

# APPROVED

COUNTY OF KAUAI  
Minutes of Meeting  
OPEN SESSION

Approved as circulated. See minutes 8/6/2020.

Board/Commission:	<b>LIQUOR CONTROL COMMISSION</b>	Meeting Date	<b>July 2, 2020</b>
Location	Tele Conference via Microsoft Teams Audio +1 469-848-0234, Conference ID: 178 128 333 #	Start of Meeting: 10:04 a.m.	End of Meeting: 11:38 a.m.
Tele Present	Chair Shirley Akita, Vice Chair Maryanne Kusaka, Members: Dee Crowell, William Gibson, Gerald Matsunaga, Randall Nishimura, Gary Pacheco Also: Liquor Control Staff: Acting Liquor Control Director Cecilio Baliaris, Liquor Clerical Assistant Malialani TM Kelekoma; Boards and Commission Ellen Ching; Deputy County Attorney Todd Jenson		
Excused			
Absent			
SUBJECT	DISCUSSION	ACTION	
<b>Call To Order</b>		Chair Shirley Akita called the meeting to order at 10:04 a.m. with 6 members present, constituting a quorum.	
<b>Roll Call</b>	Acting Director Baliaris called roll, noting 6 members were present, constituting a quorum.		
<b>Approval of Agenda</b>		Mr. Pacheco moved to approve the agenda. Mr. Gibson seconded the motion. Motion carried 6:0	
<b>Entered into Session</b>	<i>Commissioner Crowell entered the tele-conference @ 10:10 a.m.</i>		

SUBJECT	DISCUSSION	ACTION
<p>1.</p>	<p><u>DIRECTOR'S REPORTS:</u></p> <p>a) <u>INVESTIGATORS' REPORTS:</u></p> <p>b) <u>INFORMATIONAL MATTERS</u></p> <p>c) <u>ACTIONS OF THE DIRECTOR:</u></p> <p>1) <u>SUSHI BUSHIDO: Approval of special request for temporary increase of premises to include the area outside of the restaurant, per diagram submitted, from June 10, 2020 through July 31, 2020.</u></p> <p>2) <u>WRANGLER'S RESTAURANT: Approval of special request for temporary increase of premises to include the area fronting the restaurant, per diagram submitted, from June 17, 2020 through July 31, 2020.</u></p>	<p>Mr. Matsunaga noted that for the record Directors Reports a-b has No Content.</p> <p>Mr. Gibson moved to approve Directors Report c) 1-2. Mrs. Kusaka seconded the motion. Motion carried 7:0</p>
<p>2.</p>	<p><u>CHANGE IN CORPORATE OFFICERS:</u></p> <p>a) <u>ALOHA PETROLEUM, LTD.: Removal of Thomas Alan Grimes as President; Addition of Brian Andrew Hand as President, Arnold Daniel Dodderer as Secretary and Director, and Robert Scott Hood as Vice President and Director.</u></p> <p>b) <u>HEALTHY FOODS LLC: Removal of Monique Dehne as Member; Addition of Alexanne Warner as Member.</u></p> <p>c) <u>LONGS DRUG STORES CALIFORNIA, L.L.C: Addition of Thomas S. Moffatt as President, Carol A DeNale as Senior Vice President/Treasurer, Jeffrey E. Clark as Assistant Treasurer, and Linda M. Cimbrom as Assistant Secretary; Removal of Melanie K. Luker, Sheelagh M. Beaulieu, and Kimberly M. DeSousa.</u></p> <p>d) <u>MNS, LTD.: Addition of Mitsunori Blaisdell as Director.</u></p> <p>e) <u>SEVEN-ELEVEN HAWAII, INC.: Removal of Yoichi Tsuda as Assistant Secretary/Director.</u></p> <p>f) <u>YOUNG'S MARKET COMPANY, LLC: Removal of Young's Interco Inc. as Member, Vernon O. Underwood as Chairman/Treasurer, Donald M. Robbins as Secretary, and Hugh Pearson Duncan as EVP/General Manager</u></p>	<p>Mr. Matsunaga moved to approve Change in corporate officers for 2. a) Aloha Petroleum, LTD. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Mrs. Kusaka moved to approve Change in corporate officers for 2. b) Healthy Foods, LLC. Mr. Pacheco seconded the motion. Motion carried 7:0</p>

SUBJECT	DISCUSSION	ACTION
		<p>Mr. Matsunaga moved to approve Change in corporate officers for 2. c) Longs Drugs Stores California LLC. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Mrs. Kusaka moved to approve Change in corporate officers for 2. d) MNS, LTD. Mr. Pacheco seconded the motion. Motion carried 7:0</p> <p>Mr. Kusaka moved to approve Change in corporate officers for 2. e) Seven-Eleven Hawaii, INC. Mr. Pacheco seconded the motion. Motion carried 7:0.</p> <p>Mr. Matsunaga moved to approve Change in corporate officers for 2. f) Young Markets Company LLC. Mr. Pacheco seconded the motion. Motion carried 7:0.</p>

SUBJECT	DISCUSSION	ACTION
<p>3.</p>	<p><u>CHANGE IN FIRM NAME:</u></p> <p><u>PIAZZA LLC: Change of firm name on Restaurant General license No. 2G-057 from “Piazza” to “B’s Kitchen</u></p>	<p>Mrs. Kusaka moved to approve change in firm name for Restaurant General license No. 2G-057 from Piazza to B’s Kitchen Mr. Pacheco seconded the motion. Motion carried 7:0.</p>
<p>4.</p>	<p><u>EXTENSION IN TIME TO EXERCISE LIQUOR LICENSE:</u></p> <p>SIP WINE AND BEER BAR: Request for extension in time for an additional period of 180 days to exercise Application No. 2019-087 which was approved on August 1, 2019.</p> <p>Caroline Otani, Attorney was present via tele-conference to represent the licensee. Ms. Otani sent in a letter on behalf of the licensee requesting extension due to COVID-19.</p> <p>Commissioner Gibson asked will the licensee be able to make a decision within a 180 days. He suggested that they apply for additional days instead of 180 days.</p> <p>Ms. Otani stated that they are on a wait and see approach with the discretion of the Commission, would like to extend for 365 days.</p> <p>Commissioner Matsunaga asked Mr. Jenson if they would be able to get an extension in excess of six months.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Mr. Jenson stated that the Commission did adopt rule amendments and the requirement under Rule 5, that licenses be exercised within 180 days of approval. The Commission previously granted an extension. The most recent request is dated for June 23, 2020, and was submitted before the rule amendments were in effect. Before these rules are to become effective, they need to be submitted to the County Clerk with a certificate signed by the Mayor, Director and the County Legal Counsel. This request has been submitted under the old rule showing good cause under Rule 5. The Commission will be able to give an additional extension of 180 days.</p> <p>Chair Akita asked Ms. Otani if she would like an additional 180 days for a total of 1 year.</p>	<p>Mr. Nishimura moved to approve a 365 day extension for Application No.2019-087 for Sip Wine and Beer Bar. Mr. Gibson seconded the motion. Motion carried 6:1 Abstention by Mr. Matsunaga.</p>
	<p><i>Vice Chair Kusaka excused at 10:45 a.m.</i></p>	
<p>5.</p>	<p>DISCUSSION AND DECISION-MAKING ON ESTABLISHING A WORKING GROUP OR A PERMITTED INTERACTION GROUP (PIG). THE PURPOSE OF ESTABLISHING A WORKING GROUP OR PIG WOULD BE FOR THE HIRING OF A NEW DIRECTOR OF LIQUOR CONTROL AND THAT THE COMMISSION WILL DEFINE THE SCOPE OF THE PIG AND EACH INDIVIDUAL'S AUTHORITY WHICH MAY INCLUDE REVIEW/SCREENING OF APPLICANTS AND MAKE RECOMMENDATIONS TO THE BODY AT A SUBSEQUENT MEETING ON THE SELECTION OF SEMI-FINALISTS.</p> <p>Ellen Ching of Boards and Commission gave an overview of a Working Group and Permitted Interaction Group (PIG). This is part of the process to review and screen all of the applicants to move forward.</p> <p>Chair Akita called for a motion to designate a Permitted Interaction Group (PIG). Commissioner Crowell, Commissioner Matsunaga and Commissioner Nishimura.</p>	<p>Mr. Crowell moved to approve Items 5, 6, 7 to create a (PIG) in the selection of a New Director. Mr. Gibson seconded the motion. Motion carried 6:0.</p> <p>Mr. Pacheco moved to nominate: Commissioner Crowell, Commissioner Matsunaga and Commissioner Nishimura for Members of the Permitted Interaction Group (PIG). Mr. Gibson seconded the motion. Motion carried 6:0</p>

SUBJECT	DISCUSSION	ACTION
6.	DISCUSSION AND DECISION-MAKING ON ESTABLISHING A WORKING GROUP OR A PERMITTED INTERACTION GROUP (PIG). THE PURPOSE OF ESTABLISHING A WORKING GROUP OR PIG WOULD BE FOR THE HIRING OF A NEW DIRECTOR OF LIQUOR CONTROL AND THAT THE COMMISSION WILL DEFINE THE SCOPE OF THE PIG AND EACH INDIVIDUAL'S AUTHORITY WHICH MAY INCLUDE FRAMING AND VETTING WRITTEN AND ORAL QUESTIONS FOR THE APPLICANTS AND MAKE RECOMMENDATIONS TO THE BODY AT A SUBSEQUENT MEETING.	Mr. Crowell moved to approve Items 5, 6, 7 to create a (PIG) in the selection of a New Director. Mr. Gibson seconded the motion. Motion carried 6:0.
7.	DISCUSSION AND DECISION-MAKING ON ESTABLISHING A WORKING GROUP OR A PERMITTED INTERACTION GROUP (PIG). THE PURPOSE OF ESTABLISHING A WORKING GROUP OR PIG WOULD BE FOR THE HIRING OF A NEW DIRECTOR OF LIQUOR CONTROL AND THAT THE COMMISSION WILL DEFINE THE SCOPE OF THE PIG AND EACH INDIVIDUAL'S AUTHORITY WHICH MAY INTERVIEWING/SCREENING OF THE APPLICANTS AND MAKE RECOMMENDATIONS TO THE BODY AT A SUBSEQUENT MEETING.	Mr. Crowell moved to approve Items 5, 6, 7 to create a (PIG) in the selection of a New Director. Mr. Gibson seconded the motion. Motion carried 6:0.
8.	<p><u>EXECUTIVE SESSION:</u></p> <p>Pursuant to Hawaii Revised Statutes §92-4 and §92-5(a), the purpose of this Executive Session is for the Commission and Mayor to consult with the deputy county attorney on questions and issues pertaining to the hire, evaluation, dismissal, or discipline of an officer or employee, and the Commission's powers, duties, privileges, immunities and liabilities as they may relate to this agenda item. Consideration of matters affecting the privacy of an officer or employee will be involved.</p> <p><u>DISCUSSION AND CONSIDERATION OF GRANTING A RETROACTIVE PAY RAISE FOR THE DIRECTOR, EFFECTIVE TO JULY 1, 2019, AND CONSIDERATION OF DRAFT LETTER TO HUMAN RESOURCES DEPARTMENT DIRECTOR FOR THIS PURPOSE</u></p>	<p>Mr. Pacheco moved to enter into Executive Session. Mr. Gibson seconded. At 10:53 a.m. the Commission entered into Executive Session.</p> <p>Mr. Nishimura moved to close Executive Session. Mr. Matsunaga seconded. At 11:27 a.m. the Commission returned into Open Session.</p>

SUBJECT	DISCUSSION	ACTION
		Mr. Gibson moved to accept the letter drafted to the HR Department to approve the retroactive pay for outgoing Director Gerald Rapozo effective July 1, 2019. Mr. Pacheco seconded the motion. Motion carried 6:0
<b>Return to Open Session</b>	Ratify the actions taken by the Liquor Commission on the authority of the Liquor Commission Control over the Liquor Control Department, and authority of other county agencies that are associated with the Commission. The Commission approved the letter to the HR Director for a retroactive pay raise for the outgoing Director Gerald Rapozo effective July 1, 2019.	Returned to Open Session @ 11:27 a.m.
9.	<b><u>ANNOUNCEMENTS:</u></b> Next Scheduled Meeting: Thursday, July 16, 2020 – 10:00 a.m., Teleconference	
<b>Adjournment</b>	With no further business to conduct, Chair Akita called for a motion to adjourn the meeting.	Mr. Matsunaga moved to adjourn the meeting Mr. Pacheco seconded the motion. Motion carried 6:0 At 11:38 a.m. the meeting adjourned.

Submitted by: \_\_\_\_\_  
 Malialani TM Kelekoma, Liquor Clerical Assistant

Reviewed and Approved by: \_\_\_\_\_  
 Shirley Akita, Chair

(X) Approved as circulated.

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