



**LIQUOR CONTROL ADJUDICATION BOARD**  
**COUNTY OF MAUI**

c/o Department of Liquor Control  
110 'Ala'ihi Street, Suite 212  
Kahului, Maui, Hawai'i 96732  
Telephone & Fax: (808) 244-4666  
Email: liquoradjudication@mauicounty.gov  
Website: www.mauicounty.gov/185/Liquor-Control-Adjudication-Board

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COUNTY CLERK**

**BOARD MEMBERS:**  
Allan Almeida, Jr.  
Chair  
Shane Dudoit  
Vice Chair  
Melissa Padilla  
Robbie Sanches  
Janice Kalanihua  
Kaulana Mossman  
Rhonda I.L. Loo  
Toni K.Rust

**REGULAR ADJUDICATORY MEETING AGENDA**

*PURSUANT TO HAWAII REVISED STATUTES, CHAPTERS 91 AND 92, AS AMENDED, NOTICE IS HEREBY GIVEN OF A REGULAR REMOTE PUBLIC MEETING OF THE LIQUOR CONTROL ADJUDICATION BOARD, COUNTY OF MAUI.*

<b>Date:</b>	<b>Thursday, December 1, 2022</b>
<b>Time:</b>	<b>9:00 a.m.</b>
<b>Remote Location:</b>	<b>via BlueJeans interactive conference technology: Log onto <a href="https://bluejeans.com">https://bluejeans.com</a> or dial 1 (408) 915-6290, and enter Meeting ID 821 271 595</b>
<b>Physical Location:</b>	<b>County of Maui Service Center Department of Liquor Control Conference Room 110 'Ala'ihi Street, Suite 212A Kahului, Maui, Hawaii</b>

**VIDEO ACCESS & TESTIMONY:** To observe the meeting or provide video testimony by computer or other mobile devices, log onto <https://bluejeans.com> and enter Meeting ID 821 271 595 or use the meeting link, <https://bluejeans.com/821271595>.

**PHONE ACCESS & TESTIMONY:** To listen to the meeting or provide oral testimony by phone, dial 1 (408) 915-6290 and enter Meeting ID 821 271 595.

**PHYSICAL LOCATION & TESTIMONY:** Members of the public may observe the remote meeting or provide testimony in-person using audio/visual technology at the Physical Location. Note: Board Members may not be physically present at this location.

**ORAL TESTIMONY:** Testimony will be taken at the meeting as determined by the Chair. Oral testifiers are afforded two (2) minutes to testify on each agenda item, with one (1) minute to conclude at the discretion of the Chair if necessary.

Testifiers via video may sign-up to testify by sending a direct message in the Chat function to the Board staff, signifying their intention to testify and noting the agenda item number. Testimony shall not be submitted within the Chat function, and the Chat function may not be used to contact Board Members, or other meeting participants, for comment on the agenda items, or other matters. Individuals may be disconnected from the meeting for breaking decorum.

Testifiers are asked to mute their audio and video when they are not testifying. Video testifiers will be called first, followed by phone testifiers, and then in-person testifiers.

**WRITTEN TESTIMONY:** Whether sent via email, mail, or fax, written testimony should be submitted by noon, two (2) business days before the meeting to ensure its distribution to the Board Members. Email written testimony to [liquoradjudication@mauicounty.gov](mailto:liquoradjudication@mauicounty.gov); mail to the **Liquor Control Adjudication Board, c/o Department of Liquor Control, 110 ‘Ala‘ihi Street, Suite 212, Kahului, Hawaii 96732**; or fax to **(808) 244-4666, “Attention: Liquor Control Adjudication Board”**. While the Board requests written testimony be submitted by a specific date and time, testimony submitted after such date and time will still be accepted. All written testimony will become part of the permanent record.

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- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PUBLIC TESTIMONY:** All testimony shall be relevant to the meeting agenda’s specific items. Pursuant to HRS § 92-6, no public testimony will be received on adjudicatory matters.
- IV. **HEARING(S) BEFORE THE BOARD:**
  - A. **COMPLAINT AND ACCUSATION NO. 2022-10**  
**In the matter of the accusation against MKR, INC. dba DOLLIES NORTH SHORE, located at 120 Hana Highway, Units 10 & 11, Paia, Maui, Hawaii; Restaurant General, Category B(ii), Lic. No. #249.**
    - Count 1: On February 12, 2022, MKR, INC. dba DOLLIES NORTH SHORE did, through its employee(s), failed to exercise due care to ensure that no person or employee actively engaged in the sale or serving of liquor, or while on duty, be permitted to consume any alcoholic beverages, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08-101-80(a)(1).
    - Count 2: On February 12, 2022, MKR, INC. dba DOLLIES NORTH SHORE, failed to have available on the licensed premises a time sheet showing in English the legal first name and surname of all employees, including and not limited to managers, assistant managers, and employees approved by the Director, when such employee is on duty, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08-101-70(f).
    - Count 3: On February 12, 2022, MKR, INC. dba DOLLIES NORTH SHORE, failed to have all managers, assistant managers, supervisory personnel, or any other person, who performs any type of managerial or supervisory functions in conjunction with the operations, maintenance, supervision or management of the licensed premises, directly or indirectly, meet the minimum requirements set forth by the commission to be an “employee approved by the director”, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08-101-70(g).

Count 4: On February 12, 2022, MKR, INC. dba DOLLIES NORTH SHORE, failed to have the main or primary entrance unlocked while open for business, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08-101-90(a).

*MKR, Inc. dba Dollies North Shore pleaded GUILTY to the accusations.*

**B. COMPLAINT AND ACCUSATION NO. 2022-11**

**In the matter of the accusation against PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, located at 1945 S. Kihei Road, Suite H, Kihei, Maui, Hawaii; Dispenser General, Category C(ii), Lic. No. #232.**

Count 1: On February 25, 2022, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, did, through its employee(s), sell, serve, or furnish liquor to, or allow the consumption of any liquor by a person at the time under the influence of liquor, drugs, or any combination thereof, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08-101-60(b)(1)(B).

Count 2: On February 25, 2022, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, did, through its employee(s), knowingly permit a person under the influence of liquor, drugs or any combination thereof, or disorderly person to be or remain in or on the licensed premises, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08-101-60(b)(5).

Count 3: On February 25, 2022, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, through its employee(s), failed to exercise due care, in determining whether a person is under the influence of liquor, drugs, or any combination thereof, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08 101-60(b)(11).

Count 4: On February 25, 2022, PGP ENTERTAINMENT LIMITED LIABILITY COMPANY dba LAVA ROCK BAR & GRILL, failed to provide any information, documents, books, or records requested by the Commission, Board, or the Department, contrary to the Rules Governing the Manufacture and Sale of Intoxicating Liquor of the County of Maui § 08-101-60(b)(14).

*PGP Entertainment Limited Liability Company dba Lava Rock Bar & Grill pleaded NO CONTEST to the accusations.*

**V. ADMINISTRATIVE AFFAIR(S):**

A. Discussion and consideration of the process and procedure for contested cases.

B. Distribution of the 2023 Meetings Schedules for the Liquor Control Commission and the Liquor Control Adjudication Board.

**VI. ANNOUNCEMENT(S):**

- A. The next Liquor Control Adjudication Board regular meeting is scheduled for Thursday, January 5, 2023, at 9:00 a.m.

**VII. ADJOURNMENT**

AGENDA ITEMS ARE SUBJECT TO CANCELATION.

**SPECIAL ASSISTANCE:** If you need an auxiliary aid/service or an accommodation due to a disability, please contact the Board staff by email at [liquoradjudication@mauicounty.gov](mailto:liquoradjudication@mauicounty.gov) or phone **(808) 244-4666**, preferably at least 3 business days before the meeting. If a request is received in less than 3 business days, we will try to obtain the auxiliary aid/service or accommodation, but we cannot guarantee that the request will be fulfilled. This notice is available in alternate formats such as large print, Braille, or electronic copy upon request.

**MEETING DOCUMENTS:** "Board packets", as defined in HRS § 92-7.5, are available for public inspection at the office of the Department of Liquor Control. They may also be found at [www.mauicounty.gov/185/Liquor-Control-Adjudication-Board](http://www.mauicounty.gov/185/Liquor-Control-Adjudication-Board) under Meeting Documents.

**EXECUTIVE SESSION:** An executive session may be called in order for the Board to consult with its attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities, pursuant to HRS § 92-5(a)(4).

**INTERRUPTION IN VIDEO/AUDIO:** If the connection between any testifier and the video conference is lost, the meeting will continue. A meeting held by interactive conference technology shall be automatically recessed for up to thirty minutes to restore communication when audiovisual communication cannot be maintained with Board Members participating in the meeting or with the public location identified above. The meeting will be automatically terminated if connection cannot be restored within 30 minutes.

**PLEASE NOTE:** If any member of the Board is unable to attend, please call **(808) 244-4666** at least 48 hours before the scheduled meeting. Thank you for your cooperation.