



## MEMORANDUM

TO: Bob Klein, Chair, and Members of the Alcoholic Beverage Control Board      DATE: April 3, 2018

FROM: Erika McConnell, Director      RE: 5447 Bethel Spirits

**Requested Action:** License renewal; hearing on objection; license transfer

**Statutory Authority:** AS 04.06.090(b): “The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title.”

AS 04.11.470: “A person may object to an application for issuance, renewal, transfer of location, or transfer to another person of a license, or for issuance of a permit, by serving upon the applicant and the board the reasons for the objection. The board shall consider the objections and testimony received at a hearing conducted under AS 04.11.510(b)(2) when it considers the application..”

AS 04.11.510(b)(2): “the board may, on its own initiative or in response to an objection or protest, hold a hearing to ascertain the reaction of the public or a local governing body to an application if a hearing is not required under this subsection; the board shall send notice of a hearing conducted under this paragraph 20 days in advance of the hearing to each community council established within the municipality and to each nonprofit community organization entitled to notification under AS 04.11.310(b);”

AS 04.11.040(a): “A license issued under this title may not be transferred to another person except with the written consent of the board.”

**Staff Rec.:** Ascertain the reaction of the public to the license renewal and transfer at the public hearing

**Background:** This package store license in Bethel was first issued in June of 2016. An objection to the renewal of this license has been received from the Association of Village Council Presidents. The City of Bethel was notified of a complete application on December 1, 2017. AMCO did not receive

any communication from the City of Bethel regarding whether or not they were protesting the license renewal by the deadline of January 30, 2018 (AS 04.11.480(a)).

The licensee was found to have met minimum operating requirements in both 2016 and 2017.

An objection to the transfer of this license has been received from William Updegrove. The City of Bethel was notified of a complete transfer application on March 12, 2018.

Attachment: Objections

Raymond Watson, Chairperson  
Vivian Korthuis, CEO  
Phone: (907) 543-7300  
Fax: (907) 543-3369  
Web: www.avcp.org

# AVCP

Association of Village Council Presidents  
Administration  
Pouch 219, Bethel, AK 99559

*The Voice of the Region*



January 17, 2018

Alcohol Beverage Control Board  
550 W. 7<sup>th</sup> Ave, Ste 1600  
Anchorage, AK 99501  
alcohol.licensing@alaska.gov

Bethel Spirits  
c/o Bethel Native Corporation  
PO Box 719  
Bethel, Alaska 99559

Re: Objection to License #5447

Dear members of the Alcohol Beverage Control Board:

The Association of Village Council Presidents (AVCP) is the regional Native non-profit corporation for the fifty-six federally recognized Tribes of the Yukon-Kuskokwim Delta. It is on behalf of our Tribes that we will object to all current and future alcohol license renewals in Bethel, Alaska.

The YK-Delta is in the midst of a public health and safety crisis. Chronic alcohol abuse and alcohol misuse disorders plague our region. Alcohol abuse is a major contributing factor to incidences of violent crime, domestic violence, sexual assault, and child abuse and neglect. Dry villages struggle to maintain law and order with a steady stream of bootlegging and illegal importation – made much simpler by the prevalence of Bethel alcohol sales. In our villages, tribal councils and courts struggle to find solutions to enforce their ordinances and provide for the safety of their members on shoestring or non-existent budgets. Village Public Safety Officers, Village Police Officers, and Tribal Police Officers continually receive calls for assistance – often responding without backup – where involved individuals are intoxicated. Residents in villages without a public safety presence are forced to deal with alcohol-related issues as best they can, banding together for support.

For these reasons, we object to the renewal of License #5447 (Bethel Spirits). Please contact us if you need additional information.

Sincerely,

ASSOCIATION OF VILLAGE COUNCIL PRESIDENTS

Raymond Watson  
Chairperson

Vivian Korthuis  
CEO



Akiachak  
Akiak  
Alakanuk  
Andreafsky  
Aniak  
Atmautluak  
Bethel  
Bill Moore's Sl.  
Chefornak  
Chevak  
Chuathbaluk  
Chuloonawick  
Crooked Creek  
Eek  
Emmonak  
Georgetown  
Goodnews Bay  
Hamilton  
Hooper Bay  
Lower Kalskag  
Upper Kalskag  
Kasigluk  
Kipnuk  
Kongiganak  
Kotlik  
Kwethluk  
Kwigillingok  
Lime Village  
Marshall  
Mekoryuk  
Mtn. Village  
Napaimiut  
Napakiak  
Napaskiak  
Newtok  
Nightmute  
Nunakayak  
Nunam Iqua  
Nunapitchuk  
Ohogamiut  
Oscarville  
Paimiut  
Pilot Station  
Pitka's Point  
Platinum  
Quinhagak  
Red Devil  
Russian Mission  
Scammon Bay  
Sleetmute  
St. Mary's  
Stony River  
Tuluksak  
Tuntutuliak  
Tununak  
Umkumiut

William Updegrove  
PO Box 1872  
Bethel, Alaska 99559  
February 14, 2018

Alcohol & Marijuana Control Office  
Alcoholic Beverage Control Board  
550 W 7th AVE, STE 1600  
Anchorage, AK 99501

Re: Bethel Spirits LLC license transfer request

I write in opposition to the transfer of Bethel Spirits LLC liquor license to Caribou Traders Liquor.

The Bethel Native Corporation created the main impetus for the issuing of liquor licenses in the city of Bethel. They gained their license and they should maintain their license in their own name. The business model of beer and wine sales for one month a year in compliance with state liquor statutes may not be a success for Bethel Spirits, but it is a distinct advantage for the Bethel community.

The location of the Caribou Traders Liquor store right on the bank of the Kuskokwim River with its anticipated increase in hours and inventory poses a direct threat to the health and welfare of villages up and down the Kuskokwim River. These villages have voted for local options banning the sale, importation and possession of alcohol. The ABC board should not contribute to this threat to the health and welfare of the Bethel region.

Bethel Spirits LLC is the current license holder and they should be required to maintain their license or surrender it – not transfer it.

Sincerely,



William Updegrove





# Bethel Native Corporation

## Subsidiary Companies

Bethel Services Inc.  
Bethel Solutions Inc.  
Bethel Builders LLC  
Bethel Contracting LLC  
Bethel Engineering and Consulting LLC  
Bethel Environmental Solutions LLC  
Bethel Federal Services LLC

May 21, 2018

Chairman Bob Klein  
Alcohol Beverage Control Board  
550 West 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

Re: ABC Board review of license #5447

Dear Chairman Klein,

I am writing on behalf of Bethel Spirits to request a postponement of action on the renewal and transfer of license #5447. Bethel Spirits appreciates the ABC board process and values Bethel's municipal election procedure. Here is an outline of events that precipitate this request:

- The renewal application for the Bethel Spirits package store license #5447 was submitted to the ABC Board on November 7, 2017 and a temporary license was received promptly thereafter.
- The matter was placed on the ABC Board agenda for the January 23, 2018 meeting in Juneau; however, the license renewal was pulled from the consent agenda and postponed until the April 3, 2018 Board meeting in Nome.
- A transfer application, to transfer the license from Bethel Spirits to Caribou Traders, was submitted to the ABC Board on February 15, 2018 and this potential transfer was also placed on the April 3, 2018, ABC Board meeting agenda.
- During the April 3, 2018 meeting, the ABC Board postponed all action regarding the Bethel licenses.
- On April 24, 2018, the ABC Board provided notice regarding a public hearing scheduled for May 22, 2018, in Bethel.
- On April 30, 2018, the City of Bethel City Clerk certified a petition effort to place the local option question back on the municipal ballot. This local option vote will take place on October 2, 2018.

Considering the above sequence of events and the fact that the residents of Bethel will soon vote on the whether or not legal sales will continue in Bethel, I respectfully request the ABC Board postpone further action on license #5447 until after the October 2, 2018 election.

Respectfully,

Anastasia Hoffman, President/CEO

#### Mailing Address

PO Box 719  
Bethel, Alaska 99559

#### Physical Address

460 Ridgecrest Drive, Suite 211  
Bethel, Alaska 99559

Tel: 907.543.2124  
Fax: 907.543.2897

[www.bethelnativecorp.org](http://www.bethelnativecorp.org)

# Caribou Trader Liquor, LLC

May 21, 2018

Erika McConnell, Director  
Alcohol & Marijuana Control Office  
550 W. 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

RE: ABC Board's May 22, 2018 special meeting in Bethel

Dear Ms. McConnell,

Caribou Trader Liquor, LLC respectfully requests that the ABC Board table any action at the May 22, 2018 meeting until after the October 2, 2018 Bethel election, which will include a ballot initiative for a local option to prohibit the sale of alcohol in the City.

If you have any further questions for us, please give me a call.

Thank you,

A handwritten signature in black ink, appearing to read 'D. Cottrell', written over a horizontal line.

David Cottrell, President  
Caribou Trader Liquor, LLC

3351 Arctic Blvd  
Anchorage, AK 99503  
907-751-6800