



**Alcoholic Beverage Control Board
Meeting Agenda
September 20, 2022 at 9:00 am
Fourth Judicial District**

**Pike's Waterfront Lodge, 1850 Hoselton Rd, 2nd Floor
(Fireweed Conference Room)
Fairbanks, Alaska**

Join Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/88005651083>

Meeting ID: 880 0565 1083

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

● **ADMINISTRATION**

9:00 am

A. Call to Order

9:03 am

B. Roll Call

Dana Walukiewicz, Board Chair and Industry Member, present in person

Diane Thompson, Vice Chair and Industry Member, present in person

Doug Moore, Public Member, present in person

Dave Koch, Public Safety Member, not present

Jan Hill, Public Member, present in person

Joan Wilson, Director, present in person
Kevin Higgins, Assistant Attorney General, present in person
Carrie Craig, Records and Licensing Supervisor, present in person
Nathan Hall, Occupational Licensing Examiner, present in person
Jane Sawyer, Acting Program Coordinator and Regulations Specialist, present on Zoom
Maya Ali, Administrative Officer, present on Zoom
Investigator Steve Johnson is available to answer questions for Chief Hoelscher, present on Zoom

C. Approval of Agenda

Diane T. motions to remove the budget report on this agenda and ask that it be brought back for the December meeting with additional information. Jan H. seconds. None opposed, motion passes.

D. AMCO Meeting Code of Conduct TAB 1

E. Top 10 Zoom FAQ TAB 2

F. The June 28, 2022 Board Meeting Minutes will be available at the December 12, 2022 meeting.

● BOARD GOVERNANCE 9:05 am

There are no changes to report.

● 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.

9:06 am: Public Testimony is open. There is no one to testify. Public Testimony is closed.

● DIRECTOR'S REPORT TAB 3

Director Wilson presents her report.

● ENFORCEMENT REPORT TAB 4

Director Wilson summarizes Chief Hoelscher's report. Investigator Steve Johnson and CJT II Jason Davies are available to answer questions regarding the NOV's.

A. Notices of Violation Issued and Licensee Responses TAB 5

The board wishes to table The Pit Bar NOV for discussion later in the meeting.

*1:21 pm: Kristina Browning, representative for The Pit Bar and licensee, Jamey McDevitt, are present on Zoom. There is a discussion regarding the NOV in relation to the water issue. Mr. McDevitt states the water has been tested, but they haven't received the results back yet. There is a procedural discussion. **Diane T. motions to direct the director to issue an accusation. Follow up with DEC,***

possible consent agreement between the licensee and AMCO. Doug M. seconds. None opposed, motion passes.

● **LICENSING REPORT** **TAB 6**

Carrie Craig summarizes her report.

● **BUDGET REPORT** **TAB 7**

Rescheduled for the December 12, 2022 meeting.

● **CONSENT AGENDA – NEW & TRANSFER APPLICATIONS** **TAB 8**

Diane T. motions to approve all license applications listed in Tab 8. Jan H. seconds. None opposed, motion passes.

- A. 5462 Anchorage Distillery:** Anchorage Distillery LLC
6310 A Street, Anchorage
License: Distillery
From: Robert Allen 15%, William Clark 13% and John Halligan 48%
To: John Halligan 70.37%, Robert Allen 3.11%, William Clark .63%, Matthew S. Francher 4.49%

Transfer of controlling interest

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

- B. 6083 M/V Le Commandant Charcot:** Ponant Company, SASU
Alaskan Waters
License: Common Carrier

New license application

Background investigations: complete

● **DELEGATED CONSENT AGENDA – NEW & TRANSFER APPLICATIONS** **TAB 9**

Doug M. motions to approve all license applications listed in Tab 9 with delegation. Diane T. seconds. None opposed, motion passes.

- A. Northern Hospitality Group Inc.**
DBA: 49th State Brewery
717 West 3rd Avenue, Anchorage
From: Jason Motkya 50% and David McCarthy 50%
To: Jason Motyka 30% and David McCarthy 70%

Transfer of controlling interest

Local governing body action: pending Municipality of Anchorage
Approved: Department of Revenue, Department of Labor
Creditors: pending

Background investigations: complete

1. **4058 49th State Brewery (Floor 1 Main Bar)**
Beverage Dispensary
2. **4059 49th State Brewery (Floor 1 Main Bar)**
Brewpub
3. **5554 49th State Brewery (Floor 2 Service Bar)**
Beverage Dispensary-Duplicate
4. **5555 49th State Brewery (Basement East Bar)**
Pending license approved by but not yet effectuated by AMCO
Beverage Dispensary-Duplicate
5. **5556 49th State Brewery (Basement West Bar)**
Pending license approved by but not yet effectuated by AMCO
Beverage Dispensary-Duplicate
6. **5557 49th State Brewery (Roof Top Deck Bar)**
Beverage Dispensary-Duplicate
7. **5558 49th State Brewery (Floor 1 Theater Bar)**
Beverage Dispensary-Duplicate
8. **5648 49th State Spirits and Gifts (Main Floor)**
Package Store

- B. 383 Fairview Inn LLC:** Fairview Inn LLC
22170 South D Street, Talkeetna
License: Beverage Dispensary
From: Denali Fairview Inn Inc dba Fairview Inn

Transfer of ownership with dba name change

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

- C. 420 Fox General Store:** The Fox General Store Inc
2226 Old Steese Highway North, Fairbanks
License: Package Store
From: Timothy McKay 90% and Kaitlyn Zellweger-Maydole 10%
To: Kaitlyn Zellweger-Maydole 100%

Transfer of controlling interest

Local governing body action: approved Fairbanks North Star Borough
Approved: Department of Labor, Department of Revenue
Background investigations: complete

- D. 447 Tracy's King Crab Shack 2:** TCKS LLC
300 Whittier Street, Lot C1 Juneau Subport, Section 23, Township 41 S Range 67 E, Juneau
License: Beverage Dispensary
From: David McGivney located at no premises with no dba

Transfer of ownership, location and change of dba

Local governing body action: pending City and Borough of Juneau
Pending: Department of Conservation
Approved: Department of Revenue, Department of Labor
Background investigations: pending

- E. 790 Halibut Point Crab and Chowder:** HPR Group Inc
4513 Halibut Point Road Suite 102, Sitka
License: Beverage Dispensary
From: DPJT Inc dba Nugget Restaurant located at 600 Airport Road Suite A, Sitka

Transfer of ownership, location and change of dba

Local governing body action: pending City and Borough of Sitka
Approved: Department of Revenue, Department of Conservation, Department of Labor
Background investigations: pending

- F. 2097 Prospectors Pizza:** Northern Hospitality Group II, Inc
2415 C Street, Anchorage
License: Beverage Dispensary
From: No DBA to Prospectors Pizza

Transfer of ownership with dba name change

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

- G. 3009 The Rock Wood Fired Pizza & Spirits:** The Wedge Corporation
No Premises, Anchorage
License: Beverage Dispensary
From: 3401 Penland Parkway

Transfer of location

Local governing body action: Complete
Background investigations: complete

- H. 4061 Tundra Tavern:** Tundra Tavern LLC
42446 Kagalaska Drive, Adak
License: Beverage Dispensary
From: LVS Adak LLC dba Underground Bar & Grill

Transfer of ownership with dba name change

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

I. 4346 Bernie's Bar LLC: Bernie's Bar LLC

320 Center Street, Kodiak

License: Beverage Dispensary

From: Bernie V Ballao dba Bernie's

Transfer of ownership with dba name change

Local governing body action: approved City of Kodiak and pending Kodiak Island Borough

Approved: Department of Revenue, Department of Labor

Creditor pending

Background investigations: pending

J. 4395 The Banks Alehouse: L & E LLC

1243 Old Steese Highway, Fairbanks

License: Beverage Dispensary

From: Goethe LLC

Transfer of ownership

Local governing body action: pending City of Fairbanks, Fairbanks North Star Borough

Approved: Department of Revenue, Department of Labor

Background investigations: pending

K. 5104 Kim's Cuisine: Blueberry Kim LLC:

12400 Old Glenn Highway #3, Eagle River

License: Restaurant/Eating Place

From: R&K Enterprises

Transfer of ownership

Local governing body action: pending Municipality of Anchorage

Pending: Department of Revenue

Approved: Department of Labor Worker's Compensation: Department of Employment Security

Background investigations: complete

L. 5245 Anchorage Cider House at Fat Ptarmigan: Fat Ptarmigan LLC

441 West 5th Avenue Suite 100, Anchorage

License: Restaurant/Eating Place

From: Fat Ptarmigan Management LLC

Transfer of ownership

Local governing body action: pending Municipality of Anchorage

Pending: Department of Labor Employment Security

Approved: Department of Revenue, Department of Labor Worker's Compensation

Background investigations: complete

M. 5365 Icy Strait Brewing LLC: Icy Strait Brewing LLC

286 Front Street, Hoonah

License: Brewery – Seasonal

From: Icy Strait Ventures LLC dba Icy Strait Brewing

Transfer of ownership with dba name change

Local governing body action: pending City of Hoonah
Approved: Department of Revenue, Department of Labor
Background investigations: pending
Temporary License issued

- N. 5880 Pizza Man:** Pie in the Sky LLC
16410 Brooks Loop #1, Eagle River
License: Restaurant/Eating Place
From Ben N Dez Inc.

Transfer of ownership

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

- O. 5894 Mt Marathon Brewing Company:** Exit Glacier Salmon Bake LLC
31832 Herman Leirer Road, Seward
License: Brewery-Seasonal

New license application

Local governing body action: pending Kenai Peninsula Borough
Pending: State Fire Marshal
Approved: Department of Conservation
Background investigations: complete

- P. 5950 House of Fire Pizza:** TJMN LLC
300 Old Steese Highway Unit #1, Fairbanks
License: Restaurant/Eating Place
From: Thomas Bartels 50% and Milan Bajmoczi 50% to Milan Bajmoczi 100%

Transfer of controlling interest

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

- Q. 6046 Amelia's Restaurant:** Hien T Tran
30 East Point Road, Unalaska
License: Restaurant/Eating Place

New license application

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

- R. 6056 Swell Taco:** Swell Taco, LLC
4025 Homer Spit Road, #4
License: Restaurant/Eating Place- Seasonal

New license application

Local governing body action: City of Homer Waive Protest
Pending: Department of Environmental Conservation, State Fire Marshal
Background investigations: complete

- S. 6073 Woadie's South East Seafood LLC:** Woadie's South East Seafood
4th Avenue & State Street, Skagway
License: Restaurant/Eating Place

New license application

Local governing body action: protest waived by Municipality of Skagway
Pending: Department of Environmental Conservation, State Fire Marshal
Background investigations: complete

- T. 6074 House of Fire Pizza:** TJMN, LLC
771 Badger Road, Suite 160, Fairbanks
License: Restaurant/Eating Place

New License Application

Local governing body action: pending Fairbanks North Star Borough
Pending: Fire Marshal, Department of Environmental Conservation
Background investigations: Complete

- U. 6076 Momma O's Seafood:** Momma O's Seafood MR LLC
2636 Spenard Road #1, Anchorage
License: Restaurant/Eating Place

New license application

Pending: Municipality of Anchorage
Background investigations: complete

- V. 6077 Nonna's Osteria:** Marian Romano
201 West Herning Avenue, Wasilla
License: Restaurant/Eating Place

New license application

Local governing body action: approved City of Wasilla, pending Matanuska-Susitna Borough
Pending: Department of Environmental Conservation
Background investigations: complete

- W. 6078 Kami Ramen:** Kami LLC
3807 Spenard Road, Anchorage
License: Restaurant/Eating Place

New license application

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

- X. 6079 Boatyard Café:** DNLS LLC
5075 Kachemak Drive, Homer
License: Restaurant/Eating Place

New license application

Local governing body action: pending City of Homer, Kenai Peninsula Borough
Approved: Department of Environmental Conservation
Pending: State Fire Marshal
Background investigations: Complete

- Y. 6080 KC's Kitchen:** Curt Michael Haley
1707 South Cushman Street, Fairbanks
License: Restaurant/Eating Place

New license application

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

- Z. 6081 Tacos Cancun Mexican Grill:** Tacos Cancun, Inc.
2101 Sun Mountain Ave #101, Wasilla
License: Restaurant/Eating Place

New license application

Local governing body action: pending City of Wasilla, Matanuska-Susitna Borough
Pending: Department of Environmental Conservation
Background investigations: pending

- AA. 6082 Latitude 59:** Sake 59 LLC
3858 Lake Street #59, Homer
License: Restaurant/Eating Place

New license application

Local governing body action: pending City of Homer, Kenai Peninsula Borough
Approved: Department of Conservation, State Fire Marshal
Background investigations: pending

- BB. 6084 San Diego Tacos to Go:** Laura L. Joa
11 N. 2nd Street, Unalaska
License: Restaurant/Eating Place

New license application

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

- CC. 6090 Scenic Eclipse:** PEC Operations Ltd., LLC
Alaskan Waters
License: Common Carrier – Seasonal

New license application

Background investigations: pending
Temporary Approval Issued

- DD. 6091 Water Rudders:** Water Rudders LLC
1308 Lake Shore Drive Suite A2, Homer
License: Restaurant/Eating Place – Seasonal

New license application

Local governing body action: pending City of Homer, Kenai Peninsula Borough
Pending: Department of Environmental Conservation
Approved: State Fire Marshal
Background investigations: pending

- EE. 6092 Sunnyside Eatery:** Slack Tide LLC
25 State Dock Road, Gustavus
License: Restaurant/Eating Place

New license application

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

- FF. 6093 M/V Silver Wind:** Silversea Provisioning LLC
Alaskan Waters
License: Common Carrier – Seasonal

New license application

Pending: US Coast Guard Inspection Document
Background investigations: complete

- GG. 6094 Anglers Lodge LLC:** Anglers Lodge LLC
36020 Stephens Drive, Sterling
License: Outdoor Recreation Lodge – Seasonal

New license application

Local governing body action: pending Kenai Peninsula Borough
Pending: State Fire Marshal
Approved: Department of Environmental Conservation
Background investigations: pending

SECURITY INTEREST TRANSFERS

- A. Clear Sky Lodge Inc.**
From: Alaska Lights Inc

Transfer of ownership with security interest

Local governing body action: pending Denali Borough

Pending: State Fire Marshal, Department of Environmental Conservation
Approved: Department of Labor Worker's Compensation, Department of Revenue
Background investigations: complete

1. **242 Clear Sky Lodge** **TAB 10**
Mile 280 Parks Highway
License: Beverage Dispensary

2. **243 Clear Sky Lodge** **TAB 11**
Mile 280 Parks Highway
License: Package Store

Doug M. motions to approve the transfers with security interest for licenses #242 and #243 with delegation. Jan H. seconds. None opposed, motion passes.

B. Uncle Thirsty's LLC
From: MSA Inc

Transfer of ownership with security interest

Local governing body action: protest waived by City of Homer and Kenai Peninsula Borough
Approved: Department of Revenue, Department of Labor
Background investigations: complete
Temporary Approvals Issued

1. **479 The Grog Shop** **TAB 12**
369 St Pioneer Avenue, Homer
License: Package Store

2. **2301 Grog Shop East End** **TAB 13**
3125 East End Road, Homer
License: Package Store

3. **2531 Homer Liquor & Wine Company** **TAB 14**
4474 Homer Spit Road #4, Homer
License: Package Store – Seasonal

4. **3176 Patel's** **TAB 15**
4470 Homer Spit Road, Homer
License: Package Store – Seasonal

5. **3472 Patel's #2** **TAB 16**
4287 Homer Spit Road #1, Homer
License: Package Store – Seasonal

6. **4432 Rum Locker** **TAB 17**
276 Olsen Lane Suite #3, Homer
License: Package Store

Doug M. motions to approve all transfer applications with security interests for Tabs 12 through 17 with delegation. Diane T. seconds. None opposed, motion passes.

● **TOURISM**

A. Tailwind JNU LLC

From: Jeffrey Switzer 50% and Alan Giaquinto 50% to Tailwind Hospitality Inc 100%

Transfer of controlling interest

Local governing body action: pending City and Borough of Juneau

Approved: Department of Revenue, Department of Labor

Background investigations: complete

1. 5631 Tailwind Concessions

TAB 18

1873 Shell Simmons Drive Suite 220 Area B

License: Beverage Dispensary – Tourism

2. 5649 Tailwind Concessions

TAB 19

1873 Shell Simmons Drive Suite 220 Area A

License: Beverage Dispensary – Tourism

Jan H. motions to approve Tabs 18 and 19 with delegation. Doug M. seconds. None opposed, motion passes.

B. 3999 The Draft House and Lodge: Big Delta Brewing Company LLC

TAB 20

265 Richardson Highway, Delta Junction

License: Beverage Dispensary – Tourism

From: Juice, Inc. dba Alaskan Steakhouse and Motel

Transfer of ownership with DBA change

Local governing body action: pending City of Delta Junction

Pending: Department of Labor, Department of Revenue

C. 6063 Camp Denali: Denali National Park Wilderness Centers LTD

TAB 21

Mile 89 Denali National Park Road

License: Beverage Dispensary – Tourism – Seasonal

New license application

Local governing body action: protest waived by Denali Borough

Approved: State Fire Marshal, Department of Environmental Conservation

Background investigations: completed

D. 6067 Nugget Restaurant: DPJT Inc

TAB 22

600 Airport Road Suite A, Sitka

License: Beverage Dispensary – Tourism

New license application

Local governing body action: pending City and Borough of Sitka

Approved: Department of Environmental Conservation

Background investigations: completed

Doug M. motions to approve Tabs 20 through 22 with delegation. Diane T. seconds. None opposed, motion passes.

● RECREATIONAL SITE

- A. **6089 Skeetawk:** Hatcher Alpine Xperience TAB 23
13500 North Skeetawk Circle, Palmer
License: Recreational Site

New license application

Local governing body action: pending Matanuska-Susitna Borough

Pending: Department of Conservation, State Fire Marshal

Background investigations: pending

Rob Wells, applicant, is present on Zoom. Dana W. asks about the pending DEC permit. Currently, they are still in construction and drilling the second well. Diane T. motions to approve the application with delegation. Jan H. seconds. None opposed, motion passes.

PROTESTS

- A. **5846 Four Points by Sheraton, Anchorage:** YC Anchorage Hotel Group Ltd. TAB 24
325 W. 8th, Anchorage
License: Beverage Dispensary -Tourism

Municipality of Anchorage protests the 2021 – 2022 renewal application for taxes owed.

Doug M. motions to deny the renewal and uphold the protest with 180-day abeyance. Diane T. seconds. None opposed, motion passes.

- B. **6058 Big Lake Brewing Company LLC:** Big Lake Brewing Company LLC TAB 25
510 South Big Lake Road, Big Lake
License: Beverage Dispensary

New license application

Background investigations: pending

Matanuska – Susitna Borough pending approval of required conditional use permit.

Jan H. motions to deny and uphold the protest with 180-day abeyance. Diane T. seconds. Doug M. asks about delegation time frames. Carrie Craig answers there is no deadline/time frame, an application can remain in delegated status indefinitely. None opposed, motion passes.

- C. **6069 Hari Om Cuisine of India:** A Paul LLC TAB 26
1528 South Cushman, Fairbanks
License: Restaurant/Eating Place

New license application

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

City of Fairbanks protests for correction of deficiencies and code violations.

*Lindsay Johnson, representing the applicant, is present in the room and updates the board regarding the protest. All permitting should be completed within four weeks. **Doug T. motions to deny and uphold the protest with 180-day abeyance. Jan H. seconds. None opposed, motion passes.***

● **BOARD CONSIDERATION**

A. Time extension request by executor TAB 27
Licenses: Beverage Dispensary

1. **569 JJ's Sports Center:** Jaybuff Inc
624 Muldoon Road, Anchorage
Mr. James 51% owner
2. **825 Panhandle Bar:** BJV Inc
312 West 4th Avenue, Anchorage
Mr. James 50% owner

Doug M. motions to extend the time frame to 180 days to file transfer applications. Jan H. seconds. None opposed, motion passes.

B. 65 Anchor Tavern: Sackett, Inc. TAB 28
114 Front Street, Nome
Licenses: Beverage Dispensary

Time extension request by executor.

Tabled until after lunch.

*1:48 pm: The board should also consider the renewal application. **Doug M. motions to approve the renewal with delegation and allow an extension of 180 days to file the transfer application. Jan H. seconds. None opposed, motion passes.***

C. Transfer of controlling interest application and 2022-2023 renewal application TAB 29

1. **402 Flight Deck Bar:** Ivory Manufacturing Corp of AK
832 West International Airport Road, Anchorage
License: Beverage Dispensary-Tourism
From: Marlene Meyer 100% dba Flight Deck Bar/Arctic Inn to Allen J. Meyer 100%

Transfer of controlling interest and dba name change

Local governing body action: pending Municipality of Anchorage
Pending: Department of Labor Employment Security

Approved: Department of Revenue, Department of Labor Workers Compensation
Creditor: pending
Background investigations: complete

2. **402 Flight Deck Bar:** Ivory Manufacturing Corp of AK
832 West International Airport Road, Anchorage
License: Beverage Dispensary – Tourism

2022-2023 Renewal application

Local governing body action: pending Municipality of Anchorage

Consider transfer application and 2022-2023 renewal application for a Tourism license along with additional documentation on the disposition of the Flight Deck Pizza as mentioned in the Tourism statement and the AB-03 form.

10:40 am: Break

11:03 am: Reconvened

*Dana W. summarizes the memo, Kristina Serezhenkov, licensing examiner, adds information for the board members. Allen Meyer, executor/personal representative, is on Zoom. Extend premises to include the restaurant, with a management services agreement or develop their own restaurant. Discussion of options. **Doug M. motions to table the consideration of the renewal and transfer to the December 12, 2022 meeting. Jan H. seconds. None opposed, motion passes.***

- D. **3820 Igloo Liquor:** Sunshine Liquor, Inc. **TAB 30**
10160 Parks Highway, Sutton
License: Package Store

Time extension request by executor.

Diane T. motions to allow an extension to file a transfer application for 180 days. Jan H. seconds. None opposed, motion passes.

- E. **3925 Boon Dox Bar:** Michael C. Stormont **TAB 31**
7271 Richardson Highway, Salcha
License: Beverage Dispensary

Time extension request by executor.

Diane T. motions to allow an extension to file a transfer application for 180 days. Doug M. seconds. None opposed, motion passes.

- F. **6008 Copper River Brewing:** No Road Brewing LLC **TAB 32**
105 Haida Lane, Cordova
License: Brewery

Transfer of location with dba name change.

Local governing body action: Pending

Approved: Department of Environmental Conservation

Pending: State Fire Marshal
Background investigations: complete

Original application was not effectuated.

Dana W. summarizes the memo. Christina Fincher, applicant, is present on Zoom and provides additional information. They are two weeks away from being able to begin brewing. Jan H. motions to approve the transfer of location with delegation. Diane T. seconds. None opposed, motion passes.

- G. 6036 Seward KOA: Exit Glacier RV Park LLC** **TAB 33**
31702 Herman Leirer Road, Seward
License: Restaurant/Eating Place

Reconsider Board approval of license to determine if applicant qualifies as a bona fide restaurant.

Dana W. summarizes the memo. The licensee is not present in person or on Zoom. Discussion of options. Diane T. motions to table the reconsideration to the December 12, 2022 meeting. Jan H. seconds. None opposed, motion passes.

- H. 6071 The Dirty Apron: The Cook's Nook LLC** **TAB 34**
3565 Arctic Boulevard Suite D 3-4-5, Anchorage
License: Restaurant/Eating Place

New license application

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

Board consideration if applicant qualifies as a bona-fide restaurant.

Dana W. summarizes the memo. Geary and Amy York are present on Zoom. Cooking classes – they provide all the groceries. Diane T. motions to approve the new application with delegation. Jan H. seconds. None opposed, motion passes.

12:03: Recessed for lunch – upon return, go to Tab 28 for renewal application and time extension request.

1:19 pm: Reconvened, same board members are present, Dave K. is not present in person or on Zoom.

- I. LED Ultra Lounge & Grill, LLC** **TAB 35**
420 West 3rd Avenue, Anchorage
License: Beverage Dispensary & Beverage Dispensary – Duplicate
Transfer of ownership, location and dba name change
From: Robert Alexander located at 907 West 6th Avenue

Local governing body action: protested by the Municipality of Anchorage
Approved: Department of Labor, Department of Revenue
Background investigations: complete

1. 4531 Tri – Grill, LED Ultra Lounge & Grill

From: dba Tri – Grill

2. 4551 Tri – Grill, LED Ultra Lounge & Grill

From: dba L.E.D. Ultra Lounge & Grill

Consideration: Applicant to address the board. He requests the board reconsider the action it took at the April 12, 2022 meeting of upholding the protest, lodged by the Municipality of Anchorage on his transfer applications, with 180 days. His 180-day abeyance expires October 18, 2022. After October 18, 2022, his transfer applications are denied.

1:15 pm: Dana W. summarizes the history of these transfer applications and the Municipality's protest. Director Wilson provides some procedural discussion. Robert Alexander, licensee, is present in person. He provides some handouts to the board members and staff and addresses the board. He wishes to show a video of one of the assembly meetings, where his license was discussed and states there were statements made regarding his ability to run this type of business. Dana W. wishes to address only new changes/updates. Director Wilson says the board could acknowledge his offer to provide proof. Mr. Alexander speaks to his challenges with the Anchorage Assembly.

Sean Halloran, the municipality's attorney, is present on Zoom and provides an update and the municipality's intent. He testifies that some of Mr. Alexander's statements were lies. The consideration of the Special Land Use Permit (SLUP) was postponed indefinitely.

Chris Constant, Anchorage Assembly member, is present on Zoom. Mandy Honest, Business License Examiner in the Municipality's Clerk's office is also on Zoom. She discusses the different types of protest and their processes. Conditional protests versus a full protest. This is a full protest. She reiterates that the SLUP was publicly heard on 4/12, postponed to 7/12, then postponed indefinitely.

*Mr. Alexander responds. There is a procedural discussion. **Doug M. motions to rescind their previous decision. There is no second. Motion fails. Diane T. motions to delegate Director Wilson the authority to require the local government, Municipality of Anchorage, to defend their protest after the abeyance period ends, the transfers of location are denied and the licensee proceeds with an appeal. Doug M. seconds. None opposed, motion passes. Because the Municipality made it clear they will not lift the protest, Mr. Alexander can appeal immediately.***

3:30 pm: Break

3:41 pm: Reconvened

● **TABLED FROM PREVIOUS MEETING(S)**

- A. 775 Nome Liquor Store:** The North West Company (International), Inc.
303 Front Street, Nome

TAB 36

Package Store

At the April 12, 2022 board meeting, the board voted to table the consideration of the renewal for license #775 to the June meeting in Nome. At the June 28, 2022 board meeting, the board voted to table the consideration to the September meeting in Fairbanks. The City of Nome requested special conditions and there were public objections for the 2022-2023 renewal of this license.

- B. **903 Hanson's Trading Co.:** Carr Gottstein Foods Co.
415 Bering Street, Nome
License: Package Store

TAB 37

At the April 12, 2022 board meeting, the board voted to table the consideration of the renewal for license #903 to the June meeting in Nome. City of Nome requests special conditions for the 2022 – 2023 reinstatement and renewal of this license.

*Dana W. summarizes the updated information for both Tabs 36 and 37. Director Wilson states both the licensees and their counsel wish to table to the considerations until the December 12, 2022 meeting. Representatives and counsel from both licenses are present on Zoom. **Jan H. motions to table both Tabs 36 and 37 to the December 12, 2022 meeting. Doug M. seconds. None opposed, motion passes.***

- C. **1561 Brown Jug:** Liquor Stores USA North, Inc.
1160 Huffman Park Drive Unit B, Anchorage
Package Store
From: No Premises

TAB 38

Transfer of location

Local governing body action: protest by the Municipality of Anchorage

Background investigations: complete

Consideration of the Old Seward/Oceanview Community Council objection was tabled at the June 28, 2022 meeting.

On July 14, 2022 the Municipality of Anchorage protested the transfer application pending certifications from Land Use Enforcement, the Anchorage Health Department, and the Anchorage Fire Department, and pending a Special Land Use Permit approved by the Assembly.

Dana W. summarizes the background information. Director Wilson provides an update that she understands the Municipality will lift the protest once the appropriate permits are in place. Ana Fisk, representative for the licensee, is present on Zoom.

TC, licensee of Wine House, is present on Zoom and states that the community is opposed to this application. There are technical difficulties. TC still testifying, wants the board to deny the application.

Mary Funner, who is present on Zoom is a business owner of Value Liquor and agrees with TC.

Collin Agni, representative of Carr Gottstien Properties is present on Zoom and asks the board that if there is precedent regarding over-saturation in a limited area that the board follows that precedent.

4:16 pm: Diane T. stepped away. 4:17 pm: Diane T. returned.

Mandy Honest, provides assembly information, they have approved the SLUP. The certificate from Fire and the Land Use Enforcement Department are still pending.

Doug M. motions to deny the transfer application and uphold the protest with a 180-day abeyance. Diane T. seconds. None opposed, motion passes.

● **NEW ALCOHOL SERVER EDUCATION COURSE RECOMMENDATION BY ENFORCEMENT**

A. TIPS: 360 Training

TAB 39

*Dana W. summarizes Enforcement's recommendation. Sarah Oates – comments that CHARR had provided AMCO with complaints that the company is already and has been holding courses online. Afreen Khan with 360 Training is on Zoom. Diane T. and Dana W. recuse themselves from voting because they are on the board for Alaska Hospitality who might possibly benefit from this course. **Doug M. motions to table to the December 12, 2022 meeting for further research into the complaints. Jan H. seconds. None opposed, motion passes.***

● **ACCUSATIONS/CONSENT AGREEMENTS**

**A. 1811 Lil' Babes Bar & Grill: Family Restaurants, Inc.
License: Beverage Dispensary**

Director Wilson provides a summary of the facts. There is no action to be taken by the board, to be discussed at the December 12th meeting.

**B. 1240 Willow Trading Post Lodge: Willow Trading Post, Inc.
License: Beverage Dispensary**

*Director Wilson provides a summary of facts. Sherman Ernouf, counsel for the licensee, is present on Zoom. **Diane T. motions to approve the agreement. Jan H. seconds. None opposed, motion passes.***

● **REGULATIONS**

A. Board Requests (if any)

B. Other Requests

1. Sidewalk Cafés/Definition of Licensed Premises

Dana W. summarizes the request from Zach Fields and directs Kevin Higgins to provide a legal analysis on the definition of licensed premises. If a regulation project is a possibility, then staff should bring a draft to the board.

5:06 pm: Break
5:15 pm: Reconvened

● **SENATE BILL 9 REGULATIONS SCHEDULE**

TAB 40

*Director Wilson summarizes the schedule. Both Tabs 40 and 41 works together. Dana W. talks about the timing in relation to regulation projects. The board would like staff to come back with recommendations on how to figure population limits for the seasonal restaurant and eating place licenses at the next meeting. **Diane T. motions to open a regulation project for the Title 4 rewrite regulation schedule. Jan H. seconds. None opposed, motion passes.***

● **2023 ABC BOARD MEETING CALENDAR AND LOCATION DISCUSSION**

TAB 41

Jane Sawyer summarizes the calendar. Doug M. suggests Fairbanks in March, Sitka in November, someplace up North in August and Anchorage in May. Doug M. is not a fan of meeting in Juneau. The board doesn't mind back to back meetings and somewhat agrees with Doug's suggestions. Dana W. will meet with the MCB chairman, Nick Miller, to finalize the locations and when.

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

- Board Development

● **ALCOHOL MAILBOX**

TAB 42

All correspondence received in the alcohol@alaska.gov inbox from June 11, 2022 to September 2, 2022.

Dana W. summarizes the email in the tab from Tiffany Hall at Recover Alaska, regarding alcohol infused ice cream. Director Wilson is working with Ms. Hall and will be forwarding her finding to the Division of Consumer Protection.

● **BOARD COMMENTS**

Doug M.: he had a great time and is happy how the meeting progressed.

Diane T.: She is excited about the upcoming tasks regarding the rewrite. Director Wilson is doing a great job, as well as staff.

Jan H.: She is glad she is in person with the other board members. She enjoys being a part of this board and is also excited about the rewrite.

Dana W.: He appreciates staff for all of the board preparations and more and thankful for the Director's leadership. He thanks the board for their dedication and welcomes Kevin Higgins.

● **NEXT ABC BOARD MEETING**

The next meeting is scheduled for December 12 or 13, 2022, in Anchorage. All applications must be deemed complete and all other information for inclusion in the board's packets must be received by November 25, 2022.

● **ADJOURN**

6:16 pm: Doug M. motions to adjourn. Diane T. seconds. None opposed, motion passes.