



**Alcoholic Beverage Control Board
Meeting Agenda
October 27, 2020 at 9:00 am
Third Judicial District**

Join Zoom Meeting

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All times are approximate. Lunch from 12:00 noon to 1:00pm

● **ADMINISTRATION**

9:00 am

A. Call to Order

9:01 am

B. Roll Call

*Glenn Brady, Industry Member & Chair
Rex Leath, Public Safety Member & Vice Chair
Charlie Cross, Rural Public Member
Sara Erickson, Public Member
Dana Walukiewicz, Industry Member*

*Glen Klinkhart, Interim Director
Joan Wilson, Assistant Attorney General
Carrie Craig, Records and Licensing Supervisor
Jane Sawyer, Regulations Specialist*

C. Approval of Agenda

Rex L. motions to approve. Sara E. seconds. None opposed, motion passes.

D. AMCO Meeting Code of Conduct

TAB 1

E. Top 10 Zoom FAQ

TAB 2

F. Approval of the April 8, 2020 Emergency Meeting Minutes

TAB 3

Dana W. motions to approve. Charlie C. seconds. None opposed, motion passes.

G. Approval of the April 15, 2020 Emergency Meeting Minutes

TAB 4

Charlie C. motions to approve. Dana W. seconds. None opposed, motion passes.

● **BOARD GOVERNANCE**

9:05 am

There are no conflicts of interest.

● **PUBLIC TESTIMONY**

9:10 am

Based on current circumstances, the Board may decide to limit public testimony.

Public testimony is limited to issues not on this agenda and that are not proposed regulations. The call-in number is 1-800-315-6338, code 69173#.

Jana Weltzin, with JDW Law, says that staff has been doing an amazing job while working from home. She asks that the Board encourages and supports the staff.

Nancy DeCherney, with the Juneau Arts and Humanities Council, echoes Ms. Weltzin's comments about the staff. She asks that the Board reconsiders the decision of not allowing wine raffle events. Glenn B. adds that topic for future discussion

Sarah Oates, President and CEO of CHARR, informs the Board that Carrie Craig had joined CHARR's weekly industry meeting and gave a presentation on the updated renewal forms. There was a large turnout and a lot of members have since accessed the recording of the presentation via CHARR's website. She states the presentation was a valuable resource for the industry and looks forward to more of these types of collaborations in the future.

Michael McCormick, local business owner of an axe throwing venue in Anchorage. He says he has partnered with Matt Tomter at the Eagle River Matanuska Brewing Company and that the profits from this partnership has allowed him to keep the business afloat during the pandemic. They had researched the requirements for obtaining permits through AMCO but that option is not feasible. He asks the Board to consider revising AS 04.11.210 regarding Recreational Site Licenses to include axe throwing and other similar venues. Glenn B. states there is pending legislative changes that have some bearing on what Mr. McCormick was explaining but that is beyond the Board's control.

● **DIRECTOR'S REPORT**

9:45 am

TAB 5

9:20 am: Director Klinkhart presents his report.

There is a discussion regarding the online wine auctions. Traditionally, they have been operated under special event permits. Rex L. states he would defer to Enforcement if they had a concern with it. What they can safely enforce or where there may be gaps where they don't think they can safely enforce a certain method or means by which someone selling alcohol. Glenn B. mentions the Department of Revenue and their permitting games of chance like raffle fundraising activities that don't have necessarily anything to do with alcohol. He says he is envisioning an online auction with a permit, but the actual delivery of the alcohol may occur through a licensee, such as a package store, where IDs would have to be verified. Rex L. suggests that Enforcement reach out to other agencies like ATF and the FBI for some guidance on the issue. Sara E. suggests reviewing these on a case by case basis rather than redrafting or creating a new regulation. Dana W. is happy with the current process and trust that staff is doing their due diligence regarding these permits. Glenn B. suggests updating the special event permit application and asks that staff work with Ms. DeCherney on her event.

● **ENFORCEMENT REPORT**

9:55 am

TAB 6

10:05 am: Director Klinkhart presents the Enforcement report. There is a discussion regarding the necessity of the Investigators being armed which the Director addresses. There is an additional discussion about the Enforcement Fines working group meeting.

A. Summary of the Enforcement Working Group Meeting on September 30, 2020

B. Notices of Violation Issued and Licensee Responses

TAB 7

● **LICENSING REPORT**

10:05 am

TAB 8

10:26 am: Carrie Craig presents her report.

10:30 am: Break

10:25 am: Reconvene

● **BOARD CONSIDERATION**

10:15 am

A. 145 Boatel Bar: Abie Neubauer, Inc.

3368 Riverside Drive, Fairbanks

License: Beverage Dispensary

From: Annie Neubauer 100%

To: Annie Neubauer 10%, Christine Neubauer 45% and Natalie Neubauer 45%

TAB 9

Controlling interest transfer approved with delegation at the March 31, 2020 meeting, pending creditor responses. Applicant requests permission from the Board to amend the current AB-11 on file.

10:35 am: Danielle Gardner, attorney for Boatel Bar, is present. **Dana W. motions to approve the amendment of the AB-11. Charlie C. seconds. None opposed, motion passes.**

- B. 1176 Tundra Lodge & R/V Park:** Barbara A. Abbott TAB 10
Milepost 1315 Alaska Highway, Tok
License: Beverage Dispensary

Requesting an additional time extension under AS 04.11.030(b).

10:38 am: Tim Nelson, financial representative for the Estate of Barbara Abbott, is present. **Sarah E. motions to grant the 180-day extension. Dana W. seconds. None opposed, motion passes.**

- C. Latitude 65 Brewing Company LLC** TAB 11
150 Eagle Avenue, Fairbanks
Appealing the denial of two new license applications due to the City of Fairbanks not lifting the protest by the abeyance deadline of October 19, 2020.

1. **5877 Lat 65 Brewing Company
Brewery**
2. **5878 Lat 65 Ciderhouse
Winery**

10:59 am: Zeb Mabie, licensee, is present. Danyielle Snider, with the City of Fairbanks, is present. **Dana W. motions to table the application for approval. Sara E. seconds. None opposed, motion passes.** Joan Wilson suggests to open a regulation project to address the 180-day timing – to be reconsidered at next meeting in January.

● **OBJECTIONS**

- A. 102 Don Jose’s Soldotna 2:** Eduardo Sanchez-Ramos TAB 12
44109 Sterling Highway, Suite B, Soldotna
License: Beverage Dispensary
From: Ernesto Sanchez dba Don Jose’s Soldotna

Transfer of ownership and dba name change.

Local governing body action: pending City of Soldotna, Kenai Peninsula Borough

Approved: Department of Labor Employment Security, Department of Revenue

Background investigations: pending

Department of Labor Workers Compensation objects due to non-compliance.

11:31 am: Worker’s Compensation was compliant as of 10/23/2020. **Dana W. motions to approve with delegation. Sara E. seconds. None opposed, motion passes.**

- B. 263 Coghill’s General Store:** All Alaskan Services LLC TAB 13
807 North A Street, Nenana
License: Package Store
From: Coghill’s, Inc. dba Coghill’s

Transfer of ownership and dba name change.

Local governing body action: pending City of Nenana

Pending: Department of Labor Workers Compensation, Department of Revenue

Background investigations: complete

Department of Labor Employment Security objects due to non-compliance.

11:35 am: Employment Security is compliant as of 10/22/2020. Charlie C. motions to approve with delegation. Dana W. seconds. None opposed, motion passes.

C. 1811 Lil' Babes Bar and Grill: All Alaskan Services LLC

TAB 14

3515 Mountain View Drive, Anchorage

License: Beverage Dispensary

From: Family Restaurants, Inc. dba Ralf's Sports Bar

Transfer of ownership and dba name change.

Local governing body action: pending Municipality of Anchorage

Pending: Department of Labor Employment Security, Department of Revenue

Background investigations: complete

Department of Labor Workers Compensation objects due to non-compliance.

11:37 am: Dana W. motions to approve with delegation. Charlie C. seconds. None opposed, motion passes.

● **SECURITY INTEREST TRANSFERS & INVOLUNTARY TRANSFERS**

A. 45 Mykel's Restaurant: WX, LLC

TAB 15

35041 Kenai Spur Highway, Soldotna

License: Beverage Dispensary - Tourism

From: Mykel's Restaurant, Inc.

Transfer of ownership with security interest.

Local governing body action: pending City of Soldotna, Kenai Peninsula Borough

Pending: Department of Labor, Department of Revenue

Background investigations: completed

11:41 am: Dana W. motions to approve the security interest transfer with delegation. Charlie C. seconds. None opposed, motion passes.

B. 1269 Bear's Den Lounge: Helena & Robert LLC

TAB 16

Mile 1312 Alaska Highway, Tok

License: Beverage Dispensary

From: Three Bears Alaska, Inc.

Transfer of ownership with security interest.

Pending: Department of Labor, Department of Revenue

Background investigations: completed

11:44 am: **Dana W. motions to approve the security interest transfer with delegation. Sara E. seconds. None opposed, motion passes.**

● **PUBLIC CONVENIENCE**

- A. 5932 Nat Shack: Nat Shack LLC** **TAB 17**
239 N Harbor Drive, Valdez
License: Restaurant/Eating Place-Public Convenience

New license application.

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

11:46 am: **Charlie C. motions to approve with delegation. Dana W. seconds. None opposed, motion passes.**

● **TOURISM**

- A. 5927 Hyatt Place Fairbanks: Fairbanks Hospitality, LLC** **TAB 18**
400 Merhar Avenue, Fairbanks
License: Beverage Dispensary-Tourism

New license application.

Local governing body action: pending City of Fairbanks, Fairbanks North Star Borough
Pending: Department of Environmental Conservation
Background investigations: complete

11:57 am: **Dana W. motions to approve with delegation. Charlie C. seconds. None opposed, motion passes.**

11:59 am: *Lunch*
12:59 pm: *Reconvene*

● **DELEGATED CONSENT AGENDA – NEW & TRANSFER APPLICATIONS** **TAB 19**

12:59 pm: **Glenn B. reads the licenses in this section into the record. Charlie C. motions to approve all applications with delegation. Rex L. seconds. None opposed, motion passes.**

- A. 283 Craig Inn: Chanel M McKinley**
403 Water Street, Craig
License: Beverage Dispensary
From: John B McKinley

Transfer of ownership.

Local governing body action: pending City of Craig
Approved: Department of Labor, Department of Revenue
Background investigations: complete

- B. 284 Craig Inn Liquor:** Chanel M McKinley
403 Water Street, Craig
License: Package Store
From: John B McKinley

Transfer of ownership.

Local governing body action: pending City of Craig
Approved: Department of Labor, Department of Revenue
Background investigations: complete

- C. 1824 Alaska Liquor North:** Isner Inc.
Lot 1 C-1 Signal Road, Ketchikan
License: Package Store
From: Victor Klose dba Totem Liquor Store located at 314 Front Street

Transfer of ownership and location with dba name change.

Local governing body action: pending City of Ketchikan, Ketchikan Gateway Borough
Pending: Department of Labor, Department of Revenue
Background investigations: pending

- D. 2684 Kasilof Riverview:** Kasilof Riverview, LLC
57440 Sterling Highway, Kasilof
License: Package Store
From: Joanne Browning and Joseph Browning

Transfer of ownership.

Local governing body action: pending Kenai Peninsula Borough
Pending: Department of Labor, Department of Revenue
Background investigations: complete

- E. 3760 Roughwoods Inn, Café and Microbrewery:** Roughwoods LLC
623 North A Street, Nenana
License: Restaurant/Eating Place
From: Ruth M. McCoy 100%
To: Kari Irish 100%

Transfer of controlling interest.

Local governing body action: pending City of Nenana
Pending: Department of Revenue
Approved: Department of Labor
Background investigations: complete

- F. 4547 Humble Roots LLC:** Ethos Brewing Company
314 Wendell Avenue, Fairbanks 99701
License: Beverage Dispensary

From: North Star Dining, LLC dba McCoy's Underground located at 636 28th Avenue, Suite 2

Transfer of ownership and location with dba name change.

Local governing body action: pending City of Fairbanks, Fairbanks North Star Borough
Pending: Department of Labor, Department of Revenue, Department of Environmental Conservation
Background investigations: pending

G. 4549 Snug Harbor Liquor: Snug Harbor LLC

1/8 Mile Wilson Road, Gustavus

License: Package Store

From: Eugene C. Farley 50%

To: Colleen Stansbury 50%

Transfer of controlling interest.

Local governing body action: pending City of Gustavus
Pending: Department of Labor, Department of Revenue
Background investigations: pending

H. 4849 Git N' Go Liquor: Patrick Patrick and Day LLC

2803 S Old Glenn Hwy, Palmer

License: Package Store

From: J & S a Limited Liability Company

Transfer of ownership.

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

I. 4919 Northern Lights Liquor: Alaska Liquor, Inc

343 W. Benson Blvd #10, Anchorage

License: Package Store License

From: KDAJ Investment group, Inc dba Alaska Liquor located at 2844 E. Tudor Road

Transfer of ownership and location with dba name change.

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

J. 5233 Roughwoods Inn, Café and Microbrewery: Roughwoods LLC

623 North A Street, Nenana

License: Brewpub

From: Ruth M. McCoy 100%

To: Kari Irish 100%

Transfer of controlling interest.

Local governing body action: pending City of Nenana
Pending: Department of Labor Employment Security, Department of Revenue
Approved: Department of Labor Workers Compensation
Background investigations: complete

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

TAB 20

1:02 pm: Glenn B. reads the applications in this section into the record. Dana W. motions to approve all applications in this section. Sara E. seconds. None opposed, motion passes.

- A. 2684 Kasilof Riverview:** Kasilof Riverview, LLC
57440 Sterling Highway, Kasilof
License: Package Store
From: Joanne Irma Browning and Joseph Browning dba Kasilof Riverview Lodge

Transfer of ownership and dba name change.

Local governing body action: no protest by Kenai Peninsula Borough
Approved: Department of Labor, Department of Revenue
Background investigations: complete

- B. 5350 Cajun Corner:** PSPG Holdings, Inc.
302 G Street, Anchorage
License: Restaurant/Eating Place
From: Lahn Pad Thai Downtown Express, LLC dba Lahn Pad Thai Downtown Express

Transfer of ownership and dba name change.

Local governing body action: protest waived by Municipality of Anchorage
Approved: Department of Labor, Department of Revenue
Background Investigations: complete

- C. 5923 Sea Mist:** Alaskan Luxury Cruises LLC
Alaskan Waters
License: Common Carrier – Seasonal

New license application.

- D. 5928 Horizon Air – Anchorage:** ASA Beverages LLC
Alaskan Skies
License: Common Carrier

New license application.

Temporary license issued.

- E. 5929 Horizon Air – Fairbanks:** ASA Beverages LLC
Alaskan Skies
License: Common Carrier

New license application.

Temporary license issued.

- F. 5930 Horizon Air – Dillingham:** ASA Beverages LLC
Alaskan Skies

License: Common Carrier

New license application.
Temporary license issued.

G. 5931 Horizon Air – Fairbanks: ASA Beverages LLC

Alaskan Skies

License: Common Carrier

New license application.
Temporary license issued.

● **DELEGATED CONSENT AGENDA – RENEWAL APPLICATIONS**

TAB 21

1:05 pm: Glenn B. reads all the applications in this section into the record. Charlie C. motions to approve all applications in this section with delegation. Dana W. seconds. None opposed, motion passes.

37	Alaska Liquor Store	Package Store	Municipality of Skagway
258	Club Paris	Beverage Dispensary	Municipality of Anchorage
328	Drop In Lounge	Beverage Dispensary	City of Fairbanks
433	Galena Liquor Store	Package Store	City of Galena
656	Linwood Bar	Beverage Dispensary	City of Seldovia
657	Linwood Bar	Package Store	City of Seldovia
4727	A Taste of Thai	Restaurant/Eating Place	Municipality of Anchorage
5796	Rapids Camp Lodge	Outdoor Recreational Lodge	Bristol Bay Borough

● **REGULATIONS**

A. Proposed Regulations Projects

1. Board Requests

1:49 pm: There are no Board requests.

2. Staff Suggestions
Curbside/Home Delivery – Extension

TAB 22

1:07 pm: There is a discussion to put this regulation out for public comment for 30 days – may need a possible special meeting and the project would die if the statute suspension is not extended by the Governor. Dana W. motions adopt for purposes of discussion. Amended to add the revisions (keep AND plus “validation of authority”) and repost for public comment. Charlie C. seconds. None opposed, motion passes.

B. Opened Regulations Projects

1. Public Comment Period Closed

A. Death of a Licensee

TAB 23

Status: Public comment closed October 9, 2020. One comment received.

Potential Board Actions: Vote to adopt; amend draft and put out for public comment; send back to staff for more work; close project without action.

1:49 pm: Dana W. motions to adopt with minor/technical edits. Charlie seconds. None opposed, motion passes.

B. Internet-Based Alcohol Server Course

TAB 24

Status: Public comment closed October 9, 2020. Five comments received.

Potential Board Actions: Vote to adopt; amend draft and put out for public comment; send back to staff for more work; close project without action.

Glen Brady: states there were several comments in the board packet that were received on this project. Glen Brady asks, what's the will of the board?

Dana Walukiewicz: states there were some slight modifications suggested by CHARR. He states he is not sure whether the modifications rise to the level that requires reposting. He thinks the clarification on the agent of the alcohol server course provider being a resident of the state of Alaska is good he thinks is more administrative and we are able to incorporate these without reposting he would move to adopt the proposed regulations.

Glen Brady asks questions about minor changes/threshold of reposting.

Joan Wilson: the main thing is that the public has knowledge as to the scope of the regulations and the project, and these appear to be primarily technical amendments. The one that might be beyond technical amendment is the one dealing with the location of the registered agent of the Corporation or Limited Liability company but that basically just states the law. She is not concerned that that is a substantive change.

Jane Sawyer: agrees with Joan Wilson but states she likes people to see exactly what is being adopted.

Glen Brady: summarizes having a discussion about this project and having minor, technical edits. Asks the board members if they understand the edits.

1:55 pm: Sara E. motions to accept the technical edits then adopt. Dana W. seconds. None opposed, motion passes.

C. Repackaging by Package Stores

TAB 25

Status: Public comment closed October 9, 2020. One comment received.

Potential Board Actions: Vote to adopt; amend draft and put out for public comment; send back to staff for more work; close project without action.

2:04 pm: Dana W. motions to adopt as published. Charlie C. seconds. None opposed, motion passes.

2. Tabled projects

A. Combined Tasting Rooms

TAB 26

Status: Tabled at August meeting for further discussion. Public comment closed March 13, 2020.

Potential Board Actions: Vote to adopt; amend and put out for public comment; close project without action.

2:17 pm: **Dana W. motions to close the project with no action taken. Charlie C. seconds. Sara E. would vote to adopt. Sara E. and Glenn B. are opposed, 3-2, motion passes.**

● **TOPICS FOR FUTURE DISCUSSION BY ABC BOARD**

- Enforcement Priorities
 - Currently in process.
 - Discussion with Assistant Attorney General Joan Wilson regarding the fine schedule.
- Board Development
- Staffing/Resources
 - Discussion relating to requests for hiring.
- Online Licensing Portal
 - Budget discussion for a request.

● **ALCOHOL MAILBOX**

TAB 27

All correspondence received in the alcohol@alaska.gov inbox from August 1, 2020 – October 9, 2020.

2:41 pm

● **NEXT ABC BOARD MEETING**

Agenda deadline for January 5, 2021 tentative meeting in Juneau: December 18, 2020

2:42 pm: *in person or Zoom, to be determined. Enforcement work group meeting is coming up in December. There may be a special meeting regarding the curbside regulation.*

● **ADJOURN**

2:45 pm: **Charlie C. motions to adjourn. Dana W. seconds. None opposed, motion passes.**