



**Alcoholic Beverage Control Board
Meeting Minutes
July 29, 2019
Anchorage, Alaska**

Tabs 11-13 and 59-69 refer to the July 9, 2019 meeting agenda documents.

● **ADMINISTRATION**

1:00 pm

A. Call to Order

B. Roll Call

Board Members Present

Bob Klein, Chair, Industry Member

Board Members Present via Phone

Sara Erickson, Public Member

Rex Leath, Vice Chair, Public Safety Member

Charlie Cross, Rural Member

Glenn Brady, Industry Member

Staff Present

Erika McConnell, Director

Mikal Milton, Records and Licensing Supervisor

Legal Counsel Present via Phone

Harriet Milks, Assistant Attorney General

C. Approval of Agenda

Glenn Brady moves to approve the agenda.

None opposed, motion carries.

● **BOARD GOVERNANCE**

1:05 pm

Bob Klein states that there was a request for recusal of Glenn Brady during the consideration of Silver Gulch (License 3487) from the previous meeting, the recusal request will be handled at the time of consideration.

● **BOARD CONSIDERATION**

1:02 am

**A. Director's Request for Board Reconsideration of OAH Case No. 18-0628-ABC
for License #4733 No DBA, owned by Triplets, Inc.**

TAB 1

Erika McConnell states that due to workload she was unable to provide the information for this tab to the board and interested parties in a timely manner. She asks the board to postpone the matter to a special meeting between today and August 15th.

Bob Klein and Erika McConnell discuss that the interested licensee and Administrative Law Judge would be interested in this matter.

Bob Klein states that he does not see a reason to reconsider this matter and that he doesn't support a motion to reconsider.

Glenn Brady states that he does not find reconsideration appropriate.

Rex Leath and Bob Klein discuss the request; Rex Leath states that he recalls the executive session discussion and is confident in the previous decision.

Charlie Cross states that he finds nothing that would change his decision in the new tab.

Sara Erickson states that she concurs with the board's decision regarding this matter.

Bob Klein states that he will not be taking this as a matter before the board but that he would like to discuss with the Director and staff how to prevent these types of issues from arising in the future.

B. Three-Year Review of TIPS Server Education Course

TAB 2

Erika McConnell summarizes Tab 2.

Nicole Blossie, representative of TIPS is present via phone to discuss the application.

Glenn Brady states that he has not reviewed the online training materials at this time. He has reviewed the presented physical materials and has some additional questions for the training provider. He asks if delaying approval is a big deal to the applicant.

Sara Erickson states that she finds the course very good. She finds it better than the live instructor class she has taken.

Nicole Blossie states that the classroom and online program are both pending board approval. She states that they were not made aware of the requirement for re-approval until they were required to stop providing educational courses. She discusses the changes to their program with Bob Klein, and states that the changes have only been made to the classroom training materials because of the board determination that staff will not have the authority to approve training courses. They will amend the online class pending board determination.

Glenn Brady states that his questions are regarding the online training delivery and that at this time he would be willing to approve the in person program.

Glenn Brady moves to approve the in person training program with the modifications requested by staff.

Sara Erickson seconds the motion.

None opposed, motion carries.

**C. Gold Miners Lodge Restaurant and Motel LLC TAB 11
Renewal application.
NOV for violation of AS 04.11.450; City of Houston protests for non-operation.**

**1. 4380 Gold Miners Lodge Restaurant and Motel TAB 12
20333 W Parks Highway, Houston
License: Restaurant or Eating Place**

**2. 4526 Gold Miners Lodge Restaurant and Motel TAB 13
Mile 60.5 Parks Highway, Houston
License: Beverage Dispensary-Tourism**

Erika McConnell summarizes Tabs 11-13. She states that the Mayor of Houston had attempted to discuss these tabs with the board during the previous meeting but was unable to reach the board due to technical issues with the phone system.

City of Houston Mayor Virgie Thompson is present via phone.

Mayor Thompson testifies that the City Council is not aware of any transfers and that they do not have any notice of a transfer. She states that the protest was for non-operation and not following Alaska statute or Houston municipal code.

Brian Gauthier, licensee, is present via phone. He states that he was informed that in the summer of 2017 they met the requirements. It wasn't until 2018 that a waiver was required. He states that the Houston protest was inaccurate and that the only non-operation was for 2018. He says that the Mayor stated to him previously that the protest would be rescinded if the transfers were completed. He believes that the board's previous action of tabling the matter to September would allow sufficient time to resolve the issue of transfer.

Mayor Thompson states that the transfer would need to go before the council. She states that no postponement was requested from them and they don't support the tabling of the licenses to September.

DanaLyn Dalrymple, attorney for Goldminers, is present via phone. She states that this meeting came as a surprise. They had been working in good faith believing that the matter would be considered in September.

Mayor Thompson and Erika McConnell discuss the procedures necessary for an application to be deemed complete.

Glenn Brady moves to postpone to the September meeting. Bob Klein and Glenn Brady discuss the fact that the matter already had a motion and Glenn Brady does not move forward on his motion.

Bob Klein asks if anyone wishes to rethink the previous postponement.

No one requests reconsideration, Bob Klein states that no action will be taken at this time.

● **OUTDOOR RECREATION LODGE LICENSES – NEW LICENSE APPLICATIONS 1:26pm**

Bob Klein states that he is planning on taking these three licenses as one vote. He reads the agenda letters D, E, and F. He asks if anyone wishes to separately consider any of these licenses, no one speaks up and they are all considered together.

Glenn Brady moves to approve the new license applications for licenses 5779, 5797, and 5813.

Sara Erickson seconds the motion.

None opposed, motion carries.

- D. 5779 Cove Peaks Lodge:** True Life Adventures Alaska, LLC **TAB 59**
50815 Halibut Cove, Homer
License: Outdoor Recreation Lodge - Seasonal

New license application.

Local governing body action: Kenai Peninsula Borough does not protest
Approvals: Department of Environmental Conservation
Pending: State Fire Marshal
Background investigations: complete

- E. 5797 Alaska Sportsman's Lodge:** The Alaska Sportsman's Lodge, LLC **TAB 60**
Mile 4 of the Kvichak River, Igiugig
License: Outdoor Recreation Lodge

New license application.

Local governing body action: pending Lake and Peninsula Borough
Approvals: Department of Environmental Conservation
Pending: State Fire Marshal
Background investigations: pending

- F. 5813 Kodiak Brown Bear Center:** Karluk Wilderness Adventures, LLC **TAB 61**
T32S R30W TL 3601 Camp Island, Kodiak
License: Outdoor Recreation Lodge - Seasonal

New license application.

Local governing body action: pending Kodiak Island Borough
Approvals: Department of Environmental Conservation
Background investigations: complete

● **DELEGATED CONSENT AGENDA – NEW, TRANSFER, AND RENEWAL APPLICATIONS 1:28 pm TAB 62**

Bob Klein states that Silver Gulch license 3487 (agenda item I) is pulled out of the group. He asks for an explanation regarding why license 5358 is on the Delegate Consent agenda rather than the Consent agenda. Erika McConnell states that the Local Governing Body response appears to be pending.

*Bob Klein reads the Delegated Consent Agenda except for Item I License 3487.
Erika McConnell states that license 5358 has been approved by the Local Governing Body, Bob Klein leaves it on the Delegated Consent Agenda.*

See below for action on the Delegated Consent Agenda.

A. 80 Cape Fox Lodge: Cape Fox Lodge, LLC

800 Venetia Way, Ketchikan

License: Package Store

From: Slagle LLC DBA Alaska Fish House at 3 Salmon Landing

Transfer of ownership and location and DBA change.

Local governing body action: City of Ketchikan does not protest, pending Ketchikan Gateway Borough

Approvals: Department of Environmental Conservation, Department of Labor, Department of Revenue, Creditors

Background investigations: complete

B. 308 Dew Drop Inn: Jeannette Witte

105 B Street, Anderson

License: Beverage Dispensary

From: Neil F. and Jeannette Witte

Transfer of ownership

Local governing body action: pending City of Anderson and Denali Borough

Approvals: Department of Revenue

Pending: Department of Labor

Background investigations: complete

C. 309 Dew Drop Inn: Jeannette Witte

105 B Street, Anderson

License: Package Store

From: Neil F. and Jeannette Witte

Transfer of ownership.

Local governing body action: pending City of Anderson and Denali Borough

Approvals: Department of Revenue

Pending: Department of Labor

Background investigations: complete

D. 465 The Vallata: The Vallata, Inc

2190 Goldstream Road, Fairbanks

License: Beverage Dispensary

From: Patricia Monaco

Transfer of ownership

Local governing body action: Fairbanks North Star Borough waives protest

Approvals: Department of Labor

Pending: Department of Revenue
Background investigations: pending

- E. 649 Klondike Mike's:** U-Line Beverage Co., Inc.
820 S. Colony Way, City of Palmer
License: Beverage Dispensary
From: Lillian Nyborg 50% and Armand Nyborg 50% DBA Klondike Mike's Saloon
To: Lillian Nyborg 67.7% and Armand Nyborg 32.3%

Transfer of controlling interest and DBA change.

Local governing body action: pending City of Palmer and Matanuska-Susitna Borough
Approvals: Department of Revenue
Pending: Department of Labor
Background investigations: complete

- F. 977 Anchorage Brewing Company:** Anchorage Brewing Company, LLC
148 W 91st Ave, Anchorage
License: Beverage Dispensary
From: Romano's Inc. at 2415 C Street DBA Romano's Trattoria

Transfer of ownership and location and DBA change.

Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

- G. 1130 Thorn's Showcase Lounge:** Thorn's Showcase Lounge, LLC
208 4th Avenue, Seward
License: Beverage Dispensary
From: Louis Thorn 50% and Patricia Thorn 50%
To: Louis Thorn 90% and Karyn Clemens 10%

Transfer of controlling interest.

Local governing body action: Kenai Peninsula Borough and City of Seward do not protest
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

- H. 3405 Sushi Garden:** Michael L Tonn
1120 E Huffman Road, Anchorage
License: Restaurant/Eating Place
From: DKB, LLC

Transfer of ownership.

Local governing body action: pending Municipality of Anchorage
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

~~I. **3487 Silver Gulch Brewing and Bottling Co.:** Silver Gulch Brewing and Bottling, Inc.
2195 Old Steese Highway North, Fairbanks
License: Package Store
From: Thompson Ventures, LLC at No Premises, DBA Salchaket Roadhouse~~

~~**Transfer of ownership and location, and DBA change.**~~

~~Local governing body action: pending Fairbanks North Star Borough
Approvals: Department of Labor, Department of Revenue, Department of Environmental Conservation
Pending: State Fire Marshal
Background investigations: complete~~

J. **3736 Winterlake Lodge:** Within the Wild Adventure Company
Finger Lake Mile 194 Iditarod Trail
License: Restaurant/Eating Place
From: Carl & Kirsten Dixon

Transfer of ownership.

Local governing body action: pending Matanuska-Susitna Borough
Approvals: Department of Labor, Department of Revenue
Background investigations: pending

K. **3964 K & L Beverage Co.:** K&L Beverage Company, LLC
6307 Arctic Spur Road, Anchorage
License: Wholesale - General
From: Snowbelt Beverage Company, LLC-100%
To: Young's Market Company, LLC – 100%

Local governing body action: pending Municipality of Anchorage
Approvals: Department of Revenue, Department of Labor
Background investigations: pending

L. **3965 K & L Beverage Co.:** K&L Beverage Company, LLC
945 Elizabeth Street, Fairbanks
License: Wholesale - General
From: Snowbelt Beverage Company, LLC-100%
To: Young's Market Company, LLC – 100%

Local governing body action: pending Municipality of Anchorage
Approvals: Department of Revenue, Department of Labor
Background investigations: pending

During the reading of this item it is clarified that the Local Governing Body action pending is from the City of Fairbanks.

M. **5089 Revolving Sushi Bar OEC:** Alaska Revolving Sushi Corporation
1200 W Northern Lights Blvd, Suite H, Anchorage
License: Restaurant/Eating Place
From: Thomas Kuk 33.33%, Jong Park 33.34%, and Jung Han 33.33%

To: Thomas Kuk 100%

Transfer of controlling interest.

Local governing body action: pending Municipality of Anchorage

Approvals: Department of Labor, Department of Revenue

Background investigations: complete

N. 5358 The Perfect Cup-Family Bistro: The Perfect Cup Plus, LLC

800 E Dimond Blvd, Ste 204, Anchorage

License: Beverage Dispensary

Local governing body: Municipality of Anchorage

Renewal application.

O. 5781 907Wine: Russell Cooper

771 W Wasair Drive, Wasilla

License: Wholesale – Malt Beverage and Wine

New license application.

Local governing body action: City of Wasilla does not protest, pending Matanuska-Susitna Borough

Pending: Department of Environmental Conservation

Background investigations: complete

P. 5783 Peninsula Aviation Services N680PA: Peninsula Aviation Services, Inc.

Alaskan Skies

License: Common Carrier

New license application.

Background investigations: pending

Q. 5784 Peninsula Aviation Services N681PA: Peninsula Aviation Services, Inc.

Alaskan Skies

License: Common Carrier

New license application.

Background investigations: pending

R. 5785 Peninsula Aviation Services N682PA: Peninsula Aviation Services, Inc.

Alaskan Skies

License: Common Carrier

New license application.

Background investigations: pending

S. 5786 Peninsula Aviation Services N686PA: Peninsula Aviation Services, Inc.

Alaskan Skies

License: Common Carrier

New license application.

Background investigations: pending

- T. 5787 Peninsula Aviation Services N687PA:** Peninsula Aviation Services, Inc.
Alaskan Skies
License: Common Carrier

New license application.

Background investigations: pending

- U. 5788 Kenai Golf Course:** Griffin Golf, LLC
1500 Lawton Drive, Kenai
License: Golf Course - Seasonal

New license application.

Local governing body action: City of Kenai does not protest, pending Kenai Peninsula Borough
Approvals: Department of Environmental Conservation, State Fire Marshal
Background investigations: complete

- V. 5789 Saverio's Pizzeria:** Saverio's Pizzeria, LLC
530 E. Benson Boulevard, Suite 9A, Anchorage
License: Restaurant/Eating Place

New license application.

Local governing body action: pending Municipality of Anchorage
Background investigations: pending

- W. 5792 Norwegian Joy:** NCL (Bahamas) Ltd.
Alaskan Waters
License: Common Carrier - Seasonal

New license application.

Background investigations: pending

- X. 5793 Regatta:** Oceania Cruises S. de R.L.
Alaskan Waters
License: Common Carrier - Seasonal

New license application.

Background investigations: pending

- Y. 5795 Klondike Brewing Co.:** Gold Rush Brewery, LLC
365 2nd Avenue, Skagway
License: Winery

New license application.

Local governing body action: Municipality of Skagway does not protest
Approvals: Department of Environmental Conservation
Pending: State Fire Marshal

Background investigations: pending

- Z. 5799 Valdez Brewing LLC:** Valdez Brewing LLC
141 Galena Drive, Valdez
License: Brewery

New license application.

Local governing body action: pending City of Valdez
Approvals: Fire Marshal
Pending: State Department of Environmental Conservation
Background investigations: pending

- AA. 5805 Wing 'N Things and The Salad Bowl:** WingCorp LLC
601 W 36th Ave Suite 7, Anchorage
License: Restaurant/Eating Place

New license application.

Local governing body action: pending Municipality of Anchorage
Background investigations: complete

- BB. 5808 M/V National Geographic Sea Bird:** Lindblad Expeditions, LLC
Alaskan Waters
License: Common Carrier – Vessel

New license application.

Background investigations: pending
Temporary license issued

- CC. 5809 M/V National Geographic Sea Lion:** Lindblad Expeditions, LLC
Alaskan Waters
License: Common Carrier - Vessel

New license application.

Background investigations: pending
Temporary license issued

- DD. 5810 M/V National Geographic Quest:** Lindblad Expeditions, LLC
Alaskan Waters
License: Common Carrier - Vessel

New license application.

Background investigations: pending
Temporary license issued

- EE. 5811 M/V National Geographic Venture:** Lindblad Expeditions, LLC
Alaskan Waters
License: Common Carrier - Vessel

New license application.

Background investigations: pending
Temporary license issued

FF. 5812 M/V National Geographic Orion: Lindblad Expeditions, LLC
Alaskan Waters
License: Common Carrier - Vessel

New license application.
Background investigations: pending
Temporary license issued

GG. 5818 Asuka II, M/V: NYK Cruises Co., Ltd.
Alaskan Waters
License: Common Carrier - Vessel

New license application.
Background investigations: pending
Temporary license issued

***Glenn Brady moves to approve delegated consent agenda except for Item I, License number 3487.
Rex Leath seconds the motion.
None opposed, motion carries.***

I. 3487 Silver Gulch Brewing and Bottling Co.: Silver Gulch Brewing and Bottling, Inc.
2195 Old Steese Highway North, Fairbanks
License: Package Store
From: Thompson Ventures, LLC at No Premises, DBA Salchaket Roadhouse

Transfer of ownership and location, and DBA change.
Local governing body action: pending Fairbanks North Star Borough
Approvals: Department of Labor, Department of Revenue, Department of Environmental Conservation
Pending: State Fire Marshal
Background investigations: complete

Bob Klein summarizes item I, and states that Glenn Brady is recused from consideration and voting regarding this item for financial interest.

***Charlie Cross moves to approve the transfer of license 3487.
Sara Erickson seconds the motion.
None opposed, motion carries 4-0.***

● **CONSENT AGENDA – NEW & TRANSFER APPLICATIONS**

1:38 pm

TAB 63

*Bob Klein reads the consent agenda into the record.
Glenn Brady moves to approve the consent agenda.
Charlie Cross seconds the motion.
None opposed, motion carries.*

- A. 713 Cape Fox Lodge:** Cape Fox Lodge, LLC
13194 South Tongass Highway, Ketchikan
License: Beverage Dispensary
From: Last Frontier LLC at 11119 North Tongass Highway

Transfer of ownership and location.

Local governing body action: Ketchikan Gateway Borough does not protest
Approvals: Department of Environmental Conservation, Department of Labor, Department of Revenue
Background investigations: complete

- B. 831 Monroe's Monderosa:** Donna Mather
Mile 309 Parks Highway, Nenana
License: Package Store
From: Nicholas Monroe

Transfer of ownership.

Local governing body action: no LGB
Approvals: Department of Revenue; Department of Labor
Background investigations: complete

- C. 832 Monroe's Monderosa:** Donna Mather
Mile 309 Parks Highway, Nenana
License: Beverage Dispensary
From: Nicholas Monroe

Transfer of ownership.

Local governing body action: no LGB
Approvals: Department of Revenue; Department of Labor
Background investigations: complete

- D. 3558 Silvertip Grill: All That's Silver, LLC**
165 Hightower Road, Girdwood
License: Restaurant/Eating Place
From: Judson Crosby 100%

Transfer of ownership.

Local governing body action: Municipality of Anchorage lifts protest
Approvals: Department of Labor, Department of Revenue
Background investigations: complete

Temporary Issued

- E. 4116 Discover, M/V:** Discovery Voyages LLC
Alaskan Waters
License: Common Carrier
From: Dean W. Rand

Transfer of ownership.

Background investigations: complete

- F. **5790 Altura:** Altura LLC
4240 Old Seward Highway #20, Anchorage
License: Restaurant/Eating Place

New license application.

Local governing body action: Municipality of Anchorage does not protest
Background investigations: complete

Temporary license issued

- G. **5815 St. Thodosius:** Allen Marine Tours, Inc.
Alaskan Waters
License: Common Carrier - Vessel

New license application.

Background investigations: complete

● **REGULATIONS**

1:40pm

A. Public Hearing

Erika McConnell summarizes the Public Hearing agenda item, the board has already taken comment on these matters via writing but they requested time to do an oral hearing. She states that the next item on the Agenda would be to do the oral public hearing on items a, b and c.

Bob Klein states that all items would be heard at once.

Sarah Oates, President and CEO of Alaska CHARR provides telephonic testimony regarding project "License Issued Late in Year" and states that the regulation should be passed. She states that written public comment was submitted by her for projects "Online Server Education Course" and "Definition of in the Public Interest". She summarizes that she recommends the adoption of project "Definition of in the Public Interest". Regarding project "Online Server Education Course" she recommends that subsection m be modified to require the information only for those individuals who took the online course rather than all individuals including the in person participants. She states that the concern addressed in this section appears, from the previous board discussion, to be the online courses and not those provided in person.

No other persons come forward to testify on these matters at this time.

- a. **License Issued Late in Year**
- b. **Online Server Education Course**
- c. **Definition of In the Public Interest**

B. Proposed Regulations Projects

1. License Issuance Late in Year

TAB 64

Status: Public comment period closed June 19, 2019

Potential Board Actions: Open a regulations project; vote to adopt or substantially amend and/or put out for public comment

Director McConnell states that project “License Issued Late in Year” was never opened as a project and so she requests that the board open the project and then make their motion regarding adoption or amendment.

***Glenn Brady moves to open project “License Issued Late in Year”.
Rex Leath seconds the motion.***

Glenn Brady asks if the formality of opening the project is a necessity.

Harriet Milks states that she finds it to be a procedural formality but that all procedures are set out in law.

Erika McConnell states that per statute the board cannot delegate the approval of regulations and states that the motion is to clarify that the board is moving forward on the regulations project rather than staff exercising that authority without approval.

Glenn Brady asks if there’s any benefit to the board further delaying the process by formally opening the project.

Harriet Milks states that it should be fine to approve the regulation without a motion to open the project. The opening of the project is separate from the board’s authority to adopt the language.

Bob Klein states that, looking at the calendar, adoption is most beneficial to protect the end of year new licenses. He states that he does not find that the staff has gone off course.

Glenn Brady rescinds his motion to open the project.

***Glenn Brady moves to approve regulations project “License Issued Late in Year”.
Charlie Cross seconds the motion.
None opposed, motion carries.***

2. Staff Recommendations

TAB 65

Erika McConnell summarizes Tab 65.

Relating to the recommendation that a regulations project be opened to address wholesalers providing samples to licensees, Bob Klein states that he does not find there to be anything broken regarding wholesalers. He states that the wholesalers are dealing with license holders and the finds this going too far. He states that if Enforcement finds excess occurring they can bring it to the board.

Regarding the recommendation that a regulations project be opened to determine when a petition is necessary under AS 04.11.460(b), he is in favor of the matter of petitions being addressed.

Glenn Brady, Rex Leath, Sara Erickson and Charlie Cross state their agreement.

Bob Klein asks if a regulations project should be opened to determine when petitions are necessary.

Glenn Brady states that this has only come up once in the last 5 meetings and therefore not a pressing concern.

Bob Klein states that when it did arise there was no answer from the board, he states that this matter is ambiguous currently.

Glenn Brady moves to open the regulations project “Prior Public Approval” to address how AS 04.11.460(b) should be interpreted and when a petition is necessary.

Sara Erickson seconds the motion.

None opposed, motion carries.

3. Board Requests

C. Open Regulations Projects

1. Definition of “Recreational Opportunities”

TAB 66

Status: Revised draft for board consideration

Potential Board Actions: Amend and/or put out for public comment

Erika McConnell summarizes Tab 66.

Bob Klein states that he cannot support numbers 3 and 6 as the activities listed in 3 are vital to the operation of manufacturers and 6 is too broad.

Glenn Brady states that the provided draft is a good effort but that the educational component is vital to the operation of a license of this type; clarification may be needed to allow for educational opportunities related to the manufacturing. He finds 6 too constraining and broad. He states that the concern is if activities are being used to drive tasting room sales. He recommends modification to points 3 and 6 to allow for educational opportunities specific to licensed activities and to further clarify the language regarding social gatherings and events or to strike it entirely.

Bob Klein states that the definition Glenn Brady proposed regarding classes is still too narrow. He states that his companies’ logo designer presented a class in their tasting room and he finds it appropriate. He says classes should be stricken from 3.

Erika McConnell states that the intent of 6 is that someone couldn’t advertise to the general public a social event at the brewery, not stop a private birthday party or other private gathering.

Bob Klein states that the reason for the tasting room is to bring in the public to be social and consume his product.

Glenn Brady asks if this draft has been put out for public comment; Bob Klein confirms that it has not.

Bob Klein states that there is a difference between “throwing an event” and trying to get people to come to the tasting room, the language is too wide open.

Erika McConnell and Bob Klein discuss the difference between “event” and “social gathering”.

Glenn Brady moves to put the project as written out for public comment. He states that the matter will require multiple iterations and that the public comment would allow more informed discussion.
Sara Erickson seconds the motion.

Rex Leath states that there has been previous discussions on different topics where the definition of an activity is too broad, and he has concern that the language provided is too generic and open to a wide translation. He doesn't want to get caught in a situation where the board is forced to reinterpret their own language.

Glenn Brady finds the language incomplete but says that he believes that this will allow public comment as a starting point.

Glenn Brady, Rex Leath, Charlie Cross, and Sara Erickson vote yes. Bob Klein votes no.
Motion carries 4-1.

2. Online Server Education Course

TAB 67

Status: Public comment period closed June 19, 2019
Potential Board Actions: Vote to adopt; OR
Substantially amend and put out for public comment

Erika McConnell summarizes Tab 67 and the proposed changes to amend H rather than create a new section M.

Erika McConnell and Bob Klein discuss if the proposed changes are substantive, Erika McConnell defers to counsel but states that she does not believe so.

Harriet Milks concurs that the proposed changes are not substantive.

Glenn Brady moves to adopt project "Online Server Education Course" with the staff recommended amendment.

Rex Leath seconds the motion.

None opposed, motion carries.

Glenn Brady states that, looking at the provided spreadsheet of course information, approximately 29 percent of the people listed had no geographical data provided and asks if there was any communication with the provider from staff. Erika McConnell states that there was not at this time.

3. Revised Definition of "In the Public Interest"

TAB 68

Status: Public comment period closed June 19, 2019
Potential Board Actions: Vote to adopt; OR
Substantially amend and put out for public comment

Erika McConnell summarizes Tab 68.

Glenn Brady moves to adopt project "In the Public Interest".

Sara Erickson seconds the motion.

Charlie Cross states that the “applicants or applicants affiliate” must disclose. He asks if someone has served a 16 year sentence and then is released on probation shortly before they apply for a liquor license, does the board care?

Harriet Milks states that the probation period consideration can be added or the board could say it depends on the end of the probation period.

Rex Leath states that the probation matter is of concern. He states that regarding Doran Powell’s comment the board is only considering criminal convictions not interactions between persons. He asks if anything prevents a currently incarcerated individual from applying for a license.

The board and director discuss the possibility and they all find it remote. McConnell states that there are other methods by which the board or staff may learn that someone is incarcerated such as a prison phone number or address.

None opposed, motion carries.

● **ALCOHOL MAILBOX**

2:25pm

TAB 69

All correspondence received in the alcohol@alaska.gov inbox from April 13, 2019 – June 21, 2019.

Bob Klein states that he has concerns regarding the complaints against Creekbend Company and suggests the item may be put on the September meeting agenda.

Erika McConnell states that there will be additional information provided to the alcohol mailbox for the next meeting and she may have additional information regarding this license to bring at the next meeting.

No action is taken.

● **NEXT ABC BOARD MEETING**

2:28pm

The next meeting is September 10, 2019, in Nome. All applications must be deemed complete and all other information for inclusion in the board’s packets must be received by **August 23, 2019**.

● **ADJOURN**

2:28pm