

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Board/Commission	LIQUOR CONTROL COMMISSION	Meeting Date	June 6, 2019
Location	Mo'ikeha Building, Liquor Control Conference Room 3	Start of Meeting: 4:00 p.m.	End of Meeting: 5:46 p.m.
Present	Chair Paul Endo, Vice-Chair Shirley Akita; Members: William Gibson, Maryanne Kusaka, Gerald Matsunaga, Gary Pacheco Also: Liquor Control Staff: Director Gerald Rapozo, Private Secretary Cherisse Zaima; Deputy County Attorney Cameron Takamura		
Excused	Jean Iida		
Absent			

SUBJECT	DISCUSSION	ACTION
Call To Order		Chair Endo called the meeting to order at 4:00 p.m. with 6 members present, constituting a quorum.
Roll Call	Director Rapozo called roll, noting 6 members were present.	
Approval of Agenda		Ms. Akita moved to approve the agenda. Mr. Pacheco seconded the motion. Motion carried 6:0.
Approval of Minutes	<u>APPROVAL OF MEETING MINUTES:</u> Open Session minutes of May 16, 2019	Mr. Gibson moved to approve the Open Session minutes of May 16, 2019. Mr. Pacheco seconded the motion. Motion carried 6:0.
1. Continuance of Violation Hearing	a) <u>THE TASTING ROOM:</u> Application No. 2019-071 was filed on March 8, 2019 by O'Connell Enterprises LLC dba The Tasting Room for a New Dispenser General (Live entertainment and no dancing) license located at 5476 Koloa Road, Koloa, Kauai, Hawaii. The Commission accepted Application No. 2019-071 for publication and public hearing on March 21, 2019 and ordered to print notice of public hearing in The Garden Island on Wednesdays, April 17 & 24, 2019, scheduling the public hearing on June 6, 2019 at 4:00 p.m. or shortly thereafter in Meeting Room #3 of the Lihu'e Civic Center, Mo'ikeha Building, 4444 Rice Street, Lihu'e, Kauai, Hawaii.	Due to a potential conflict, Chair Endo recused

	<p>Up until the time of the hearing, the department did not receive any letters in support or in opposition of Application No. 2019-071.</p> <p>Daniel O’Connell, sole member, was present on behalf of the licensee. In response to the commission, Mr. O’Connell explained that this establishment will be a wine bar where customers can come and sample many different types of wine along with appetizers and food specials in a bar-like setting. He is intending to open during lunch and happy hour, but not late at night.</p> <p>The public hearing on Application No. 2019-071 was closed.</p>	<p>himself from discussion and any official action on Application No. 2019-071. Vice Chair Akita resumed as Chair Pro Tem.</p> <p>Mr. Pacheco moved to approve Application No. 2019-071. Ms. Kusaka seconded the motion. Motion carried 6:0.</p> <p>Mr. Endo resumed as Chair.</p>
	<p>b) KAUAI DISTILLING COMPANY: Application No. 2019-075 was filed on March 27, 2019 by LBD Coffee, LLC dba Kauai Distilling Company for a New Retail Dealer General license at 5907 C Kawaihau Road, Kapaa, Kauai, Hawaii. The Commission accepted Application No. 2019-075 for publication and public hearing on April 4, 2019 and ordered to print notice of public hearing in The Garden Island newspaper on Wednesdays, April 10 & 17, 2019, scheduling the public hearing on June 6, 2019 at 4:00 p.m. or shortly thereafter in Meeting Room #3 of the Līhu‘e Civic Center, Mo’ikeha Building, 4444 Rice Street, Līhu‘e, Kauai, Hawaii.</p> <p>Up until the time of the hearing, the department received no letters in support, and 1 letter in opposition to Application No. 2019-075.</p> <p>The Commission received an email from owner, Lester Drent, withdrawing Retail Application No. 2019-075. Deputy County Attorney Cameron Takamura informed the Commission that since it was a publicly noticed hearing they would still need to proceed with the public hearing to allow for public testimony pursuant to HRS 281-59 which states that the Liquor</p>	

	<p>Commission shall accept all written or oral testimony for or against the application whether the application is denied, refused, or withdrawn.</p> <p>The Commission received public testimony from Muriel “Sissy” Morgan. Ms. Morgan thanked the commission for the all the time and effort they put into this. She expressed her appreciation and gratitude.</p> <p>The Commission received public testimony from Brandon Kauai, who resides at 5893B Kawaihau Road. Mr. Kauai expressed that having a retail establishment in their neighborhood will attract a lot of tourists, which they do not want in their peaceful neighborhood. He used the example of Hoopii Falls, which is packed with tourists all the time. Mr. Kauai’s family lives on the road adjacent to the falls entrance, and tourists often speed down that road. Mr. Kauai would not appreciate having a retail establishment drawing tourists, and bringing unwanted vehicle traffic to his neighborhood. He thanked the Commission for their efforts, and time.</p> <p>The public hearing for Application No. 2019-075 was closed.</p>	<p>Mr. Matsunaga moved to receive the email from Lester Drent, and accept the withdrawal of Application No. 2019-075. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>
<p>2.</p>	<p><u>DIRECTOR’S REPORTS:</u></p> <p>a) <u>INVESTIGATOR’S REPORTS:</u></p> <p>b) <u>INCOMING COMMUNICATIONS:</u></p> <ul style="list-style-type: none">(1) From Jackson Family Wines, Inc(2) From Strike & Techel(3) From Avid Marketing Group(4) Disturbance Reports from Rob’s Good Times Grill, Kauai Bowl and Nawiliwili Tavern <p>c) <u>OUTGOING COMMUNICATIONS:</u></p>	

	<p>(1) To Jackson Family Wines, Inc (2) To Strike & Techel (3) To Avid Marketing Group (4) To All Wholesale Licensees, Re: HealthGo Market, Inc. New Liquor License</p> <p>d) <u>EMPLOYEES IN LICENSED PREMISES:</u> Managers and Assistant Managers – See Attachment “A”</p> <p>e) <u>ACTIONS OF THE DIRECTOR:</u> (1) THE WINE SHOP (2) ROTARY CLUB OF KAPAA FOUNDATION (3) WRANGLERS STEAKHOUSE</p> <p>f) <u>INFORMATIONAL MATTERS:</u></p>	<p>Mr. Pacheco moved to approve Items 4(a) through f. Mr. Gibson seconded the motion. Motion carried 6:0.</p>
<p>3.</p>	<p><u>CHANGE IN CORPORATE OFFICERS:</u></p> <p>a) <u>SAFEWAY INC.:</u> Removal of Robert Gerald Miller as Director, Chairman and CEO.</p> <p>b) <u>MNS, LTD.:</u> Removal of David Awaya as Vice President and Director.</p>	<p>Ms. Akita moved to approve the change in corporate officers for Safeway, Inc. Mr. Gibson seconded the motion. Motion carried 6:0.</p> <p>Mr. Gibson moved to approve the change in corporate officers for MNS, Ltd. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>
<p>4.</p>	<p><u>REQUEST FOR CONVERSION OF LICENSEE</u></p> <p><u>THE DOLPHIN POIPU:</u> Pursuant to Section 281-41(k) of the Hawaii Revised Statutes, request for conversion from Sugahara Ranch LLC to Sugahara Ranch, Inc.</p>	<p>Mr. Pacheco moved to approve the request for conversion of licensee. Mr. Gibson seconded the motion. Motion carried 6:0.</p>
<p>5.</p>	<p><u>TRANSFER OF LICENSE WITHIN 1-YEAR</u></p>	

	<u>STOR</u> : Caven K. Raco dba Stor request permission to transfer Retail Dealer General license number 4G-045 which was issued on March 22, 2019 within 1-year of issuance.	Mr. Gibson moved to approve the transfer of license within 1-year. Mr. Pacheco seconded the motion. Motion carried 6:0.
6.	<u>PERMANENT DECREASE OF PREMISES</u> <u>TIMES SUPERMARKET</u> : Request a permanent decrease of premises to include approximately 713 square feet of their retail space to accommodate a new Dispenser class license application.	Mr. Pacheco moved to approve the permanent decrease of premises. Mr. Gibson seconded the motion. Motion carried 6:0.
7.	<u>NEW LIQUOR LICENSES</u>	
	a) <u>PINT SIZE HAWAII</u> : Application No. 2019-086 was filed on May 15, 2019 by Pint Size Hawaii Manager, LLC dba Pint Size Hawaii for a New Wholesale Dealer General license at 4255 Hanahao Street, Lihue, Kauai, Hawaii.	Ms. Akita moved for publication and public hearing for Application No. 2019-086. Mr. Pacheco seconded the motion. Motion carried 6:0.
	b) <u>SIP WINE AND BEER BAR</u> : Application No. 2019-087 was filed on May 17, 2019 by QSI, Inc. dba Sip Wine and Beer Bar for a New Dispenser General (no live entertainment and dancing) license at 3-2600 Kaumualii Highway, Lihue, Kauai, Hawaii.	Ms. Akita moved for publication and public hearing for Application No. 2019-087. Mr. Pacheco seconded the motion. Motion carried 6:0.
Announcements	Next Scheduled Meeting: Thursday, June 27, 2019 – 4:00 p.m., Mo’ikeha Building, Meeting Room #3.	
Adjournment		Chair Endo adjourned the meeting at 4:27 p.m.

Liquor Control Commission
Open Session
June 6, 2019

Submitted by: _____
Cherisse Zaima, Private Secretary

Reviewed and Approved by: _____
Paul Endo, Chair

- () Approved as circulated.
- () Approved with amendments. See minutes of _____ meeting.