell; **transfer of ownership** of a beverage dispensary license; from Patty Jean Kautz; backgrounds not complete.

AND

701 **Marine Liquor Store**; Beaver Connections Inc.; located at 640 Shakes St in Wrangell; **transfer of ownership** of a package store license; from Patty Jean Kautz; backgrounds not complete.

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

D. 3219 **Mom & Pops Grocery and Liquor**; Mom & Pops Grocery and Liquor Inc.; located at 601 W 36th Ave Ste 3 & 4 in Anchorage; **transfer of ownership & name change** of a package store license; from Kyong S. Kim; backgrounds not complete.

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

E. 1775 **Mountain View Liquor**; Mountain View Liquor LLC; located at Mile 101 Richardson Hwy in an Unorganized Area; **transfer of ownership** of a package store license; from Rick Strand & Christine Smith; backgrounds not complete.

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

F. 3315 **Petro Alaska Inc.**; Petro Alaska Inc. (stock transfer); located at 4161 Tongass Ave in Ketchikan; **transfer of ownership** of a package store license; backgrounds not complete.

All statutory requirements have been met. City of Ketchikan has not responded. (notice sent 9/22/08)

G. 4139 **Petro Alaska Inc.**; Petro Alaska Inc. (stock transfer); located at 11860 N Tongass Ave in Ketchikan Borough; **transfer of ownership** of a package store license; backgrounds not complete.

All statutory requirements have been met. Ketchikan Borough has not responded. (notice sent 9/22/08)

H. 4730 **Alaska Avalanche**; Alaska Avalanche; located at 1001 S Mack Dr in Wasilla; **transfer of ownership** of a recreational site license; backgrounds not complete.

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

I. 904 **Polaris Bar**; S.J. Investment LLC; located at 402 W Loman St in Nome; **transfer of ownership** of a beverage dispensary license; from Polaris Enterprises Inc. backgrounds not complete.

AND

905 **Polaris Bar**; S.J. Investment LLC; located at 200 Bering St in Nome; **transfer of ownership** of a package store license; from Polaris Enterprises Inc. backgrounds not complete.

All statutory requirements have *not* been met (Dept of Revenue). City of Nome does not protest.

J. 2184 **Point Lodge, The;** Prospect Ventures LLC; located at Mile 17.2 Lake Louise Rd in MatSu Borough; **transfer of ownership** of a beverage dispensary - tourism license; from Prospect Ventures LLC; backgrounds not complete.

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

K. 4855 **N660CP;** ConocoPhillips Alaska, Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds not complete.

AND

4856 **N959BP;** ConocoPhillips Alaska, Inc.; located in Alaskan Skies; **new** common carrier license; backgrounds not complete.

All statutory requirements have been met. No local governing body. Temporary approvals issued.

L. 1691 **Peking Palace;** John S. Lee; located at 500 E Benson Blvd in Anchorage; **transfer of ownership** of a restaurant/eating place license; from Joon Kyu Choi; backgrounds not complete.

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

M. 464 **Goldstream General Store;** Paul Kopf; located at 2591 Goldstream Rd in Fairbanks North Star Borough; **transfer of ownership** of a package store license; from Goldstream General Store Inc.; backgrounds not complete.

All statutory requirements have been met. Fairbanks North Star Borough does not protest.

N. 4854 **Agave Mexican Restaurant;** Juan Carlos Macias; located at 236 Lincoln St in Sitka; **transfer of ownership, location & name change** of a restaurant/eating place license; from The Bayview Trading Company Inc., No Premise, D.B.A. Bayview Restaurant; backgrounds not complete.

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

N. 4834 **Blue Loon;** Adam Wool; located at 2999 Parks Hwy in Fairbanks North Star Borough; **new** beverage dispensary - duplicate license; backgrounds not complete.

All statutory requirements have *not* been met (Fire & DEC). Fairbanks North Star Borough has not responded. (Notice sent September 4, 2008)

N. 4280 **Denali Bluffs Hotel – Mountaineer;** ARAMARK Sports and Entertainment Services LLC; located at 238.4 Parks Hwy in Denali Borough; **transfer of ownership** (change of corporate structure – *Inc* to *LLC*) of a beverage dispensary – tourism seasonal license; backgrounds not complete.

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

O. 443 **Glacier Bay Lodge;** Glacier Bay National Park & Preserve Concessions LLC (stock transfer); located at 199 Bartlett Cove in Gustavus; **transfer of ownership** of a beverage dispensary – seasonal license; backgrounds not complete.

All statutory requirements have been met. Gustavus has not responded. (Notice sent December 17, 2008)

P. 3630 **Good Fortune Restaurant;** Xiang Gui Hu; located at 4 Creek St in Ketchikan; **transfer of ownership** of a restaurant/eating place license; from Yao Wen Hu; backgrounds not complete.

All statutory requirements have been met. Ketchikan has not responded. (Notice sent December 10, 2008)

Q. 4099 **Grande Denali Hotel – Alpenglow Restaurant;** ARAMARK Sports and Entertainment Services, LLC; located at Mile 238.2 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary – tourism seasonal license; from ARAMARK Sports and Entertainment Services, Inc. (change of corporate structure – *Inc* to *LLC*); backgrounds not complete.

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

R. 1850 **Lynx Creek Liquor;** ARAMARK Sports and Entertainment Services LLC (stock transfer); located at Mile 238.6 Parks Hwy in Denali Borough; **transfer of ownership** of a package store license; from ARAMARK sports and Entertainment Services Inc. (change of corporate structure – *Inc* to *LLC*); backgrounds not complete.

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

S. 4313 **McKinley Chalet Resort – Cabin Nite Dinner Theatre;** ARAMARK Corporation; located at Mile 238.6 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary – tourism license; from ARAMARK Services Inc.; backgrounds not complete.

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

T. 4308 **McKinley Chalet Resort – Nenana View Bar and Grille;** ARAMARK Corporation; located at Mile 238.6 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary – tourism license; from ARAMARK Services Inc.; backgrounds not complete.

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

U. 4307 **McKinley Village Lodge – Bear’s Den;** ARAMARK Corporation; located at Mile 231.1 Parks Hwy in Denali Borough; **transfer of ownership** of a beverage dispensary – tourism license; from ARAMARK Services Inc.; backgrounds not complete.

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

V. 2924 **Mug Shot;** MTM Inc.; located at 251 W Parks Hwy in Wasilla; **transfer of ownership** of a beverage dispensary license; from Marilyn & Theodore Anderson Jr.; backgrounds are not complete.

All statutory requirements have been met. Wasilla does not protest.

W. 4871 **Orca Voyager M/V;** CIRI Alaska Tourism Corporation; located in Alaskan Waters; **new** common carrier license; backgrounds are not complete.

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

X. 3463 **Rain Country Liquor;** Rainy Day Inc.; located at 312 Harbor Ave in Coffman Cove; **transfer of ownership** of a package store; from Black Powder Inc.; backgrounds not complete.

All statutory requirements have been met. Coffman Cove has not responded (notice sent 11/11/08).

Y. 4858 **Southern-Odom Wine and Spirits of AK;** Southern-Odom Wine and Spirits of AK LLC; located at 1200 Wells St Bay 2 in Fairbanks; **new** wholesale license; backgrounds not complete.

AND

4859 **Southern-Odom Wine and Spirits of AK**; Southern-Odom Wine and Spirits of AK LLC; located at 5452 Shaune Dr Bay 2 in Juneau; **new** wholesale license; backgrounds not complete.

AND

4860 **Southern-Odom Wine and Spirits of AK**; Southern-Odom Wine and Spirits of AK LLC; located at 5152 Tom Stiles Rd Bldg B Bay 2 in Kodiak Island Borough; **new** wholesale license; backgrounds not complete.

AND

4861 **Southern-Odom Wine and Spirits of AK**; Southern-Odom Wine and Spirits of AK LLC; located at 1800 Ship Ave Bay 2 in Anchorage; **new** wholesale license; backgrounds not complete.

AND

4862 **Southern-Odom Wine and Spirits of AK**; Southern-Odom Wine and Spirits of AK LLC; located at 3101 Peger Rd Bay 2 in Fairbanks North Star Borough; **new** wholesale license; backgrounds not complete.

All statutory requirements have not been met (Fire Marshal has not responded to certain locations at this time). Not all local governing bodies have responded at this time.

Y. 4852 **Stellar Wine**; Wild About Wine LLC; located at 5630 Silverado Way Ste 5 in Anchorage; **new** wholesale (malt beverage & wine) license; backgrounds not complete.

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

Z. 4824 **Thai and Chinese Cuisine**; Bounhom Choummittaphanh; located at 3020 Minnesota Dr #6 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.

AA. 4831 **Wasabi Bay Restaurant**; Chung W. Pak; located at 1448 S Cushman St in Fairbanks; **transfer of ownership, location & name change** of a restaurant/eating place license; from The Last Roundup LLC, D.B.A. Last Roundup Restaurant, located at No Premise; backgrounds not complete.

All statutory requirements have been met. City of Fairbanks does not protest. Temporary approval issued.

Motion made by Ms. Neimi to approve the delegated consent agenda

Mr. DelDonno seconds the motion

Approved 5-0

END DELEGATION CONSENT AGENDA

5. PROTESTS

A. 3925 Dogs Bar; Todd Poage; located at 150 Farmers Loop Extension in Fairbanks North Star Borough; beverage dispensary license; backgrounds complete.

Fairbanks North Star Borough *protests* the continued operation of the license at its current location.

Attachment 5A

Board discusses the merits of the protest. All Board members agree that the protest is not arbitrary, capricious and unreasonable.

Motion is made by Mr. Deldonno to uphold the protest

Mr. Andrews seconds the motion

Approved 5-0

Licensee's agent asks about receiving catering permits to operate certain events while a transfer to a new location is pending. He was told that since the license is not *operating*, then the licensee may not obtain catering permits.

B.

1. 4370 **Docwaters;** Sea Dawgs Inc.; located at 2 Marine Way # 125 in Juneau; beverage dispensary license.

City & Borough of Juneau *protests* the continued existence of the license based on delinquent taxes in an amount exceeding \$17,000.

Motion is made by Mr. Andrews to uphold the protest

Mr. Deldonno seconds the motion

Approved 5-0

Further discussion provides that since there is an involuntary re-transfer based on a prior security interest, the Board may wish to consider this decision.

Motion is made to reconsider the decision by Ms. Neimi

Mr. DelDonno seconds the motion

Approved 5-0

Motion is made to deny the protest based on AS 04.11.360(4)(B) by Mr. DelDonno

Ms. Neimi seconds the motion

Approved 5-0 (to deny the protest)

AND

2. 4842 **Marlintini's Lounge;** B.C.M. Inc.; located at 9121 Glacier Hwy in Juneau; *involuntary re-transfer* of a beverage dispensary license; from Sea Dawgs Inc., located at 2 Marine Way #125, D.B.A. Docwaters; backgrounds complete.

All statutory requirements have been met. City & Borough of Juneau *protests* based on delinquent taxes in an amount exceeding \$17,000.

Motion is made by Ms. Neimi to approve the re-transfer with delegation, pending satisfaction by the CBJ of taxes paid

Mr. Andrews seconds the motion

Approved 5-0

SIMULTANEOUSLY

3. 4864 **Flight Deck**; Catapult Inc.; located at 2 Marine Way # 128 in Juneau; **transfer of ownership, location & name change** of a beverage dispensary license; from B.C.M. Inc., located at 9121 Glacier Hwy, D.B.A. Marlintini's Lounge; backgrounds not complete.

All statutory requirements have been met. City & Borough of Juneau *protests* based on delinquent taxes in an amount exceeding \$17,000

Motion is made by Ms. Neimi to approve the re-transfer with delegation, pending satisfaction by the CBJ of taxes paid

Mr. Andrews seconds the motion

Approved 5-0

Request made of staff to administratively move this license to No Premise. Catapult Inc is aware that they must file for transfer to location once the CBJ tax issue is clear.

AND RELATED

- C. 4864 **Hangar on the Wharf**; Tailwind Inc.; located at #2 Marine Way #128 in Juneau; **new** beverage dispensary – tourism license (based on # 3755 – Hangar on the Wharf); backgrounds complete.

All statutory requirements have been met. City & Borough of Juneau has not responded – the 60 day period has *not* lapsed. Approval with delegation would be appropriate if the Board wishes to take action.

Motion to approve with delegation made by Mr. Andrews

Mr. DelDonno seconds the motion

Approved 5-0

- D. 4878 **Wal-Mart Supercenter #4474**; Wal-Mart Stores Inc.; located at No Premise in Kenai; **transfer of ownership, location & name change** of a package store license; backgrounds complete.

All statutory requirements have been met. City of Kenai *lifts protest* with condition that license not be issued by ABC Board until notified by the City that all taxes have been paid upon closing.

Motion to approve with delegation made by Ms. Neimi

Mr. DelDonno seconds the motion

Approved 5-0

- E. 2812 **Mad Greek (formerly Pizza Verona)**; Patricia McGivney; located at 256 S Franklin St in Juneau; restaurant/eating place license.

City & Borough of Juneau *protests* the continued existence of the license based on delinquent taxes in the amount of \$5225.25. **Attachment 5E**

**Motion is made to approve with delegation by Mr. DelDonno
Ms. Neimi seconds the motion
Approved 5-0**

F. 673 **Louies Douglas Inn**; Peterson Pacific Holding Inc.; located at 915 3rd St in Juneau (Douglas); beverage dispensary license.

City & Borough of Juneau *protests* the continued existence of the license based on delinquent taxes in the amount of \$15,864.98. **Attachment 5F**

UPDATE: current taxes due and accruing daily - \$25,483.24

**Motion to uphold the protest is made by Mr. DelDonno
Ms. Neimi seconds the motion
Approved 5-0**

**6. OTHER FILINGS
(Item A - is a Consent Agenda item)**

A. 328 **Drop In/El Sombrero**; Foxx Inc.; located at 1420 Cushman St in Fairbanks; beverage dispensary license.

1st Waiver Fees paid 2008

Applicant requests reconsideration of requirement to file waiver of operation and pay fees due to the fact that the license was exercised for the first 24 days in 2008 until a fire destroyed the building.

Attachment 6A

Discussion note: under 13 AAC 104.170(i) – in circumstances of death of a licensee, *destruction of the premises*, or comparable circumstances showing extraordinary hardship, the board will, in its discretion, waive the fees under (c) and (h) of this section.

**Motion is made by Mr. Andrews to waive the fees for this waiver
Mr. DelDonno seconds the motion
Approved 5-0**

B. 4840 **La Casa Italiana**; Luis Elias-Delgado; located at 51795 Kenai Spur Hwy in the Kenai Peninsula Borough; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. Kenai Peninsula Borough responded with a “non-objection”; however, the statute for a public convenience license requires “approval”. **Attachment 6B**

**Motion is made to approve with delegation by Mr. Andrews
Ms. Cook seconds the motion
Approved 5-0**

C. 4857 **Pub Line**; Pub Line LLC; located on Alaskan Roadways (primarily in the City of Fairbanks);; **new** common carrier license; backgrounds complete.

All statutory requirements have been met. No local governing body. City of Fairbanks have issued objections.

Attachment 6C

**Motion is made to approve by Mr. Andrews
Ms. Neimi seconds the motion
Motion fails 4-1 (Chairman Klein)**

D. 4691 **Solstice Bar**; Fervid Enterprises LLC; located at 429 W Willoughby Ave 2nd Floor in Juneau; beverage dispensary license.

3rd Waiver 2008 Fees Paid FYI: license issued January 9, 2009.

**Motion is made to approve by Ms. Neimi
Mr. Andrews seconds the motion
Approved 5-0**

7. **BACKGROUND INFORMATION**

8. **MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS**

9. **EXPIRED LICENSES**

Date of next meeting: May 7, 2009

Location of next meeting: Anchorage

ABC Board Agenda
February 17, 2009

ADDENDUM

G. **BOARD CONSIDERATION**

11. **Southern-Odom Wine and Spirits of AK**

Attachment 2G-11

Board does not feel that a license based in Washington state is appropriate or necessary.

12. **Regulations**

Attachment 2G-12

**Motion is made by Mr. Andrews to approve items 1 thru 18 and 20 (omit item 19)
Ms. Cook seconds the motion
Approved 5-0**

Hold for future discussion

4. DELEGATION CONSENT AGENDA

AB. 08 **Alaska Commercial Company**; Alaska Commercial Company; located at 100 Main St in Sand Point; **transfer of ownership & name change** of a package store license; backgrounds not complete.

All statutory requirements have been met. Sand Point has not responded (notice sent 12/5/08).

Motion is made to approve with delegation by Mr. Andrews

Mr. DelDonno seconds the motion

Approved 5-0

7. BACKGROUND INFORMATION

A. 4870 **Larkspur Café**; Larkspur Café LLC; located at 2 Lincoln St Ste 1A in Sitka; **new** restaurant/eating place – public convenience license; backgrounds not complete.

All statutory requirements have been met. Sitka has responded with *approval*.

Attachment 7A

Motion to go into executive session is made by Mr. Andrews

Mr. DelDonno seconds the motion

Approved 5-0

Chairman moves out of executive session

Motion is made to approve with delegation by Ms. Neimi

Ms. Cook seconds the motion

Approved 5-0

Moved from Consent Agenda

4853 Dimond Liquor; TCCH Inc.; located at 1901 W Dimond Blvd in Anchorage; **transfer of location & name change** of a package store license; from No Premises, D.B.A. Jewel Lake Liquor; backgrounds complete.

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

Motion is made to deny the license application and dismiss the temporary approval by Mr. Andrews

Mr. DelDonno seconds the motion

Approved 3-2 (to deny license) – (Chairman Klein and Ms. Neimi)