



**Alcoholic Beverage Control Board
Special Meeting
May 13, 2024
Attwood Building
550 W 7th Avenue, First Floor
Anchorage, AK**

● **ADMINISTRATION**

A. Call to Order 1:07pm

B. Roll Call

- Dana Walukiewicz, Chair – industry: present person
- Diane Thompson, Vice Chair – industry: present in person
- Janice Hill - Public member: present on zoom
- Doug Moore – Public member: present in person
- [Public Safety Seat Vacant]

Agenda approval: *Diane, yes. Doug, yes. Jan, yes. Dana, yes.*

- **Haute Quarter Grill, Inc. dba Table 6 Lic.4847, OAH No. 23-0586-ABC**
Reconsideration of the case

Dana explains the board will go into deliberative session to discuss the matter then come back on the record. Board goes into deliberative session and comes back on the record to let public know they are finished with deliberative session, then Board takes a short break.

Board resumes at 2:14pm.

The Board hears from both parties (Kevin Higgins, Agency Attorney and Mr. Perez, Applicant) for any additional information the parties would like to bring up. [parties make their statements, and answer Board's questions].

Board enters deliberative session to speak to ALJ at 3:05pm.

Board back on record at 3:22pm.

Diane Thompson moves to grant reconsideration of the decision adopted by board at April 2024 meeting. Dana Walukiewicz seconds. Doug, no. Diane, yes. Jan, no. [before Dana votes, he makes a statement for the record] [in the end, he abstains from voting] Motion fails 2-1.

“as a member of this board, I have to make decisions based on the facts and circumstances in front of me. It had come to my attention, over the last couple of weeks, that my business has been targeted because of a decision I have made and that people are stating that I am not supportive of certain industry members because I did not vote in agreement with them or support their petition. That has caused me great conflict mainly because I am a member of the industry and I always looked at all the [inaudible] circumstances [inaudible] as much leniency or support to those industry members that I can. There comes a time when certain facts and circumstances do not align with the laws and regulations that we have to abide by. I wanted to go on the record for that because particularly, I’ve heard that certain businesses have taking down King Street Company’s tapped handles, not selling the product, which of course, for the record, I am an owner of that brewery, and it is disappointing to me. It causes me conflict because I feel like I’m damned if I do, and I’m damned if I don’t. There is nothing more I’d like to”....

Kevin Higgins, Agency Attorney, apologetically interrupts Mr. Walukiewicz to voice his obligation to suggest that there is a possibility that Mr. Walukiewicz financial interest could be affected by Mr. Walukiewicz participation in making a decision... Mr. Higgins suggests the question of whether Mr. Walukiewicz has a conflict of interest should be put to the other board members...

Joan Wilson, AMCO Director, asks Mr. Higgins whether the same applies to Ms. Thompson... Mr. Higgins, until he heard the Chair that economic actions being taken against his economic interests, he had not heard anything yet that suggested there was a conflict... there was a specific statement that economic actions had been taken against Mr. Walukiewicz business because of his participation... Mr. Higgins states under the Ethics Act, the other board members should decide whether Mr. Walukiewicz has a potential conflict...

Mr. Walukiewicz clarifies for the record that he is more stating he doesn’t feel that the financial is going to be something that would cause him to change a vote... it’s more of a sad situation for my business partner and/or employees he works with, but for the purposes of this vote he will abstain to avoid any potential appearance...

Mr. Higgins apologizes, and again explains that the question of whether Mr. Walukiewicz has a conflict of interest should be put to the other board members...

Ms. Wilson speaks to a quorum of the board...

Mr. Walukiewicz asks the rest of the board members whether they have an objection with Mr. Walukiewicz abstaining from voting. No objections voiced by board members...

[board goes back to the motion on the table]

Meeting adjourned