



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: June 9, 2020

FROM: Glen Klinkhart, Interim Director

RE: 1264 Alaska Commercial Company

Requested Action: Transfer Application

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 review an application for the issuance, renewal, transfer of location, or transfer to another person of a license without affording the applicant notice or hearing, except...(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;”

Staff Rec.: Hold a public hearing; consider the objection by the Department of Labor – Employment Security.

Background: This is a transfer of ownership and location with a dba name change from Yakutat Adventures, LLC dba The Yakutat Lodge located at 989 Airport Road, Yakutat. The response from the City and Borough of Yakutat is still pending.

Attachment: Objection
Transfer Application



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE

550 West Seventh Avenue, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

May 7, 2020

Department of Revenue
Department of Labor, Employment Security
Department of Labor, Workers' Compensation

Via email: theresa.mitchell@alaska.gov
elizabeth.glooschenko@alaska.gov
velma.thomas@alaska.gov
erwin.fariolan@alaska.gov
dor.tax.collections@alaska.gov

License Number:	1264
License Type:	Package Store
Applicant:	The North West Company (International), Inc.
Doing Business As:	Alaska Commercial Company
Transferee EIN:	92-0144184
Transferor EIN:	81-3096946

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 alcohol.licensing@alaska.gov.**

REVIEWER: _____

DOR

Employment Security

Workers' Compensation

DATE: 5/7/2020 PHONE: 907-269-4836

Compliant Non-compliant

COMMENTS: _____

If you have any questions, please send them to alcohol.licensing@alaska.gov.

Sincerely,

Glen Klinkart
Interim-Director, ABC Board



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

What is this form?

This transfer license application form is required for all individuals or entities seeking to apply for the transfer of ownership and/or location of an existing liquor license. Applicants should review **Title 04 of Alaska Statutes** and **Chapter 304** of the **Alaska Administrative Code**. All fields of this form must be completed, per AS 04.11.260, AS 04.11.280, AS 04.11.290, and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

Section 1 – Transferor Information

Enter information for the *current* licensee and licensed establishment.

Licensee:	Yakutat Adventures, LLC	License #:	1264
License Type:	Package Store	Statutory Reference:	04.11.150
Doing Business As:	The Yakutat Lodge		
Premises Address:	989 Airport Road		
City:	Yakutat	State:	Alaska
		ZIP:	99689
Local Governing Body:	Yakutat City & Borough		

Transfer Type:

- Regular transfer
- Transfer with security interest
- Involuntary retransfer

OFFICE USE ONLY			
Complete Date:		Transaction #:	1232222
Board Meeting Date:		License Years:	
Issue Date:		BRE:	



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 2 - Transferee Information

Enter information for the *new* applicant and/or location seeking to be licensed.

Licensee:	The North West Company (International) Inc.				
Doing Business As:	Alaska Commercial Company				
Premises Address:	716 Ocean Cape Road				
City:	Yakutat	State:	Alaska	ZIP:	99689
Community Council:	City and Borough of Yakutat				

Mailing Address:	77 Main Street	Attention: Legal Department			
City:	Winnipeg	State:	Manitoba	ZIP:	R3C 1A3

Designated Licensee:	Amanda Sutton				
Contact Phone:	204-934-1756	Business Phone:			
Contact Email:	license@northwest.ca asutton@northwest.ca				

Seasonal License? Yes No If "Yes", write your six-month operating period: _____

Section 3 - Premises Information

Premises to be licensed is:

- an existing facility a new building a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

Yakutat School (429 Forest Hwy No. 10) 0.4 miles

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

The Church of Jesus Christ of Latter-day Saints (600 Mallott Avenue) 0.5 miles



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Section 4 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 5.
 If more space is needed, please attach a separate sheet with the required information.
 The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:				
Address:				
City:		State:		ZIP:

This individual is an: applicant affiliate

Name:				
Address:				
City:		State:		ZIP:

Section 5 – Entity Ownership Information

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 6.
 If more space is needed, please attach a separate sheet with the required information.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more of the stock in the corporation*, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Entity Official:	NWC (U.S.) Holdings Inc.			
Title(s):	Shareholder	Phone:	204-934-1756	% Owned: 100%
Address:	77 Main Street			
City:	Winnipeg	State:	Manitoba	ZIP: R3C 1A3



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Form AB-01: Transfer License Application

Entity Official:	Daniel G. McConnell				
Title(s):	President	Phone:	561-226-1345	% Owned:	0
Address:	830 NE 70th Street				
City:	Boca Raton	State:	Florida	ZIP:	33487-2342

Entity Official:	Matthew D. Johnson				
Title(s):	Vice President	Phone:	561-226-1355	% Owned:	0
Address:	427-333 East Palmetto Park Road				
City:	Boca Raton	State:	Florida	ZIP:	33432-5171

Entity Official:	Amanda E. Sutton				
Title(s):	Secretary	Phone:	204-934-1756	% Owned:	0
Address:	404-835 Sterling Lyon Parkway				
City:	Winnipeg	State:	Manitoba	ZIP:	R3P 2V5

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	120143	AK Formed Date:	12/18/2008	Home State:	Delaware
Registered Agent:	Walter E. Pickett		Agent's Phone:	907-273-4642	
Agent's Mailing Address:	3830 Old International Airport Road				
City:	Anchorage	State:	Alaska	ZIP:	99502-0901

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?



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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

1. The North West Company (International) Inc.; Commercial Retail; Lic. No. 08; Package Store.
2. The North West Company (International) Inc.; Commercial Retail; Lic. No. 775; Package Store.
3. The North West Company (International) Inc.; Commercial Retail; Lic. No. 1248; Package Store.
4. The North West Company (International) Inc.; Commercial Retail; Lic. No. 1463; Package Store.
5. The North West Company (International) Inc.; Commercial Retail; Lic. No. 1948; Package Store.
6. The North West Company (International) Inc.; Commercial Retail; Lic. No. 3410; Package Store.
7. The North West Company (International) Inc.; Commercial Retail; Lic. No. 3537; Package Store.
8. The North West Company (International) Inc.; Commercial Retail; Lic. No. 164; Package Store.

Section 7 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

Anna Ison
 Licensing Coordinator
 Email: aison@northwest.ca
 Telephone: (204) 934-1321



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Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 8 – Transferor Certifications

Additional copies of this page may be attached, as needed, for the controlling interest of the current licensee to be represented.

I declare under penalty of perjury that the undersigned represents a controlling interest of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approved the transfer of this license, and find the information on this application to be true, correct, and complete.

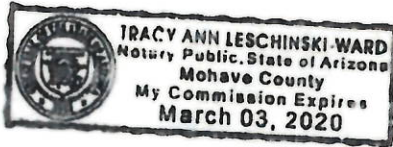
Blake Stamper

Signature of transferor

Blake Stamper

Printed name of transferor

Subscribed and sworn to before me this 4th day of December, 2019.



Tracy Ann Leschinski-Ward

Signature of Notary Public

Notary Public in and for the State of Arizona

My commission expires: March 03, 2020

Signature of transferor

Printed name of transferor

Subscribed and sworn to before me this ___ day of _____, 20__.

Signature of Notary Public

Notary Public in and for the State of _____

My commission expires: _____



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Form AB-01: Transfer License Application

Section 9 - Transferee Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

AS

I certify that all proposed licensees have been listed with the Division of Corporations.

AS

I certify that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

AS

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 304.465.

AS

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

AS

As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

A Sutton

Signature of transferee

Amanda E. Sutton

Printed name

Subscribed and sworn to before me this 9th day of DECEMBER, 2019.



[Signature]

Signature of Notary Public

Notary Public in and for the State of Manitoba

My commission expires. _____



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Alaska Alcoholic Beverage Control Board
Form AB-02: Premises Diagram

What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The **second page** of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

Section 1 – Establishment Information

Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	The NorthWest Company (Internat	License Number:	1264
License Type:	Package Store		
Doing Business As:	Alaska Commercial Company		
Premises Address:	716 Ocean Cape Road		
City:	Yakutat	State:	AK
		ZIP:	99689

GENERAL NOTES

1	REMOVE EXISTING
2	INSTALL NEW
3	REPAIR
4	PROTECT

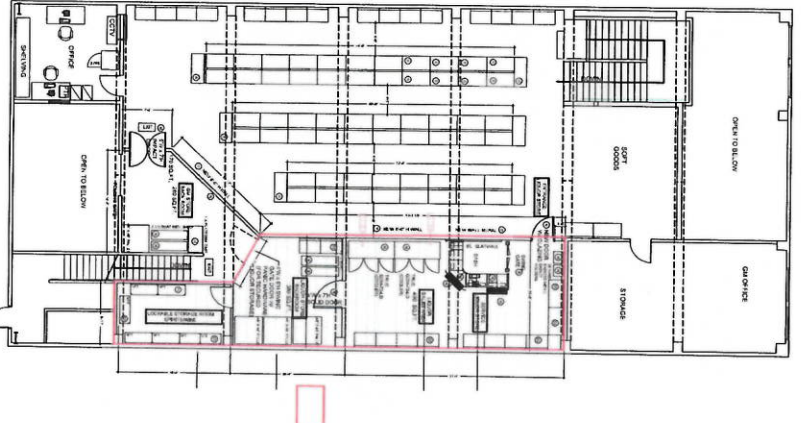
1	REMOVE EXISTING
2	INSTALL NEW
3	REPAIR
4	PROTECT

DO NOT SCALE THIS DRAWING. DIMENSIONS SHALL BE TAKEN FROM THE DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL ADJACENT AREAS AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ACCESS TO ALL AREAS AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL AREAS TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DISPOSING OF ALL DEBRIS AND WASTE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL RECORDS AND DOCUMENTATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETING ALL WORK WITHIN THE SPECIFIED TIME FRAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE ARCHITECT OF ANY CHANGES OR DELAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ALL RECORDS AND DOCUMENTATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETING ALL WORK WITHIN THE SPECIFIED TIME FRAME. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE AND BONDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE ARCHITECT OF ANY CHANGES OR DELAYS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE LOCAL AUTHORITIES.

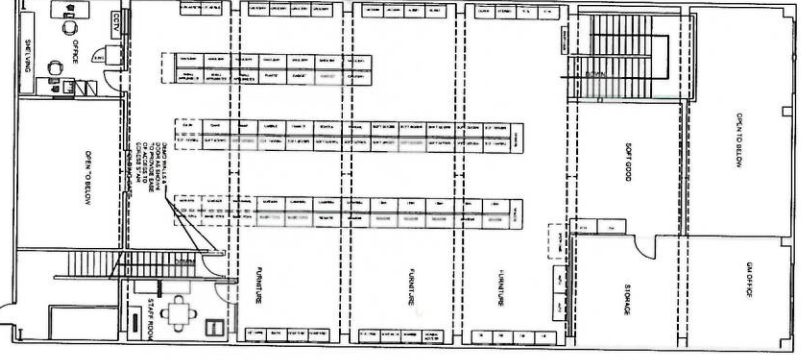
North West
 77 West Street, Suite 100
 Portland, Oregon 97201
 Phone: (503) 251-1111
 Fax: (503) 251-1112

Project Title
 ACC 200
 YANUKU KASIA
 NEW LIQUOR STORE

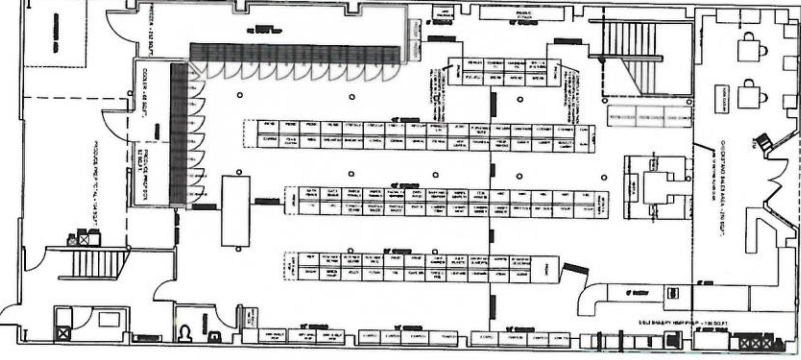
Drawing Title
 ID-0.1
 FLOOR PLAN



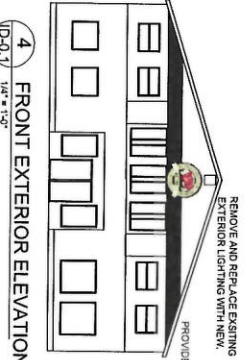
3 NEW LAYOUT-SECOND FLOOR
 1/4" = 1'-0"



2 EXISTING SECOND FLOOR
 1/4" = 1'-0"



1 EXISTING MAIN FLOOR
 1/4" = 1'-0"



4 FRONT EXTERIOR ELEVATION
 1/4" = 1'-0"



REMOVE AND REPLACE EXISTING
 EXTERIOR LIGHTING WITH NEW.
 PROVIDE NEW EXTERIOR LIGHTING

Helen Galstad
P.O. Box 265
Yakutat, AK 99689

December 20, 2019

Alcohol and Marijuana Control Office
550 W 7th Avenue, Suite 1600
Anchorage, AK 99501

*delivered to via Email to
alcohol.licensing@alaska.gov*

Yakutat Adventures, LLC
989 Airport Road
Yakutat, AK 99689

delivered to via U.S. mail

The North West Company
ATTN: Legal Department
77 Main Street
Winnipeg, Manitoba R3C1A3

delivered to via U.S. Mail

RE: Package License 1264 (located in Yakutat, AK)

To all:

Yesterday, I noticed the application notice. I, and many of my friends and neighbors, object to the transfer. See attached signatures of friends and neighbors.

This letter is to express my formal objection to the transfer of this license. Neither party to this transfer are local, and it will change how this community has operated for the last 60+ years.

The proposed location is so close to the Yakutat School District, The YTT Senior Center, The YTT Tribal Administrative Offices, two churches within 0.5 mile, and the soon to be new hospital.

We already have a designated place within 0.6 mile away where children are not allowed to go. There is no need for two package stores so close together in a town this size. Especially when my underage children and grandchildren frequent the proposed location.

Sincerely,

Helen Galstad, Concerned Yakutat Citizen



WE, the undersigned, are residents of the City & Borough of Yakutat, AK, object to the transfer of Package License #1264, Form AB-01 Transfer License Application, posted notice of December 10, 2019, with the Alaska Alcoholic Beverage Control Board, known as AMCO. As residents of the City & Borough of Yakutat, we object this transfer for the following reasons:

We already have a local, community-community owned package store within 0.6 tenths of a mile from the proposed location;

The application is wrong in statement of the distance to the Yakutat School District, which is actually 0.2 tenths of a mile from the proposed location;

The application is wrong in statement of distance to the nearest church, which is actually St. Ann's Catholic Church, at 0.3 tenths of a mile from the proposed location;

The application is wrong in statement of distance to The Church of Jesus Christ of Latter-Day Saints, which is actually 0.4 tenths of a mile away from the proposed location;

Many students of the Yakutat School District frequent the proposed location;

This transfer will change the dynamics of our community!

Robert Bernius

Harold May

Jane A. Golchoff

Larry Bernius

Theodore M. Valle Sr.

Helen Halstad

Clyde Willy

John H. King

Art Van

Rudolph Samsmeier

Laird Peterson

Paul Foster Co.

John Nathanson

Henry Bernius

John D. Williams Jr.

M. Knutson

Mattell Shmuck

John Louis Goy

Amian Johnson

Eli Harbor 12/19/2019

Luc Bunn

Patrick Philly

Elijah Ross

Paul J. Bremer

Vern Flannery

Samuel G. Ginn

Mark

Chris