

APPROVED

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

See Open Session Minutes of 03/08/2023.

Board/Commission:	LIQUOR CONTROL COMMISSION	Meeting Date	February 8, 2023
Location	Pi`ikoi Building, Suite 300 4444 Rice Street, Lihue, HI 96766	Start of Meeting: 1:00 p.m.	End of Meeting: p.m.
Present	Chair Kahawai, Vice Chair Nishimitsu, Members: Dee Crowell, Gerald Matsunaga, Randall Nishimura, Tess Shimabukuro. Also Liquor Control Staff: Assistant Chief Investigator Stacy Iwasaki, Liquor Private Secretary: Malialani Kelekoma, Boards & Commission Administrator: Ellen Ching, Deputy County Attorney: Stephen Hall		
Excused	Paul Endo, Director Leo Sandoval-Reyes, Charles Foster		
Absent			

SUBJECT	DISCUSSION	ACTION
A. <u>CALL TO ORDER</u>		Chair Kahawai called the meeting to order @ 1:00 p.m.
B. <u>ROLL CALL</u>	Assistant Chief Investigator Stacy Iwasaki called for a roll call to ascertain quorum conduct business, noting Commissioner Paul Endo was excused and six members were present to conduct business.	
C. <u>ANNOUNCEMENTS:</u>	Next Scheduled Meeting: February 22, 2023 – 1:00 p.m. or shortly thereafter.	
D. <u>APPROVAL OF AGENDA</u>	Assistant Chief Investigator Stacy Iwasaki asked if there's anyone in the public who wishes to testify on this item at this time.	No Public Testimony.

SUBJECT	DISCUSSION	ACTION
		<p><u>Motion:</u></p> <p>Mr. Matsunaga moved to approve the agenda. Ms. Shimabukuro seconded the motion. Motion carried 6:0.</p>
<p>E.</p>	<p><u>CONSENT AGENDA:</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there’s anyone in the public who wishes to testify on this item at this time.</p> <ol style="list-style-type: none"> 1. APPROVAL OF MINUTES: December 28, 2022 2. DIRECTOR’S REPORT: January 18, 2023 – January 31, 2023 3. EMPLOYEES IN LICENSED PREMISES: <ol style="list-style-type: none"> a. Managers and Assistant Managers Red/Blue Card exam list - See Attachment “A” 4. ACTIONS OF THE DIRECTOR: <ol style="list-style-type: none"> a. <u>Request for Temporary Increase of Premise:</u> <ol style="list-style-type: none"> 1. <u>XV Corporation dba Wranglers Steakhouse (2G-030):</u> Approval of Temporary Increase of Premises to include the back parking lot, backyard space, and the enclosed front area within the wooden fence, per diagram 	<p>No Public Testimony.</p>

SUBJECT	DISCUSSION	ACTION
	<p>submitted, to accommodate large catered parties on January 28, 2023, and January 29, 2023, from 11:00 A.M. until 12:00 A.M.</p> <p>b. <u>Request to change Licensee Trade Name:</u></p> <p>1. <u>Haole Girl Island Sweets LLC. dba Ravish Kauai (2G-028):</u> Haole Girl Island Sweets LLC. located at 4-369 Kuhio Highway, Kapaa, Kauai, Hawaii, submitted a request for change of dba from “Ravish Kauai” to “Haole Girl Cafe”. A certificate of Registration of Trade Name was submitted with the Request of Trade Name change issued by the State Department of Commerce and Consumer Affairs showing approval as required by administrative rules.</p> <p>c. <u>Request for Free- One Day (Non-Profit) License:</u></p> <p>1. <u>Historic Waimea Theater and Cultural Center dba Historic Waimea Theater and Cultural Center:</u> Application No. Free 2023-20, Free 2023-21, and Free 2023-22 was issued on January 26, 2023, to Historic Waimea Theater and Cultural Arts Center for a Free One-Day Special Dispenser General license for an event to be held on February 18th, February 24th, and February 25th, 2023, at Historic Waimea Theater and Cultural Arts Center located at 9691 Kaumualii Hwy, Waimea, Kauai, Hawaii.</p> <p>d. <u>Application for Product Tasting Permit:</u></p> <p>1. <u>Safeway, Inc. dba Safeway Store #2894 (4G-011):</u> Approval of product tasting permit to be conducted at 4454 Nuhou Street, Lihue, Kauai, Hawaii on January 28th, 2023 and February 11th -19th, 2023.</p>	

SUBJECT	DISCUSSION	ACTION
	<p>e. <u>Permit to Receive Liquor from outside the State of Hawaii:</u></p> <p>1. <u>Application No. 2023-090:</u> Approval of request to receive liquor from outside the State of Hawaii as a shipment of household goods through a common carrier. Applicant Michael Wayne Bolyard would like to receive a shipment of 9 bottles of liquor that are for personal consumption and not for resale. Applicant is returning to Kauai after military deployment. Permit #HG2023-02 was issued on January 26, 2023, with the associated fee paid.</p>	<p><u>Motion:</u></p> <p>Mr. Nishimura moved to approve the Consent Agenda. Mr. Matsunaga seconded the motion. Motion carried 6:0.</p>
<p>F.</p>	<p><u>PUBLIC TESTIMONY ON ALL AGENDA ITEMS:</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there’s anyone in the public who wishes to testify on this item at this time.</p>	<p>No Public Testimony.</p>
<p>G.</p>	<p><u>PUBLIC HEARINGS:</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there’s anyone in the public who wishes to testify on this item at this time.</p> <p>1. <u>Island Distributing, LLC. dba Island Distributing:</u> Application No. 2023-051 was filed on November 17, 2022, by Island Distributing, LLC. dba Island Distributing for transfer of Wholesale Dealer General No. 3G-004 from Paradise Beverages, Inc. dba Paradise Beverages. Island Distributing, LLC. dba Island Distributing will be located at 1741 Haleukana Street, Lihue, Kauai, Hawaii.</p>	<p>No Public Testimony.</p>

SUBJECT	DISCUSSION	ACTION
	<p>Mr. Ichikawa, Counsel, Ms. Argena Willis, Branch Manager and Jackie Dureg, Sales Supervisor were present to represent Island Distributing LLC. dba Island Distributing.</p> <p><u>Summary:</u> He received a copy of the investigators report and had no changes. January 13, 2023 is when the transaction closed. Chair Kahawai closed the Public Hearing for Application No. 2023-051.</p>	<p><u>Motion:</u></p> <p>Mr. Matsunaga moved that Application No. 2023-051 be approved Mr. Nishimura seconded the motion. Motion carried 6:0.</p>
<p>H.</p>	<p><u>VIOLATION HEARING:</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there’s anyone in the public who wishes to testify on this item at this time.</p> <p>1. <u>Case No.2023-015: Haole Girl Island Sweets LLC. dba Ravish Kauai (2G-028)</u> located at 4-369 Kuhio Highway, Kapaa, Kauai, Hawaii. Violation of Rule 7.8(a), Manager on Duty, qualifications.</p> <p><u>Summary:</u> Judith Capertina, Owner/Managing Partner was present to represent Haole Girl Island Sweets LLC. dba Ravish Kauai. She received a copy of the Investigator’s report. She understood the charge and admitted to the charge. Recommendation from the department was \$500.00.</p>	<p>No Public Testimony.</p> <p><u>Motion:</u></p> <p>Mr. Matsunaga moved that \$500.00 be imposed and that no other violation occur. Mr. Nishimura seconded the motion. Motion carried 6:0.</p>
<p>I.</p>	<p><u>VIOLATION REPORT:</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there’s anyone in the public who wishes to testify on this item at this time.</p> <p>1. <u>Case No.2023-016: Shivalik Indian Cuisine, LLC. dba Shivalik Indian Cuisine (2G-</u></p>	<p>No Public Testimony.</p>

SUBJECT	DISCUSSION	ACTION
	<p>051) located at 4-771 Kuhio Highway, Kapaa, Kauai, Hawaii. Violation of Rule 7.8(a), Manager on Duty, qualifications.</p>	<p><u>Motion:</u></p> <p>Ms. Nishimitsu moved to accept the violation report and schedule the matter for a Violation Hearing. Ms. Shimabukuro seconded the motion. Motion carried 6:0.</p>
<p>J.</p>	<p><u>PRELIMINARY HEARING (NEW LICENSE APPLICATION)</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there's anyone in the public who wishes to testify on this item at this time.</p> <p>1. <u>The Yard Collective, LLC. dba The Musubi Truck:</u> Application No. 2023-076 was filed on January 18, 2023, by The Yard Collective, LLC. dba The Musubi Truck for a New Restaurant General (A) No Live Entertainment and No Dancing, located at 4548 Kukui St., Kapaa, Kauai, Hawaii.</p> <p><u>Summary:</u> Kelly Kakalia was present to represent the Musubi Truck.</p>	<p>No Public Testimony.</p> <p><u>Motion:</u></p> <p>Ms. Shimabukuro moved to approve Application No. 2023-076, The Yard Collective, LLC. dba The Musubi Truck for Publication and Public Hearing. Mr. Nishimura seconded the motion. Motion carried 6:0.</p>
<p>K.</p>	<p><u>PRESENTATION BY THE PERMITTED INTERACTION GROUP ON RECOMMENDATIONS ON THE DIRECTOR'S MONTHLY REPORT FORMAT</u></p> <p>Assistant Chief Investigator Stacy Iwasaki asked if there's anyone in the public who wishes to testify on this item at this time.</p>	<p>No Public Testimony.</p>

SUBJECT	DISCUSSION	ACTION
	<p><u>Summary:</u> Mr. Nishimura presented to the Commission the recommendations on the Director’s Monthly Report format. Gives you an idea of the activities that the Director does on a regular basis. Things to consider frequency, every meeting, monthly, quarterly, or bi-annually. It will give you an overall view of what has occurred. Request sub-sections to be added in.</p>	<p><u>Motion:</u></p> <p>Ms. Nishimitsu moved to receive the Director’s Monthly Report Format and to be discussed at the February 22, 2023 meeting. Mr. Matsunaga seconded the motion. Motion carried 5:1.</p>
<p>L.</p>	<p><u>ADJOURNMENT</u></p> <p>With no further business to conduct, Chair Kahawai sought a motion to adjourn the meeting.</p>	<p><u>Motion:</u></p> <p>Mr. Crowell moved to adjourn the meeting. Mr. Nishimura seconded the motion. Motion carried 6:0, the meeting adjourned at 1:41 p.m.</p>
<p>M.</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>Pursuant to HRS § 92-7.5, at the time the board packet is distributed to the Liquor Control Commission, the board packet will be available for inspection at the Liquor Control Commission’s office (Pi’ikoi Building 4444 Rice Street, Suite 300, Līhu‘e, Hawai’i 96766). Please contact at (808) 241-4966 or mkelekoma@kauai.gov to request access.</p>	

Submitted by: _____
Malialani Kelekoma, Private Secretary

Reviewed and Approved by: _____
Leo Sandoval-Reyes, Director of Liquor Control

() Approved as circulated.

(X) Approved with amendments. See 03/08/2023 _meeting.