

**State of Alaska
Alcoholic Beverage Control Board
Agenda
May 4, 2010**

ADMINISTRATION [9:07:15 AM](#)

Board members present:

Chairman Bob Klein
Vice Chair Ellen Ganley
Member Joe DelDonno
Member Belen Cook
Member Ethan Billings

Staff members present:

Director Shirley Gifford
Enforcement Supervisor Bob Beasley
Acting Records & Licensing Supervisor Chris Lambert
Administrative Assistant Gil Nelson
Non Perm Long Term Business Registration Examiner Lore Short

ABC Board Counsel present:

Assistant Attorney General John Novak

Approve minutes of the February 26, 2010 Board Meeting

DIRECTOR BRIEFING

A. Director's Report

Attachment DIR

B. Documents related to license file scanning

PUBLIC TESTIMONY

[9:08:23 AM](#) Refer to Seoul Gate Restaurant Agenda Item

Period of time for public testimony on issues not on this agenda

[9:10:09 AM](#) to [9:15:43 AM](#) No public testimony received

INFORMAL CONFERENCES

4584 [9:31:36 AM](#) to [9:34:43 AM](#)

Zephyr: Zephyr LLC; City of Juneau

Attachment 4584

License: Restaurant/Eating Place
200 Seward Street

No Board action required.

HEARING OFFICER DECISIONS

None

SETTLEMENT AGREEMENTS

3769 [9:34:40 AM](#) to [9:37:59 AM](#)

Big D Package Store: Phil Sobers; Unorganized

Attachment 3769

License: Package Store
Mile 274.5 Richardson Highway, Delta Junction

115

Big D Bar: Phil Sobers; Unorganized

License: Beverage Dispensary
Mile 274.5 Richardson Highway, Delta Junction

Ellen Ganley **motions to approve transfer of licenses**
Ethan Billings **seconds the motion**
Motion carried 5-0.

VOLUNTARY RELINQUISHMENT OF LICENSE

None

SUSPENSION

Attachment SUS

BOARD CONSIDERATION

A.

New Procedures [9:37:57 AM](#) to [9:44:50 AM](#)

Attachment NP

Issue of legal language regarding audio recordings discussed.

Joe DelDonno **motions to approve with revised language to #12**

Belen Cook **seconds the motion**

Motion carried 5-0.

B.

Kotzebue Package & Delivery [10:47:19 AM](#) to [10:57:06 AM](#)

Attachment KOT

New Package Store license application. Local Option Community.

Bob Klein entertains **motions to approve with delegation license application**

Ellen Ganley **“so moved”**

Belen Cook **seconds the motion**

Motion carried 5-0.

751

Moose Pass Inn: Wesley & Linda Sherrill; Kenai Peninsula Borough [10:05:05 AM](#) to [10:19:06 AM](#)

Attachment 751

License: Restaurant/Eating Place

Mile 30 Seward Highway

License has not been operated for approximately five (5) years due to issues with water/sewer.

No waivers filed.

Joe DelDonno **motions to deny 2010-2011 renewal application**

Belen Cook **seconds the motion**

Motion carried 5-0.

4446

Alaska 1910: Elizabeth H. Rollins; No Premise [10:23:55 AM](#) to [10:47:19 AM](#)

Attachment 4446

License: Beverage Dispensary - Seasonal

No Premise

Question on the number of waivers required to be current as of 2009

Belen Cook **motions to deny sixth waiver**

Joe DelDonno **seconds the motion**

Motion carried 5-0.

1863

Dexter Roadhouse: Michael G. West; Outside-Unorganized [11:45:29 AM](#) to [12:12:08 PM](#)

Attachment 1863

License: Beverage Dispensary - Seasonal
Mile 8 Taylor Highway

Furnishing alcohol to a minor.

Joe DelDonno **motions to suspend license for 45 days, 7 days suspended, \$1000.00 fine**

Belen Cook **seconds the motion**

[12:06:36 PM](#)

Denied 2-3

Yes – Joe DelDonno, Belen Cook

No – Ellen Ganley, Ethan Billings, Bob Klein

Not passed

Ellen Ganley **motions to suspend 45 days, 21 days suspended, \$1000.00 fine**

Belen Cook **seconds the motion**

Motion carried.

[12:09:20 PM](#)

Yes – Ellen Ganley, Belen Cook, Joe DelDonno

No – Ethan Billings, Bob Klein

Approved 3-2

4800

Grandview Suites/Chili's Restaurant: Duke Investments LLC; Wasilla [9:24:42 AM](#) to [9:28:57 AM](#)

Attachment 4800

License: Beverage Dispensary - Tourism
3100 East Parks Highway

Resurrect and renew license.

Ellen Ganley **motions to resurrect and renew license**

Joe DelDonno **seconds the motion**

Motion carried 5-0.

4941

Seoul Gate Restaurant: Chong Pak; Fairbanks [9:08:34 AM](#) to [9:10:15 AM](#)

Re-start [9:15:59 AM](#) to [9:24:16 AM](#)

Attachment 4941

License: Restaurant/Eating Place
958 Cowles Street

Alcohol sold without a license.

Belen Cook **motions to approve license**

Ellen Ganley **seconds the motion**

Motion carried 5-0.

2729

Bush Bottle Bin, The: Nancy Ida Milani-Henson; Outside-Unorganized [10:19:09 AM](#) to [10:23:43 AM](#)
Attachment 2729

License: Package Store
Mile 116.5 Richardson Highway

Furnishing alcohol to a minor

Ellen Ganley **motions to fine \$500.00 and suspend license 45 days - 38 days suspended (1 year)**
Joe DelDonno **seconds the motion**
Motion carried 5-0.

4781

I Luv Sushi: Minjing Kim; Anchorage [10:57:41 AM](#) to [11:01:50 AM](#)

Attachment 4781

License: Restaurant/Eating Place
9220 Lake Otis Parkway

Furnishing alcohol to a minor

Joe DelDonno **motions to fine \$500.00 and suspend license 45 days - 38 days suspended (1 year)**
Belen Cook **seconds the motion**
Motion carried 5-0.

4062

Tito's Gyros: Hector Romo; Anchorage [11:02:03 AM](#) to [11:05:23 AM](#)

Attachment 4062

License: Restaurant/Eating Place
120 East 6th Avenue

Furnishing alcohol to a minor

Joe DelDonno **motions to fine \$500.00 and suspend license 45 days - 38 days suspended (1 year)**
Belen Cook **seconds the motion**
Motion carried 5-0.

2063

Long Rifle Lodge: Glacier View Ventures LLC; Mat-Su Borough [11:15:11 AM](#) to [11:18:51 AM](#)

Attachment 2063

License: Beverage Dispensary - Tourism
Mile 102 Glenn Highway

Furnishing alcohol to a minor

Ellen Ganley **motions to fine \$500.00 and suspend license 45 days - 38 days suspended (1 year)**
Joe DelDonno **seconds the motion**
Motion carried 5-0.

END OF BOARD CONSIDERATION

NOTICE OF VIOLATION

Attachment NOV

CONSENT AGENDA [9:45:20 AM](#) to [9:49:26 AM](#)

4971

Larkspur Café: Larkspur Café LLC; City and Borough of Sitka
2 Lincoln Street, Suite 1-A, Sitka

NEW - Restaurant/Eating Place

All statutory requirements have been met. Backgrounds complete; City and Borough of Sitka does not protest. Temporary approval issued.

671

Sourdough Brewing Company; Denali Visions 3000 Corporation; Denali Borough
Mile 248.4 Parks Highway, Healy

TRANSFER OF OWNERSHIP, LOCATION & DBA - Beverage Dispensary

(Originally: Longhorn Liquor, Inc.; Mile 36 Denali Highway, Cantwell; DBA - Longhorn Bar)

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

AND

4946

Sourdough Brewing Company; Denali Visions 3000 Corporation; Denali Borough
Mile 248.4 Parks Highway, Healy

NEW - Brewpub

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

3120

The Asylum: The Asylum LLC; City of Ketchikan
522 Water Street, Ketchikan

TRANSFER OF OWNERSHIP & DBA -- Beverage Dispensary

(Originally: Curly, Inc.; DBA - K.J.'s Raven's Roost)

All statutory requirements have been met. Backgrounds complete; City of Ketchikan does not protest.

4246

Ludvig's Bistro, Inc.: Ludvig's Bistro, Inc.; City and Borough of Sitka
256 Katlian Avenue, Sitka

TRANSFER OF OWNERSHIP (STOCK TRANSFER) - Restaurant/Eating Place

(Originally: Colette N. Nelson & Lisa M. Bouer)

All statutory requirements have been met. Backgrounds complete; City and Borough of Sitka does not protest.

4580

Las Margaritas: Las Margaritas LLC; Municipality of Anchorage
8001 Old Seward Highway, Anchorage

TRANSFER OF OWNERSHIP, LOCATION & DBA - Beverage Dispensary
(Originally: Glacier City, Inc.; Girdwood Elementary Subdivision, Tract E3, Girdwood; DBA - Glacier City Restaurant)

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

4974

Royal Princess: Princess Cruise Line, Ltd.; Other
Alaskan Waters

NEW Common Carrier, Seasonal

All statutory requirements have been met. Backgrounds complete; there is no local governing body.

3733

Flight Deck: Catapult, Inc.; City and Borough of Juneau
2 Marine Way, Suite 206, Juneau

TRANSFER OF OWNERSHIP, LOCATION & DBA - Restaurant/Eating Place
(Originally: Up the Creek, Inc.; 550 South Franklin Street; DBA - Twisted Fish Company)

All statutory requirements have been met. Backgrounds complete; City and Borough of Juneau does not protest. Temporary approval issued.

4842

Twisted Fish Company: Up the Creek, Inc.; City and Borough of Juneau
550 South Franklin Street, Juneau

TRANSFER OF OWNERSHIP, LOCATION & DBA - Beverage Dispensary
(Originally: Catapult, Inc.; 2 Marine Way, Suite 206; DBA - Twisted Fish Company)

All statutory requirements have been met. Backgrounds complete; City and Borough of Juneau does not protest. Temporary approval issued.

4967

M/Y Safari Quest: InnerSea Discoveries LLC; Other
Alaskan Waters

NEW Common Carrier, Seasonal

All statutory requirements have been met. Backgrounds complete; there is no local governing body.

4941 – See Board Consideration Item

Seoul Gate Restaurant: Chong Pak; City of Fairbanks
958 Cowles Street, Fairbanks

NEW - Restaurant/Eating Place

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

4878

Wal-Mart #4474: Wal-Mart Stores, Inc.; City of Kenai
10096 Kenai Spur Road, Kenai

TRANSFER OF LOCATION & DBA - Package Store
(Originally: No Premise; DBA - Wal-Mart Supercenter #4474)

All statutory requirements have been met. Backgrounds complete; City of Kenai does not protest.
Temporary approval issued.

4720

Taco Azteca Incorporated: Taco Azteca Inc.; City of Fairbanks
No Premise

TRANSFER OF OWNERSHIP, LOCATION & DBA - Beverage Dispensary
(Originally: Serino, Inc.; 1347 Bedrock; DBA - Trappers Tavern)

All statutory requirements have been met. Backgrounds complete; City of Fairbanks does not protest.

4961

Anzilotti's Tuscan Market & Distributors: Anzilotti's Tuscan Market, Inc.;
Municipality of Anchorage

750 West Dimond Boulevard, Suite 109, Anchorage

NEW - Wholesale Malt Beverage & Wine

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

4977

Chugach M/V: CIRI Alaska Tourism Corporation; Other
Alaskan Waters

NEW Common Carrier, Seasonal

All statutory requirements have been met. Backgrounds complete; there is no local governing body.

4451

Ginger: Ginger LLC; Municipality of Anchorage
425 West 5th Avenue, Anchorage

TRANSFER OF OWNERSHIP, LOCATION & DBA - Beverage Dispensary
(Originally: El Tango, Inc.; 4300 Old Seward Highway; DBA - El Tango)

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

3554

BPO Elks Lodge #1429: BPO Elks Lodge #1429; City of Ketchikan
1828 Tongass Avenue, Ketchikan

TRANSFER OF LOCATION - Club
(Originally: 1448 Tongass Avenue)

All statutory requirements have been met. Backgrounds complete; City of Ketchikan does not protest.

3651

Fish Pirate's Saloon: Fish Pirate's Saloon LLC; City of Ketchikan
76 Front Street, Ketchikan

TRANSFER OF OWNERSHIPE & DBA - Beverage Dispensary
(Originally: Sunny cove LLC; DBA - Steamers At The Dock)

All statutory requirements have been met. Backgrounds complete; City of Ketchikan does not protest.
Temporary approval issued.

4561

Glacier Valley Wines: Waites Winery LLC; Municipality of Anchorage
2321 Clements Drive, Anchorage

TRANSFER OF OWNERSHIPE & DBA - Winery
(Originally: Robert J. Waites; DBA - Waites Winery)

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

4530

Xavier's: Xavier's Inc.; City of Fairbanks
1288 Sadler Way, Fairbanks

TRANSFER OF OWNERSHIP - Beverage Dispensary
(Originally: Pacific Rim, Inc.)

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

708

Maverick Saloon: Cynthia Helleck; City of Soldotna
44698 Sterling Highway, Soldotna

TRANSFER OF OWNERSHIP - Beverage Dispensary
(Originally: TAG, Inc.)

All statutory requirements have been met. Backgrounds complete; City of Soldotna does not protest.

3982

Tokyo Restaurant & Sushi Bar: Manna Corp.; City of Wasilla
735 West Parks Highway, Wasilla

TRANSFER OF OWNERSHIP - Restaurant/Eating Place
(Originally: Hyunsuck Hong)

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

END OF CONSENT AGENDA

Joe DelDonno **motions to approve consent agenda**

Ellen Ganley **seconds the motion**

Motion carried 5-0.

3rd WAIVER FEES PAID: 2010

3147 [11:28:37 AM](#) to [11:43:45 AM](#)

Point After: Cheng-Mong, Inc.; City of Fairbanks

License: Beverage Dispensary, Seasonal

No Premise. Requesting 2nd and 3rd waivers be granted.

Joe DelDonno **motions to deny third waiver**

Belen Cook **seconds the motion**

[11:37:42 AM](#)

Denied 2-3

Yes – Joe DelDonno, Belen Cook

No – Ethan Billings, Ellen Ganley, Bob Klein

Motion does not pass

Ellen Ganley **motions to approve second and third waiver must operate in 2010**

Ethan Billings **seconds the motion**

Motion carried 5-0.

DELEGATED CONSENT AGENDA [9:49:38 AM](#) to [9:51:20 AM](#)

4772

Ajimi Restaurant: Kwang Yul Lee; City of Fairbanks

550 3rd Avenue, Fairbanks

TRANSFER OF OWNERSHIP & DBA - Restaurant/Eating Place

(Originally: Café de Paris Catering Co.; DBA - Lavelle's Bistro

Background not complete; City of Fairbanks does not protest. Temporary approval issued.

2276

Kumagoro: Eui Hong, Inc.; Municipality of Anchorage

533 West 4th Avenue, Anchorage

TRANSFER OF OWNERSHIP - Restaurant/Eating Place

(Originally: Tumaki, Inc.)

Background not complete; Municipality of Anchorage does not protest. Temporary approval issued.

4139

Knudson Cove Marina: Knudson Cove Marina LLC; Ketchikan Gateway Borough

Mile 1264 Alaska Highway South, Ketchikan

TRANSFER OF OWNERSHIP, LOCATION & DBA - Package Store

(Originally: Petro Alaska, Inc.; 11860 North Tongass Highway; DBA - Petro Alaska, Inc.)

Background not complete; Ketchikan Gateway Borough does not protest. Temporary approval issued.

3912

Chisana View Liquor Store: Naabia Niign, Ltd.; Unorganized
Mile 1264 Alaska Highway South, Northway

TRANSFER OF LOCATION - Package Store

(Originally: Mile 1263 Alaska Highway North, Northway)

All statutory requirements have *not* been met (Fire Dep't). There is no local governing body.

2175

Silverbow Bakery and Catering: Silverbow LLC; City and Borough of Juneau
120 Second Street, Juneau

TRANSFER OF OWNERSHIP & DBA - Restaurant/Eating Place

(Originally: Jilneth LLC; DBA - Silverbow Inn)

All statutory requirements have *not* been met (Dep't. of Labor). City and Borough of Juneau does not protest.

102

Don Jose's Soldotna: Ernesto Sanchez; City of Soldotna
44109 Sterling Highway, Suite B, Soldotna

TRANSFER OF OWNERSHIP, LOCATION & DBA - Beverage Dispensary

(Originally: ALC Beverages, Inc.; 44695 Sterling Highway; DBA - B.J.'s)

All statutory requirements have *not* been met (Fire Dep't). City of Soldotna does not protest.

END OF DELEGATED CONSENT AGENDA

Belen Cook **motions to approve**
Ethan Billings **seconds the motion**
Motion carried 5-0.

PROTESTS

4743

Mat-Su Resort: MSR, Inc.; Matanuska-Susitna Borough [9:29:28 AM](#) to [9:31:08 AM](#)
[11:26:42 AM](#) to [11:27:26 AM](#) **Attachment 4743**

License: Beverage Dispensary - Tourism
1850 Bogard Road, Wasilla

Matanuska-Susitna Borough *protests* based on delinquent Property and Bed Taxes.

Joe DelDonno **motions to deny license application**
Belen Cook **seconds the motion**
Motion carried 5-0.

4498

The Wild Olive: The Wild Olive, LLC; Matanuska-Susitna Borough [11:27:27 AM](#) to [11:27:57 AM](#)
Attachment 4498

License: Restaurant/Eating Place
2061 East Plamer-Wasilla Highway, Wasilla

Matanuska-Susitna Borough *protests* based on delinquent processing fee.

Ellen Ganley **motions to deny license application**
Belen Cook **seconds the motion**
Motion carried 5-0

3772

Circle M Bar: DEL, Inc.; Fairbanks North Star Borough [11:27:58 AM](#) to [11:28:30 AM](#)
Attachment 3772

License: Restaurant/Eating Place
1323 Old Richardson Highway

Fairbanks North Star Borough *protests* based on delinquent Sales Tax.

Joe DelDonno **motions to deny license application**
Belen Cook **seconds the motion**
Motion carried 5-0.

END OF PROTESTS

MUTUALLY EXCLUSIVE AND COMPETING APPLICATIONS [11:06:21 AM](#) to [11:14:42 AM](#)

4965

Piccolini's: Piccolini's Restaurants, Inc.; City of Wasilla
551 West Parks Highway, Wasilla

NEW - Restaurant/Eating Place
No approval from Fire or DEC. Backgrounds complete; City of Wasilla does not protest.

4976

Taco Del Mar: NTF, LLC; city of Wasilla
1551 East Parks Highway, Wasilla

NEW - Restaurant/Eating Place
No approval from Fire or DEC. Backgrounds complete; City of Wasilla does not protest.

A drawing was held with names of each licensee noted on a sheet of paper then folded. Tara Petricca, licensee for Piccolini's was randomly selected by Chairman of the Board.

Joe DelDonno **motions to approve drawn license application with delegation**
Ethan Billings **seconds the motion**
Motion carried 5-0.

Date of next ABC Board Meeting: July 6, 2010
Location of next ABC Board Meeting: Fairbanks

Date of next ABC Board Meeting: September 30, 2010
Location of next ABC Board Meeting: Kotzebue