



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: December 24, 2020

FROM: Nathanael Hall, OLE

RE: 4547 Ethos Brewing

Requested Action: Transfer application remain approved with delegation as of October 27, 2020

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 04.11.480(a): "A local governing body may protest the issuance, renewal, relocation, or transfer to another person of a license by sending the board and the applicant a protest and the reasons for the protest within 60 days of receipt from the board of notice of filing of the application... The board shall consider a protest and testimony received at a hearing conducted under AS 04.11.510(b)(2) or (4) when it considers the application... If an application or continued operation is protested, the board shall deny the application or continued operation unless the board finds that the protest is arbitrary, capricious, and unreasonable."

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.: Reconsider public approval, hold a public hearing; deny the application with a 180-day abeyance.

Background: At the October 27, 2020 meeting, this beverage dispensary transfer application was approved with delegation. On November 9, 2020, the Fairbanks City Council voted to protest the application for transfer of ownership, location and dba name change for beverage dispensary license 4547 until a Certificate of Occupancy is issued by the City Building Official. Construction has not yet begun on the premise.

The licensee should be notified that under 3 AAC 304.145(h), this abeyance period may not be extended or renewed.

Attachment: City of Fairbanks protest
Transfer Application



City of Fairbanks

Office of the City Clerk

800 Cushman Street

Fairbanks, AK 99701

(907)459-6702
Fax (907)459-6710

November 10, 2020

Nathan Hall, Occupational Licensing Examiner
Alcohol and Marijuana Control Office
550 W. 7th Avenue, Ste. 1600
Anchorage, Alaska 99501

Mr. Hall,

At the regularly scheduled meeting of November 9, 2020, the Fairbanks City Council voted to **PROTEST** the application for transfer of ownership, location and name change for the following liquor license until a Certificate of Occupancy is issued by the City Building Official:

Type: Beverage Dispensary, License #4547
To: Ethos Brewing Company / Humble Roots, LLC
314 Wendell Avenue, Fairbanks, Alaska

From: McCoy's Underground / North Star Dining, LLC
636 28th Avenue, Suite 2, Fairbanks, Alaska

I will notify AMCO when a Certificate of Occupancy is issued for the premises. Should you need further information do not hesitate to contact me.

Sincerely,

D. Danyielle Snider, MMC
Fairbanks City Clerk

Cc: File
Rick Mensik, Humble Roots, LLC



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:	NORTH STAR DINING LLC	License #:	4547		
License Type:	BEVERAGE DISPENSARY	Statutory Reference:	04.11.090		
Doing Business As:	McCoy's Underground				
Premises Address:	636 28th Avenue, Suite #2				
City:	Fairbanks	State:	AK	ZIP:	99701
Local Governing Body:					

Transfer Type:

- ☒ Regular transfer
- ☐ Transfer with security interest
- ☐ Involuntary retransfer

OFFICE USE ONLY

Complete Date:		Transaction #:	1287597
Board Meeting Date:		License Years:	
Issue Date:		BRE:	



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:	HUMBLE ROOTS LLC				
Doing Business As:	ETHOS BREWING COMPANY				
Premises Address:	314 WENDELL AVENUE				
City:	FAIRBANKS	State:	AK	ZIP:	99701
Community Council:					

Mailing Address:	PO BOX 70655				
City:	FAIRBANKS	State:	AK	ZIP:	99707

Designated Licensee:	RICK MENSİK				
Contact Phone:	907347-6671	Business Phone:	907-347-6671		
Contact Email:	rickmensik@gmail.com				

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.

.06 mile

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.

.07 mile



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application**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:	RICK MENSİK				
Title(s):	MEMBER /MANAGER	Phone:	907-347-6671	% Owned:	75
Address:	PO BOX 70655				
City:	FAIRBANKS	State:	AK	ZIP:	99707



Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Entity Official:	SHARON MENSİK				
Title(s):	MEMBER/MANAGER	Phone:	907 - 978-7384	% Owned:	25
Address:	PO BOX 73852				
City:	FAIRBANKS	State:	AK	ZIP:	99707

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

Entity Official:					
Title(s):		Phone:		% Owned:	
Address:					
City:		State:		ZIP:	

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 #:	10116319	AK Formed Date:	10/25/2019	Home State:	AK
Registered Agent:	RICK MENSİK	Agent's Phone:	907-347-6671		
Agent's Mailing Address:	PO BOX 70655				
City:	FAIRBANKS	State:	AK	ZIP:	99707

Residency of Agent:

Yes No

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





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):

Rick Mensik-Beverage Dispensary-#3148-#3489-#3969
Sharon Mensik-Beverage Dispensary-#3148-#3489-#725- Duplicate-#5629-Brewpub-#5764
TTB # AK-MID-15000

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:

Sharon Mensik- member/manager



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.

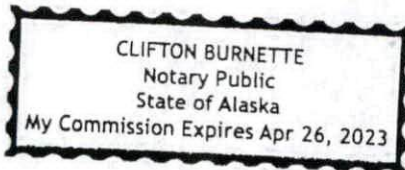
I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve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

[Signature]
Signature of transferor

Dana E. Martens
Printed name of transferor

Subscribed and sworn to before me this 14 day of August, 2020.

[Signature]
Signature of Notary Public



Notary Public in and for the State of Alaska

My commission expires: 4/26/2023

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: _____



Alaska Alcoholic Beverage Control Board

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.

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

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.

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.

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

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.

Signature of transferee

Rick Mensik for Humble Roots LLC

Printed name

Subscribed and sworn to before me this 8th day of August, 2020.STATE OF ALASKA
NOTARY PUBLIC

Andie Flores

My Commission Ends June 23, 2024



Signature of Notary Public

Notary Public in and for the State of AlaskaMy commission expires: June 23, 2024



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:	HUMBLE ROOTS LLC	License Number:	4547		
License Type:	BEVERAGE DISPENSARY				
Doing Business As:	ETHOS BREWING COMPANY				
Premises Address:	314 WENDELL AVENUE				
City:	FAIRBANKS	State:	AK	ZIP:	99701

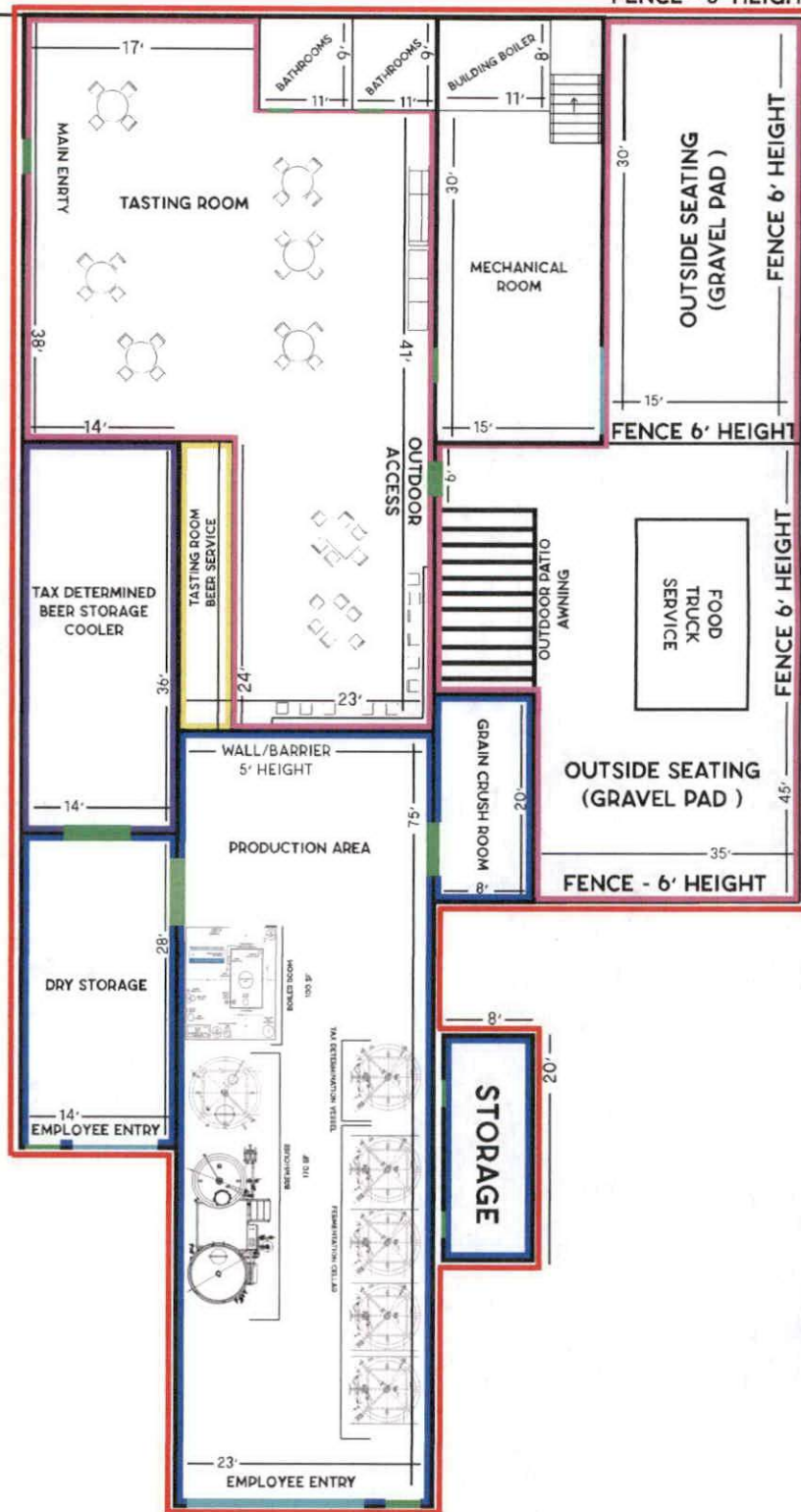
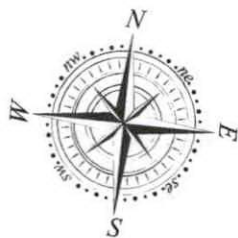
FENCE - 8' HEIGHT

FENCE - 8' HEIGHT

330 WENDELL AVENUE

308 WENDELL AVENUE

PARKING



WENDELL AVENUE



ETHOS BREWING CO.

314 WENDELL AVENUE
FAIRBANKS, ALASKA 99701
907-378-4067

ETHOSBREWINGCOMPANY@GMAIL.COM

- PREMISE
- CONSUMED
- SERVED/SOLD
- STORED
- MANUFACTURED
- ENTRY/EXIT
- OVERHEAD DOOR

AMCO

AUG 28 2020

HUMBLE ROOTS DBA ETHOS BREWING COMPANY

Outdoor/Indoor Serving Security Plan

1. All minors must be accompanied by adults (age over 21) while in the restricted area when any alcohol is being served.
2. All new patrons are carded upon ordering alcohol.
3. All staff is trained in the identification of fake IDs.
4. 8 ft Wooden or chain link fence is around the outdoor servicing area.
5. Underaged persons will be monitored closely by our professionally trained alcohol servers.
6. Proper egress from the outdoor service area will always remain unobstructed.
7. ABC mandated posters as required by Law are posted inside the ETHOS BREWING COMPANY and at the entrances of the outdoor seating area.
8. All entrances and exits will provide clear notice that NO ALCOHOL IS ALLOWED BEYOND THE OUTDOOR SEATING AREA.
9. Keeping outdoor seating area viable without any increased risk to minors exposed to alcohol WILL continue to be a part of our training for our staff.
10. All safety related operations for our current liquor service will additionally be enforced in the new service area.
11. Proper signage at points of entry indicating no minors without a parent or legal guardian will be posted.
12. All servers will closely monitor that only the guests that have been carded will have alcoholic beverages.
13. Our top priority continues in providing safety for all guests regarding the service of alcoholic beverages.
14. Servers will be present in the outdoor area to monitor consumption.

AMCO

AUG 28 2020