Alcoholic Beverage Control Board
Meeting Agenda
August 17, 2021 at 9:00 am
Second Judicial District
Aurora Inn, 302 Front Street, Nome AK

Join Zoom Meeting
https://amco-alaska-gov.zoom.us/j/97232968893?pwd=RXBKZTk5R1M1YWDjZkS3FQaGw3dz09

Meeting ID: 972 3296 8893
Passcode: 340526

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

ADMINISTRATION 9:00 am

A. Call to Order

9:01 am

B. Roll Call

Dana Walukiewicz, Industry Member and Chair
Diane Thompson, Industry Member and Vice Chair
David Koch, Public Safety Member
Doug Moore, Public Member
Janice Hill, Rural Member

Glen Klinkhart, Director
Joan Wilson, Assistant Attorney General
Rick Helms, Program Coordinator
Jane Sawyer, Regulations Specialist
Carrie Craig, Records and Licensing Supervisor
C. Approval of Agenda

   *David K. motions to amend the agenda to include license #475. Doug M. seconds. None opposed, motion carries.*

D. AMCO Meeting Code of Conduct  

E. Top 10 Zoom FAQ  

F. Approval of the June 22, 2021 Meeting Minutes  

   *Diane T. motions to approve the meeting minutes and David K. seconds. None opposed, motion carries.*

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**BOARD GOVERNANCE**  

9:05 am

*There are no changes to report.*

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**DELIBERATIVE SESSION**  

9:10 am

A. 3219 Mom & Pops Grocery & Liquor: LeeFamily Corporation  

*License: Package Store*

   *David K. motions to enter Deliberative Session and Doug M. seconds. None opposed, motion carries. Judge Pederson and board members are present.*

   9:12 am: In Deliberative Session

   9:50 am: Return to open session

   *The board took into account a recent Anchorage Assembly resolution for a six-month grace period – an extension on the license. *Dave K. motions to adopt the administrative judge’s decision without change to the administrative decision.* Diane T. seconds. None opposed, motion carries.*

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**PUBLIC TESTIMONY**  

9:40 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.

   9:52 am: Public Testimony is open

   *Sarah Oates, President and CEO of Alaska CHARR, requests moving the next ABC meeting from October 26th to November 2nd. The Alaska CHARR convention is scheduled for October 26-29 in Las Vegas – it is the 50-year anniversary.*
Sam, with the Palmer Museum of History and Art, speaks about an upcoming wine walk for which they applied for a permit. He is not advocating for a change but suggests one permit used for multiple locations – wine walk will now need a separate permit for each location. Special event permits are only 5 a year.

Public Testimony is closed.

**DIRECTOR'S REPORT**

9:50 am TAB 5

Director Klinkhart summarizes his report. Jan H. speaks about the recent visit by AMCO to Haines in comparison to the past. Investigator Johnson speaks about the Haines investigation.

A. Public Convenience Petition Process Discussion TAB 6

Director Klinkhart, Carrie C. and Rick H. speaks about the challenges staff and licensees come across with these applications. Diane T. asks if the board can change the statute for rural areas. Doug M. speaks about snowbirds in rural areas. PFD/permanent residents. Joan W. mentions high volume areas compared to low volume areas. Sarah Oates, as a former AMCO employee, has seen the process from one extreme to the other and gives an example. She encourages the board to support the staff’s recommendation. Diane T. motions to support the staff’s recommendation and Jan H. seconds. None opposed, motions carries.

**ENFORCEMENT REPORT**

9:55 am TAB 7

10:38 am: Break
11:54 am: Reconvened

Director Klinkhart summarizes the report for James H. in his absence.

A. Notices of Violation Issued and Licensee Responses TAB 8

**LICENSING REPORT**

10:05 am TAB 9

Carrie C. presents her report. Dana W. asks if there were any upset applicants regarding the processing times for permits. Carrie answers, no but if there were some, they would be the ones who submit their paperwork at the last minute.

Dana W. asks about the wine walk that was brought up in public testimony – is that something that will come to the board? Director Klinkhart answers that it should be discussed – concerned about potential lack of control in the separate locations, public safety. He would be more comfortable with approving these types of permits if there was a detailed security plan for each location. Diane T. asks if there were separate permits issued for each gallery. There was not.

Dana W. asks for Sam to comment. Sam says they have been doing this for six years with eight to ten locations each time – the applications do include security plan & TAP certified servers as well as a diagram for every location. They have never had an issue in the past and feels they have done their due diligence.

Doug M. would ask staff to give Sam the permit and then address the issues. Rick H. speaks about a different wine walk in Valdez that Enforcement brought to his attention due to multiple violations.
Sarah Oates quotes AS 04.11.240(a): “A special events permit authorized the holder to sell or dispense beer or wine for consumption at designated premises for a specific occasion and for a limited period of time.” She believes that allows for multiple locations that are non-contiguous and suggests that the board may want to consider requiring TAPs certified servers for all permit types.

Dana W. states they have had a healthy discussion and he feels it is generally within the purview of the Director to determine if the permit is warranted.

475 Denali Grizzly Bear: Jeska-Alaska, Inc.
Mile 231.1 Parks Highway, Denali
License: Package Store
For Consideration: Death of a licensee and request to begin operations.

Carrie C. summarizes the licensee’s request. Diane T. motions to allow operations and Doug M. seconds. None opposed, motion carries.

● BOARD CONSIDERATION 10:15 am

A. Alaska Rendezvous Lodge Inc. TAB 10

4270 Alaska Rendezvous
Mile 45.6 Richardson Highway, Valdez
License: Beverage Dispensary

4271 Alaska Rendezvous
Mile 45.6 Richardson Highway, Valdez
License: Package Store

Rescind previous approvals and temporary licenses, deny the 2021-2022 renewal applications

Carrie C. summarizes the issue. Matt Mead, licensee’s counsel is present and Ali, licensee, is present as well. Joan W. has questions and Sarah Oates, who has assisted the licensee previously in her former position at AMCO, has dates. The license should be owned by the estate per Ali. Table to give staff time to propose a way to make corrections to the record. Doug M. motions to table the issue to next meeting. Diane T. seconds. None opposed, motion carries.

B. 5317 Muse: MUSE Restaurant LLC TAB 11

625 C Street, Anchorage
License: Restaurant/Eating Place
From: Culinary Adventures with Laura Cole LLC dba Muse with Laura Cole

Transfer of ownership and dba name change.
Local governing body action: pending Municipality of Anchorage
Approved: Department of Labor and Department of Revenue
Background investigations: pending

Review the proposed licensed premises to determine if it is in compliance with the definition of a Restaurant/Eating Place license.
Carrie C. summarizes the situation. Sherman Ernouf, counsel for the licensee, is present with Brian Steele – actively pursuing legislative changes. Over ten years with no violations. Joan W. states that the previous board deviated from statutes. Diane T. believes it needs more thought and motions to table to the next meeting. Dave K. seconds. None opposed, motion carries.

C. 5948 Alaska Premier Liquor: Alaska Premier Auctions and Appraisals, LLC
1220 West International Airport Road, Anchorage
License: Package Store
Consideration of proposed license operations.

Rick H. summarizes the issue. Sherman Ernouf, counsel for the licensee is present. Dan Newman, licensee, is present. Joan W. doesn’t see a way around this – the laws need to be updated but they are still laws. Small research project suggested for Mr. Ernouf – could have it by the next meeting, but that wouldn’t meet the seller’s timeframe for moving out of state. Dave K. motions to table. Doug M. seconds. None opposed, motion carries.

12:40 pm: Lunch
1:16 pm: Reconvened

● PROTESTS

343 West Benson Boulevard #10, Anchorage
License: Package Store
From: KDAJ Investment Group, Inc. dba Alaska Liquor located at 2844 East Tudor Road

Transfer of ownership, location and dba name change.
Local governing body action: protest by Municipality of Anchorage
Approved: Department of Labor, Department of Revenue
Background investigations: pending
Municipality of Anchorage protests pending approval of a special land use permit and certification from Land Use Enforcement.

Jana Weltzin, counsel for the licensee, is present and summarizes the history of the protest and agrees with staff recommendation. Diane T. motions to deny the application with 180-day abeyance period. Dave K. seconds. None opposed, motion carries.

B. 5105 Denali Family Restaurant: Denali Family Restaurant LLC
121 South Lamont Way, Wasilla
License: Restaurant/Eating Place

Renewal application
Local governing body action: protest by Matanuska Susitna Borough
Matanuska Susitna Borough protests due to failure to pay $100 license review fee.

Carrie C. states the protest was lifted by the Borough and no action is required by the board.

C. 5970 Ravens Ring Brewing Company: Ravens Ring LLC
12150 Industry Way, Unit Q-1, Anchorage

ABC Board Meeting Agenda: August 17, 2021
License: Brewery

New license application
Local governing body action: protest by Municipality of Anchorage
Municipality of Anchorage protests pending approval of special land use permit by the Assembly and certification form the Land Use Enforcement.

Carrie S. summarizes the memo. Doug M. motions to rescind the board’s previous approval and deny with a 180-day abeyance period. Jan H. seconds. None opposed, motion carries.

● SECURITY INTEREST TRANSFERS & INVOLUNTARY TRANSFERS

A. 4760 Evangelo’s Restaurant: Evangelo’s LLC TAB 16
2530 E Parks Hwy - Upstairs, Wasilla
License: Beverage Dispensary
From: K&G Enterprises, LLC dba Evangelo’s

Transfer of ownership & dba name change with security interest.
Local governing body action: waive of protest by City of Wasilla, pending Matanuska-Susitna Borough
Approved: Department of Labor, Department of Revenue
Background investigations: complete

Dave K. motions to approve with delegation. Doug M. seconds. None opposed, motion carries.

B. 4839 Evangelo’s Restaurant: Evangelo’s, LLC TAB 17
2530 E Parks Hwy, Wasilla
License: Beverage Dispensary - Duplicate
From: K&G Enterprises, LLC dba Evangelo’s

Transfer of ownership & dba name change with security interest.
Local governing body action: waive of protest by City of Wasilla, pending Matanuska-Susitna Borough
Approved: Department of Labor, Department of Revenue
Background investigations: complete

Dave K. motions to approve with delegation. Diane T. seconds. None opposed, motion carries.

● DELEGATED CONSENT AGENDA – NEW & TRANSFER APPLICATIONS TAB 18

Dave K. motions to approve all licenses in Tab 18 with delegation. Doug M. seconds. None opposed, motion carries.

A. 118 Valley Country Liquor: Valley Country Store & Fuel, LLC
2809 South Big Lake Road, Big Lake
License: Package Store
From: Gary Cogdill dba Big Lake Liquor Store

Transfer of ownership with dba name change
Local governing body action: pending Matanuska-Susitna Borough
Approved: Department of Labor, Department of Revenue
Background investigations: complete

B. **300 DeHart’s Grocery**: Statter Harbor Food and Fuel LLC  
   11735 Glacier Highway, Juneau  
   **License**: Package Store  
   From: DeHart’s LLC

   **Transfer of ownership**  
   Local governing body action: pending City and Borough of Juneau  
   Approved: Department of Revenue and Department of Labor  
   Background investigations: pending

C. **410 Forks Roadhouse**: The Forks Reborn LLC  
   13046 West Petersville Road, Trapper Creek  
   **License**: Beverage Dispensary  
   From: Martin Stenehjem 20% and Max Bryan Hulse 40%  
   To: (Max) Bryan and Tracy Hulse Revocable Trust 40%, Robert Skaats 10% and Lorena Skaats 10%

   **Transfer of controlling interest**  
   Local governing body action: pending Matanuska Susitna Borough  
   Approved: Department of Revenue, Department of Labor  
   Background investigations: pending

D. **433 Galena Liquor Store**: The North West Company (International) Inc.  
   Corner of 6th & H Street, Galena  
   **License**: Package Store  
   From: Galena Liquor Store Inc

   **Transfer of ownership**  
   Local governing body action: pending City of Galena  
   Approved: Department of Revenue, Department of Labor  
   Background investigations: complete

E. **1090 Cattle Company Steakhouse**: Black Angus Steakhouses, LLC  
   No Premises, Anchorage  
   **License**: Beverage Dispensary  
   From: Taurian BA Holding LLC 100% located at 300 West Tudor Road  
   To: Ursian BA Holdings, LLC 100%

   **Transfer of controlling interest and location**  
   Local governing body action: pending Municipality of Anchorage  
   Approved: Department of Revenue, Department of Labor  
   Background investigations: pending

F. **1130 Thorn’s Showcase Lounge**: Thorn’s Showcase Lounge, LLC  
   208 4th Avenue, Seward  
   **License**: Beverage Dispensary  
   From: Louis Thorn 90%  
   To: Craig Thorn 33.33%, Karyn Clemens 23.34% and Steven Thorn 33.33%
Transfer of controlling interest
Local governing body action: pending City of Seward, Kenai Peninsula Borough
Approved: Department of Labor, Department of Revenue
Background investigations: complete

G. 1176 Tundra RV Park and Bar: Tundra RV Park and Bar, LLC
Milepost 1315 Alaska Highway, Tok
License: Beverage Dispensary
From: Barbara A. Abbott dba Tundra Lodge & RV Park

Transfer of ownership with dba name change
Approved: Department of Labor, Department of Revenue
Background investigations: pending

H. 1179 The Turtle Club: Turtles, Inc.
2098 Old Steese Highway North, Fairbanks
License: Beverage Dispensary
From: Greta Lindley 100%
To: Roger Curtiss 51% and Anthony Carter 49%

Transfer of controlling interest
Local governing body action: pending Fairbanks North Star Borough
Approved: Department of Labor, Department of Revenue
Background investigations: complete

I. 1322 Hill Bar Liquor Store: Craig Bar & Liquor Store, Inc.
503 Front Street, Craig
License: Package Store
From: Marjorie V Young 100%
To: Estate of Marjorie V. Young 100%

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

J. 1328 Hill Bar: Craig Bar & Liquor Store, Inc.
503 Front Street, Craig
License: Beverage Dispensary
From: Marjorie V Young 100%
To: Estate of Marjorie V. Young 100%

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

K. 1387 Fishhook Bar and Grill: Fishhook Bar and Grill, LLC
9231 North Palmer Fishhook Road, Palmer
License: Beverage Dispensary
From: Ruth Page dba Fishhook Bar

Transfer of ownership and dba name change
Local governing body action: pending Matanuska-Susitna Borough
Approved: Department of Labor, Department of Revenue
Background investigations: pending

L. 3489 Tuffy’s: Tuffy’s, LLC
3550 Airport Way Unit 6, Fairbanks
License: Beverage Dispensary
From: Arctic Fox Bar, LLC dba Arctic Fox Bar located at 623 Old Steese Highway

Transfer of ownership and location with a dba name change
Local governing body action: pending City of Fairbanks, Fairbanks North Star Borough
Pending: Department of Environmental Conservation
Approved: Department of Labor, Department of Revenue
Background investigations: complete

M. 4720 Lefty’s: Michael Rasmussen
1107 College Road, Fairbanks
License: Beverage Dispensary
From: Gallantino’s Inc. dba Gallantino’s Italian Restaurant located at 1446 South Cushman

Transfer of ownership and location with a dba name change
Local governing body action: pending City of Fairbanks, Fairbanks North Star Borough
Approved: Department of Labor, Department of Revenue
Pending: Department of Environmental Conservation
Background investigations: pending

N. 5170 La Bodega: Isles, Inc.
718 K Street, Anchorage
License: Package Store
From: 1200 West Northern Lights Boulevard, Suite F

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

O. 5379 Sushi Ya: Sushi Ya Restaurant, Inc.
3501 Old Seward Highway, Anchorage
License: Restaurant/Eating Place
From: Kyong S Kim & Thomas Wood

Transfer of ownership
Local governing body action: pending Municipality of Anchorage
Approved: Department of Labor, Department of Revenue
Background investigations: pending
P. 5713 House of Fire Pizza: TJMN, LLC  
3677 College Road Suite 4, Fairbanks  
**License: Restaurant/Eating Place**  
From: Thomas S. Bartels 50% and Milan Bajmoczi 50%  
To: Milan Bajmoczi 100%  

**Transfer of controlling interest**  
Local governing body action: pending Fairbanks North Star Borough  
Approved: Department of Labor, Department of Revenue  
Background investigations: complete

Q. 5954 El Pastor, LLC: El Pastor, LLC  
12300 Old Glenn Highway, Eagle River  
**License: Restaurant/Eating Place**  

**New license application**  
Local governing body action: pending Municipality of Anchorage  
Background checks: pending

R. 5961 Seabourn Odyssey: Seabourn Cruise Line Limited  
Alaska Waters  
**License: Common Carrier - Seasonal**  

**New license application**  
Pending: Coast Guard Inspection  
Background investigations: pending

S. 5963 Crush: Top Hand Industries LLC  
621 West 6th Avenue, Anchorage (Performing Arts Center)  
**License: Theatre**  

**New license application**  
Local governing body action: pending Municipality of Anchorage  
Background investigations: complete

T. 5967 Midnight Sun Brewing Co: Midnight Sun Brewing, LLC  
8111 Dimond Hook Drive, Anchorage  
**License: Distillery**  

**New license application**  
Local governing body action: pending Municipality of Anchorage  
Background investigations: complete

U. 5971 Hive Mind Meadery LLC: Hive Mind Meadery LLC  
600 West 58th Avenue Suite A, Anchorage  
**License: Winery**  

**New license application**
Local governing body action: pending Municipality of Anchorage
Background investigations: pending

V. 5972 MV Safari Explorer: Innersea Discoveries Alaska, Inc.
   Alaska Waters
   License: Common Carrier - Seasonal

   New license application
   Background investigations: pending

W. 5975 Pilcher Spirits: City of Marshall
   8118 Poltes Avenue, Marshall
   License: Package Store

   New license application
   Local governing body action: pending City of Marshall
   Approved: Department of Environmental Conservation
   Pending: State Fire Marshal
   Background investigations: pending

X. 5976 Bird Homestead Golf Course: S3
   37109 Funny River Road, Soldotna
   License: Golf Course

   New license application
   Local governing body action: pending Kenai Peninsula Borough
   Pending: Department of Environmental Conservation, State Fire Marshal
   Background investigations: pending

Y. 5978 Matanuska Brewing Company: Matanuska Brewing Company LLC
   513 South Valley Way, Palmer
   License: Bottling Works

   New license application
   Local governing body action: pending City of Palmer, Matanuska Susitna Borough
   Approved: Department of Environmental Conversation
   Pending: State Fire Marshal
   Background investigations: complete

Z. 5979 Ravens Ring Brewing Company: Ravens Ring LLC
   12150 Industry Way Unit Q-1, Anchorage
   License: Winery

   New license application
   Local governing body action: pending Municipality of Anchorage
   Background investigations: pending

AA. 5981 Naptowne Brewing: Naptowne Brewing LLC
    35021 Sterling Highway, Sterling
License: Brewery

New license application
Local governing body action: pending Kenai Peninsula Borough
Pending: TTB Permit
Background investigations: pending

● CONSENT AGENDA – NEW & TRANSFER APPLICATIONS  

A. 5980 Horizon Air-Kodiak: ASA Beverages LLC
   Alaskan Skies
   License: Common Carrier – Single Destination
   New license application
   Background investigations: complete

   Diane T. motions to approve license #5980 and Jan H. seconds. None opposed, motion carries.

● RENEWAL APPLICATIONS FOR LICENSEES WITH 2019 AND 2020 NOTICES OF VIOLATION

A. 2706 V.F.W. Post #9981: South Anchorage Post 9981 of the VFW
   12870 Old Seward Highway Suite 109, Anchorage
   License: Club
   2/7/2020 – Violation of club license; multiple violations; violation of obligation to enforce restrictions on licenses premises; wine auction permit

   Dana W. asks if there have been follow up observations or site visits by Enforcement. Director Klinkhart says that Investigator Hamilton would absolutely be following up on this license and will bring any additional finds to his attention. Dave K. points out the multiple NOVs. Doug M. motions to approve and direct staff to place additional enforcement oversite for this license. Jan H. seconds. Doug M. asks if the board can put the licensee on probation. Joan W. says that action would require an accusation. Dave K. asks about taking this to a hearing – Director Klinkhart says that action would take an accusation as well – the licensee has due process. Dave K. is opposed. Motion carries 4-1.

● TOURISM LICENSES – RENEWALS

A. 2797 Kalgin Island Lodge: Kalgin Island Lodge Inc
   Kalgin Island
   Local governing body: Kenai Peninsula Borough

   There is a question regarding the length of time between submission of the application to being presented to the board. Kristina Serezenkov, OLE, states that the reason was getting an overdue fingerprint card from the licensee. Dave K. motions to approve and Jan H. seconds. None opposed, motion carries.
DELEGATED CONSENT AGENDA – RENEWAL APPLICATIONS

Jan H. motions to approve the entirety of Tab 22 with delegation. Dave K. seconds. None opposed, motion carries.

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<th>DBA</th>
<th>License Type</th>
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<td>McGrath</td>
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BOARD CONSIDERATION (continued)

A. 5982 Hilltop Ski Area: Youth Exploring Adventure Inc.

License: Recreational Site

New license application
Local governing body action: pending Municipality of Anchorage
Background investigations: pending

Review application for compliance with Recreational Site statute

1:18 pm: Cindy Franklin, counsel for the licensee, is present. Trevor and Joseph, licensees are present as well – non-profit since 1984. Ms. Franklin summarizes the situation and has a PowerPoint and handouts of the slides. Statute does not define what a recreation site license is, but it states what it includes.

Questions by board. Joan W. speaks of statutory construction – the meaning of the words are plain. “Recreational” means activity just for enjoyment. “Site” is a particular place. Includes part of a whole.

Doug M. motions to approve and Diane T. seconds. None opposed, motion carries.

REGULATIONS

A. Proposed Regulations Projects

1. Board Requests (if any)
Diane T. speaks about a suggestion to allow underage employees to serve alcohol. The statute says no, but they will be asking the legislature. Only 15 other states do not allow minors to serve alcohol.

B. Opened Regulations Projects

1. Initial Drafts

   A. Licensed Premises

      Status: Initial draft for board consideration.
      Potential Board Actions: send out draft for public comment (with or without changes); send draft back to staff for more work; close project without action.

      2:42 pm: Dana W. summarizes and reads the regulation into the record. Doug M. motions to send out for public comment, as is, for 60 days. Diane T. seconds. None opposed, motion carries.

      Dana W. asks for a status update regarding streamlining the NOV process. Joan W. has the draft and is currently working on it - should have it for next meeting.

● ONGOING DISCUSSION BY ABC BOARD

   o 2022 Board Meeting Locations

      Director Klinkhart summarizes. There are many suggestions made. Doug M. also suggests that we advertise in local area previously to the meeting – it is important to have the public present. Director Klinkhart will discuss with the MCB board in the following days.

● TOPICS FOR FUTURE DISCUSSION BY ABC BOARD

   o Board Development

      Dana W. references the previous day’s orientation meeting, it was successful. Dave K. suggests that the board tours some licensed establishments.

● ALCOHOL MAILBOX

      There was no correspondence received in the alcohol@alaska.gov inbox from May 22, 2021 – July 30, 2021 that has not been addressed by AMCO staff.

● NEXT ABC BOARD MEETING

      Agenda deadline for October 26, 2021 meeting in Anchorage is close of business October 8, 2021.

      Joan W. will be out in November and will have limited availability, however Richard Moses will be available. All in favor for November 2, 2021 – none opposed.
● BOARD COMMENTS

Dave K.: He states he enjoyed the orientation/training.

Diane T.: She says yesterday (the orientation) was extremely helpful. This will be a fun board.

Doug M.: He thanks Dana for keeping the meeting rolling and thanks the staff.

Jan H.: She really appreciated yesterday’s orientation. Today was an informative continuation and she is learning the language and process. She thinks tours are a really good idea and her schedule is flexible.

Dana W.: He thanks staff and the Director’s leadership. Focus on the next twelve months is a positive change. He also thanks the board for volunteering.

● ADJOURN