

State of Alaska
Alcoholic Beverage Control Board
Meeting Minutes
September 5, 2012

- **Board Members Present:** [10:12:13 AM](#)
Bob Klein, Chair
Ellen Ganley, Vice Chair
Marvin Yoder, Member
Belen Cook, Member - Telephonic
Ethan Billings, Member - Telephonic

Staff Members Present:
Shirley Cote', Director - Telephonic
Chris Lambert, Records & Licensing Supervisor

ABC Board Counsel Present:
Harriet Milks, Assistant Attorney General

- **DIRECTOR BRIEFING**
 - A. Director's Report [9:44:33 AM](#) **TAB 1**

- **ADMINISTRATION**
 - A. Approve minutes of the July 10, 2012 Board Meeting [10:13:13 AM](#) **TAB 2**

Ellen Ganley **motions to approve the minutes**
Marvin Yoder **seconds the motion**
Motion carried

Roll call vote [10:13:26 AM](#)
Approved 5-0

- **PUBLIC TESTIMONY** [10:13:45 AM](#)
 - Period of time for public testimony on issues not on this agenda.

 - A. Robin S. Jeffery, Robin's Landing [10:14:11 AM](#)
Reports that paint studios have opened and are serving alcohol without liquor license.

- B.** Sue Steinacher, Nome Emergency Shelter [10:19:33 AM](#)
Discussed shelter items – volunteers, numbers of persons served, generational problem of alcoholism, request Board advocate for tax credits, advocate for treatment of alcoholism.
Believes the ABC Board belongs under Dept. of Public Safety.
- C.** Bridie Trainer, Kawerak Wellness [10:25:11 AM](#)
Gives testimony to problems of alcoholism in Nome and reports programs in affect to address the alcohol problem.
Echoes belief that the ABC Board belongs under Public Safety.
- D.** David Elmore, Nome Community Center [10:28:35 AM](#)
Reports on issues of alcoholic parents and problems with the children raised in alcoholic homes, fetal alcohol syndrome.
Urges Board to assist in finding funds for alcohol treatment.
- E.** Bill Howell, Airport Pizza [10:39:19 AM](#)
Licensees can assist with alcoholism by donating funds or items to alcohol treatment centers.
- F.** Richard Bieneville, Nome Community Schools [10:47:44 AM](#)
Advocates for more education and treatment regarding alcoholism.
- G.** Jeff Jessee, Alaska Mental Health Trust Authority [10:53:33 AM](#)
Concerned with budget operating issues. During hearings (legislative) there were constant assurances enforcement would not be compromised. Suggests waiver of “chargebacks” for operational support from entities such as Attorney General’s Office. .
ABC Board should prepare a budget demonstrating the level of service it feels necessary to carry out mission.
- H.** Jake Kenick, VFW-Nome [11:52:50 AM](#)
Request to Board to allow an increase in Club liquor licenses special events from five to ten.

● **BOARD CONSIDERATION**

- A. Locals – Beverage Dispensary Tourism [11:03:37 AM](#) [TAB 3](#)
5180 Locals: Triplet’s, Inc.; City of Wasilla
3100 E Parks Hwy.
New – Beverage Dispensary Tourism
- Marvin Yoder **motions to approve license**
Ellen Ganley **seconds the motion**
- Roll call vote [11:12:54 AM](#)**
Approved 4-1
Belen Cook dissenting vote
- B. Rockwell – Beverage Dispensary [11:29:39 AM](#) [TAB 4](#)
4349 Rockwell: Fishbone, LLC; Juneau
117 Franklin Street [3:15:35 PM](#)
Transfer – Beverage Dispensary
- Marvin Yoder **motions to approve with delegation the transfer of** [11:41:27 AM](#)
liquor license with condition that lien be lifted from liquor [11:42:12 AM](#)
license and applied to an escrow account
Ellen Ganley **seconds the motion**
- Roll call vote [11:42:51 AM](#) [11:46:22 AM](#)**
Approved 5-0
- C. Liability Insurance for Liquor Licensees [11:14:32 AM](#) [TAB 5](#)
- Harriet Milks, Assistant Attorney General reports that the ABC Board has statutory authority to require liability insurance. More research requested such as what other states require.
- D. Wings of Alaska – Objection to License [12:08:58 PM](#) [TAB 6](#)
5166 Wings of Alaska: SeaPort Airlines Inc.; Gustavus
#5 Airport Road
New – Beverage Dispensary Tourism
- Marvin Yoder **motions to approve** [12:16:29 PM](#)
Ellen Ganley **seconds the motion for discussion**
- Marvin Yoder **motions to postpone decision until next meeting** [12:20:02 PM](#)
with request for more information regarding license
Belen Cook **seconds the motion**

E. 2013/2014 Renewals with 2 or More Notices of Violations

[12:20:27 PM](#)

[TAB 7](#)

ABC Board requested Director present this information to the Board for consideration. The Board will review and decide on any appropriate action regarding the renewal of the liquor license.

Rather than all six licensees with two or more violations, Director Cote' requests the Board only consider at this time Rumrunner's Old Towne Bar & Grill for non renewal as the number and seriousness of notices of violations far exceeds any other licensee.

Lieutenant Gilliam, Anchorage Police Dept.

[12:34:07 PM](#)

Reports that new indictments on two employees for assault, falsifying records and sales of alcohol have come down. At bar closing, literally several hundreds of individuals disgorge onto the streets of the city. Often over-served patrons become combative in the alleyways and parkways.

Thomas Amodio, Attorney for Rumrunner's Old Town Bar & Grill Cites that notice of this issue to licensees was too fast for licensees to respond accordingly. Currently there is no renewal application pending. Municipality of Anchorage has not had opportunity to "weigh in" on renewal.

[12:38:04 PM](#)

Mr. Shomer is no longer involved in operation as of last month. This change in management will have a positive effect upon business matters.

ABC Board members all state their concern regarding the number of violations accumulated by the licensee. Board will defer to the Municipality to protest the renewal. Director is asked to inform the Board regarding any new notice of violation.

F. Stone Deck Pizza – Objection to License

[11:13:20 AM](#)

[TAB 8](#)

[1:09:14 PM](#)

[3:15:09 PM](#)

5161 Stone Deck Pizza: Stone Deck Pizza, LLC; Ketchikan
4161 Tongass Ave.

New – Restaurant Eating Place – Public Convenience

Marvin Yoder **motions to approve**

Ellen Ganley **seconds the motion**

Roll call vote [3:20:16 PM](#)

5-0 Approved

- G. Discussion From Work Group Session TAB 9
 - 1. Duplicate Licenses
Research by AAG on exposure of the Board with change. 2:14:14 PM
Board will continue to approve as they reflect moderation and quality of life.
 - 2. Restaurant Eating Place – Public Convenience 3:02:03 PM

● **ACTION ON LICENSE CONVICTION/VIOLATION**

- A. Prior Licensee Sanctions TAB 10
- B. **Aztec Sports Bar & Grill:** Northern Endeavors Inc.; Municipality of Anchorage 11:02:41 AM TAB 11
11:46:49 AM
License: Restaurant Eating Place 3:21:08 PM
12240 Old Glenn Hwy.

Violation: Furnishing of alcoholic beverages to persons under the age of 21 by licensee.

Ellen Ganley **motions to suspend license for 45 days with 38 days suspended, fine of \$500.00 with no further violations within one year**
Belen Cook **seconds the motion**

Roll call vote 3:24:10 PM
5-0 approved

● **TOURISM LICENSES**

- 5146 **Eagle Hotel Restaurant & Lounge:** Eagle Hotel, LLC; City of Palmer TAB 12
918 S Colony Way 3:24:53 PM
New – Beverage Dispensary Tourism

All statutory requirements have been met. City of Palmer does not protest. Dept. of Environmental Conservation & State Fire Marshall’s Office approve. Background investigations complete. Temporary license has been issued.

Marvin Yoder **motions to approve**
Ellen Ganley **seconds the motion**

Roll call vote 3:26:07 PM
5-0 approved

4440 Flying Chinook Bar & Grill: LC Star Investments Co.; Municipality of Anchorage
4616 Spenard Road

TAB 13
3:26:18 PM

Transfer – Beverage Dispensary Tourism

From Barratt Inn Management Co. LLC, dba Crave Bar & Grill

All statutory requirements have been met. Municipality of Anchorage does not protest. Dept. of Labor & Revenue approve. Background investigations complete.

Marvin Yoder **motions to approve**
Ellen Ganley **seconds the motion**

Roll call vote 3:26:50 PM
5-0 approved

5164 Westmark Inn Skagway: Westmark Hotels, Inc.; City of Skagway
Third & Spring Street

TAB 14
3:27:02 PM

New – Beverage Dispensary Tourism - Duplicate

All statutory requirements have been met. City of Skagway does not protest. Dept. of Environmental Conservation & State Fire Marshall's Office approves. Temporary license has been issued.

Ethan Billings **motions to postpone discussion and suspend temporary license until next ABC Board meeting**
Marvin Yoder **seconds the motion**

Roll call vote 3:34:03 PM
5-0 approved

1435 Wolverine Lodge: Peggy J. Watson; Mat-Su Borough
16.2 Lake Louise Junction Road

TAB 15
3:36:07 PM

Transfer – Beverage Dispensary - Tourism

Involuntary Re-Transfer from Farmer Valley Wilderness Co. Inc.

All statutory requirements have been met. Mat-Su Borough does not protest. Dept. of Labor & Revenue approve.

Marvin Yoder **motions to approve**
Belen Cook **seconds the motion**

Roll call vote 3:37:24 PM
5-0 approved

● **RESTAURANT EATING PLACE – PUBLIC CONVENIENCE**

- 5178 Bering Sea Restaurant:** Bering Sea Nome, Inc.; City of Nome
305 Front Street
New – Restaurant Eating Place – Public Convenience

TAB 16
1:10:24 PM
3:37:48 PM

All statutory requirements have been met. City of Nome does not protest. Dept. of Environmental Conservation & State Fire Marshall’s Office approve. Background investigations complete. Temporary license has been issued.

Ellen Ganley **motions to approve**
Belen Cook **seconds the motion**

Roll call vote 3:38:55 PM
5-0 approved

- 5179 The Pour House Pub-n-Grub:** Molly Blakeley-Poland; City of Soldotna
44695 Sterling Hwy.
New – Restaurant Eating Place – Public Convenience

TAB 17
3:38:22 PM

All statutory requirements have been met. City of Soldotna does not protest. Dept. of Environmental Conservation approves. Background investigations complete. Temporary license has been issued.

All statutory requirements have been met. City of Nome does not protest. Dept. of Environmental Conservation & State Fire Marshall’s Office approve. Background investigations complete. Temporary license has been issued.

Ellen Ganley **motions to approve**
Belen Cook **seconds the motion**

Roll call vote 3:38:55 PM
5-0 approved

● **CONSENT AGENDA**

TAB 18
3:39:11 PM

- 5165 AK Fresh Seafood:** AK Fresh Seafood, LLC; Municipality of Anchorage
417 D Street
New – Restaurant Eating Place

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

1081 Auke Bay Inn: Auke Bay Inn, Inc.; City of Juneau
11806 Glacier Highway
Transfer – Beverage Dispensary
From Squires Rest, LLC

All statutory requirements have been met. City of Juneau does not protest. Dept. of Labor & Revenue approve. Background investigations complete. Temporary license has been issued.

5169 Hoodoo Brewing Company: Fairbanks Fermentation, LLC; City of Fairbanks
1951 Fox Avenue
New - Brewery

All statutory requirements have been met. City of Fairbanks does not protest. Dept. of Environmental Conservation approves. Background investigations complete.

4259 Kodiak Island Brewing Company: Kodiak Island Brewing Company, LLC; City of Kodiak
117 Lower Mill Bay Road
Transfer - Brewery
Location change from 338 Sheilikof Avenue

All statutory requirements have been met. City of Kodiak does not protest. Dept. of Environmental Conservation approves. Temporary license has been issued.

220 Northern Vines: Luna Vino, Inc.; Fairbanks North Star Borough
475 Riverstone Way #2
Transfer – Package Store
Ownership & location transfer from Chena Hot Springs Resort, LLC, Mile 57 Chena Hot Springs Road

All statutory requirements have been met. Fairbanks North Star Borough does not protest. State Fire Marshall's Office, Dept. of Labor & Revenue all approve. Background investigations complete. Temporary license has been issued.

5168 Norwegian Jewel: NCL (Bahamas) Ltd.
Alaskan Waters
New – Common Carrier

All statutory requirements have been met. Background investigations complete. Temporary has been issued.

5177 Pizza Boys: Pizza Boys, Inc.; City of Soldotna
44686 Sterling Hwy.
New – Restaurant Eating Place

All statutory requirements have been met. City of Soldotna does not protest. Dept. of Environmental Conservation approves. Background investigations complete. Temporary license has been issued.

1146 Tolsona Lake Resort: Tolsona Lake Resort, Inc.; Outside City Limits – Unorganized Borough
Mile 170 Glenn Hwy.
Transfer – Beverage Dispensary
Ownership transfer from Baldwin & Heller Partnership

All statutory requirements have been met. Dept. of Labor & Revenue approve. Background investigation complete. Temporary license has been issued.

3142 Twin Dragon Restaurant: Twin Dragon, Inc.; City of Nome
100 Front Street
Transfer – Restaurant Eating Place
Stock transfer to Kyung Sub Kim 100%

All statutory requirements have been met. City of Nome does not protest. Dept. of Labor & Revenue approve. Background investigation complete.

3043 Wolverine Lodge: Peggy J. Watson; Mat-Su Borough
16.2 Lake Louise Junction Road
Transfer – Package Store
Involuntary Re-Transfer from Farmer Valley Wilderness Co. Inc.

All statutory requirements have been met. Mat-Su Borough does not protest. Dept. of Labor & Revenue approve.

Marvin Yoder **motions to approve**
Ellen Ganley **seconds the motion**

Roll call vote [3:40:51 PM](#)
5-0 approved

END OF CONSENT AGENDA

● **FIRST AND SECOND WAIVERS - CONSENT**

TAB 19

1st Waivers

3:41:10 PM

- 492** Hamilton's Place
License: Beverage Dispensary - Seasonal
Mile 48.5 Sterling Hwy.

Ellen Ganley **motions to approve**
Marvin Yoder **seconds the motion**

Roll call vote 3:42:02 PM
5-0 approved

● **DELEGATED CONSENT AGENDA**

TAB 20

3:42:13 PM

- 5188** **Alaska Berries:** Alaska Berries, LLC; Kenai Peninsula Borough
48660 W Poppy Lane
New - Winery

All statutory requirements have been met. Dept. of Environmental Conservation and State Fire Marshall's Office approve. Pending no protest from Kenai Peninsula Borough. Background investigations pending.

- 5172** **Alaska Legends Kenai River Lodge:** Clark & Paula Shen; Kenai Peninsula Borough
37288 Legends Circle
New - Lodge

All statutory requirements have been met. Kenai Peninsula Borough does not protest. Pending Dept. of Environmental Conservation approval. Background investigations complete.

- 115** **Big D Bar:** Martin Sobers; Outside City Limits – Unorganized Borough
Mile 274.5 Richardson Hwy.
Transfer – Beverage Dispensary
From Robert Tobey

All statutory requirements have been met. Dept. of Revenue approves. Pending Dept. of Labor approval. Background investigations complete.

3769 Big D Bar: Martin Sobers; Outside City Limits – Unorganized Borough

Mile 274.5 Richardson Hwy.

Transfer – Package Store

From Robert Tobey

All statutory requirements have been met. Dept. of Revenue approves. Pending Dept. of Labor approval. Background investigations complete.

5183 Black Bear Coffee House: Black Bear Coffee House, LLC; Denali Borough

Mile 238.5 Parks Hwy.

New – Restaurant Eating Place

All statutory requirements have been met. Dept. of Environmental Conservation approves. Pending no protest from Denali Borough and State Fire Marshall’s Office approval. Background investigations complete.

828 No DBA: Jack D. Tripp; City of Juneau

No Premises

Transfer – Package Store

Ownership & location transfer from – Papadrew, Inc., 11957 Glacier Highway

All statutory requirements have been met. Dept. of Revenue approves. Pending no protest from City of Juneau & Dept. of Labor approval. Background investigations complete.

5167 ROJ Distillery: Robert W. Jobson, Jr. & Olga V. Jobson; Mat-Su Borough

15721 E Sam’s Circle

New - Distillery

All statutory requirements have been met. Mat-Su Borough does not protest. Pending approval of State Fire Marshall’s Office. Background investigations complete.

3487 Salchaket Roadhouse: Thompson Ventures, LLC; Fairbanks North Star Borough

9162 Richardson Hwy.

Transfer – Package Store

Stock Transfer from Gloria Thompson to Denise Thompson

All statutory requirements have been met. Dept. of Revenue & Labor approve. Pending no protest from Fairbanks North Star Borough. Background investigation complete.

3406 Salchaket Roadhouse: Thompson Ventures, LLC; Fairbanks North Star Borough
9162 Richardson Hwy.

Transfer – Restaurant Eating Place

Stock Transfer from Gloria Thompson to Denise Thompson

All statutory requirements have been met. Dept. of Revenue approves. Pending no protest from Fairbanks North Star Borough and Dept. of Labor approval. Background investigation complete.

4190 Seoul Tofu House: Mingzhe Zheng; Municipality of Anchorage
515 W Fireweed Lane

Transfer – Restaurant Eating Place

From Kyung Y. Lee

All statutory requirements have been met. Dept. of Revenue approves. Pending Municipality of Anchorage no protest and Dept. of Labor approval.

4862 Southern Wine & Spirits of Alaska: Southern-Odom Wine & Spirits of Alaska, LLC,
City of Fairbanks

3101 Peger Road

Transfer - Wholesale

New parent company – Southern Wine & Spirits of the Pacific Northwest, Inc.

All statutory requirements have been met. Dept. of Revenue approves. Pending no protest from City of Fairbanks & Dept. of Labor approval. Background investigations complete.

4861 Southern Wine & Spirits of Alaska: Southern-Odom Wine & Spirits of Alaska, LLC,
Municipality of Anchorage

1800 Ship Ave., Bay 2

Transfer - Wholesale

New parent company – Southern Wine & Spirits of the Pacific Northwest, Inc.

All statutory requirements have been met. Municipality of Anchorage does not protest. Dept. of Revenue approves. Pending Dept. of Labor approval. Background investigations complete.

4860 Southern Wine & Spirits of Alaska: Southern-Odom Wine & Spirits of Alaska, LLC,
Kodiak Island Borough
5152 Tom Stiles Road, Bldg. B

Transfer - Wholesale

New parent company – Southern Wine & Spirits of the Pacific Northwest, Inc.

All statutory requirements have been met. Dept. of Revenue approves. Pending no protest from Kodiak Island Borough and Dept. of Labor approval. Background investigations complete.

4859 Southern Wine & Spirits of Alaska: Southern-Odom Wine & Spirits of Alaska, LLC,
City of Juneau
5452 Shaune Drive

Transfer - Wholesale

New parent company – Southern Wine & Spirits of the Pacific Northwest, Inc.

All statutory requirements have been met. City of Juneau does not protest. Dept. of Revenue approves. Pending Dept. of Labor approval. Background investigations complete.

4858 Southern Wine & Spirits of Alaska: Southern-Odom Wine & Spirits of Alaska, LLC,
City of Fairbanks
1200 Wells Street

Transfer - Wholesale

New parent company – Southern Wine & Spirits of the Pacific Northwest, Inc.

All statutory requirements have been met. Dept. of Revenue approves. Pending City of Fairbanks no protest and Dept. of Labor approval. Background investigations complete.

3576 Thai Village Restaurant: Pakornphum Ltd. USA; Municipality of Anchorage
954 Muldoon Road

Transfer – Restaurant Eating Place

Stock transfer

All statutory requirements have been met. Municipality of Anchorage does not protest. Dept. of Revenue approves. Pending Dept. of Labor approval. Background investigations complete.

1075 The Outpost Liquor Door: Ralph Collins; City of Whittier
Whittier Harbor
Transfer – Package Store
Location change from Lot 14-16 Whittier Triangle

All statutory requirements have been met. City of Whittier does not protest. Pending State Fire Marshall's approval.

828 Tripp's Viking Liquor: Jack D. Tripp; City of Juneau
151 S Franklin
Transfer – Package Store
DBA & location change from No DBA & No premises

All statutory requirements have been met. Pending no protest from City of Juneau. Background investigations complete.

Ellen Ganley **motions to approve**
Marvin Yoder **second the motion**

Roll call vote 3:47:10 PM
5-0 approved

END OF DELEGATED CONSENT AGENDA

● **NOTICE OF VIOLATION**

A. Notices of Violation Issued and Licensee Responses

TAB 21

● **NEXT ABC BOARD MEETING – Tuesday, December 4, 2012**
Anchorage

Minutes reviewed & approved by:

Shirley A. Coté, Director _____

Christine C. Lambert, Records & Licensing Supervisor _____