

State of Alaska
Alcoholic Beverage Control Board
Meeting Minutes
February 11, 2015
Juneau, Alaska

*Meeting minutes are twelve minutes fast.

Board Members Present:

Bob Klein, Chair
Ellen Ganley, Vice Chair
Ethan Billings, Member
Marvin Yoder, Member
Bobby Evans, Member

Staff Members Present:

Cynthia Franklin, Director
Sarah Oates, Records & Licensing Supervisor
Robert Beasley, Enforcement Supervisor

ABC Board Counsel Present:

Harriet Milks, Assistant Attorney General

● **DIRECTOR BRIEFING**

A. Director's Report

[11:16:50 AM](#)

[TAB 1](#)

● **ADMINISTRATION**

Call to Order

[11:26:10 AM](#)

Nominations for Chair and Vice Chair

[11:27:35 AM](#)

Marvin Yoder **nominates Bob Klein as Chair.**

Bobby Evans **nominates Ellen Ganley as Vice Chair.**

Motion carries.

Approved 5-0

Ethan not retained by Governor.

A. Approve minutes of the December 1-2, 2014 Board Meeting

[11:29:22 AM](#)

[TAB 2](#)

Ellen Ganley **motions to approve the minutes.**

Ethan Billings **seconds the motion.**

Motion carries.

Approved 5-0

● **PUBLIC TESTIMONY** [11:29:48 AM](#)

- A. Period of time for public testimony on alcohol issues not on this agenda. Please phone 1-800-315-6338 code 69173#.

● **BOARD CONSIDERATION**

- A. Recommend Investigator Robert Beasley to Carry Firearm [12:00:55 PM](#) TAB 3

Ellen Ganley **motions to approve.**
Bobby Evans **seconds the motion.**
Motion carries.
Approved 5-0

- B. **5146 Eagle Hotel Restaurant & Lounge:** Eagle Hotel, LLC [12:04:33 PM](#) TAB 4
918 S Colony Way; Palmer
License: Beverage Dispensary – Tourism

No Response to NOV

No Action (Licensee will submit written response to Viking Drive).

- B. **484 Gwin’s Lodge / Gwin’s Roadhouse:** Gwin’s Resorts, LLC [12:24:54 PM](#) TAB 5
14865 Sterling Highway; Kenai Peninsula Borough
License: Beverage Dispensary
From: Gwin’s Lodge, Inc. DBA Gwin’s Lodge; No Premises

Consideration of License Transfer

Marvin Yoder **motions to approve with delegation.**
Ethan Billings **seconds the motion.**
Motion carries.
Approved 5-0

- C. **897 The Place Bar & Motel:** John R. Young [12:27:56 PM](#) TAB 6
53791 Sparrow Lane; Kenai Peninsula Borough
License: Beverage Dispensary – Tourism

Extension Request for License Transfer

Marvin Yoder **motions to grant six-month extension.**
Ethan Billings **seconds the motion.**
Motion carries.
Approved 5-0

● **ACTION ON LICENSEE CONVICTION/VIOLATION**

A. Prior Licensee Sanctions TAB 7

B. **1295 4 Royle Parkers:** Taek Young & Hee Hwan Lee [12:40:40 PM](#) TAB 8
36185 Kenai Spur Highway; Kenai Peninsula Borough
License: Package Store

Violation: Give/Sell Alcohol to Drunken Person

Marvin Yoder **motions to table discussion.**

Bobby Evans **motions to suspend license for 30 days with 23 days suspended, with the condition that there are no new violations for one year.**

Marvin Yoder **seconds the motion.**

Motion carries.

Approved 4-1 (Bob Klein votes No)

C. **3772 Circle M Bar:** DEL, Inc. [1:02:14 PM](#) TAB 9
1323 Old Richardson Highway; Fairbanks North Star Borough
License: Beverage Dispensary

Violation: Furnishing to Persons Under 21

Plea/Conviction: Disorderly Conduct

Bobby Evans **motions to suspend license for 45 days with 38 days suspended and a \$500 fine, with the condition that there are no new violations for one year.**

Ellen Ganley **seconds the motion.**

Motion carries.

Approved 3-2 (Ethan Billings & Marvin Yoder vote No)

● **BEVERAGE DISPENSARY – TOURISM LICENSES** [11:49:38 AM](#) TAB 10

Marvin Yoder **motions to approve all licenses with delegation.**

Ethan Billings **seconds the motion.**

Motion carries.

Approved 5-0

5371 Cannery Bay Restaurant: Ocean Shores, Inc.; Homer
451 Sterling Highway
New: Beverage Dispensary – Tourism

All statutory requirements have been met. Department of Environmental Conservation approves. Pending City of Homer and State Fire Marshal.
Background investigations pending.

4945 Last Call Tavern: Alaska’s Two Sisters Holdings, LLC; Denali Borough
Mile Post 136 Denali Highway (Cantwell)
Transfer: Beverage Dispensary – Tourism
From: Longhorn Liquor, Inc. DBA Cantwell Lodge & Longhorn Saloon

All statutory requirements have been met. Department of Labor approves.
Pending Denali Borough and Department of Revenue. Background investigations complete.

207 Tustumena Lodge: Fish ‘N Hole Lodge, LLC; Kenai Peninsula Borough
58840 Sterling Highway (Kasilof)
Transfer: Beverage Dispensary – Tourism
From: Susan V. Cook

All statutory requirements have been met. Departments of Labor & Revenue approve.
Pending Kenai Peninsula Borough. Background investigations pending.

● **PROTESTS** [1:31:31 PM](#) TAB 11

5361 Terra Bella Bakery Cafe: Terra Bella, Inc.; Anchorage
601 E Dimond Blvd #6
New: Restaurant / Eating Place

All statutory requirements have been met. Background investigations complete.
Municipality of Anchorage protests pending administrative site plan review approved by the Planning Department.

Ellen Ganely **motions to uphold the protest and delegate issuing authority to the Director.**
Marvin Yoder **seconds the motion.**
Motion carries.
Approved 5-0

● **OBJECTIONS** TAB 12

4930 El Dorado: Mariella Valencia; Anchorage [1:33:24 PM](#)
4300 Old Seward Highway, Ste D1
Transfer: Restaurant / Eating Place
From: Tarascos, LLC

All statutory requirements have been met. Department of Revenue approves.
Pending Municipality of Anchorage. Background investigations pending.
Department of Labor objects.

Bobby Evans **motions to approve with delegation.**
Ethan Billings **seconds the motion.**
Motion carries.
Approved 5-0

5247 Tequila Kitchen Express: Serranos, LLC; Anchorage
2514 E Tudor Road
Transfer: Restaurant / Eating Place
From: Tequila Kitchen Express, LLC

[1:34:11 PM](#)

All statutory requirements have been met. Department of Revenue approves.
Pending Municipality of Anchorage. Background investigations complete.
Department of Labor objects.

Bobby Evans **motions to approve with delegation.**
Ethan Billings **seconds the motion.**
Motion carries.
Approved 5-0

● **RENEWAL PROTESTS**

A. 4251 Settler's Bay Golf Course: Settler's Bay Golf Course, LLC
7307 S Frontier Drive; Mat-Su Borough
License: Golf Course

[1:20:21 PM](#)

[TAB 13](#)

Protest: MSB Tobacco Tax License expired.

Sarah Oates informs Board that protest has been lifted.
No Action.

● **PROTESTS OF CONTINUED OPERATION**

A. 4192 Seong's Sushi Bar & Chinese Takeout: Seong S. Kim
740 W 9th Street; Juneau
License: Restaurant / Eating Place

[1:20:47 PM](#)

[TAB 14](#)

Protest: Delinquent taxes owed; unfiled sales tax returns.

Marvin Yoder **motions to uphold the protest.**
Ellen Ganley **seconds the motion.**
Motion carries.
Approved 5-0

Bob Klein **clarifies that the Board is delegating the authority to the Director to cease operation of the license until the protest has been lifted.**

Ellen Ganley **motions to approve all licenses.**

Bobby Evans **seconds the motion.**

Motion carries.

Approved 5-0

4345 Blue Ginger Cafe: Shine's Sushi Restaurant, LLC; Anchorage

11401 Old Glenn Highway, Ste 103

Stock Transfer: Restaurant / Eating Place

From: Min Hui Zheng and Shi Wu Huang (100%) to Zhi Hao Zhang

All statutory requirements have been met. Municipality of Anchorage does not protest. Departments of Labor and Revenue approve. Background investigations complete. Temporary has been issued.

3639 Carnival Legend: Carnival Corporation

Alaskan Waters

Transfer: Common Carrier

From: Carnival Miracle, M/V (different vessel)

All statutory requirements have been met. Background investigations complete.

5359 Cynosure Brewing: Clapp Liquid Industries, LLC; Anchorage

144 E Potter Drive

New: Brewery

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

565 Ivory Jacks: Ivory Jacks, LLC; Fairbanks North Star Borough

2581 Goldstream Road

Transfer: Beverage Dispensary

From: JoAnne E. Ellsworth

All statutory requirements have been met. Fairbanks North Star Borough does not protest. Departments of Labor and Revenue approve. Background investigations complete.

4591 ms Noordam: Holland America Line N.V., LLC

Alaskan Waters

Transfer: Common Carrier

From: ms Zuiderdam (different vessel)

All statutory requirements have been met. Background investigations complete.

5300 Orca Song, M/V: Seward Wildlife Cruises, LLC
Alaskan Waters
New: Common Carrier

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

5373 Ruby Princess: Princess Cruise Lines, Ltd.
Alaskan Waters
New: Common Carrier

All statutory requirements have been met. Background investigations complete.

5357 Sourdough Mining Company: Sourdough Mining Co., an AK Restaurant, Inc.; Anchorage
5200 Juneau Street
New: Restaurant / Eating Place

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

5358 The Perfect Cup – Family Bistro: The Perfect Cup Plus, LLC; Anchorage
800 E Dimond Blvd #204
New: Restaurant / Eating Place

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

END OF CONSENT AGENDA

● **DELEGATED CONSENT AGENDA**

[11:53:01 AM](#)

TAB 16

Marvin Yoder **motions to approve all licenses with delegation.**
Ellen Ganley **seconds the motion.**
Motion carries.
Approved 5-0

5365 Icy Strait Brewing Company: Icy Strait Brewing Company, LLC; Hoonah
155 Front Street
New: Brewery

All statutory requirements have been met. Department of Environmental Conservation
approves. Pending City of Hoonah and State Fire Marshal.
Background investigations complete.

5033 Jimmy Sushi: Jimmy Restaurant, Inc.; Anchorage
301 E Dimond Blvd
Transfer: Restaurant / Eating Place
From: Jimmy Zhou

All statutory requirements have been met. Department of Labor approves.
Pending Municipality of Anchorage and Department of Revenue.
Background investigations complete.

4345 Jimmy Sushi Restaurant: Shine's Sushi Restaurant, LLC; Anchorage
11401 Old Glenn Highway, Ste 103
Stock Transfer: Restaurant / Eating Place
From: Zhi Hao Zhang (100%) to JianRong Ke

All statutory requirements have been met. Department of Revenue approves.
Pending Municipality of Anchorage and Department of Labor.
Background investigations pending.

5368 La Baleine Cafe: Within the Wild Adventure Company; Homer
4460 Homer Spit Road
New: Restaurant / Eating Place – Public Convenience

All statutory requirements have been met. Department of Environmental Conservation approves. Pending City of Homer and State Fire Marshal.
Background investigations pending.

645 Land's End: Land's End Acquisition Corporation; Homer
4786 Homer Spit Road
Stock Transfer: Beverage Dispensary
From: Jonathan and Sara Faulkner (51.7%) to the Jonathan and Sara Faulkner Living Trust

All statutory requirements have been met. Department of Revenue approves.
Pending City of Homer and Department of Labor. Background investigations complete.

4369 Majestic Valley Lodge: Majestic Valley Wilderness Lodge, LLC; Mat-Su Borough
16162 W Glenn Highway (Sutton)
Transfer: Restaurant / Eating Place
From: Jodi Lynn Talcott & Hilda Cordean Talcott DBA Majestic Valley Wilderness Lodge

All statutory requirements have been met. Matanuska-Susitna Borough does not protest.
Department of Revenue approves. Pending Department of Labor.
Background investigations complete.

698 Marine Bar: Hungry Beaver, Inc.; Wrangell
640 Shakes Street
Transfer: Beverage Dispensary
From: Beaver Connection, Inc.

All statutory requirements have been met. City & Borough of Wrangell does not protest.
Department of Labor approves. Pending Department of Revenue.
Background investigations complete.

701 Marine Liquor Store: Hungry Beaver, Inc.; Wrangell
640 Shakes Street
Transfer: Package Store
From: Beaver Connection, Inc.

All statutory requirements have been met. City & Borough of Wrangell does not protest.
Department of Labor approves. Pending Department of Revenue.
Background investigations complete.

806 Office Cocktail Lounge: PGM Investments, LLC; Anchorage
545 E Northern Lights Blvd
Transfer: Beverage Dispensary
From: KDAJ Investment Group, Inc.

All statutory requirements have been met. Departments of Labor and Revenue approve.
Pending Municipality of Anchorage. Background investigations complete.

5366 Sea Wolf: Sea Wolf Adventures, Inc.
Alaskan Waters
New: Common Carrier

All statutory requirements have been met. Background investigations pending.

4923 South Restaurant + Coffee House: South Restaurant and Café, LLC; Anchorage
11124 Old Seward Highway, Ste A
Transfer: Beverage Dispensary
From: JL-LL Holding, LLC DBA JL-LL Holding; No Premises

All statutory requirements have been met. Department of Labor approves.
Pending Municipality of Anchorage and Department of Revenue.
Background investigations pending.

2097 Tap Root: TR2, Inc.; Anchorage
3300 Spenard Road
Transfer: Beverage Dispensary
From: Tap Root Alaska, Inc.

All statutory requirements have been met. Department of Labor approves.
Pending Municipality of Anchorage and Department of Revenue.
Background investigations pending.

5369 The Cannery Lodge: The Cannery Lodge, LLC; Kenai
2101 Bowpicker Lane, Unit 13
New: Lodge

All statutory requirements have been met. Department of Environmental Conservation approves. Pending City of Kenai. Background investigations pending.

89 The Liquor Well: The Liquor Well, Inc.; Fairbanks North Star Borough
771 Badger Road
Transfer: Package Store
From: McPeak, Inc. DBA McPeak's Badger Store

All statutory requirements have been met. Departments of Labor & Revenue approve.
Pending Fairbanks North Star Borough. Background investigations pending.

5181 Ursa Major Distilling: Big Bear Enterprises, LLC; Fairbanks North Star Borough
2922 Parks Highway
Transfer: Distillery
From: Robert Borland; 3738 Mariposa Lane

All statutory requirements have been met. Department of Revenue approves.
Pending Fairbanks North Star Borough, State Fire Marshal, and Departments of Environmental Conservation and Labor. Background investigations complete.

5362 West Berlin Restaurant: William Hoopai; Anchorage
4133 Mountain View Drive
New: Restaurant / Eating Place

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

- 5363 Winterlake Lodge:** Within the Wild Adventure Company; Mat-Su Borough
North Shore Finger Lake (45 miles from Skwentna)
New: Lodge

All statutory requirements have been met. Matanuska-Susitna Borough does not protest. Department of Environmental Conservation approves. Pending State Fire Marshal. Background investigations pending.

END OF DELEGATED CONSENT AGENDA

● **FIRST & SECOND WAIVERS** [11:57:00 AM](#) **TAB 17**

Marvin Yoder **motions to approve all waivers.**
Bobby Evans **seconds the motion.**
Motion carries.
Approved 5-0

- 416 2Go Tesoro:** Tesoro Northstore Company; Mat-Su Borough
3600 E Palmer-Wasilla Highway
License: Package Store
First Waiver

- 1294 Big John's:** Irini, Inc.; Kenai Peninsula Borough
No Premises
License: Package Store
First Waiver

- 1198 Brown Jug:** Liquor Stores USA North, Inc.; Anchorage
No Premises
License: Package Store
First Waiver

- 1488 Cache Creek Lodge:** Cache Creek Lodge, LLC; Mat-Su Borough
Mile 114.8 Parks Highway
License: Beverage Dispensary – Tourism
Second Waiver

- 301 Del Rois Bar & Liquor:** Del Rois Bar, Inc.; Mat-Su Borough
Mile 39.5 Old Palmer Highway
License: Beverage Dispensary
First Waiver

- 302 Del Rois Bar & Liquor:** Del Rois Package Store, Inc.; Mat-Su Borough
Mile 39.5 Old Palmer Highway
License: Package Store
First Waiver

- 622 Kalsin Bay Inn:** Wayne L. Sargent; Kodiak Island Borough
Mile 29 Chiniak Highway
License: Package Store
First Waiver
- 4377 New Party Time Liquors:** New Party Time Liquors, Inc.; Anchorage
No Premises
License: Package Store
First Waiver
- 534 No DBA:** Burkeshore Marina Enterprises, LLC; Houston
No Premises
License: Package Store
First Waiver
- 4530 Regency Fairbanks Hotel:** Pacific Rim Associates I, Inc.; Fairbanks
1288 Sadler Way
License: Beverage Dispensary
First Waiver
- 3268 Salty Sals Liquor Cabinet:** House of Liquors, Inc.; Sitka
No Premises
License: Package Store
First Waiver
- 4686 Sicily's Pizza:** AGG Investments, Inc.; Mat-Su Borough
259 S McCallister Drive
License: Beverage Dispensary
Second Waiver
- 410 The Forks Reborn:** The Forks Reborn, LLC; Mat-Su Borough
No Premises
License: Beverage Dispensary
First Waiver
- 5261 The Rack:** Paul & Mikki's, Inc.; Dillingham
3310 Nina Way
License: Restaurant / Eating Place
First Waiver
- 207 Tustumena Lodge:** Susan V. Cook; Kenai Peninsula Borough
58840 Sterling Highway (Kasilof)
License: Beverage Dispensary – Tourism
First Waiver

1244 Woodshed: Woodshed, LLC; Anchorage
535 West 3rd Avenue
License: Beverage Dispensary
First Waiver

● **THIRD WAIVERS**

[1:28:36 PM](#)

TAB 18

5170 La Bodega: Isles, Inc.; Anchorage
1200 W Northern Lights Blvd, Ste F
License: Beverage Dispensary

Ellen Ganley **motions to grant waiver with a warning that no 4th waiver will be granted.**

Marvin Yoder **seconds the motion.**

Motion carries.

Approved 5-0

● **FOURTH WAIVERS**

[12:09:14 PM](#)

TAB 19

484 Gwin's Lodge: Gwin's Lodge, Inc.; Kenai Peninsula Borough
No Premises
License: Beverage Dispensary

Marvin Yoder **motions to approve waiver.**

Bobby Evans **suggests changes.**

Marvin Yoder **amends motion to grant waiver with the condition that closing of the license sale happens within 30 days.**

Ellen Ganley **seconds the motion.**

Motion carries.

Approved 5-0

● **NOTICES OF VIOLATION**

A. Notices of Violation Issued and Licensee Responses

[1:35:37 PM](#)

TAB 20

● **TITLE 04 STATUTE REVIEW UPDATE**

[1:55:11 PM](#)

Adjourned for the day

[2:20:18 PM](#)

**State of Alaska
Alcoholic Beverage Control Board
Meeting Minutes
February 12, 2015
Juneau, Alaska**

*Meeting minutes are twelve minutes fast.

Call to Order

[9:14:31 AM](#)

Board Members Present:

Bob Klein, Chair
Ellen Ganley, Vice Chair
Ethan Billings, Member
Marvin Yoder, Member
Bobby Evans, Member

Staff Members Present:

Cynthia Franklin, Director
Sarah Oates, Records & Licensing Supervisor
Robert Beasley, Enforcement Supervisor

ABC Board Counsel Present:

Harriet Milks, Assistant Attorney General

● **MARIJUANA PRESENTATIONS & DISCUSSION**

Sarah Oates & Bob Beasley Present Colorado Trip 21.1

[9:15:46 AM](#)

Cynthia Franklin Presentation (Cindy's Memo) 21.2

[10:11:05 AM](#)

21.3 Preliminary Consideration for Implementation of AS 17.38

[10:28:10 AM](#)

Discussion about what needs to happen February 24, 2015

[11:31:44 AM](#)

Chair calls emergency meeting February 24, 2015 at 7:00am
via teleconference

[11:36:27 AM](#)

Budget Discussion

[11:38:41 AM](#)

Regulation Process Discussion

[11:43:51 AM](#)

● **NEXT ABC BOARD MEETING**
April 29-30, 2015 in Anchorage


[11:49:26 AM](#)

Adjourned

[11:51:17 AM](#)

Minutes reviewed and approved by:

Cynthia A. Franklin, Director



Date: 02/13/15

Sarah D. Oates, Records & Licensing Supervisor



Date: 02/12/15