

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**Meeting Minutes**  
**December 13, 2010**

● **ADMINISTRATION**

**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 Unit Supervisor Robert Beasley  
Records & Licensing Supervisor Christine Lambert

**ABC Board Counsel present:**

Assistant Attorney John Novak

Approval of minutes for September 30, 2010 Board Meeting via Board  
Member Signature

● **DIRECTOR BRIEFING**

A. Director's Report

[8:54:53 AM](#)

● **PUBLIC TESTIMONY**

[9:08:29 AM](#)

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

Robert McClung, President of University Area Community Council -  
Protest Alaska Liquor Store

[9:10:08 AM](#)

Rumrunners, Basilio Gallo and Michael Schomer regarding Restaurant  
Designation Permit

[9:18:05 AM](#)

Chuck Reader, Safety Roadhouse - Outside Nome City Limits Petition  
to Shorten Hours of Operation on Liquor License Establishments

[9:28:42 AM](#)

Mike Dunham, Superintendent Anvil Mountain Correctional Center  
Speaking on behalf of the Regional Wellness Forum, petition to  
shorten hours of operation outside Nome city limits.

[9:38:27 AM](#)

● **BOARD CONSIDERATION**

**A. Beth Sholom Fundraiser**

[10:07:41 AM](#)

Catering permit application for the Joy Greisen Jewish Education/Camp Sholom site, that also serves as a preschool.

Ellen Ganley **motions to approve catering permit application**  
Belen Cook **seconds the motion**

Motion carried 5-0

**B. 5009 Beluga Billiards:** Beluga Billiards, LLC;  
3841 W Dimond Blvd., Suite 200, Anchorage

[10:10:44 AM](#)

**NEW – Recreational Site**

Concerns arose regarding operational hours, and use of bar area during non-service hours.

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

Item moved for further discussion to 12/13/10 @ 3:00PM

[10:51:08 AM](#)

Further discussion

[3:28:52 PM](#)

Item moved for further discussion to 12/14/10 @ 9:00AM

[4:32:31 PM](#)

Ellen Ganley **motions to approve recreational site license**  
Belen Cook **seconds the motion**

Board discussion ensued, it was decided to wait for information from The Summit, and then define recreational site license before approval consideration.

**C. 5004 The Summit:** The Alaska Club Inc.

[10:55:01 AM](#)

11001 O'Malley Centre Drive #103, Anchorage

**NEW – Recreational Site**

Question of operational hours and appropriate use of recreational site license.

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

Item moved for further discussion to 12/13/10 @ 3:00PM

[4:13:18 PM](#)

Item moved for further discussion to 12/14/10 @ 9:00AM

[4:32:31 PM](#)

- D. Alaska State Fair** requests ABC Board [10:56:44 AM](#)  
Request Board approval to apply for a Beverage Dispensary – Tourism license.

ABC Board advises that the change must be statutory before the Board can approve the liquor license.

- E. Regulation Change 13 AAC 104.645(b)** [2:05:30 PM](#)

Ellen Ganley **motions to approve regulation change**  
Joe DelDonno **seconds the motion**  
Motion carried 5-0

- F. EXECUTIVE SESSION – Personnel Matter** [2:08:12 PM](#)

Joe DelDonno **motions to go into Executive Session regarding Personnel Matter**  
Ethan Billings **seconds the motion**  
Motion carried 5-0

[2:21:33 PM](#)

- G. 4936 E-Lu-Fa Restaurant:** [1:23:44 PM](#)

E-Lu-Fa Restaurant LLC; Wasilla  
1875 E Palmer-Wasilla Hwy.  
**License:** Restaurant Eating Place

Notice of Violation – Furnishing alcoholic beverages to a minor

Joe DelDonno **motions to suspend license for 45 days - 38 days suspended sentence with no further violations within one year & \$1,000.00 fine**  
Ellen Ganley **seconds the motion**  
Motion carried 5-0

- H. 2813 Peking Wok Restaurant:** [1:32:51 PM](#)

Monica S. Wirtz; Anchorage  
3960 W Dimond  
**License:** Restaurant Eating Place

Notice of Violation – Alcohol server course & allowing employee to work without alcohol server course.

Joe DelDonno **motions to suspend license for 30 days - 30 days suspended sentence & \$500.00 fine**  
Ethan Billings **seconds the motion**  
Motion carried 5-0

- I. Brewery Alternating Proprietorships**  
Gabe Fletcher, Anchorage Brewing Company

[1:38:33 PM](#)

**END OF BOARD CONSIDERATION**

● **CONSENT AGENDA**

[10:00:19 AM](#)

- 3999 Alaska Steakhouse & Motel:** Juice, Inc.; Delta Junction  
Mile 265 Richardson Hwy.

**TRANSFER – Beverage Dispensary – Tourism**

From – Tim & Lori O’Malia; DBA same; Premise same

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

- 3925 Boon Dox Bar:** Running Wild LLC; Fairbanks North Star Borough  
7271 Richardson Hwy.

**TRANSFER – Beverage Dispensary**

From – Full Moon, Inc.; DBA Full Moon, Inc.; No Premise

All statutory requirements have been met. Fairbanks North Star Borough does not protest. Temporary license has been issued.

- 4730 Coming Attractions Theatres Inc.;** Coming Attractions Theatres Inc.; Wasilla  
3331 E Old Matnuska Road

**TRANSFER – Recreational Site**

From – Alaska Avalanche Hockey Club, LLC; DBA Alaska Avalanche; 1001 S Mack Road, Ste. 200

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

- 1405 Dillingham Liquor Store:** Brandon/Rentals LLC; Dillingham  
312 Main Street East

**TRANSFER – Package Store**

From – Stock Transfer Same LLC; DBA & Premise Same

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

**3925 Full Moon, Inc.:** Full Moon, Inc.; Fairbanks North Star Borough  
No Premise  
**TRANSFER – Beverage Dispensary**  
From – Todd Poage; DBA Dog’s Bar; 150 Farmer’s Loop Extension

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

**5008 Kriners Diner:** Andrew & Norann Kriner; Anchorage  
3620 West 41<sup>st</sup> Avenue  
**NEW – Restaurant Eating Place**

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

**5006 Latinos Restaurant:** Universe Cyber Lounge LLC; Juneau  
109 S Franklin Street  
**NEW – Restaurant Eating Place – Public Convenience**

All statutory requirements have been met. City of Juneau does not protest. Temporary license has been issued.

**1563 Mat-Su Resort:** MSR Inc.; Mat-Su Borough  
1850 Bogard Road  
**License:** Beverage Dispensary - Tourism

[10:05:39 AM](#)  
[10:07:03 AM](#)

Mat-Su Borough lifts protest based on real property taxes as of October 15, 2010  
Ellen Ganley **motions to approve**  
Belen Cook **seconds the motion**

Motion carried 5-0

**416 North Lakes Liquor #3:** North Lakes Liquor Inc; Mat-Su Borough  
3610 N Burkesshore Drive  
**TRANSFER – Package Store**  
From – Same ownership; DBA same; No Premise

All statutory requirements have been met. Mat-Su Borough does not protest.

**4988 Norton Sound Seafood House:** Host International, Inc.; Anchorage  
Anchorage International Airport  
**NEW – Beverage Dispensary Tourism**

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

**4845 Paris Bakery & Café:** Antoine Amouret; Anchorage  
500 Muldoon Road #6  
**NEW – Restaurant Eating Place**

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

**3304 Red Robin:** Gourmet Ventures, Inc.; Municipality of Anchorage  
1190 N Muldoon Road  
**TRANSFER – Beverage Dispensary**  
From – Red Robin Alaska Inc.; DBA Red Robin Burger & Spirits Emporium #2; No Premise

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

**4990 The Rock Music Sports Grill:** The Rock Music Sports Grill LLC;  
Mat-Su Borough; 244 S Sylvan Road, Stes. 19 & 20  
**NEW – Restaurant Eating Place**

All statutory requirements have been met. Mat-Su Borough does not protest. Temporary license has been issued.

**3773 Schwabenhof:** Schwabies, Inc.; Mat-Su Borough  
4115 E Palmer-Wasilla Hwy.  
**TRANSFER – Beverage Dispensary**  
From – Schwabenof Two LLC; DBA same; Premise same

All statutory requirements have been met. Mat-Su Borough does not protest. Temporary license has been issued.

**4356 Sorella's Wine and Tapas:** K&G Enterprises LLC; Wasilla  
300 W Swanson

**TRANSFER – Restaurant Eating Place**

From – Same ownership; DBA Evangelos Restaurant; No Premise

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

**5007 Terry's Fish and Chips:** Terrance F. Lee; Seward  
1401 Fourth Avenue

**NEW – Restaurant Eating Place – Public Convenience**

All statutory requirements have been met. Seward does not protest. Temporary  
license has been issued.

**2706 V.F.W. Post # 9981:** VFW Post #9981; Municipality of Anchorage  
12870 Old Seward Hwy. #109

**TRANSFER – Club**

From – Same ownership; DBA same; Premise from 9191 Old Seward

All statutory requirements have been met. Anchorage does not protest. Temporary  
license has been issued.

Ellen Ganley **motions to approve Consent Agenda**

[10:03:13 AM](#)

Belen Cook **seconds the motion**

Motion carried 5-0

**END OF CONSENT AGENDA**

● **WAIVERS**

**1<sup>st</sup> Waiver Fees paid 10/27/10**

**3009 Casa Grande:** Casa Grande Inc.; Municipality of Anchorage

[11:11:31 AM](#)

**License:** Beverage Dispensary

201 E Northern Lights Blvd.

Ellen Ganley **motions to approve first waiver**

Joe DelDonno **seconds the motion**

Motion carried 5-0

**1<sup>st</sup> Waiver Fees paid 10/14/10**

**1955 Olds River Inn:** Circle B LLC; Kodiak Island Borough  
**License:** Beverage Dispensary - Tourism - Seasonal  
Mile 30 Chiniak Hwy.

[11:46:39 AM](#)

Belen Cook **motions to approve first waiver**  
Joe DelDonno **seconds the motion**  
Motion carried 5-0

**1<sup>st</sup> Waiver Fees paid 7/29/10**

**4517 Peter's Sushi Spot:** Sushi Spot Inc; Municipality of Anchorage  
**License:** Restaurant Eating Place  
3020 Minnesota Drive, Unit 6 & 7

[1:18:32 PM](#)

**AND**

**2<sup>nd</sup> Waiver Fees paid 11/24/10**

**Peter's Sushi Spot:** Sushi Spot, Inc; Municipality of Anchorage  
**License:** Restaurant Eating Place  
3020 Minnesota Drive, Unit 6 & 7

Ellen Ganley **motions to approve first & second waiver**  
Belen Cook **seconds the motion**  
Motion carried 5-0

**1<sup>st</sup> Waiver Fees paid 11/3/10**

**4822 Tunnels End Café & Espresso:** Tunnels End Espresso & Eatery LLC;  
Whittier  
**License:** Restaurant Eating Place – Public Convenience - Seasonal  
12 Harbor Loop

[1:19:08 PM](#)

Ellen Ganley **motions to approve first waiver**  
Ethan Billings **seconds the motion**  
Motion carried 5-0

**1<sup>st</sup> Waiver Fees paid 11/23/10**

**4927 The World:** The World of ResidenSea II, Ltd  
**License:** Common Carrier  
Alaskan Waters

[11:47:30 AM](#)

Joe DelDonno **motions to approve first waiver**  
Belen Cook **seconds the motion**  
Motion carried 5-0



**2<sup>nd</sup> Waiver Fees paid 11/5/09**

**4367 222, Inc.:** 222, Inc.; Municipality of Anchorage  
**License:** Beverage Dispensary  
No Premise

[11:14:44 AM](#)

Waiver corrected to 3<sup>rd</sup> Waiver - License must be operated in 2011 or will expire.

Ellen Ganley **motions to approve 3rd waiver with understanding that a 4<sup>th</sup> waiver will not be granted by the ABC Board to this license**  
Belen Cook **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 10/7/10**

**398 515 Club:** Clark & Eddy Inc; Municipality of Anchorage  
**License:** Beverage Dispensary  
No Premise

[11:38:48 AM](#)

Ellen Ganley **motions to approve second waiver**  
Ethan Billings **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 11/15/10**

**4847 Brews Brothers:** The Brews Brothers, LLC; Municipality of Anchorage  
**License:** Beverage Dispensary  
No Premise

[11:12:36 AM](#)

Joe DelDonno **motions to approve second waiver**  
Belen Cook **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 10/15/10**

**542 Husky Lounge:** The Kishan Group Inc.; City of Fairbanks  
**License:** Beverage Dispensary  
No Premise

[1:19:54 PM](#)

Ethan Billings **motions to approve second waiver**  
Ellen Ganley **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 9/22/10**

- 68 No DBA:** Market Basket Inc.; Fairbanks North Star Borough  
**License:** Package Store  
No Premise

[11:45:21 AM](#)

Ellen Ganley **motions to approve second waiver**  
Belen Cook **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 11/22/10**

- 4709 Pacific Venus, M/V:** Japan Cruise Line Inc  
**License:** Common Carrier  
Alaskan Waters

[11:53:56 AM](#)

Tabled for further staff development on waivers for common carriers.

Joe DelDonno **motions to approve second waiver**  
Belen Cook **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 10/15/10**

- 828 Papadrew's:** Papadrew Inc.; City & Borough of Juneau  
**License:** Package Store  
11957 Glacier Hwy.

[11:50:58 AM](#)

Ellen Ganley **motions to approve second waiver**  
Ethan Billings **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 10/1/10**

- 3315 Petro Alaska, Inc.:** Petro Alaska, Inc.; City of Ketchikan  
**License:** Package Store  
4161 Tongass Avenue

[12:06:34 PM](#)

[1:21:46 PM](#)

Ethan Billings **motions to approve second waiver**  
Ellen Ganley **seconds the motion**  
Motion carried 5-0

**2<sup>nd</sup> Waiver Fees paid 10/27/10**

**4669 Wal-Mart Supercenter #3813:** Wal-Mart Stores Inc.; Anchorage  
**License:** Package Store  
No Premise

[1:22:25 PM](#)

Joe DelDonno **motions to approve second waiver**  
Belen Cook **seconds the motion**  
Motion carried 5-0

**3<sup>rd</sup> Waiver Fees paid 11/23/10**

**2614 2 Go Tesoro:** Tesoro Northstore Company; Municipality of Anchorage  
**License:** Package Store  
No Premise – Transfer to 500 Hollywood Drive Pending as of 10/1/10

[12:08:35 PM](#)

Mr. Fred Odsen presents history of Tesoro Northstore license application.

Ellen Ganley **motions to approve third waiver, no fourth waiver will be granted, waivers tied to the license**  
Joe DelDonno **seconds the motion**  
Motion carried 5-0

**3<sup>rd</sup> Waiver Fees paid 11/3/10**

**3518 4<sup>th</sup> Avenue Theatre:** 4<sup>th</sup> Avenue Theatre, Inc.; Municipality of Anchorage  
**License:** Beverage Dispensary  
No Premise

[11:30:52 AM](#)

Question of Waiver Number – Staff is directed to contact licensee regarding waivers.

Ellen Ganley **motions to table waiver pending staff research**  
Belen Cook **seconds the motion**  
Motion carried 5-0

**3<sup>rd</sup> Waiver Fees paid 10/22/10**

**328 Drop In/El Sombrero:** Foxx Inc.; City of Fairbanks  
**License:** Beverage Dispensary  
1420 Cushman Street

[12:26:48 PM](#)

Ethan Billings **motions to approve third waiver, must operate in 2011, fourth waiver will not be granted, waivers are tied to license**  
Joe DelDonno **seconds the motion**  
Motion carried 5-0

**3<sup>rd</sup> Waiver Fees paid 10/15/10**

**4165 Three Bears:** Three Bears Alaska, Inc.; Valdez

[12:32:08 PM](#)

**License:** Package Store

No Premise

**AND**

**2<sup>nd</sup> Waiver Fees paid 10/15/10**

**Three Bears:** Three Bears Alaska, Inc.; Valdez

**License:** Package Store

No Premise

Ellen Ganley **motions to approve second & third waivers, must operate**

**in 2011, fourth waiver will not be granted, waivers are tied to license**

Ethan Billings **seconds the motion**

Motion carried 5-0

**END OF WAIVERS**

● **DELEGATED CONSENT AGENDA**

[10:04:54 AM](#)

**4061 Aleutian Sports Bar & Grill:** MX3 LLC; Adak

42446 Kagalaska Drive

**TRANSFER – Beverage Dispensary**

From – LVS Adak LLC; DBA & Premise – Same

DEC, DOL & DOR approve. Waiting for City of Adak.

**1119 Creekside Liquor:** Focsle Inc.; City of Ketchikan

133 Stedman Street

**TRANSFER – Package Store – Seasonal**

From – Focsle Inc. (Stock transfer); DBA & Premise – Same

City of Ketchikan does not protest. Waiting on Dept. of Revenue approval.

**533 Houston Lodge:** Doris Jane Incorporated; City of Houston

Mile 57 Parks Hwy.

**TRANSFER – Beverage Dispensary**

Stock transfer from Bob & Kari Pevan to Ernest & Laura Pruett; DBA & Premise – Same

DEC & DOL approve. Waiting on City of Houston.

Belen Cook **motions to approve the Delegated Consent Agenda**

Joe DeDonno **seconds the motion**

Motion carried 5-0

**1563 Mat-Su Resort:** MSR Inc.; Mat-Su Borough  
1850 Bogard Road  
**License:** Beverage Dispensary – Tourism

[10:05:02 AM](#)

Mat-Su Borough lifts protest based on real property taxes as of October 15, 2010.

**Moved to Consent Agenda**

#### **END OF DELEGATED CONSENT AGENDA**

- **Underage Buyers Board Age Assessment** [1:53:02 PM](#)
- **Sanctions Discussion** [2:23:18 PM](#)
- **Caffeinated Alcoholic Beverages** [2:35:45 PM](#)
- **Written Order Database & Restricted Buyers Enforcement Unit Supervisor Beasley** [2:45:13 PM](#)
- **Presentation on Licenses – Director Gifford** [3:11:28 PM](#)
- **Club Membership Access** [2:55:19 PM](#)
- **Notice of Violation Discussion** [3:00:57 PM](#)
- **NOTICE OF VIOLATION**
  - A. Licensee Sanctions
  - B. Notices of Violation and Responses
- **NEXT ABC BOARD MEETING**

Date of next ABC Board Meeting: March 24, 2011 [4:37:37 PM](#)

Location of next ABC Board Meeting: Juneau