



**Alcoholic Beverage Control Board
Meeting Minutes
May 4, 2016
Telephonic**

*Meeting minutes are 33 minutes fast

Board Members Present:

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

Staff Members Present:

Cynthia Franklin, Director
Sarah Oates, Records & Licensing Supervisor

Legal Counsel Present:

Harriet Milks, Assistant Attorney General

Call to Order

[10:34:24 AM](#)

● **RECREATIONAL SITE LICENSES**

[10:35:36 AM](#) **TAB 43**

Bob Klein informs the board that they will be revisiting the Extreme Fun Center, as there were only three board members present for the April 26, 2016 vote, and the vote was 2-1. AS 04.06.060 requires that a majority of the whole membership of the board approve license applications.

Martin Metiva, Director of Operations, provides testimony regarding the facility and operating hours.

The board members discuss whether or not this facility meets the definition of a recreational site license.

Ellen Ganley motions to approve the transfer
Marvin Yoder seconds the motion
Motion fails (2-3, Marvin Yoder and Bob Klein vote Yes)

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

● **BEVERAGE DISPENSARY – DUPLICATE LICENSES**

[10:49:46 AM](#) [TAB 44](#)

Ellen Ganley motions to approve the license

Tom Manning seconds the motion

Motion carries unanimously

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

● **THIRD WAIVERS**

Marvin Yoder motions to approve the waiver

Tom Manning seconds the motion

Ellen Ganley requests to amend the motion with a stipulation that a fourth waiver will not be granted.

Marvin Yoder and Tom Manning approve of the amendment

Motion carries unanimously

4686 Sicily's Pizza: AGG Investments, Inc.

259 S McCallister Drive; Mat-Su Borough

License: Beverage Dispensary

Third Waiver

[10:51:15 AM](#) [TAB 37](#)

● **FIRST & SECOND WAIVERS**

[10:53:50 AM](#) [TAB 54](#)

Bobby Evans motions to approve all waivers

Ellen Ganley seconds the motion

Motion carries unanimously

4230 Camel Rock Lounge: Dimond Center Hotel, LLC

700 E Dimond Blvd; Anchorage

License: Beverage Dispensary – Tourism

First Waiver

673 Louies Douglas Inn: Peterson Pacific Holdings, Inc.
No Premises; Juneau
License: Beverage Dispensary
First Waiver

673 Louies Douglas Inn: Peterson Pacific Holdings, Inc.
No Premises; Juneau
License: Beverage Dispensary
Second Waiver

5344 Raven Landing Center: Retirement Community of Fairbanks
1222 Cowles Street; Fairbanks
License: Restaurant / Eating Place
First Waiver

5344 Raven Landing Center: Retirement Community of Fairbanks
1222 Cowles Street; Fairbanks
License: Restaurant / Eating Place
Second Waiver

3268 Salty Sals Liquor Cabinet: House of Liquors, Inc.
No Premises; Sitka
License: Package Store
Second Waiver

2365 Westmark Tok: Westmark Hotels, Inc.
Intersection Tok & Alaska Highways; Outside / Unorganized
License: Beverage Dispensary – Tourism
First Waiver

2365 Westmark Tok: Westmark Hotels, Inc.
Intersection Tok & Alaska Highways; Outside / Unorganized
License: Beverage Dispensary – Tourism
Second Waiver

● **NOTICES OF VIOLATION**

A. Notices of Violation Pending Board Action

1. Accusations Based on Notices of Violation

a. 745 Loyal Order of Moose #1092 [10:58:47 AM](#) **TAB 38**

Cynthia Franklin informs the board that she is waiting to see if the licensee will request an informal conference, and that she will update the board at the next meeting.

b. 447 Suite 907 [10:58:54 AM](#) **TAB 39**

Cynthia Franklin discusses the licensees' due process rights and informs the board that she met with Suite 907 in an informal conference last week regarding a dedesignation permit. The matter was settled by a written agreement that the licensee is a bar, not a youth center, and the licensee will no longer apply for dedesignation permits.

2. Notices of Violation Pending Accusations

[10:56:07 AM](#) **TAB 40**

Cynthia Franklin informs the board that she will be bringing NOVs to the board for action through accusations instead of just through court convictions, as the current State budget scenario means that less violations will be prosecuted.

3. Prior Licensee Sanctions

TAB 41

B. Notices of Violation Issued and Licensee Responses

TAB 42

● **EXECUTIVE SESSION**

Bobby Evans motions to enter into Executive Session [11:03:20 AM](#)
Tom Manning seconds the motion
Motion carries unanimously (4-0, Marvin Yoder already hung up)

Ellen Ganley motions to end Executive Session [11:24:34 AM](#)
Marvin Yoder seconds the motion
Motion carries unanimously

Bobby Evans comments that he's finding the telephonic board meetings to be extremely difficult. [11:25:22 AM](#)

Ellen Ganley agrees.

Bob Klein informs the other members that once the legislature approves the budget, he and the Director will petition the Commissioner to lift the travel ban for the board.

Cynthia Franklin informs the board that she is working hard to enable the board to meet in person or at least obtain better tools to improve board meetings.

Harriet Milks comments that the ABC Board is very different than other boards, particularly because of the social and economic implications that this board's decisions have.

● **NEXT ABC BOARD MEETING**

[11:31:05 AM](#)

Wednesday, July 20, 2016 in Fairbanks

● **ADJOURN**

[11:36:05 AM](#)

Minutes reviewed and approved by:



Cynthia A. Franklin
Director



Sarah D. Oates
Program Coordinator