

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Board/Commission:	LIQUOR CONTROL COMMISSION	Meeting Date	June 9, 2022
Location	Pi`ikoi Building, Suite 300 4444 Rice Street, Lihue, HI 96766	Start of Meeting: 4:01 p.m.	End of Meeting: 5:02 p.m.
Present	Chair Dee Crowell, Members: Gerald Matsunaga, Lorna Nishimitsu Tess Shimabukuro Also: Liquor Control Staff: Assistant Chief Investigator Stacy Iwasaki, Boards & Commission Administrator Ellen Ching, Commission Support Clerk Malialani Kelekoma, Deputy County Attorney Charles Foster		
Tele Present	Director Leo Sandoval-Reyes		
Excused	Leland Kahawai		
Absent			

SUBJECT	DISCUSSION	ACTION
A.	<u>CALL TO ORDER</u>	Chair Crowell called meeting to order @ 4:01 p.m.
B.	<u>ROLL CALL</u> Assistant Chief Investigator Stacy Iwasaki called roll, noting 5 members were present. Vice Chair Kahawai is excused constituting a quorum.	
C.	<u>ANNOUNCEMENTS:</u> Next Scheduled Meeting: Thursday, June 23rd, 2022 – 4:00 p.m. or shortly thereafter. Details on the meeting will be forthcoming.	
D.	<u>APPROVAL OF AGENDA</u>	

SUBJECT	DISCUSSION	ACTION
	<p>Chair Crowell asked are there any changes to the agenda.</p> <p>Commissioner Shimabukuro commented there is one correction on page (3) E. Consent Agenda Item 4.b. Temporary Decrease of Premises to change the description: 1. Last sentence should be corrected to say hosted by the Hawaii Hotel Industry Foundation and not Kauai Chamber of Commerce.</p> <p>Chair Crowell asked to add an agenda item to the Executive Session whether the Board has authority concerning his location outside of the County of Kauai.</p> <p><i>Commissioner Nishimura withdrew his motion and Commissioner Matsunaga withdrew his second.</i></p> <p><u>Summary:</u> Ms. Ching asked for the Country Attorney’s guidance whether the Commission can discuss this in Executive Session since it was not posted on the agenda. Mr. Foster noted that there are seven exceptions in which it may fall into. §HRS 92-5 (a) to consult with the Boards attorney on issues containing to the board’s powers, duties, privileges, immunities, and liabilities.</p>	<p><u>Motion #1:</u></p> <p>Mr. Nishimura moved to accept the agenda as approved. Mr. Matsunaga seconded the motion.</p> <p><u>Motion #2</u></p> <p>Mr. Crowell moved to add an item to the agenda to discuss the Director’s living arrangements outside of the County of Kauai and his commute. To discuss the boards powers, duties, privilege’s immunities, and liabilities. Also, to include amendments. Mr. Nishimura seconded the motion. Motion carried 5:0.</p> <p><u>Roll Call Vote:</u></p> <p>Mr. Nishimura – Aye Ms. Nishimitsu – Aye Ms. Shimabukuro – Aye Mr. Matsunaga – Aye Mr. Crowell – Aye</p>

SUBJECT	DISCUSSION	ACTION
<p>E.</p>	<p><u>CONSENT AGENDA</u></p> <ol style="list-style-type: none"> 1. <u>APPROVAL OF MINUTES: May 26, 2022</u> 2. <u>DIRECTORS REPORT: May 20, 2022 – May 31, 2022</u> 3. <u>EMPLOYEES IN LICENSED PREMISES:</u> Managers and Assistant Managers Red/Blue Card exam list - See Attachment "A" 4. <u>ACTIONS OF THE DIRECTOR:</u> <ol style="list-style-type: none"> a. <u>REQUEST FOR FREE-ONE DAY SPECIAL LICENSE:</u> <ol style="list-style-type: none"> 1. <u>HAWAII HOTEL INDUSTRY FOUNDATION dba HAWAII HOTEL INDUSTRY FOUNDATION: Approval of Application No. Free 2022-36 filed on May 25, 2022, by Hawaii Hotel Industry Foundation for a Free One-Day Special Dispenser General license on July 9, 2022, at 2250 Ainako St., Koloa, Kauai, Hawaii.</u> b. <u>TEMPORARY DECREASE OF PREMISES:</u> <ol style="list-style-type: none"> 1. <u>KAWAILOA DEVELOPMENT dba GRAND HYATT KAUAI RESORT & SPA: Approval of Temporary reduction of licensed premises to include the entire 18-hole Poipu Bay Golf Course for a fundraising event to be hosted by Kauai Chamber of Commerce on Saturday, July 9, 2022.</u> c. <u>REQUEST FOR USE OF GAMING DEVICE</u> <ol style="list-style-type: none"> 1. <u>BATTERS UP: License No. 2BW-009 located at 1639 Haleukana St, Units 1&2, Lihue, Kauai, Hawaii requested approval of the use of, (1) Moopok, (1) Adult</u> 	

SUBJECT	DISCUSSION	ACTION
	<p><u>Jenga, abd (1) Mortime Hook. Request was approved for May 19, 2022, through June 30, 2022.</u></p> <p>5. <u>CHANGE IN OFFICERS/DIRECTORS/ MEMBERS:</u></p> <p>a. <u>Kauai Blue, Inc.: Kauai Blue, Inc dba. Sheraton Kauai Resort Link Café (4G-025), dba Sheraton Kauai Resort – Ocean (12G-008), dba Sheraton Kauai Resort – Garden (12G-009) reports the deletion of Angela Kathryn Halladay as Vice President/Secretary, John Anthony Halea as Assistant Treasurer, Laurie A. Sullivan as Assistant Treasurer, and Ralph Lee Cunningham as President and CEO. Addition of Angela Kathryn Halladay as Assistant Secretary, John E. Geller, Jr. as Director, James H Hunter, IV s as Director, and Brian E. Miller as CEO, President and Director.</u></p> <p>b. <u>Kawailoa Development LLC: Kawailoa Development LLC dba Grand Hyatt Kauai Resort & Spa reports the deletion of Hidetaka, Hashimoto as Auditor, deletion of Kohei, Aso as inspector, deletion of Kunihiro, Nowatari as Treasurer and the addition of Hiroki, Matsuda as Vice President & Secretary.</u></p>	<p><u>Motion:</u></p> <p>Ms. Nishimitsu moved to approve the Consent Agenda. Mr. Nishimura seconded the motion with amendments and added 4.</p> <p>b.1. Temporary Decrease of Premises be corrected to Hawaii Hotel Industry Foundation and not Kauai Chamber of Commerce.</p> <p>Motion carried 5:0.</p>
<p>F.</p>	<p><u>PUBLIC TESTIMONY:</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there’s anyone in the public who wishes to testify on any item of the agenda. You can step up to the microphone and identify yourself.</p> <p>No Public Testimony.</p>	

SUBJECT	DISCUSSION	ACTION
<p>G.</p>	<p><u>ADOPTION OF DECISION AND ORDER:</u></p> <p>1. <u>Verde Restaurant dba Verde Lihue / Adjudication hearing held, May 26, 2022</u></p> <p>Commissioner Nishimitsu asked was the violation issued to Maris Scarbo-Manzano or to the employee.</p> <p>Director Sandoval-Reyes replied to Ms. Scarbo-Manzano.</p>	<p><u>Motion:</u></p> <p>Mr. Nishimura moved to approve the decision and order for Verde Restaurant. Mr. Matsunaga seconded the motion. Motion carried 5:0.</p>
<p>H.</p>	<p><u>VIOLATION REPORT:</u></p> <p>b. <u>CLOROSHKO LLC. Dbaco's Tacos 2G-073: Violation of rule 7.8(a) Manager on duty, Qualifications.</u></p> <p>Commissioner Nishimitsu asked the department to inform the Limited Liability Company that a member of the LLC has to appear. It is a written authorization hearing of an employee.</p>	<p><u>Motion:</u></p> <p>Mr. Nishimura moved to accept the violation report for Cloroshko LLC. Dbaco's Tacos and set for Adjudication Hearing. Ms. Nishimitsu seconded the motion. Motion carried 5:0.</p>
<p>I.</p>	<p><u>EXECUTIVE SESSION:</u></p> <p>Pursuant to HRS §92-7(a), the Commission may, when deemed necessary, hold an executive session on any agenda item without written public notice if the executive session was not anticipated in advance. Any such executive session shall be held pursuant to H.R.S. §92-4 and shall be limited to those items described in HRS §92-5(a)</p> <p><u>Summary:</u></p>	<p><u>Motion:</u></p> <p>Mr. Crowell moved to enter Executive Session and to invite Director Leo Sandoval-Reyes, Assistant Chief Stacy Iwasaki, and Ms. Ellen Ching. Mr. Nishimura seconded the motion. Motion carried 5:0. At 4:23 p.m. the Commission entered into Executive Session.</p>

SUBJECT	DISCUSSION	ACTION
	<p><u>RETURN TO OPEN SESSION</u></p>	<p><u>Motion:</u></p> <p>At 5:01 p.m. the Commission returned to Open Session.</p> <p>Ms. Nishimitsu moved to ratify the actions taken in Executive Session. Mr. Nishimura seconded the motion. Motion carried 5:0.</p>
<p>J.</p>	<p><u>ADJOURNMENT</u></p>	<p><u>Motion:</u></p> <p>Ms. Nishimitsu moved to adjourn meeting. Mr. Matsunaga seconded the motion. Motion carried 5:0.</p> <p>At 5:02 pm meeting was adjourned.</p>

Submitted by: _____
 Malialani Kelekoma, Private Secretary

Reviewed and Approved by: _____
 Dee Crowell, Chair

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