



**Alcoholic Beverage Control Board
Meeting Minutes
April 26, 2016
Third Judicial District
3601 C Street, Suite 880
Anchorage, Alaska**

*Meeting minutes are 33 minutes fast

Board Members Present:

- Bob Klein, Chair, Industry Member (telephonic)
- Ellen Ganley, Vice Chair, Public Member (telephonic)
- Marvin Yoder, Public Member
- Bobby Evans, Rural Member (telephonic)
- Thomas Manning, Industry Member (telephonic)

Staff Members Present:

- Cynthia Franklin, Director
- Sarah Oates, Records & Licensing Supervisor

Legal Counsel Present:

- Harriet Milks, Assistant Attorney General (telephonic)

Call to Order

[9:49:13 AM](#)

● **DIRECTOR BRIEFING**

- A. Director's Report

[9:50:36 AM](#) **TAB 1**

● **ADMINISTRATION**

Discussion regarding when Marvin Yoder's seat will be vacated due to the passing of SB 165 requiring a public safety member.

[9:56:14 AM](#)

Bob Klein discloses that he has a license application coming before the board at this meeting.

[9:58:05 AM](#)

- A. **Approve Minutes of the February 10, 2016 Board Meeting**
Marvin Yoder motions to approve the minutes.

[9:58:47 AM](#) **TAB 2**

Ellen Ganley seconds the motion.
Motion carries unanimously.

● **PUBLIC TESTIMONY**

**A. Period of time for public testimony on issues not on this agenda. [9:59:30 AM](#)
Please phone 1-800-315-6338 code 69173#.**

Dave Coleman asks Director Franklin if the handouts that he mailed were provided to the board.

Director Franklin informs the board that a transfer application was filed, but the board had received a court injunction prohibiting transfer of the license. A court order for the transfer of the license was later received. Director Franklin did not bring the application to the board because a stock transfer occurred, prior to the ownership transfer being approved, without a transfer application being filed with the ABC Board.

Dave Coleman provides additional testimony regarding his application and the court orders.

Harriet Milks informs the board that the grocery store can still operate without the liquor license, and discusses the court order with the board.

Bob Groseclose, Attorney for Dave Coleman, provides testimony regarding the settlement agreement, court orders, and application.

Harriet Milks informs the board that Mr. Coleman does not have the authority to receive this license at this time. The settlement agreement needs to be completed and proper documentation needs to be provided to staff before the license can be transferred to him.

Cynthia Franklin informs the board that the representation that the board has received the necessary documentation to transfer the license is incorrect.

Bob Klein states that the board cannot decide on this today, but that the attorneys and the director need to sit down and decide what documentation is needed to proceed.

Robert Ferguson requests that #493 DBA Ninilchik Trading be [10:43:40 AM](#)
pulled from the consent agenda and be reviewed independently, as a member of the public wishes to provide testimony regarding the application.
Bob Klein agrees to review the application independently.

● **REGULATIONS**

[10:30:05 AM](#)

Marvin Yoder motions to send all six draft regulations out for public comment.

Tom Manning seconds the motion.

Motion carries unanimously.

- | | |
|---|---------------------|
| A. Alcohol Server Education for Permittees | <u>TAB 3</u> |
| B. Common Carrier | <u>TAB 4</u> |
| C. Distillery | <u>TAB 5</u> |

- D. **Management Agreements** TAB 6
- E. **Alternating Premises** TAB 7
- F. **Restaurant Designation Permit** TAB 8

● **BOARD CONSIDERATION**

- A. **Recommend Investigator Kendrick Whiteman to carry firearm** [10:53:52 AM](#) TAB 9

Ellen Ganley motions to approve with delegation, pending written concurrence from the Commissioner of the Department of Public Safety.

Tom Manning seconds the motion.

Motion carries unanimously.

- B. **Recommend Investigator Amanda Bean to carry firearm** [10:56:16 AM](#) TAB 10

Marvin Yoder motions to approve with delegation, pending written concurrence from the Commissioner of the Department of Public Safety.

Tom Manning seconds the motion.

James Hoelscher informs the board that Investigator Bean has received police training.

Motion carries unanimously.

- C. **Discussion of Policies** [10:58:11 AM](#) TAB 11

- 1. **Permits Directive**

No objection from the board.

- 2. **Premises Certification for Dedesignation**

No objection from the board.

- 3. **Permits at Manufacturing Licensed Premises**

Cynthia Franklin states for the record that each application will continue to be considered on a case-by-case basis, but that when more than one per month is applied for, there will be additional inquiry and possible denial if the permits are being used to operate a manufacturing facility like a bar.

Marvin Yoder, Bob Klein, and Bobby Evans voice support.

- 4. **Wholesale Licenses in Storage Units**

James Hoelscher provides additional testimony regarding difficulty of inspections.

Bob Klein and Marvin Yoder voice support.

- 5. **Cross-Marketing of Alcohol and Marijuana**

No objection from the board.

- 6. **Determining Population Criteria**

- 7. **Delegation Drawer Update**

Bob Klein leaves the meeting and passes the gavel to Marvin Yoder. [11:38:59 AM](#)

BREAK [11:39:10 AM](#)

D. 5367 AK Alchemist: AK Alchemist, LLC [11:47:55 AM](#) **TAB 12**
103 East 4th Avenue; Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Background investigations: Complete

Municipality of Anchorage waived the right to protest, with conditions.

Dan Coffey, Attorney for AK Alchemist, LLC, submits a memo with an exhibit and provides testimony. Adam Blomfield, shareholder of AK Alchemist, LLC, is present.

Harriet Milks states that the board needs to determine if the conditions are arbitrary, capricious, and unreasonable, and if they aren't, then the board needs to issue the license with the conditions.

Dan Coffey requests that the board to approve this license with delegation until the construction is complete and allow the applicant to go back to the Municipal Assembly to resolve the issues.

Todd Sherwood, Municipal Attorney, provides testimony stating that the letter from the Municipal Clerk's Office that stated that the protest was lifted was sent in error, as the Assembly Resolution did not give the staff the authority to do so.

Harriet Milks states that she believes that approval with delegation is the way to go.

Tom Manning motions to approve with delegation

Ellen Ganley seconds the motion

Motion carries unanimously (4-0)

E. 3195 Blue Loon: Adam Wool [12:15:22 PM](#) **TAB 13**
2999 Parks Highway; Fairbanks North Star Borough
License: Beverage Dispensary

Consideration of Restaurant Designation Permit

James Hoelscher provides testimony, recommending that the RDP for license #3195 be approved with the following restrictions: item 4 be approved in the kitchen area only, and items 2 and 3 be denied, and that an RDP for duplicate license #4834 be denied.

Richard Finney provides testimony, agreeing to Mr. Hoelscher's testimony and adding that across the street from the Blue Loon parking lot is a halfway house. He states that the establishment is known as a bar, and that it is likely that persons under the age of 21 would come to and remain on the premises for purposes other than dining, in violation of 3 AAC 304.725(a)(3).

Adam Wool provides testimony, mentioning types of events that he holds on his premises and access to the balcony, reading written letters of support from former Fairbanks North Star Borough (FNSB) Mayor, Luke Hopkins, and current FNSB Mayor, Karl Kassel (submitted at the meeting), and reading 3 AAC 304.725(d).

Ellen Ganley states that as a resident of Fairbanks, she knows the Blue Loon as both a bar and as a place to go watch movies, and she's intrigued by the FNSB mayors' letters of support.

Bobby Evans states that this is another example of the board trying to stretch the rules to accommodate one person, and that he is not in favor of it.

Tom Manning motions to grant designation with the delegation that both the physical and staffing of this premises during events be designed and approved by staff.

Ellen Ganley seconds the motion

Motion carries, 3-1 (Bobby Evans votes No)

Sarah Oates clarifies that the only application submitted was for license #3195.

Cynthia Franklin and James Hoelscher clarify that the balcony is included in the licensed premises for #4834.

Tom Manning amends his motion to exclude item #2

Ellen Ganley seconds the motion

Harriet Milks suggests that this be broken down into the different licensed premises.

Cynthia Franklin requests that the board start with the RDP for license #3195.

Marvin Yoder rules the amendment out of order.

Tom Manning motions to reconsider the original motion.

Bobby Evans seconds the motion

Ellen Ganley motions to designate license #3195 as a bona fide restaurant.

Tom Manning seconds the motion

Motion carries, 3-1 (Bobby Evans votes No)

Marvin Yoder asks if anyone wishes to entertain a motion to designate #4384 as a bona fide restaurant.

No motion

Marvin Yoder asks if anyone wishes to entertain a motion to add any other items to the RDP for license #3195.

Bobby Evans motions to include the staff recommendation to add item #4.

No second

BRIEF RECESS

Bobby Evans motions to include item #4 as recommended by staff [1:25:02 PM](#)

Tom Manning seconds the motion

Motion carries unanimously

Marvin Yoder asks if anyone wishes to entertain a motion to add item #2

No motion

Ellen Ganley motions to approve item #3

Tom Manning seconds the motion

Motion carries, 3-1 (Bobby Evans votes No)

BREAK

[1:28:24 PM](#)

- F. 2973 Pangea Restaurant and Lounge:** Eureka Services, Inc.
508 West 6th Avenue; Anchorage
License: Beverage Dispensary

[1:49:57 PM](#)

TAB 14

Fraudulent Renewal Application

Rob Corbisier, Attorney for Eureka Services, Inc., provides testimony.
Abraham Gallo testifies that his restaurant has only been open for a few months.

Tom Manning motions to deny the renewal because it was not properly filed.
Ellen Ganley seconds the motion.
Motion carries unanimously.
Marvin Yoder confirms the board decision means that operation of the license must cease immediately.

- G. 1. 5426 Skagway Spirits:** Skagway Spirits, LLC [2:14:58 PM](#) [TAB 15](#)
9th and Alaska Street; Skagway
License: Distillery

**Previously delegated new license application update:
State Fire Marshal and Department of Environmental Conservation
approvals received. Awaiting DOR Surety Bond and TTB Permit.**

Cynthia Franklin provides an update on the status of this license: the license is ready to be issued once proof of an approved TTB permit has been received.

Tom Manning motions to continue delegation to the director for this license
Ellen Ganley seconds the motion
Motion carries unanimously

- 2. 5460 Alaska Stillman:** Alaska Stillman, LLC [2:18:59 PM](#)
3 Liarsville Road; Skagway
License: Distillery

New license application. Exceeds population limits.
Background Investigations: Complete
**Municipality & Borough of Skagway waived their right to protest, with condition.
State Fire Marshal and Department of Environmental Conservation object.**

Cynthia Franklin informs the board that this is not considered a competing application, and she has informed the applicant for this license of the procedures under AS 04.11.400(a).
Joel Probost, applicant, provides testimony, and asks the board to table this decision until the next meeting.

Tom Manning motions to table the decision of this license until the July meeting
Bobby Evans seconds the motion
Motion carries unanimously (3-0, Ellen Ganley not present)

- H. 851 The Broiler:** Rodfather's, LLC [2:27:45 PM](#) [TAB 16](#)
9109 Mendenhall Mall Road; Juneau
License: Restaurant/Eating Place

**Renewal license application.
City & Borough of Juneau waived the right to protest, with condition.**

Cynthia Franklin requests that the board table discussion until the July meeting in order for the staff to meet the notice requirements of AS 04.11.480(c).

Tom Manning motions to table the decision of this license until the July meeting
Bobby Evans seconds the motion
Motion carries unanimously

● **EXTENSION REQUESTS**

- A. 5120 Alaska Wine Guy:** AWG, Inc. [2:31:22 PM](#) TAB 17
3700 Old Seward Highway #5; Anchorage
License: Package Store

Extension Request for License Transfer.

Tom Manning motions to approve the extension until December, 2016
Ellen Ganley seconds the motion
Motion carries unanimously

- B. 1804 Yukon Inn:** Marlene R Marshall [2:33:06 PM](#) TAB 18
Riverside Drive; Galena
License: Beverage Dispensary

Extension Request for License Transfer.

Danielle Gardner, Attorney for Josephine Malemute, informs the board that the transfer paperwork has been mailed to the office.

Tom Manning motions to approve the extension until the July meeting
Ellen Ganley seconds the motion
Motion carries unanimously

● **REINSTATEMENT AND RENEWAL REQUESTS**

- A. 4234 Isanotski Liquors:** Isanotski Liquors, Inc. [2:35:13 PM](#) TAB 19
185 Unimak Drive; Aleutians East Borough
License: Package Store

Kim Smith, President of Isanotski Liquors tells the board that they've provided everything in writing.

Tom Manning motions to reinstate due to good cause for being late
Ellen Ganley seconds the motion
Motion carries unanimously

B. 1080 Sportsmen's Paradise: Douglas R & Judy Frederick
Mile 28.5 Nabesna Road; Outside / Unorganized
License: Package Store

[2:37:54 PM](#) [TAB 20](#)

Doug Frederick, licensee, provides testimony that he thought it was mailed out and it was oversight.

Tom Manning motions to reinstate
Ellen Ganley seconds the motion for discussion
Motion carries, 3-1 (Ellen Ganley votes No)

● **COMPETING APPLICATIONS**

[2:41:24 PM](#) [TAB 21](#)

Chad Culley and Robert Delucia, shareholders of Grape Brothers, LLC, provide testimony about their current businesses and their business plans at the new proposed location. They additionally state that planning and zoning has already approved their conditional use permit, and that it's scheduled to be approved by the Assembly at the May 24th meeting.

Dan Coffey, Attorney for O'Malley Alehouse & Pizza, LLC, submits a memo and provides testimony. Diane Thompson, shareholder of O'Malley Alehouse & Pizza, LLC, states that the premises is not built out or ready for operation as a package store, as she is waiting for the board decision before investing the money to do so.

Cynthia Franklin requests that the board discuss and make a good record of the factors they consider. Marvin Yoder asks how this would affect seating in Firetap.

Diane Thompson says that the number of seats would remain the same.

Tom Manning asks how far the closest existing package store license is to the proposed premises for Firetap.

Cynthia Franklin states that WineStyles is in the next strip mall over.

Ellen Ganley states that both licensees are good long-time operators, and that she can't find a compelling reason to pick one over the other.

Ellen Ganley motions to find that both applicants are qualified and that a distinction or preference cannot be made between the two of them by considering the factors listed in 3 AAC 304.112(e).

Bobby Evans seconds the motion

Motion carries unanimously

Cynthia Franklin brings out a can and asks that both applicants examine a can with two envelopes in it, explaining that each envelope contains the name and number of an application.

Marvin Yoder draws out an envelope, opens it, pulls out a card with the "5448 Firetap" written on it, and shows it to the other board members and the public.

Cynthia Franklin takes out the other envelope, opens it, pulls out a card with "5461 Crush" written on it, and shows it to the board members and the public.

Tom Manning motions to approve the Firetap license

Ellen Ganley seconds the motion

Motion carries unanimously

- A. **5461 Crush:** Grape Brothers, LLC
320 W 5th Avenue, Ste 130E; Anchorage
License: Package Store

New license application. All statutory requirements have been met.
Background investigations: Complete
Municipality of Anchorage protests pending a conditional use permit approved by the Assembly.

- B. **5448 Firetap:** O'Malley Alehouse & Pizza, LLC
10950 O'Malley Centre Drive; Anchorage
License: Package Store

New license application. All statutory requirements have been met.
Local governing body action: Municipality of Anchorage does not protest
Background investigations: Complete

● **RENEWAL PROTESTS**

- A. **1078 Fantasies on 5th:** Fantasies on 5th Avenue, LLC
1911 East 5th Avenue; Anchorage
License: Beverage Dispensary

[3:16:46 PM](#) [TAB 22](#)

Renewal license application.
Municipality of Anchorage Protest due to DOL objection.
Department of Labor and four members of the public object.

Yana Tatarinova provides testimony on behalf of herself, Elizabeth Alta Wilson, Myonghee Harter, and Christy Kimura (physically present) regarding the written protests that were filed.
Todd Sherwood, MOA Attorney, provides testimony.
Cynthia Franklin recommends to the board that the decision be tabled until the July, 2016 meeting, to wait until the Assembly can hold a protest hearing.
Brian Stibitz, Attorney for Fantasies on 5th Avenue, LLC, does not object to tabling.
Todd Sherwood does not object to tabling.
Donna Nass does not object to tabling.
The public objectors (Ms. Tatarinova, Ms. Wilson, Ms. Harter, and Ms. Kimura) do not object to tabling.

Tom Manning motions to table discussion and decision until the July, 2016 meeting.
Bobby Evans seconds the motion
Motion carries (3-0, Bobby Evans does not vote)

- B. **4201 McKinley View Lodge:** Joe Richardson
Mile 134.5 Parks Highway; Mat-Su Borough
License: Restaurant/Eating Place

[3:27:19 PM](#) [TAB 23](#)

Renewal license application.

Matanuska-Susitna Borough Protest pending payment of processing fee.

Cynthia Franklin informs the board that the Mat-Su Borough has lifted its protest.

No Action

- C. 1036 Slippery Salmon Bar & Grill:** 115 E 3rd Avenue, LLC [3:27:40 PM](#) TAB 24
115 E 3rd Avenue; Anchorage
License: Beverage Dispensary – Tourism

Renewal license application.

Municipality of Anchorage Protest pending payment of taxes.

Dick Rosston, Attorney for 115 E 5th Avenue, LLC, provides testimony that the licensee has applied for a loan to pay the taxes and that 30 days should be an acceptable amount of time to get this completed. He also discusses the reason for three transfer applications for the same license

Tom Manning motions to uphold the protest of the renewal with a 30-day abeyance to have the protest lifted.

Bobby Evans seconds the motion

Motion carries unanimously

● **PROTESTS**

- A. 4779 Crush:** Grape Brothers, LLC [3:34:21 PM](#) TAB 25
10950 O'Malley Centre Drive, Suite E, Anchorage
License: Package Store
From: No Premises; DBA Grape Expectations

Transfer of location and DBA change. All statutory requirements have been met

Approvals Department of Revenue

Pending: Department of Labor

Background investigations: Complete

Municipality of Anchorage protests pending a special land use permit approved by the Assembly

Tom Manning motions to delegate approval of the transfer to the director

Ellen Ganley seconds the motion

Motion carries unanimously

- B. 5449 Dennys:** D. of Alaska, Inc. [3:35:38 PM](#) TAB 26
2900 Denali Street; Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.

Background investigations: Complete

Municipality of Anchorage protests pending approval from the Planning Department and the Anchorage Fire Department.

Dan Coffey, Attorney for D. of Alaska, Inc., provides testimony and requests approval with delegation.

Tom Manning motions to approve with delegation
Bobby Evans seconds the motion
Motion carries unanimously

- C. 4685 Dish Japanese Restaurant:** KDK, LLC [3:38:03 PM](#) [TAB 27](#)
639 W International Airport Road #1A; Anchorage
License: Restaurant / Eating Place
From: DISH, LLC DBA Dish

Transfer of ownership and DBA change. All statutory requirements have been met.
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending
Municipality of Anchorage protests due to taxes owed.

Cynthia Franklin informs the board that staff has received a letter rescinding the application.

No Action

- D. 5436 Hoarfrost Distilling:** Hoarfrost Distilling, LLC [3:38:27 PM](#) [TAB 28](#)
3501 Lathrop Street, Unit F; Fairbanks
License: Distillery

New license application. All statutory requirements have been met.
Pending: Department of Environmental Conservation
Background investigations: Complete
City of Fairbanks protests until a Certificate of Occupancy is issued.

Tom Manning motions to uphold the protest and deny the license
Ellen Ganley seconds the motion
Motion carries unanimously

- E. 5431 Johnny Chicago's:** Johnny Chicago's, LLC [3:41:45 PM](#) [TAB 29](#)
751 East 36th Avenue, Unit 107; Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Background investigations: Complete
Municipality of Anchorage protests pending Administrative Site Plan Review.

Tom Manning motions to uphold the protest and deny the license
Bobby Evans seconds the motion
Motion carries unanimously

- F. 1. 5458 Quake! Brewing Company:** Quake! Brewing Company, LLC [3:43:13 PM](#) [TAB 30](#)
12812 Old Glenn Highway #A12 (Eagle River); Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Background investigations: Complete
Municipality of Anchorage protests pending approval from the State Fire Marshal and a Special Land Use Permit.

2. 5459 Quake! Brewing Company: Quake! Brewing Company, LLC
12812 Old Glenn Highway #A12 (Eagle River); Anchorage
License: Brewpub

New license application. All statutory requirements have been met.
Background investigations: Complete
Municipality of Anchorage protests pending approval from the State Fire Marshal and a Special Land Use Permit.

Tom Manning motions to table until the July meeting
Bobby Evans seconds the motion
Motion carries unanimously

BREAK

[3:45:29 PM](#)

● **OBJECTION HEARINGS**

A. 622 KBI Spirits: Wayne L Sargent [3:52:16 PM](#) [TAB 31](#)
1633 Airport Way; Kodiak Island Borough
License: Package Store
From: Mile 29 Chiniak Highway; DBA Kalsin Bay Inn

Transfer of location and DBA change. Awaiting valid lease.
Local governing body action: Kodiak Island Borough does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete
Multiple public objections received.

Wayne Sargent, licensee, provides testimony.

Tom Manning motions to table decision until the July meeting
Ellen Ganley seconds the motion
Motion carries unanimously

B. 5372 Morning Wood Hotel Bar: Elizabeth F Smith [4:04:24 PM](#) [TAB 32](#)
4th and State Street; Skagway
License: Beverage Dispensary – Tourism Duplicate

New license application. All statutory requirements have been met.
Local governing body action: Municipality & Borough of Skagway does not protest
Approvals: Department of Environmental Conservation
Background investigations: Complete
State Fire Marshal and a member of the public object.

Elizabeth Smith, applicant, provides testimony.

No Action

- C. 5007 Terry's Fish and Chips:** Terrance F Lee [4:11:41 PM](#) [TAB 33](#)
1403 Fourth Avenue; Seward
License: Restaurant / Eating Place – Public Convenience

Renewal license application.
Kenai Peninsula Borough and City of Seward object.

Terrance Lee, licensee, provides testimony that he has been making payments and will have this completely paid off in 21 days.

Ellen Ganley motions to deny the renewal with an abeyance period of 30 days to pay the delinquent taxes
Bobby Evans seconds the motion
Motion carries unanimously

- D. 5464 The Pilotlight:** The Pilotlight, LLC [4:15:13 PM](#) [TAB 34](#)
31 Tower Road; Haines
License: Restaurant / Eating Place – Public Convenience

New license application. All statutory requirements have been met.
Local governing body action: City & Borough of Haines does not protest
Approvals: State Fire Marshal, Department of Environmental Conservation
Background investigations: Pending
Public objection received.

Eric Forster, shareholder of The Pilotlight, LLC, provides testimony.

Bobby Evans motions to approve the license with delegation
Tom Manning seconds the motion
Motion carries, 3-1 (Tom Manning votes No)

● **PREVIOUSLY DELEGATED APPLICATIONS STILL PENDING** [4:18:31 PM](#) [TAB 35](#)

Tom Manning motions to table discussion of Cannery Bay Restaurant, El Dorado, Tequila Kitchen Express, and Wings N Things until July, 2016.
Ellen Ganley seconds the motion
Motion carries unanimously

A. Delegated at December 1, 2014 and February 11, 2015 Board Meetings

1. 5371 Cannery Bay Restaurant: Ocean Shores, Inc.
451 Sterling Highway; Homer
License: Beverage Dispensary – Tourism

New license application. All statutory requirements have been met.

Local governing body action: City of Homer does not protest
Approvals: Department of Environmental Conservation
Background investigations: Complete
Board meeting delegated: February 11, 2015
State Fire Marshal objects due to no response.

2. 4930 El Dorado: Mariella Valencia
4300 Old Seward Highway, Suite D1; Anchorage
License: Restaurant / Eating Place
From: Tarascos, LLC

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Municipality of Anchorage does not protest
Approvals: Department of Revenue
Background investigations: Complete
Board meeting delegated: February 11, 2015
Department of Labor objects.

3. 5353 Fairbanks Distilling Company: Patrick Wayne Levy [4:19:30 PM](#)
410 Cushman Street; Fairbanks
License: Distillery

New license application. All statutory requirements have been met.
Approvals: Department of Environmental Conservation
Background investigations: Complete
Board meeting delegated: December 1, 2014
City of Fairbanks protests until a Certificate of Occupancy has been issued.

Cynthia Franklin informs the board that the Certificate of Occupancy has been issued and the protest lifted.

No Action

4. 5247 Tequila Kitchen Express: Serrano's, LLC
2514 East Tudor Road; Anchorage
License: Restaurant / Eating Place
From: Tequila Kitchen Express, LLC

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Municipality of Anchorage does not protest
Approvals: Department of Revenue
Background investigations: Complete
Board meeting delegated: February 11, 2015
Department of Labor objects.

5. 5332 Wings N Things: Wings N Things, Inc.
701 West 36th Avenue, A-17; Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.

Background investigations: Complete
Board meeting delegated: December 1, 2014
Municipality of Anchorage protests pending Administrative Site Plan Review and approvals from Anchorage Fire Department and Building Safety.

6. 5363 Winterlake Lodge: Within The Wild Adventure Company [4:21:03 PM](#)
North Shore Finger Lake N 61 °59' W 152 °04'; Mat-Su Borough
License: Lodge

New license application. All statutory requirements have been met.
Local governing body action: Matanuska-Susitna Borough does not protest
Approvals: Department of Environmental Conservation
Background investigations: Complete
Board meeting delegated: February 11, 2015
State Fire Marshal objects due to no response.

Kirsten Dixon, shareholder of Within the Wild Adventure Company, provides testimony and indicates that she will be rescinding her application.

No Action

Bobby Evans has to leave the meeting.

[4:30:00 PM](#)

● **THIRD WAIVERS**

1441 Acres Beverage Center: Edgewater Grill, LLC
No Premises; Valdez
License: Package Store
Third Waiver

[4:32:41 PM](#) TAB 36

Jose Cebrian, licensee, provides testimony.

The board votes that the licensee did not meet the burden of proof to meet the operating requirements for 2014, changing the application before them to that for a fourth waiver.

Tom Manning motions to approve the fourth waiver of operation
Ellen Ganley seconds the motion
Motion fails unanimously

● **RECREATIONAL SITE LICENSES**

[4:53:14 PM](#) TAB 43

A. 4730 Extreme Fun Center: Coming Attractions Theatres, Inc.
3501 E Old Matanuska Road; Wasilla
License: Recreational Site
From: 3331 E Old Matanuska Road; DBA Coming Attraction Theatres

Transfer of location and DBA change. All statutory requirements have been met.
Local governing body action: Pending City of Wasilla

Approvals: Department of Environmental Conservation
Background investigations: Complete

Marvin Metiva, Director of Operations, and Cheryl Metiva, Director of Sales & Marketing, provide testimony regarding the facility.

Ellen Ganley asks what the hours of operation for the license would be and whether they are for leagues and competitions, or if people can come in and rent the facility.

Ellen Ganley motions to approve the license
Tom Manning seconds the motion
Motion fails, 2-1 (Marvin Yoder votes Yes)

● **BEVERAGE DISPENSARY – DUPLICATE LICENSES**

TAB 44

- A. 5465 Brown Bag Sandwich Co.:** Brown Bag Sandwich Co., LLC
535 W 3rd Avenue; Anchorage
License: Beverage Dispensary – Duplicate

New license application. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Background investigations: Complete

● **BEVERAGE DISPENSARY – TOURISM LICENSES**

5:00:41 PM

Philippe Janicka, representative for Westmark Hotels, Inc., provides testimony regarding McKinley Chalet Resort – Karstens Public House and shows the board a digital copy of the approval from the State Fire Marshal.

Tom Manning motions to approve all licenses with delegation when necessary
Ellen Ganley seconds the motion
Motion carries unanimously

- A. 5466 Bore Tide Deli:** Alyeska Resort Management Company
1000 Arlberg Avenue (Girdwood); Anchorage
License: Beverage Dispensary – Tourism Duplicate

TAB 45

New license application. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Background investigations: Complete

- B. 5457 McKinley Chalet Resort – Karstens Public House:** Westmark Hotels, Inc.
Mile 238.9 Parks Highway; Denali Borough
License: Beverage Dispensary – Tourism

TAB 46

New license application. All statutory requirements have been met.
Local governing body action: Pending Denali Borough
Approvals: Department of Environmental Conservation
Pending: State Fire Marshal

Background investigations: Pending

- C. 3849 Rivers Edge Resort & Chena's Alaskan Grill:** River's Edge Hotels, LLC **TAB 47**
4200 Boat Street; Fairbanks North Star Borough
License: Beverage Dispensary – Tourism
From: River's Edge, Inc.

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Pending Fairbanks North Star Borough
Approvals: Department of Labor
Pending: Department of Revenue
Background investigations: Pending

- D. 4966 Salmon Falls Lodge:** SF Alaska, LP **TAB 48**
16707 N Tongass Highway; Ketchikan Gateway Borough
License: Beverage Dispensary – Tourism
From: Salmon Falls, Inc.

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Ketchikan Gateway Borough does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

- E. 1016 Sealaska Inn & Lounge:** Ukamco, Inc. **TAB 49**
1001 Premier Avenue (Hyder); Outside / Unorganized
License: Beverage Dispensary – Tourism
From: Gary M. Benedict (deceased, 75.33%) to Michele M. Benedict

Transfer of controlling interest. All statutory requirements have been met.
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

- F. 1. 1036 Slippery Salmon Bar & Grill:** 115 E 3rd Avenue, LLC **TAB 50**
115 E 3rd Avenue; Anchorage
License: Beverage Dispensary – Tourism
From: Marc Marlow (50%) to Susan Kaer (95%)

Transfer of controlling interest. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: Complete

- 2. 1036 Slippery Salmon Bar & Grill:** 115 E 3rd Avenue, LLC
115 E 3rd Avenue; Anchorage
License: Beverage Dispensary – Tourism
From: Susan Kaer (95%) and Randy Kaer (5%) to Northern Lodging, LLC (100%)

Transfer of controlling interest. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue

Background investigations: Pending

- 3. 1036 Slippery Salmon Bar & Grill:** Northern Lodging, LLC
115 E 3rd Avenue; Anchorage
License: Beverage Dispensary – Tourism
From: 115 E 3rd Avenue, LLC

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: Pending

- G. 5455 Sushi on the Fly:** JSJ Group, LLC
5000 W International Airport Road, C2786; Anchorage
License: Beverage Dispensary – Tourism

TAB 51

New license application. All statutory requirements have been met.
Local governing body action: Municipality of Anchorage does not protest
Background investigations: Complete

Harriet Milks states that she will look into whether or not the board can continue a meeting to a later date without having to give public notice.

● **CONSENT AGENDA**

5:06:40 PM

TAB 52

Ninilchik Trading pulled from the consent agenda for independent consideration.

Tom Manning motions to approve the consent agenda as amended
Ellen Ganley seconds the motion
Motion carries unanimously

48 Alpine Inn: Alpine Inn, LLC
Mile 61 Glenn Highway (Sutton); Mat-Su Borough
License: Beverage Dispensary
From: James D Psenak

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Matanuska-Susitna Borough does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

49 Alpine Inn: Alpine Inn, LLC
Mile 61 Glenn Highway (Sutton); Mat-Su Borough
License: Package Store
From: James D Psenak

Transfer of ownership. All statutory requirements have been met.

Local governing body action: Matanuska-Susitna Borough does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

5450 Dennys: D. of Alaska, Inc.
3950 DeBarr Road; Anchorage
License: Restaurant/Eating Place

New license application. All statutory requirements have been met.
Local governing body action: Municipality of Anchorage does not protest
Background investigations: Complete

2175 Lupo: Midnight Ninja Ventures, Inc.
120 2nd Street; Juneau
License: Restaurant / Eating Place
From: The Silverbow, LLC DBA Silverbow Bakery and Catering

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: City and Borough of Juneau does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete
Temporary has been issued.

301 No DBA: Foxglove, LLC
No Premises; Mat-Su Borough
License: Beverage Dispensary
From: Del Rois Bar, Inc. DBA Del Rois Bar & Liquor; Mile 39.5 Old Palmer Highway

Transfer of location, ownership, and DBA change. All statutory requirements have been met.
Local governing body action: Matanuska Susitna Borough does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

4938 Prospectors Historic Pizzeria & Ale House: Denali Hospitality Group, Inc.
Mile 238.9 Parks Highway; Denali Borough
License: Restaurant / Eating Place
From: White Bear Corporation

Transfer of ownership. All statutory requirements have been met.
Local governing body action: Denali Borough does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

979 Rose's Bar & Grill: Rose's Bar & Grill, LLC
112 Salmon Way; Pelican
License: Beverage Dispensary
From: Rose Miller

Transfer of ownership. All statutory requirements have been met.
Local governing body action: City of Pelican does not protest

Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

1416 Taku Glacier Flightseeing / Salmon Bake: Taku Glacier Lodge, Inc.
Taku Valley Lot 75; Juneau

License: Restaurant / Eating Place

From: Michelle Ward (50%) and Ken Ward (50%)

To: Kenneth Robert Ward and Michelle Nora Ward Alaska Community Property Trust (100%)

Transfer of controlling interest. All statutory requirements have been met.

Local governing body action: City & Borough of Juneau

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

4061 Underground Bar & Grill: LVS Adak, LLC

42446 Kagalaska Drive; Adak

License: Beverage Dispensary

From: MX3, LLC DBA Aleutian Sports Bar & Grill

Transfer of ownership and DBA change. All statutory requirements have been met.

Local governing body action: City of Adak does not protest

Approvals: Department of Labor, Department of Revenue

Background investigations: Complete

END OF CONSENT AGENDA

● **DELEGATED CONSENT AGENDA**

[5:10:53 PM](#)

[TAB 53](#)

Tom Manning motions to approve the delegated consent agenda

Ellen Ganley seconds the motion

Motion carries unanimously

3962 ANC – FAI: Tour Alaska, LLC

Alaska Railroad

License: Common Carrier

From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.

Approvals: Department of Labor, Department of Revenue

Background investigations: Pending

5462 Anchorage Distillery: Anchorage Distillery, LLC

6310 A Street; Anchorage

License: Distillery

New license application. All statutory requirements have been met.

Local governing body action: Pending Municipality of Anchorage

Background investigations: Pending

227 China Garden: Foodex Corporation
1020 W International Airport Road; Anchorage
License: Restaurant / Eating Place
From: Matthew K Park; 204 E Fireweed Lane

Transfer of ownership and location. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

4674 Dimond Center Bowl: Dimond Center, LLC
800 E Dimond Blvd #3-500; Anchorage
License: Recreational Site
From: Joe & Patty Ashlock (100%)
To: Ashlock FLP (30%), Joe Ashlock Descendant Trust (9.5%), Patty Ashlock Descendant Trust (9.5%),
Hugh Ashlock Exempt Family Trust (8.5%), Carol Ashlock Exempt Family Trust (6.5%)

Transfer of controlling interest. All statutory requirements have been met.
Local governing body action: Municipality of Anchorage does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

1912 Eastern Treats: Bulgar Corp
535 2nd Avenue, Suite 106; Fairbanks
License: Beverage Dispensary
From: Downriver, Inc. DBA Gold Rush Saloon; 3399 Peger Road #A

Transfer of ownership, location, and DBA change. All statutory requirements have been met.
Local governing body action: City of Fairbanks does not protest
Approvals: Department of Environmental Conservation, Department of Labor, Department of Revenue
Background investigations: Pending

3963 FAI – ANC: Tour Alaska, LLC
Alaska Railroad
License: Common Carrier
From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

3381 Food Factory: CNR Enterprise, LLC
275 Bentley Trust Road; Fairbanks
License: Restaurant / Eating Place
From: 44 College Road

Transfer of location. All statutory requirements have been met.
Local governing body action: Pending City of Fairbanks
Approvals: Department of Environmental Conservation
Background investigations: Complete

5266 Fushimi: Fushimi, LLC

607 Old Steese Highway, Suite E105; Fairbanks

License: Restaurant / Eating Place

From: Xiu Feng Tang (50%) to Bing Zhen Pan (30%) and De Xing Lin (20%)

Transfer of controlling interest. All statutory requirements have been met.

Local governing body action: City of Fairbanks does not protest

Approvals: Department of Labor, Department of Revenue

Background investigations: Pending

4483 HAP Alaska – Yukon (DNP-WTR): Tour Alaska, LLC

Alaska Railroad

License: Common Carrier

From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.

Approvals: Department of Labor, Department of Revenue

Background investigations: Pending

4480 HAP Alaska – Yukon (TKA-WTR): Tour Alaska, LLC

Alaska Railroad

License: Common Carrier

From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.

Approvals: Department of Labor, Department of Revenue

Background investigations: Pending

4484 HAP Alaska – Yukon (WTR-DNP): Tour Alaska, LLC

Alaska Railroad

License: Common Carrier

From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.

Approvals: Department of Labor

Pending: Department of Revenue

Background investigations: Pending

4479 HAP Alaska – Yukon (WTR-TKA): Tour Alaska, LLC

Alaska Railroad

License: Common Carrier

From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.

Approvals: Department of Labor, Department of Revenue

Background investigations: Pending

673 James A. Holdings Company, LLC: James A. Holdings Company, LLC

No Premises; Juneau

License: Beverage Dispensary

From: Peterson Pacific Holding, Inc. DBA Louie's Douglas Inn

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: City and Borough of Juneau does not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

4546 Kenai River Brewing Company: Kenai River Brewing Company
308 Homestead Lane; Soldotna
License: Brewery
From: 241 N Aspen Street

Transfer of location. All statutory requirements have been met.
Local governing body action: Pending City of Soldotna
Approvals: Department of Environmental Conservation
Background investigations: Complete

4580 Las Margaritas: Las Marg, LLC
8001 Old Seward Highway; Anchorage
License: Beverage Dispensary
From: L & M Spirits, Inc. DBA Tilted Kilt

Transfer of ownership and DBA change. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: Complete

5463 Marco T's Pizzeria: Better Food & Fitness, LLC
302 West Fireweed Lane; Anchorage
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: Pending Municipality of Anchorage
Background investigations: Pending

5456 Monique's Kitchen Diner: Angela Walker
16966 W Parks Highway; Houston
License: Restaurant / Eating Place

New license application. All statutory requirements have been met.
Local governing body action: City of Houston does not protest
Approvals: State Fire Marshal
Pending: Department of Environmental Conservation
Background investigations: Pending

4383 Princess Tours (ANC-SEW): Tour Alaska, LLC
Alaska Railroad
License: Common Carrier
From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

4385 Princess Tours (SEW-ANC): Tour Alaska, LLC

Alaska Railroad

License: Common Carrier

From: Princess Cruises and Tours, Inc. (100%) to Royal Hyway Tours, Inc.

Transfer of controlling interest. All statutory requirements have been met.
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

5468 Stillpoint in Halibut Cove: Alaska Centre for Creative Renewal, LLC

Lot 4 USS 4734 (Halibut Cove); Kenai Peninsula Borough

License: Lodge

New license application. All statutory requirements have been met.
Local governing body action: Pending Kenai Peninsula Borough
Pending: Department of Environmental Conservation
Background investigations: Complete

4046 Tanaku Lodge: Tanaku Lodge, LLC

Lot 62 Elfin Cove; Outside / Unorganized

License: Restaurant / Eating Place

From: James & Christine Benton and Dennis & Susan Meier

Transfer of ownership. All statutory requirements have been met.
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: Complete

1179 Turtle Club: Turtles, Inc.

2098 Old Steese Highway; Fairbanks North Star Borough

License: Beverage Dispensary

From: Kenneth L Lindley (100%) to Greta M Lindley

Transfer of controlling interest. All statutory requirements have been met.
Local governing body action: Pending Fairbanks North Star Borough
Approvals: Department of Labor, Department of Revenue
Background investigations: Pending

END OF DELEGATED CONSENT AGENDA

493 Ninilchik Trading: Echo Lake Superior Meat & Processing, LLC

15945 Sterling Highway (Ninilchik); Kenai Peninsula Borough

License: Package Store

From: Grizzly Ridge, LLC DBA Grizzly Ridge; 18280 Sterling Highway

[5:15:53 PM](#)

Transfer of ownership, location, and DBA change. All statutory requirements have been met.
Local governing body action: Kenai Peninsula Borough does not protest
Approvals: Department of Labor, Departments of Labor and Revenue
Background investigations: Complete

Debbie Cary, resident of Ninilchik, provides testimony objecting to the license and asks that the board postpone action on the license.

James & Sharon Clark, shareholders of Echo Lake Superior Meat & Processing, LLC provide testimony.

Tom Manning motions to approve the transfer
Ellen Ganley seconds the motion
Motion carries unanimously

Harriet Milks confirms that public notice for the continuation should be given.

RECESSED UNTIL MAY 4, 2016

5:27:09 PM

Minutes reviewed and approved by:



Cynthia A. Franklin
Director



Sarah D. Oates
Program Coordinator