

COUNTY OF KAUAI  
Minutes of Meeting  
OPEN SESSION

Approved as Circulated 8/15/19

Board/Commission	<b>LIQUOR CONTROL COMMISSION</b>	Meeting Date	<b>July 18, 2019</b>
Location	Mo'ikeha Building, Liquor Control Conference Room 3	Start of Meeting: 4:00 p.m.	End of Meeting: 4:51 p.m.
Present	Chair Paul Endo; Vice-Chair Shirley Akita; Members: Jean Iida, Maryanne Kusaka, William Gibson, Gerald Matsunaga, Gary Pacheco Also: Liquor Control Staff: Liquor Control Investigator Cecilio Baliaris Boards and Commissions Staff: Administrator Ellen Ching, Administrative Specialist Anela Segreti; Deputy County Attorney Cameron Takamura		
Excused			
Absent			

SUBJECT	DISCUSSION	ACT
<b>Call To Order</b>		Chair Endo called the meeting to order at 4:00 p.m. with 7 members present, constituting a quorum.
<b>Roll Call</b>	Inspector Baliaris called roll, noting 7 members were present.	
<b>Approval of Agenda</b>		Ms. Iida moved to approve the agenda. Mr. Pacheco seconded the motion. Motion carried 7:0.
<b>Approval of Minutes</b>	<u>APPROVAL OF MEETING MINUTES:</u> Inspector Baliaris requested deferral of approval of June 27, 2019 minutes to Aug. 1, 2019 meeting, they have not been completed.	Mr. Pacheco moved to defer the approval of June 27, 2019 meeting minutes to Aug. 1, 2019. Mr. Gibson seconded the motion. Motion carried 7:0.

<p><b>1. Public Hearing</b></p>	<p>a) <u>THE PRINCE COURSE AND PRESERVE RESTAURANT</u>: Application No. 2019-083 was filed on April 23, 2019 by NSPLL LLC dba The Prince Course and Preserve Restaurant for a New Restaurant General (Live entertainment with dancing) license at 5-3900 Kūhi‘ō Highway, Princeville, Kauai, Hawaii. The Commission accepted Application No. 2019-083 for publication and public hearing on May 16, 2019 and ordered to print notices of public hearing in The Garden Island on Wednesdays, May 22 &amp; 29, 2019, scheduling the public hearing on July 18, 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>Robert Ueoka, counsel was present to represent the applicant along with Sean Combs, Asset and (inaudible) Manager.</p> <p>The Department received 1 letter in opposition to the application.</p> <p>Mr. Ueoka stated that they did receive the protest and that they did not object to the liquor license, but was concerned with noise. They realize the concern and will be very cognizant of noise and not making noise. Mr. Combs has been in contact with some of the owners and is in contact with them. Primary Functions will be held at the clubhouse.</p> <p>The Public Hearing for Application No. 2019-083 was closed.</p>	<p>Mr. Pacheco moved to approve Application No. 019-083 filed on April 23, 2019 by NSPLL LLC dba The Prince Course and Preserve Restaurant for a New Restaurant General at 5-3900 Kuhio Hightway Princecille. Mr. Gibson seconded the motion. Motion carried 7:0</p>
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	<p>b) <u>LAWAI MARKET</u>: Application No. 2019-078 was filed on April 3, 2019 by Lāwa‘i Valley Market dba Lāwa‘i Market for a New Retail Dealer General license at 3575 Lauoho Road, Lāwa‘i, Kauai, Hawaii. The Commission accepted Application No. 2019-078 for publication and public hearing on April 18, 2019 and ordered to print notices of public hearing in The Garden Island on Wednesdays, April 24 &amp; May 1, 2019, and May 15 &amp; 22, 2019, scheduling the public hearing on July 18, 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>Hearing date cancelled due to failure to complete requirements for the mailing.</p>	<p>Mr. Matsunaga moved to cancel the hearing date for Lawai Market application 2019-078. Mr. Gibson seconded the motion. Motion carried 7:0</p>
<p>2.</p>	<p><u>DIRECTOR’S REPORTS:</u></p> <p>a) <u>INVESTIGATORS’ REPORTS:</u></p> <p>b) <u>INCOMING COMMUNICATIONS:</u></p> <ol style="list-style-type: none"> <li>1) From Strike &amp; Techel, Re: Trivento “Get Grilling” Promotion</li> <li>2) From Pono Market, Re: Non-renewal of liquor license</li> <li>3) From Avid Marketing Group, Re: Crabbie’s Fat Tire Bike Sweepstakes, 1800 Coconut Headliner 2019 Sweepstakes and Three Olives Vodka Summer 2019 Festival Sweepstakes</li> <li>4) From City Liquor, Re: Non-renewal of liquor license</li> <li>5) Disturbance Reports from 9<sup>th</sup> Island Sports Bar &amp; Grill and Nawiliwili Tavern</li> <li>6) From the Charter Review Commission requesting proposals to the County Charter</li> </ol> <p>c) <u>OUTGOING COMMUNICATIONS:</u></p> <ol style="list-style-type: none"> <li>1) To Avid Marketing Group, Re: Crabbie’s Fat Tire Bike Sweepstakes, 1800 Coconut Headliner 2019 Sweepstakes and Three Olives Vodka Summer 2019 Festival Sweepstakes.</li> <li>2) To All Wholesale Licensees, Re: Kauai Brewers LLC and Food Pantry, Ltd., new liquor licenses, Non-renewal of liquor licenses.</li> </ol>	

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|  | <p>d) <u>EMPLOYEES IN LICENSED PREMISES:</u><br/>Managers and Assistant Managers – See Attachment “A”</p> <p>e) <u>ACTIONS OF THE DIRECTOR:</u></p> <ol style="list-style-type: none"><li>1) <u>DUKE’S CANOE CLUB:</u> Approval of special request for temporary increase of premises to include the grass area fronting the restaurant (4,000 sq. ft.), per diagram submitted, on August 6, 2019 from 12:00 p.m. to 8:00 p.m.</li><li>2) <u>KAUAI MARRIOTT RESORT AND BEACH CLUB:</u> Approval of special request for temporary decrease of premises to include the grass area fronting the restaurant (4,000 sq. ft.), per diagram submitted, on August 6, 2019 from 12:00 p.m. to 8:00 p.m.</li><li>3) <u>WRANGLER’S RESTAURANT:</u> Approval of special request for temporary increase of premises to include the area fronting the restaurant, per diagram submitted, on June 22, 2019, July 13, 2019 and July 26, 2019 from 11:00 a.m. to 11:00 p.m.</li><li>4) <u>BOYS AND GIRLS CLUB OF HAWAII:</u> Approval of Application No. Free 2019-103 filed on June 18, 2019 by Boys and Girls Club of Hawaii for a Free One-Day Special Dispenser General license on June 30, 2019 at the Ocean Course at Hokuala located at 3351 Hoolaulea Way, Līhu‘e, Kauai, Hawaii.</li><li>5) <u>NATIONAL TROPICAL BOTANICAL GARDEN:</u> Approval of Application Nos. Free 2020-01, and 2020-02 filed on June 17, 2019 by National Tropical Botanical Garden for a Free One-Day Special Dispenser, and Retail Beer &amp; Wine license on August 17, 2019 at 3530 Papalina Road, Kalāheo, Kauai, Hawaii.</li><li>6) <u>SAFEWAY LIHUE:</u> Approval of special request for tasting of 2 varieties of distilled spirits, per list, on June 29, 2019 from 4:00 p.m. to 7:00 p.m.</li><li>7) <u>BEACH HOUSE RESTAURANT:</u> Approval of special request for temporary increase of premises to include the patio lawn space (30’x 80’), per diagram submitted for special events on July 2, 2019; July 5, 2019; July 6, 2019; July 11, 2019; July 14, 2019; July 16, 2019; July 17, 2019; July 18, 2019, July 20, 2019; July 21, 2019; July 23, 2019; July 24, 2019; July 26, 2019; July 27, 2019.</li></ol> |  |
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	<p>8) <u>ANAINA HOU COMMUNITY PARK</u>: Approval of Application No. Free 2020-04 by Anaina Hou Community Park for a Free One-Day Special Dealer General license on August 3, 2019 at 5-2723 Kuhio Highway, Kilauea, Kauai, Hawaii.</p> <p>9) <u>FOODLAND WAIPOULI</u>: Approval of special request for tasting of 2 varieties of distilled spirits and 2 varieties of wine, per list, on June 19, 2019 from 3:00 p.m. to 5:00 p.m.</p> <p>f) <u>INFORMATIONAL MATTERS</u></p>	<p>Ms. Akita moved to accept Items 2(a) through 2(f). Mr. Pacheco seconded the motion. Motion carried 7:0.</p>
<p>3.</p>	<p><u>CHANGE IN CORPORATE OFFICERS:</u></p> <p>a) <u>HBR ENTERPRISES</u>: Addition of Shinthi Mehta, and Removal of Jacques Pautrat as officer.</p> <p>b) <u>WAIMEA PLANTATION COTTAGES</u>: Addition of Laurel Loo as Director</p> <p>c) <u>QSI, INC.</u>: Removal of Naoki Yoshida as Secretary/Treasurer/Director; Addition of Koji Ohara as Chairman.</p> <p>d) <u>THE CLUB AT KUKUIULA</u>: Removal of Kevin Arnold as Vice President and Treasurer; Addition of Thomas Forster at Vice President and Treasurer.</p>	<p>Ms. Akita moved to approve change of corporate officers for HBR Enterprises. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve change of corporate officers for Waimea Plantation Cottages. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve change of corporate officers for QSI, Inc.. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve change of corporate officers for The Club at Kukuiula. Mr. Pacheco seconded the motion. Motion carried 7:0</p>

	<p>e) <u>RCSH OPERATIONS, INC.:</u> Removal of Michael Paul O'Donnell as CEO/Director; Addition of Cheryl Janet Henry as CEO/Director.</p> <p>f) <u>PLANTATION GARDENS LLC:</u> Addition of Mark T. Harmon as Vice President and Timothy J. Harmon as Vice President and removal of Robert L. Harmon as Director.</p> <p>g) <u>BLUE DOLPHIN CHARTERS, LTD.:</u> Addition of Shaye Clarke as Vice President/Secretary and removal of Bridget Donnelly as Vice President/Secretary.</p> <p>h) <u>CLOROSHKO LLC:</u> Removal of Mona Clark and Ronald J. Horoshko as members.</p> <p>i) <u>ANAINA HOU COMMUNITY PARK:</u> Addition of Jill W. Lowery as Executive Director and removal of Jennifer Luck as Secretary, Jonathan McRoberts as Director, Thomas Daubert as Executive Director and Robert Doyle as Chair.</p>	<p>Ms. Akita moved to approve change of corporate officers for RCSH Operations, Inc. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve change of corporate officers for Plantation Gardens LLC. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve change of corporate officers for Blue Dolphin Charters, LTD. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve the removal of members for CLOROSHKO LLC. Ms. Kusaka seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve change of corporate officers for Anaina Hou Community Park. Mr. Pacheco seconded the motion. Motion carried 7:0</p>
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	<p>j) <u>AOAO OF HANALEI BAY RESORT</u>: Addition of Mary Motsenbocker as Director. _</p> <p>k) <u>POIPU BEACH RESTAURANT, LLC</u>: Addition of John Poehnelt as Member.</p>	<p>Ms. Akita moved to approve change of corporate officers for AOA Hanalei Bay Resort. Ms. Kusaka seconded the motion. Motion carried 7:0</p> <p>Ms. Akita moved to approve addition of John Poehnelt as member for Poipu Beach Restaurant, LLC. Mr. Pacheco seconded the motion. Motion carried 7:0</p>
<p>4.</p>	<p><u>TRANSFER OF LIQUOR LICENSE:</u></p> <p>a) <u>STOR BOX LLC</u>: Application No. 2019-231 was filed on June 24, 2019 for a transfer of Retail Dealer General License No. 4G-045 from Caven K. Raco dba stoR to stoR BOX LLC dba stoR BOX LLC located at 1824 Haleukana Street, Building 2, Unit 1, Līhu'e, Kauai, Hawaii.</p> <p>b) <u>ALOHA GOLF GROUP, LLC</u>: Application No. 2020-002 was filed on July 5, 2019 for a transfer of Restaurant General License No. 2G-069 from Kauai Golf Management, Inc. dba Hookipa Café at Puakea to Aloha Golf Group, LLC dba Hookipa Café at Puakea located at 4150 Nuhou Street, Lihue, Kauai, Hawaii.</p>	<p>Mr. Matsunaga moved for publication and public hearing of Application No. 2019-231. Mr. Gibson seconded the motion. Motion carried 7:0</p> <p>Mr. Matsunaga moved for publication and public hearing of Application No. 2020-002. Mr. Pacheco seconded the motion. Motion carried 7:0</p>
<p>5.</p>	<p><u>NEW LIQUOR LICENSES:</u></p> <p>a) <u>ET&amp;WT LLC</u>: Application No. 2020-004 was filed on July 10, 2019 by ET&amp;WT LLC dba Kenji Burger for a New Restaurant Beer &amp; Wine (no live entertainment and dancing) license at 4-788 Kuhio Highway, Kapaa, Kauai, Hawaii.</p> <p>b) <u>ET&amp;WT LLC</u>: Application No. 2020-005 was filed on July 10, 2019 by ET&amp;WT LLC dba Kenji for a New Restaurant General (no live entertainment and dancing) license at 4454 Nuhou Street, Unit 523, Lihue, Kauai, Hawaii.</p>	<p>Mr. Matsunaga moved for publication and public hearing of Application No. 2020-004. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Mr. Matsunaga moved for publication and public hearing of Application No. 2020-005. Mr. Pacheco seconded the motion. Motion carried 7:0</p>

<p>6.</p>	<p><u>TEMPORARY LICENSE:</u>   <u>ALOHA GOLF GROUP, LLC:</u> Application No. 2020-03 was filed on July 5, 2019 by Aloha Golf Group, LLC dba Hookipa Café at Puakea for a temporary liquor license to operate Restaurant General License No. 2G-069 located at 4150 Nuhou Street, Lihue Kauai, Hawaii._</p>	<p>Ms. Akita moved to approve the temporary liquor license for Aloha Golf Group, LLC. Mr. Gibson seconded the motion. Motion carried 7:0</p>
<p>7.</p>	<p><u>SOLICITOR’S PERMIT:</u>   <u>WESLEY A. SAKAMOTO:</u> Application No. 2020-001 was filed on July 2, 2019 by Wesley A. Sakamoto for a Solicitor’s Permit in the County of Kauai to represent The Cherry Company, Ltd., a Wholesale Dealer General licensee in the City &amp; County of Honolulu.</p>	<p>Mr. Matsunaga moved to approve the solicitor’s permit for Wesley A. Sakamoto. Ms. Akita seconded the motion. Motion carried 7:0</p>
<p>8.</p>	<p><u>PERMANENT INCREASE OF PREMISES:</u>   <u>TIKI INIKI:</u> Request a permanent increase of premises to include a 3’ x 13’ section on the deck.</p>	<p>Ms. Akita moved to approve permanent increase of premises for Tiki Iniki. Mr. Matsunaga seconded the motion. Motion carried 7:0</p>
<p>9.</p>	<p><u>CANCELLATION OF LIQUOR LICENSE</u>   <u>FLOWERS FOREVER LLC:</u> Request to cancel Retail Dealer Beer &amp; Wine License No. 4BW-018 located at 2979 Kalena Street, Lihue, Kauai, Hawaii.</p>	<p>Mr. Matsunaga moved to approve cancellation of liquor license for Flowers Forever LLC. Ms. Akita seconded the motion. Motion carried 7:0</p>
<p>10.</p>	<p><u>TRANSFER OF LIQUOR INVENTORY</u>   <u>KAUAI PASTA WEST:</u> Transfer of liquor inventory, per list submitted, from their premises in Eleele to their Lihue location._</p>	<p>Mr. Gibson moved to approve transfer of liquor inventory for Kauai Pasta West to their Lihue location. Mr. Pacheco seconded the motion. Motion carried 7:0</p>

11.	<p><u>ANNUAL EVALUATION OF THE DIRECTOR:</u></p> <p>Receive forms for the evaluation of the Director of Liquor Control Department from Boards &amp; Commissions, discussion on evaluation forms and process, and setting a date to conduct the evaluation.</p> <p>Ellen Ching asked Commissioners to look at evaluation form from Human Resources. Discussed form and process of evaluating Director in the past. Also gave options of having Commissioners complete form individually and then have Boards &amp; Commissions aggregate results or to complete as a committee of the whole or form a FIG.</p> <p>Ms. Ching also gave an example of an alternative evaluation tool, Police Commission evaluation form, and suggested a 360 Evaluation as another option.</p> <p>Discussion of scoring of Human Resources form and review of example that Police Commission used. Discussed methods and processes of conducting the Director's evaluation.</p> <p>Commissioners asked Ms. Ching for a re-draft of the Police Commission tool in addition to adding questions for the staff to answer.</p> <p>Re-drafted tool will be presented at the next meeting for approval. Once draft approved want Director and Staff to complete approved evaluation form on Director to be presented to the Commission to complete their evaluation.</p>	
Announcements	Next Scheduled Meeting: Thursday, August 1, 2019 – 4:00 pm, Mo'ikeha Building, Meeting Room #3.	
Adjournment		Chair Endo adjourned the meeting at 4:51 p.m.

Liquor Control Commission  
Open Session  
July 18, 2019

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Submitted by:   
Anela Segreti, Administrative Specialist

Reviewed and Approved by: \_\_\_\_\_  
Paul Endo, Chair

Approved as circulated.

Approved with amendments. See minutes of \_\_\_\_\_ meeting