



**Alcoholic Beverage Control Board
Meeting Agenda
First Judicial District**

**Westmark Sitka
330 Seward Street
Sitka, Alaska**

November 13, 2023 at 3:00pm

Join Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/87997860305?pwd=aP1DmDysi0Lz6b22PnEr4LLNSQsXls.1>

Meeting ID: **879 9786 0305**

Passcode: **328942**

Dial by your location

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November 14, 2023 at 9:00 am

Join Zoom Meeting

<https://amco-alaska-gov.zoom.us/j/83003332784?pwd=CQGLSgS3DzSafK5oZsMTWOpnMWibey.1>

Meeting ID: **830 0333 2784**

Passcode: **412311**

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

● **ADMINISTRATION**

3:00pm

A. Call to Order

3:00 pm

B. Roll Call

Dana Walukiewicz, Board Chair and Industry Member, in person

*Diane Thompson, Vice Chair and Industry Member, in person
Doug Moore, Public Member, in person
Jan Hill, Public Member, in person
Dave Koch, Public Safety Member, in person*

*Joan Wilson, Director, in person
Kevin Higgins, Assistant Attorney General, in person
Carrie Craig, Records and Licensing Supervisor, in person
Maya Ali, Administrative Officer, in person
Steven Johnson, Special Investigator, in person
Jane Sawyer, Program Coordinator, on Zoom
Kristina Serezhenkov, Regulations Specialist, on Zoom
Gabriel Gonzales, Local Government Specialist, on Zoom*

C. Approval of Agenda

*The board will address Cordell Murray's, the new Special Investigator I, approval after Enforcement's report. **Dave K. motions to approve the agenda. Jan H. seconds. None opposed, motion carries.***

D. AMCO Meeting Code of Conduct TAB 1

E. Top 10 Zoom FAQ TAB 2

F. Approval of August 22, 2023 Meeting Minutes TAB 3

Dave K. motions to approve the August 22, 2023 meeting minutes. Diane T. seconds. None opposed, motion carries.

G. Approval of September 29, 2023 Special Meeting Minutes TAB 4

Jan H. motions to approve the September 29, 2023 meeting minutes. Dave K. seconds. None opposed, motion carries.

● BOARD GOVERNANCE 3:05 pm

There is nothing to report by the board members.

● DIRECTOR'S REPORT TAB 5

Director Wilson summarizes her report. There is a discussion regarding the new online licensing system, AK -ACCIS.

● ENFORCEMENT REPORT TAB 6

*Special Investigator Johnson summarizes Chief Hoelscher's report. **Dave K. motions to approve peace officer powers for Cordell Murray in accordance as such time as concurrence with commissioner of public safety with AS 17.38.131. Doug M. seconds. None opposed, motion carries.***

A. ~~Notices of Violation Issued and Licensee Responses~~

TAB 7

● **LICENSING REPORT**

TAB 8

Carrie Craig summarizes her report. There is a discussion about claiming businesses, applying licenses, endorsements, and the upcoming renewal season.

● **DISCUSSION AND CONSIDERATION OF MOTIONS TO CONVERT LICENSES AND DELEGATED AUTHORITY TO DIRECTOR: Refer to Tab 5**

Director Wilson summarizes this request.

- 1. Diane T. motions to convert all licenses mentioned in 169(b) which are brewpubs, effective 1/1/24. Dave K. seconds. None opposed, motion carries.**
- 2. 169(c) recreational site conversion to sporting event licenses upon application. No action is taken.**
- 3. 169(d) manufacturing vs. retail. Doug M. motions to convert brewery licenses to brewery manufacturers, winery licenses to winery manufacturers and distillery licenses to distillery manufacturers. Dave K. seconds. None opposed, motion carries.**
- 4. Dave K. motions to delegate temporary authority to the director to convert brewery licenses to brewery manufacturers, winery licenses to winery manufacturers and distillery licenses to distillery manufacturers upon application effective 1/1/24. Jan H. seconds. None opposed, motion carries.**
- 5. Dave K. motions to delegate authority to the director to temporarily approve Shipping Endorsement applications for package stores effective 1/1/24. Diane T. seconds. None opposed, motion carries.**
- 6. 3 AAC 304.365 is currently beer and cider, not spirits. Doug M. motions to delegate authority to the director to temporarily approve applications for the Repackaging Endorsement effective 1/1/24. Jan H. seconds. None opposed, motion carries.**
- 7. AS 04.11.135 is repacking for off premises consumption, new AS 04.09.520. Dave K. motions to delegate authority to the director to temporarily approve applications to entities (brewpubs) who are qualified to apply effective 1/1/24. Doug M. seconded. None opposed, motion carries.**
- 8. Diane T. motions to delegate authority to the director to temporarily approve applications for the Manufacturer Sampling Endorsement effective 1/1/24. Jan H. seconds. None opposed, motion carries.**
- 9. Diane T. motions to delegate authority to the director to temporarily approve Restaurant Endorsement applications if the license already held a Restaurant Designation Permit effective 1/1/24. Jan H. seconds. None opposed, motion carries.**

10. **Jan H. motions to delegate authority to the director to temporarily approve applications for the Hote or Motel Endorsement. Doug M. seconds. None opposed, motion carries.**
11. **Diane T. motions to delegate authority to the director to temporarily approve applications for the Bowling Alley Endorsement for those licenses currently operating. Doug M. seconds. None opposed, motion carries.**
12. **Dave K. motions to delegate authority to the director to temporarily approve applications for the Common Carrier Approval, Package Store Shipment Endorsements, and Manufacturer Direct Shipment Endorsements. Jan H. seconds. None opposed, motion carries.**
13. *Are there any other endorsements that need delegation to temporarily approve? No, new actions should go through the normal board review process.*

● **COMMON CARRIER APPROVAL**

A. Director to speak to the short form v. the long form and fees

TAB 9

Director Wilson summarizes the information in the tab. A diagram should be required for only those places that have storage capabilities. The NOV would fall on the licensee, even if the error was an agent (not an employee). Director Wilson will discuss with Kevin Higgins. Dana W. believes it should be a regulatory project, but not priority, perhaps for the next meeting. Amend the form to provide information regarding their hubs and applies to all employees and agents under the applying entity.

5:04 Diane T. stepped out. Break.

5:16 pm: Reconvened, all board members are present.

B. FedEx Ground Package System, Inc.'s long form application

TAB 10

*Dana W. summarizes the application. Gabe G. states that the diagram does not have colored outlines. Diane T. states the application is dated 2024. **Dave K. motions to approve the application. Jan H. seconds. None opposed, motion carries.** Staff will put the list of approved Common Carriers on the AMCO website.*

● **PETITION UNDER AS 04.11.405. City of Wasilla petition for additional restaurant or eating place licenses. **Board to hold a public hearing as required by AS 04.11.405(b)** TAB 11**

*Dana W. summarizes the petition request and Gabriel G. provides additional information. Crystal Nygard, Deputy Administrator for the City of Wasilla, is present on Zoom. **Doug M. motions to open a public hearing. Jan H. seconds. None opposed, motion carries.***

Jed Wade, one of the owners Bear Paw River Brewery in Wasilla, is present on Zoom and - supports the petition.

Crystal Nygard thanks the board for their consideration and speaks on the economic improvement plan for the city.

There are no further individuals to testify.

Jan H. motions to close the public hearing. Diane T. seconds. Dave K. is concerned about notice of public hearing. Gabriel G. states staff reached out to the population and public notice was officially posted. Crystal Nygard speaks to the City's process to notice the public. No one was against the petition during their public comment period. The vote was unanimous. None opposed, motion carries.

Doug M. motions to increase the number of Restaurant or Eating Place licenses to up to 20 additional licenses. Jan H. seconded. None opposed, motion carries.

● **DELEGATED CONSENT AGENDA – NEW & TRANSFER APPLICATIONS**
THIS SECTION CAN BE APPROVED WITH DELEGATION AS A BLOCK.

TAB 12

Diane T. motions to approve all new and transfer applications in Tab 12 with delegation. Dave K. seconds. None opposed, motion carries.

- A. Trappers' Den Tavern:** Polar Den & Tavern, LLC
Mile 2 Tok Cutoff, Gakona
From: Trappers' Den Tavern, Inc.

Transfer of ownership

Local governing body action: None

Pending: Department of Labor, Department of Revenue

Background investigations: pending

- 1. 432, Package Store – Seasonal**
- 2. 1168, Beverage Dispensary – Seasonal**

- B. 1450 Milano's Pizzeria:** Milano's Pizza Nome, LLC
110 Front Street #102, Nome
Restaurant or Eating Place
From: Milano's Pizzeria, Inc.

Transfer of ownership

Local governing body action: pending City of Nome

Pending: Department of Labor, Department of Environmental Conservation

Approved: Department of Revenue

Background investigations: complete

- C. 1666 Pink Cadillac:** Pink Cadillac, LLC
369 Muldoon Road, Anchorage
Beverage Dispensary
From: Serrano's LLC dba Serrano's Mexican Grill located at No Premises

Transfer of ownership and location with a dba name change

Local governing body action: pending Municipality of Anchorage

Approved: Department of Labor, Department of Revenue

Background investigations: complete

- D. Bernie's Bungalow Lounge:** Northland Soy Products, Inc.
626 D Street, Anchorage
From: 88 Double Happiness, LLC

Transfer of ownership

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

1. **3781, Beverage Dispensary**
2. **4425, Beverage Dispensary – Duplicate**
3. **5731, Beverage Dispensary – Duplicate**
4. **5732, Beverage Dispensary – Duplicate**

- E. 4350 Saint Coyote Restaurant and Lounge:** Coyote Santo, LLC
135 West Dimond Boulevard, Suite 111, Anchorage
Beverage Dispensary
From: Abraham Gallo 100% to Jose Gallo 100%

Transfer of controlling interest

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

- F. 4720 Corner Point Kitchen:** Michael Rasmussen
No Premises, Fairbanks
Beverage Dispensary
From: Gallantino's Inc. dba Gallantino's Italian Restaurant located 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
Pending: Department of Labor, Department of Revenue
Background investigations: complete

- G. 6154 Alaska Chopped and Chowdered:** The Beardsley Group, LLC
4403 Spenard Road, Anchorage
Restaurant or Eating Place

New license application

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

- H. 6160 Harbor Mountain Brewing Company:** Harbor Mountain Brewing Company LLC
1209 A Sawmill Creek Road, Sitka
Winery

New license application

Local governing body action: pending City and Borough of Sitka
Pending: TTB permit
Approved: Department of Environmental Conservation
Background: complete

● **RECREATIONAL SITE APPLICATIONS**

THIS SECTION CAN BE APPROVED WITH DELEGATION AS A BLOCK.

*Kaitlyn and Evan Morgan, applicants, are present on Zoom. Director Wilson voices concerns about the possibility of misuse. Special Investigator Johnson states the location is specific to the customers who are there for recreational activities. **Doug M. motions to approve license application #6166 with delegation. Jan H. seconds. None opposed, motion carries.***

- A. 6166 Pittman’s Pub:** Kaitlin Morgan & Evan Morgan
3000 Fishcreek Road, Juneau
Recreational Site

TAB 13

New license application

Local governing body action: pending City and Borough of Juneau
Approved: Department of Environmental Conservation
Background investigations: complete

● **TOURISM NEW & TRANSFER APPLICATIONS**

THIS SECTION CAN BE APPROVED WITH DELEGATION AS A BLOCK.

*Jana Weltzin, with JDW Law and counsel for Long Rifle Lodge, is present on Zoom. **Dave K. motions to approve all transfer applications in Tabs 14 and 15 with delegation. Jan H. seconds. None opposed, motion carries.***

- A. 175 Arabella:** Waterfront on Glacier Restaurant LLC
1711 Glacier Avenue, Juneau
Beverage Dispensary – Tourism
From: CNH Holding, LLC dba Breakwater Inn Restaurant & Lounge

TAB 14

Transfer of ownership and dba name change

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

- B. 2063 Long Rifle Lodge:** Glacier View Ventures, LLC
Mile 102 Glenn Highway, Sutton
Beverage Dispensary – Tourism
From: Kate Riddles 50%, William E. Stevenson 50%
To: William E. Stevenson 100%

TAB 15

Transfer of controlling interest

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

11/13/2023 5:53 pm: Recessed

11/14/2023 9:01 am: Reconvened. All board members are present in person.

● **PROTEST NEW & TRANSFER**

- A. 6164 Frosted Axe Throwing:** Michael McCormick
 409 W Fireweed Lane, Anchorage
Recreational Site

TAB 16

Local governing body action: protested by Municipality of Anchorage pending certification from Land Use Enforcement and a special land use permit approved by the Assembly.

Dana W. summarizes the protest. Doug M. motions to rescind the previous approval with delegation. Jan H. seconds. None opposed, motion carries. Doug M. motions to uphold the protest and deny with a 180-day abeyance as set forth in 304.145(h). Dave K. seconds. None opposed, motion carries.

● **DELEGATED CONSENT AGENDA – 2023/2024 RENEWAL APPLICATIONS**

TAB 17

THIS SECTION CAN BE APPROVED WITH DELEGATION AS A BLOCK.

Doug M. motions to approve all renewal applications in Tab 17 with delegation. Jan H. seconds. None opposed, motion carries.

License #	DBA	License Type	City	Borough
1181	Two Rivers Lodge	Beverage Dispensary	Outside City Limits	Fairbanks North Star Borough
2813	Peking Wok Restaurant	Restaurant/Eating Place	Municipality of Anchorage	
2827	Wooden Wheel Cove Trading Post	Package Store	None	None
5734	Ninja Sushi	Beverage Dispensary - Duplicate	City of Fairbanks	Fairbanks North Star Borough

● **2023/2024 RENEWAL APPLICATIONS WITH NOTICES OF VIOLATION IN 2021/2022**

THE BOARD HAS ALREADY SEEN THESE NOVS AS PART OF THE ENFORCEMENT REPORTS IN PAST MEETINGS, THEREFORE THIS SECTION CAN BE APPROVED WITH DELEGATION AS A BLOCK.

- A. 2706 VFW Post 9981:** South Anchorage Post 9981 of The Veterans of Foreign Wars
 12870 Old Seward Highway, Anchorage
Club

TAB 18

3/4/2021 – Unreported change of officers

3/25/2021 – No response to 3/5/2021 NOV for unreported change of officers

Dana W. summarizes the NOVs. Dave K. motions to approve the renewal for #2706 with delegation. Diane T. seconds. None opposed, motion carries.

● **2023/2024 TOURISM RENEWAL APPLICATIONS**

THIS SECTION CAN BE APPROVED WITH DELEGATION AS A BLOCK.

- A. 5794 Hyatt Place Anchorage:** Midtown Hotel Investors, LLC
101 E Tudor Road, Anchorage
Beverage Dispensary – Tourism 04.11.400(d)

TAB 19

9:14 am: Doug M. stepped away.

Dana W. summarizes the renewal application. Dave K. motions to approve the renewal for #5794 with delegation. Jan H. seconds. None opposed, motion carries 4 – 0.

● **2023/2024 REINSTATEMENT & RENEWAL APPLICATIONS**

THE BOARD SHOULD REVIEW THESE INDIVIDUALLY.

- A. 4261 SubZero Bistro & Microlounge:** Hook, Line & Sinker, Inc.
612 F Street, Anchorage
Beverage Dispensary – Duplicate

TAB 20

Dana W. states he occasionally sells beer to Hook, Line and Sinker, Inc. Kevin Higgins states it will not be a conflict. Dana W. summarizes the information provided in the memo.

9:18 am: Doug M. returned.

Diane T. motions to approve the renewal and reinstatement request for #4261 with delegation. Dave K. seconds. None opposed, motion carries.

- B. Alaska Rendezvous:** Alaska Rendezvous Lodge, Inc.
Mile 45.6 Richardson Highway, Valdez

TAB 21

Dana W. summarizes the request. Sherman Ernouf, with Ernouf and Coffey, is the new legal counsel for the licensee, who is not present, and present on Zoom. He provides additional information; litigation is now complete and probate for the estate can begin which will allow for the transfers. Carrie Craig provides additional background. There is discussion that the licensee could reapply for these license types through the petition process as they are not bound by population limits. Doug M. motions to table to end of the meeting. Diane T. seconds. None opposed, motion carries.

1:33 pm: Dana W. recapped the earlier discussion. Sherman Ernouf and Allie Meiner, licensee and personal representative, are present on Zoom. Allie Meiner provides some background. She would like to sell the Beverage Dispensary license and continue to own and operate the Package Store. Mr. Ernouf asks for one last opportunity to complete the transfers. Reasons for denial: 304.160(f)(2). Doug M. motions to renew and reinstate

both licenses #4270 and #4271 with delegation. Diane T. seconds. None opposed, motion carries. Sherman Ernouf promises this will not happen again.

1. 4270, Beverage Dispensary

2. 4271, Package Store

● **BOARD CONSIDERATION**

THE BOARD SHOULD REVIEW THESE INDIVIDUALLY.

A. **2924 Mug – Shot Saloon:** MTM, Inc.
251 Parks Highway, Wasilla
Beverage Dispensary

TAB 22

Consideration: Personal Representative is asking for a time extension to submit a transfer because the Stockholder with controlling interest has passed. The Estate has just entered probate.

Dana W. summarizes the memo. Daniel E., counsel for the licensee, is present on Zoom and provides additional information, requesting 6 months. Dave K. motions to approve a time extension to submit a transfer application for 6 months. Jan H. seconds. None opposed, motion carries.

B. **4742 Thibodeaus Liquor:** Thibodeaus Market Inc.
No premises, Juneau
Package Store

TAB 23

Consideration: 3rd AB-29 waiver request

Dana W. summarizes the memo. Dave K. motions to deny the 3rd waiver request. Doug M. seconds. Juneau is over population limits. The licensee is not present. None opposed, motion carries.

● **SECURITY INTEREST/INVOLUNTARY RETRANSFERS**

THE BOARD SHOULD REVIEW THESE INDIVIDUALLY.

A. **Evangelos Restaurant:** K & G Enterprises, LLC
From: Evangelos LLC

TAB 24

Involuntary retransfers

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

1. **4760, Beverage Dispensary**
2530 East Parks Highway – Upstairs, Wasilla

2. **4839, Beverage Dispensary – Duplicate**
2530 t Parks Highway – Downstairs

Dana W. summarizes the applications and Carrie Craig provides additional information. Dave K. motions to approve the involuntary retransfers for #4760 and #4839 with delegation. Jan H. seconds. None opposed, motion carries.

- B. 1240 Willow Trading Post: 2-R-BAR LLC** TAB 25
14345 North Willow Station Road, Willow
From: Willow Trading Post Inc. dba Willow Trading Post Lodge

Transfer of ownership with a security interest and a dba name change
Local governing body action: pending Matanuska – Susitna Borough
Approved: Department of Revenue, Department of Labor Employment Security
Background investigations: complete

Department of Labor Worker’s Compensation states Willow Trading Post Inc. is non-compliant due to an outstanding civil penalty that has not been paid in full.

Carrie Craig states that both parties have rescinded the transfer application, no action is required from the board.

- C. 4542 The Trees RV Park & General Store: The Trees LLC** TAB 26
Milepost 10.2 Mitkof Highway, Petersburg
Package Store
From: The Trees RV LLC

Involuntary retransfer
Local governing body action: protest waived by Petersburg Borough
Pending: Department of Labor, Department of Revenue
Background investigations: pending

Dana W. summarizes the memo. Dave K. motions to approve the involuntary retransfer of #4542 with delegation. Jan H. seconds. None opposed, motion carries.

- D. 4542 The Trees General Store and RV Park: PAH, LLC** TAB 27
Milepost 10.2 Mitkof Highway, Petersburg
Package Store
From: The Trees LLC dba The Trees RV Park & General Store

Transfer of ownership with a security interest and a dba name change
Local governing body action: pending Petersburg Borough
Pending: Department of Labor, Department of Revenue
Background investigations: pending

Dana W. summarizes the memo. Dave K. motions to approve the security interest transfer of #4542 with delegation. Doug M. seconds. None opposed, motion carries.

- **TABLED FROM PREVIOUS MEETING(S)**
THE BOARD SHOULD REVIEW THESE INDIVIDUALLY.

A. 301 The Office and 6003 Meta & Rose

TAB 28

Dana W. summarizes the background. Mae Hayes, licensee for #6003, is present in person. Ashley Stenson, licensee for #301, is present on Zoom.

Background: At the August 22, 2023 meeting, the board motioned to table consideration of #301's location transfer to a future meeting pending modifications to the proposed licensed premises. Staff had a meeting with both licensees and all parties came to agreement that #6003 (restaurant or Eating Place) would transfer to a "no premises" until they can either sell the license or find a new location and #301 (Beverage Dispensary) would take possession of Suite 37.

For Consideration: Before the board today is a completed transfer of controlling interest of Meta & Rose, Co. which needs to be considered *before* the transfers of location. All three applications should be considered and voted on separately.

- 1. 6003 Meta & Rose:** Meta & Rose, Co.
290 N Yenlo St, Suite 37, Wasilla
Restaurant or Eating Place
From: Garic Hayes 100%
To: Mae Hayes 100%

TAB 28.1

Transfer of controlling interest

Local governing body action: pending City of Wasilla, Matanuska - Susitna Borough
Pending: Department of Labor Worker's Compensation
Approved: Department of Revenue
Background investigations: complete

Department of Labor Employment Security responded Meta & Rose, Co. is non – compliant.

Dave K. motions to approve the controlling interest transfer of #6003 with delegation. Diane M. seconds. None opposed, motion carries.

- 2. 6003 Meta & Rose:** Meta & Rose, Co.
No Premises, Wasilla
Restaurant or Eating Place
From: 290 N Yenlo St, Suite 37

TAB 28.2

Transfer of location

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

Doug M. motions to approve the transfer of location for #6003 with delegation. Jan H. seconds. None opposed, motion carries.

- 3. 301 The Office:** 18-1, LLC
290 North Yenlo Street, Suite 37, Wasilla
Beverage Dispensary
From: 1987 East Bogard Road, Unit E&F

TAB 28.3

Transfer of location under AS 04.11.400(k)

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

Staff has instructed the applicant based on their public notices, which list the new dba as The Office, that the dba is required to be changed from Meta & Rose to The Office. To reverse this, staff has explained the most efficient way is to complete the Business Name Change process by submitted an AB-13 form. **Does the ABC Board agree with staff's direction?**

The board agrees with staff.

The applicant would like to continue to utilize the lobby space (as seen in the diagrams) the same way the transferor, Meta & Rose Co., currently operates as an alternating premises. **Would transferee, 18-1, LLC, need to submit a new AB-34 Alternating Premises Request?**

The board instructs staff to get an AB-34 from 18-1 LLC.

Dana W. summarizes the unique transfer. Dave K. motions to approve the transfer of location under AS 04.11.400(k) for #301 with delegation. Diane T. seconds. None opposed, motion carries.

- B. 4279 Bear Paw Bar & Grill:** Out in the Boonies, Inc.
190 West Tudor Road, Anchorage
Beverage Dispensary

TAB 29

Renewal application
NOV 5/24/2021 – Minors without work permits.

Background: At the August 2023 meeting, the board tabled the consideration of the 2023-2024 renewal application pending issuance of an accusation related to the aforementioned notice of violation. Director Wilson has issued the accusation, an informal conference was conducted, and Director Wilson and the licensee and licensee’s attorney are in settlement agreement conversations.

Dana W. and Director Wilson summarize the memo. There is a discussion regarding the extenuating circumstances. Sherman Ernouf, counsel for the licensee, is present on zoom and states they will have a resolution next month (December). Doug M. motions to approve the renewal of #4279 with delegation. Jan H. seconds. None opposed, motion carries.

- C. 4283 Pub House:** Bistro IT, LLC
1020 West 12th Avenue, Anchorage
Beverage Dispensary – Tourism
From: RB Enterprises, LLC 50% and Mystery Ranch, LLC 50%
To: RB Enterprises, LLC 100%

Transfer of ownership

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

Background: At the August 2023 meeting, the board tabled the consideration of this transfer application for staff to obtain additional information regarding the eligibility of the Beverage Dispensary – Tourism license and the possibility of long-term rentals on site. The situation is currently under investigation and no action is needed from the board at this time.

Dana W. summarizes the background of this transfer. No action taken by the board.

● REGULATIONS

A. Board Discussion

1. Special Investigator Hiring Standards

TAB 30

Status: Draft for board discussion

Potential Board Actions: TBD at meeting

*Director Wilson summarizes the background. Chief Hoelscher, present on Zoom, provides additional information. **Doug motions to send to law for review and then public comment. Dave seconds. none opposed.***

2. Shipments from Manufacturer Direct Shipment Licensees

TAB 31

Status: Draft for board discussion

Potential Board Actions: TDB at meeting

*Director Wilson summarizes the potential regulation project. Ms. Jefferson from the Wine Institute is present on Zoom and provides additional information. There is discussion regarding third party age verification systems and local option areas in Alaska. **Dave K. motions to open a regulations project. Diane T. seconds. None opposed, motion carries.***

11:06 am: Recessed

11:23 am: Reconvened, all board members are present in person.

Age verification computer system for both out of state and for package store licensees. There is a 370(e) issue: discussion regarding the possible use of all numbers of the zip code. The Board instructs Director Wilson and Kevin Higgins to further investigate the zip code issue. Telephonic orders for out of state direct shippers – Ms. Jefferson speaks to why telephonic orders are necessary. The Board directs Director Wilson to add language to allow for telephonic orders and age verification system. Restricted persons list issue regarding personal information in relation to age verification. Dana W. states the ultimate responsibility lies with the manufacturer. Ms. Jefferson is concerned with the unique packaging requirements. The board will allow the 3 AAC 305.345(c)(5) font size requirements to be removed from the regulation. A draft will be ready at the next regular meeting.

12:18 pm: Recessed

1:33 pm: Reconvened, all board members are present in person.

3. Large Resort Endorsements

TAB 32

Status: Draft for board discussion

Potential Board Actions: TDB at meeting

2:03 pm: Director Wilson summarizes the regulation project. There is no exception for unaccompanied minors on the licensed premises for large resorts endorsements. This regulation project will allow the large resort endorsements to fall under the same definition of outdoor recreational lodges. **Dave K. motions to approve the amendments and send to law and public comment. Jan H. seconds. None opposed, motion carries.**

B. Board Requests (if any)

Question for the board: would the board like to have an oral hearing on the Trade Practices regulation?

Dana W. suggests allowing for an oral hearing. There is a discussion regarding the timing of the review, public notices, and board meetings. Potentially at the January 2024 meeting.

● 2024 ABC BOARD MEETING CALENDAR AND LOCATION DISCUSSION

TAB 33

Diane T. and Jan H. would like to go to Haines for one of the meetings in the 1st district. There is a discussion around the budget and tourist seasons.

- *January in Juneau*
- *April in Anchorage*
- *June in Nome or Utqiagvik – reach out to local law enforcement and licensees in Utqiagvik for interest.*
- *September in Fairbanks*
- *November in Kodiak*
- *2025 possibly Haines and Kenai*

● PUBLIC TESTIMONY

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.

Recordings and transcripts are available on AMCO's website here:

<https://www.commerce.alaska.gov/web/amco/MCBMeetingDocuments>

2:45 pm: Public Testimony is open.

Maureen Graham, with the City of Wasilla is present on Zoom. Kevin Higgins cautions the board giving advice to local governing bodies. Maureen will work with the licensees of #301 and #6003 and AMCO. The board will not comment on local sales tax as it is not their jurisdiction.

2:55 pm: Public Testimony is closed.

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

A. Board Development

Director Wilson speaks on the manufacturing and retail licenses renewing different years.

● **BOARD COMMENTS**

Doug M.: *Thanks the board.*

Diane T.: *Has no comment.*

Jan H.: *Welcome to the neighborhood. 2024 goal to be present in person for every meeting.*

Dave K.: *Thought it was a productive meeting.*

Dana W.: *Thanks board for their patience and agrees it was productive. Thanks to staff for their continuing hard work.*

● **ALCOHOL MAILBOX**

TAB 34

Correspondence received in the alcohol@alaska.gov inbox from August 12, 2023 – November 3, 2023.

There is a discussion with the board and Lee Ellis regarding Sassan Mossanen's email.

● **NEXT ABC BOARD MEETING**

The next meeting is TBD.

January 29 and/or 30, 2024 in Juneau. There may be a special meeting beforehand.

● **ADJOURNED**

Diane T. motions to adjourn. Jan H. seconds. None opposed, motion carries.