



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: December 24, 2020

FROM: Carrie Craig, RLS

RE: 170 Vitus Energy LLC

**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 Native Village of Cantwell.

Background: This is a transfer application of ownership and location which was approved with delegation at the March 31 – April 1, 2020 ABC Board meeting. AMCO received the objection on November 9, 2020 and to date the transfer has not been effectuated due to pending non-objection responses from various creditors.

Attachment: Native Village of Cantwell Objection
AB-01
AB-02



PO BOX 94 CANTWELL, AK 99729 (907) 768-2591 (FAX) 768-1111

November 6, 2020

Alcoholic Beverage Control Board
550 W. 7th Ave., Suite 1600
Anchorage, AK 99501
alcohol.licensing@alaska.gov <alcohol.licensing@alaska.gov>;

RE: Alcohol license for Vitus Gas Station in Cantwell Alaska

Dear Alcoholic Beverage Control Board Members:

The Native Village of Cantwell opposes the Cantwell Vitus gas station from receiving a liquor license.

The Native Village of Cantwell is a federally-recognized tribe and its governing body is the Cantwell Village Council. The Cantwell Village Council's mission, purpose and vision is to improve the health and welfare of the residents of Cantwell. The Cantwell Village Council opposes the Cantwell Vitus gas station from receiving a liquor license due to the negative impact it will have on our tribal members.

We would like to thank you all for your time on this very important matter.

Sincerely,

Cantwell Village Council:
Rene Nicklie, President
Gordon Carlson, Vice President
Adam Mayo, Secretary/Treasurer
Grant Rebne, Board Member
Scott Mayo, Board Member

CC: Clay Walker, Denali Borough Mayor
Denali Borough Assembly



Native Village of Cantwell

PO BOX 94 CANTWELL, AK 99729 (907) 768-2591 (FAX) 768-1111

RESOLUTION No. 2020-3

A RESOLUTION OPPOSING VITUS IN CANTWELL ALASKA FROM RECEIVING A LIQUOR LICENSE.

WHEREAS, the Cantwell Village Council is a federally-recognized tribe and is the governing body of the Tribal members of Native Village of Cantwell, Alaska; and

WHEREAS: it is the Cantwell Village Council's mission, purpose and vision to improve the health and welfare of the residents of Cantwell; and

WHEREAS: the Cantwell Village Council is a sovereign Tribe recognized by the State of Alaska, Bureau of Indian Affairs, Department of Health & Human Services, Department of Labor and the Department of Interior of the United States of Government; and

WHEREAS, the Cantwell Village Council opposes Vitus in Cantwell Alaska from receiving a liquor license due to the negative impact it will have on our Tribal Members; and

NOW THEREFORE BE IT RESOLVED,

That the Native Village of Cantwell opposes Vitus in Cantwell Alaska from receiving a liquor license.

CERTIFICATION:

This resolution was duly considered and adopted at a meeting of the Cantwell Village Council in Cantwell, Alaska on Nov. 6th, 2020 at which a quorum of Council members were in attendance.

For 13
Present _____

Against 4
Absent _____

Abstain _____

Attest:

Rene Nicklie

Rene Nicklie
Tribal Council President

11/6/2020
Date

Adam Mayo

Adam Mayo
Secretary/Treasurer

11/6/2020
Date

From: . CANTWELL NATIVE COUNCIL
To: [Alcohol Licensing, CED ABC \(CED sponsored\)](#)
Cc: [Clay Walker](#); [Amber Renshaw](#); [Craig, Carrie D \(CED\)](#)
Subject: Re: Native Village of Cantwell; Alcohol license for Vitus Gas Station in Cantwell Alaska
Date: Thursday, November 12, 2020 9:23:40 AM

Hi Randi,

Rene Nicklie, Cantwell Village Council President, confirms that the village's protest is against the transfer of Liquor License #170 and any other liquor license application (Vitus gas station in Cantwell is trying to get) that the village is not aware of.

Yes, this protest has been sent to the licensee.

Thank you for your time on this important matter.

Sincerely,

Arnel Hernandez, Administrator
Native Village of Cantwell
Phone: 907-768-2591
Fax: 907-768-1111
Monday - Friday; 7:30 am to 3:30 pm

From: "Alcoholic Beverage Control Board" <alcohol.licensing@alaska.gov>
To: ". CANTWELL NATIVE COUNCIL" <hallvc@mtaonline.net>, "Alcoholic Beverage Control Board" <alcohol.licensing@alaska.gov>
Cc: "Clay Walker" <cwalker@denaliborough.com>, "Amber Renshaw" <arenschow@denaliborough.com>, "Craig, Carrie D (CED)" <carrie.craig@alaska.gov>
Sent: Monday, November 9, 2020 1:26:10 PM
Subject: RE: Native Village of Cantwell; Alcohol license for Vitus Gas Station in Cantwell Alaska

Good Afternoon:

Thank you for sending your protest. I did receive your resolution and your letter. Can you please clarify that your protest is specifically against the transfer of Liquor License #170? Can you also please verify that this protest has been sent to the licensee?

Upon receipt of clarification and verification above, I can schedule this for the JANUARY 5, 2021 ABC Board meeting for their consideration.

Thanks,

Randi Baker

Occupational Licensing Examiner
Alcohol and Marijuana Control Office
Phone: 907.269.0350
alcohol.licensing@alaska.gov
marijuana.licensing@alaska.gov



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From: . CANTWELL NATIVE COUNCIL <hallvc@mtaonline.net>
Sent: Friday, November 6, 2020 2:54 PM
To: Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>
Cc: Clay Walker <cwalker@denaliborough.com>; Amber Renshaw <arenschow@denaliborough.com>
Subject: Native Village of Cantwell; Alcohol license for Vitus Gas Station in Cantwell Alaska

Dear Alcoholic Beverage Control Board Members,

Please see attached letter and Resolution 2020-3 from the Native Village of Cantwell.

Thank you for your time on this important matter.

Sincerely,

Arnel Hernandez, Administrator
Native Village of Cantwell
Phone: 907-768-2591
Fax: 907-768-1111
Monday - Friday; 7:30 am to 3:30 pm

cc: Clay Walker, Denali Borough Mayor
Denali Borough Assembly



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

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:	Kurani, Inc.	License #:	1709		
License Type:	Restaurant Eating Place	Statutory Reference:	04.11.100		
Doing Business As:	Pizza Hut #7				
Premises Address:	11740 Old Glenn Hwy.,				
City:	Eagle River	State:	Alaska	ZIP:	99577
Local Governing Body:	MOA				

Transfer Type:

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

OFFICE USE ONLY			
Complete Date:	10/2/19	Transaction #:	1082934/1149340
Board Meeting Date:	11/12/19	License Years:	18/19
Issue Date:		BRE:	CDC

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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:	MP2 Alaska, LLC				
Doing Business As:	Pizza Hut of Eagle River				
Premises Address:	11740 Old Glenn Hwy.,				
City:	Eagle River	State:	AK	ZIP:	99577
Community Council:	Eagle River				

Mailing Address:	2303 N. Coral Canyon Blvd. #99				
City:	Washington	State:	UT	ZIP:	84780

Designated Licensee:	Lahsen Mahi			
Contact Phone:	907-230-5602	Business Phone:	907-230-5602	
Contact Email:	lahsen.mahi@mp2pizza.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.

N/A

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.

N/A



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alcohol.licensing@alaska.gov
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Phone: 907.269.0350

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:	BLKTSJ, LLC				
Title(s):	Member	Phone:	(435)-592-5651	% Owned:	33.33
Address:	3760 W. Hillcrest Dr.,				
City:	Cedar City	State:	UT	ZIP:	84720



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Anchorage, AK 99501
alcohol.licensing@alaska.gov
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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Entity Official:	Bryant Peterson				
Title(s):	Manager/Affiliate	Phone:	(435)-592-5651	% Owned:	0
Address:	3760 W. Hillcrest Dr.,				
City:	Cedar City	State:	UT	ZIP:	84720

Entity Official:	DYNAMIC VENTURE SPECIALISTS 1, LLC				
Title(s):	Member	Phone:	(907)-622-6244	% Owned:	33.33
Address:	20660 Ptarmigan Blvd.,				
City:	Eagle River	State:	AK	ZIP:	99577

Entity Official:	LBP FAMILY, LLC				
Title(s):	Member	Phone:	(801)-224-0178	% Owned:	33.33
Address:	1019 E. Round Mountain Dr.,				
City:	Alpine	State:	UT	ZIP:	84004

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 #:	10091449	AK Formed Date:	9/14/2018	Home State:	AK
Registered Agent:	Lahsen Mahi	Agent's Phone:	907 622 6244		
Agent's Mailing Address:	20660 Ptarmigan Blvd				
City:	Eagle River	State:	AK	ZIP:	99577

Residency of Agent:

Yes No

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

☒ ☐

**Entity Officials Information
Transfer Application Continued.**

Affiliate (Manager/Member) of:
"DYNAMIC VENTURE SPECIALISTS 1, LLC"
Lahsen Joe Mahi,
20660 Ptarmigan Blvd., Eagle River, AK 99577
(907)-622-6244
02/27/1966

Affiliate (Member) of "LBP FAMILY, LLC"
Layne R. Peterson,
1019 E. Round Mountain Dr., Alpine, UT 84004
(801)-224-0178
07/02/1959



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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):

Applying for Transfer of Restaurant Eating place License #1475 (Fairbanks, AK) & Restaurant Eating place License #3302 (Wasilla, AK)

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:

The Law Offices of Ernouf & Coffey, P.C. is assisting with the transfer process

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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.

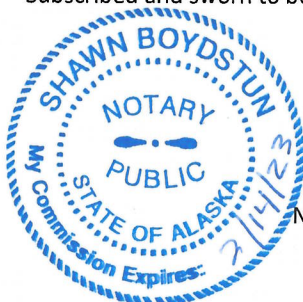
I declare under penalty of perjury that the undersigned represents a **controlling interest** of the current licensee. I additionally certify that I, as the current licensee (either the sole proprietor or the controlling interest of the currently licensed entity) have examined this application, approve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

Kurban Kurani

Signature of transferor
Kurban Kurani

Printed name of transferor

Subscribed and sworn to before me this 12 day of June, 2019.



Shawn Boydston

Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 2/14/2023

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.

LM

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

LM

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.

LM


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.

LM

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

LM


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.



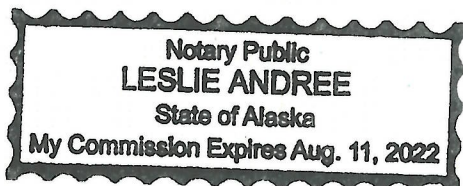
Signature of transferee
Lahsen Mahi

Printed name

Subscribed and sworn to before me this 13 day of June, 2019.



Signature of Notary Public



Notary Public in and for the State of Alaska

My commission expires: 8/11/2022



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:	MP2 Alaska, LLC	License Number:	1709		
License Type:	Restaurant Eating Place				
Doing Business As:	Pizza Hut of Eagle River				
Premises Address:	11740 Old Glenn Hwy.,				
City:	Eagle River	State:	AK	ZIP:	99577

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Alaska Alcoholic Beverage Control Board

Form AB-02: Premises Diagram

Section 2 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed licensed area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, consumption, and manufacturing. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

