



MEMORANDUM

TO: Bob Klein, Chair, and Members of the Alcoholic Beverage Control Board DATE: October 15, 2018

FROM: Erika McConnell, Director RE: #1242 Willow Tree Inn

Requested Action: 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);”

Staff Rec.: Absent compelling public testimony suggesting a different course of action, deny the transfer with a 30-day abeyance; note for the record that other pending approvals must be received before the transfer can be effectuated

Background: We received an objection to the transfer of this license by the Department of Labor, Division of Workers’ Compensation, due to failure to make timely payments.

The board is required by AS 04.11.510(b)(2) to hold a hearing to consider the objections and ascertain the reaction of the public.

Attachment: Department of Labor, Workers’ Compensation objection.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE
550 West 7th Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

September 12, 2018

Department of Revenue
Department of Labor, Employment Security
Department of Labor, Workers' Compensation
Via email: theresa.mitchell@alaska.gov
elizabeth.glooschenko@alaska.gov
rizalina.olde@alaska.gov
velma.thomas@alaska.gov
andrea.mogil@alaska.gov
dor.tax.collections@alaska.gov

License Number:	1242
License Type:	Beverage Dispensary
Applicant:	Paul G Brannon Trust U/W LLC
Doing Business As:	Willow Tree Inn
Transferee EIN:	46-7071864
Transferor EIN:	27-450388

Transfer of Ownership Application

Transfer of Controlling Interest

AS 04.11.330(b) and AS 04.11.370(a)(6) require that an applicant for a liquor license operate in compliance with each applicable public health, fire, safety, and tax code and ordinance of the state and the local governing body in which the applicant's proposed licensed premises are located.

This letter serves to provide written notice and request for compliance status from the above referenced entities regarding the above application (see attached application documents for more information). **Please complete and return this form to the AMCO office at the email below.**

REVIEWER: /s/Andrea Mogil, Collections Officer

- DOR
- Employment Security
- Workers' Compensation

DATE: 9/17/2018 PHONE: 907-465-6919

Compliant Non-compliant

COMMENTS: Transferor Alaska '49 LLC has been assessed a penalty for failure to insure in AWCB case #700006678 and has not yet made timely payment; Transferor may also be liable for an

uninsured workplace injury in AWCB case #201805459. The Division of Workers' Compensation hereby reasserts its lien per letter dated April 16, 2018, and attached with this notice.

Erika McConnell
Erika McConnell
Director, ABC Board
alcohol.licensing@alaska.gov



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Labor and
Workforce Development**

DIVISION OF WORKERS' COMPENSATION
BENEFIT GUARANTY FUND - COLLECTIONS

P.O. Box 115512 Juneau, Alaska 99811-5512
Main: 907.465.2790 Fax: 907.465.2797

September 18, 2018

Department of Commerce, Community & Economic Development
Alcoholic Beverage Control Board
Attn: Jane Sawyer, Business Licensing Examiner
550 W 7th Avenue, Ste. 1600
Anchorage, AK 99501

**RE: CREDITOR'S HOLD REQUEST - PROTEST TO RENEWAL OR TRANSFER OF ALCOHOL LICENSE
LIQUOR LICENSES NO.: 1242
NAME OF ESTABLISHMENTS: Willow Tree Inn
NAME OF ESTABLISHMENT OWNER: Alaska '49, LLC**

The Department of Labor and Workforce Development, Division of Workers' Compensation, hereby files renewal of their notice of their objection to the renewal or transfer of Liquor Licenses No. 1242, issued to establishment Willow Tree Inn, owner Alaska '49, LLC. This notice is to serve as a Creditor's Hold Request, as provided for and in accordance with AS 04.11.360, **for renewal or transfer of these licenses now or in the future, or issuance of future alcohol licenses for the premises located at 513 Wood River Road, Dillingham, AK 99576 to Alaska '49, LLC or its successors in interest at this address.**

The uninsured employer, Respondent, Alaska '49 LLC dba Willow Tree Inn, may be liable for an uninsured injury in AWCB case #201805459 and may be ordered to pay benefits in that case under AS 23.30.075 and 23.30.045 in an amount to be determined and at least \$8,000.00 to date. Employer Alaska '49, LLC will also be assessed and has agreed to pay a civil penalty for failure to insure in AWCB case #700006678 for operating in violation of AS 23.30.075 and .080 for an amount to be determined. The Division will supply these amounts upon request as they become available.

The name and address of the claimant: State of Alaska, Department of Labor and Workforce Development, Division of Workers' Compensation, Benefits Guaranty Fund - Collections, P.O. 115512, Juneau, Alaska 99811-5512. Payment should be made payable to: Alaska Workers' Compensation Benefits Guaranty Fund, and the following case identification referenced in the memo field: AWCB Cases No. 201805459 and 700006678.

A lien is now claimed for the amount of all benefits which may become due in AWCB case #201805459 and for the amount of the penalty assessed in AWCB case #700006678 as described above.

DATED this 19th day of September, 2018.

State of Alaska, Department of Labor & Workforce Development
Alaska Workers' Compensation Benefits Guaranty Fund


Andrea Mogil, Collection Officer

SUBSCRIBED and SWORN to before me this 19th day of September, 2018.



Susan Reiskus-O'Brien

Notary Public in and for Alaska

My Commission Expires ~~With Office~~

6/1/19 SRO

150601001

Cc: Gretchen Mueller, Registered Agent
Alaska '49, LLC dba Willow Tree Inn
PO Box 217
Dillingham, AK 99576
Cert.: 7017 2400 0000 6054 9241

Michael Keenan, Trustee
Paul G. Brannon Testamentary Trust U/W LLC
PO Box 91006
Anchorage, AK 99509
Cert.: 7107 2400 0000 6054 9234