



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: November 12, 2024

FROM: Sonya Irwin, Licensing Supervisor

RE: 1116 Tangle River Inn, 3rd Waiver
of Operations

Applicable statute: AS 04.11.330(a)(3). An application requesting renewal of a license or endorsement shall be denied if the applicant has not operated the licensed premises for at least 240 hours during each of the two preceding calendar years, unless the board determines that the licensed premises are under construction or cannot be operated through no fault of the applicant;...

Applicable regulation: [3 AAC 305.120 Waiver of annual operating requirement and minimum operating requirements.](#) (a) Except as provided in this section, the board will deny an application for renewal of a license or a license with one or more endorsements if the licensed premises were not operated for the time required under [AS 04.11.330\(a\)\(3\)](#) or (d).

(b) A licensee may submit a waiver application to the board to request a waiver of the operating requirement in [AS 04.11.330](#) (a)(3) or (d). Under [AS 04.11.330\(a\)\(3\)](#), the board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises could not be operated for the required time during the preceding calendar year.

(c) A waiver application for a calendar year must be made in writing to the board and must be accompanied by the non-refundable application fee of (1) an amount equal to one-half the applicable biennial license fee if a waiver application was not made for the previous year; or (2) double the amount of the fee paid for the previous waiver application.

(d) A waiver application must include a statement from the licensee explaining why the licensed premises was not in compliance with [AS 04.11.330\(a\)\(3\)](#) or (d). The licensee must provide a copy of the waiver application to any local governing body with jurisdiction over the license and licensed premises.

(e) The board may deny a third or subsequent, consecutive application for waiver (1) unless the licensee clearly shows that the licensed premises were not operated, because the premises were condemned or substantially destroyed by any cause; or (2) the licensee holds a common carrier dispensary license and is a boat weighing over 1,000 tons;

(f) Absent circumstances to the contrary, the board will deny a third or subsequent, consecutive application for waiver in the event of condemnation or destruction of the premises if the premises

identified on an applicant's license are not leased or owned by the licensee. Additionally, a third or subsequent consecutive application for waiver that does not identify a licensed premises location will be denied.

(g) The board may impose conditions along with the approval of a waiver application.

(h) If a waiver application is denied, an application for license renewal for the succeeding license period will be denied by the board under [AS 04.11.330\(a\)\(3\)](#).

(i) In addition to the application fee under (c) of this section, the applicant shall pay \$1,000 for an application that is received too late for board consideration at its last meeting of the calendar year for which the waiver is requested.

(j) In the event of the death of a licensee, destruction of the premises, or comparable circumstances showing extraordinary hardship, the board may waive the fees required under (c) and (i) of this section.

(k) If a license is exercised only to satisfy the minimum operating requirement under [AS 04.11.330\(a\)\(3\)](#) or [3 AAC 305.110](#), a licensee shall operate in a similar fashion to other licensed premises of the same type by meeting the following operating requirements as appropriate for the license type: (1) provide signage of sufficient size and visibility to show that the premises is open for business, including the business name and hours of operation; (2) offer a variety of brewed beverages, wines, and distilled spirits for sale at the licensed premises, as appropriate to the type of license, (3) for a licensed package store premises, visibly display the alcoholic beverages stock; (4) for a beverage dispensary licensed premises, provide seating for at least one-half of the maximum number allowed by the occupancy permit; (5) comply with all state or municipal health, fire, and zoning laws or ordinances required for the operation of business; (6) maintain a record of all purchases of alcoholic beverages for resale on the licensed premises; and (7) record sales with a cash register or point of sale system that retains a record of transactions.

(l) The licensee has the burden of proof to show that the licensed premises were operated for the minimum required period of time and met the operating requirements under (k) of this section. The licensee may provide receipts, invoices, photographs, permits, timecards, and other records to meet the burden of proof. If the licensee fails to provide proof that one or more of the operating requirements was met, the board may consider additional documentation provided by the licensee to determine whether the licensee has met the burden of proof.

(m) If a new license is issued between November 20 and December 31, the licensee is exempt from filing a waiver of annual operating requirement for that year.

Background: This is the third waiver requested for this license without including the Covid waivers. Licensee passed away March of 2024. Personal Representative for deceased licensee states they have identified an individual they wish to transfer this license to.

Attachment: Memo, 3rd Waiver Application for 2024, 2nd Waiver Application for 2023 (approved administratively), 1st Waiver Application for 2022 (approved administratively), Covid Waivers for 2020-2021, and Letter requesting time extension to submit transfer application – Approved at 9/10/2024 ABC

Board Meeting. Court documents assigning Donald & Janet Boylan as Personal Representatives for Nadidine O. Johnson.



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Why is this form needed?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in each calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to ½ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	Naidine O - Johnson		License Number:	1116	
License Type:	Tangle River Inn Beverage dispensary Tourism/sensory				
DBA:	Tangle River Inn				
Premises Address:	mile 20 Denali Hwy.				
City:	Paxson, Alaska	State:	Alaska	ZIP:	99737
Local Governing Body:	Unorganized Borough				

Section 2 – Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other _____

Request for Calendar Year 2024



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

My mother Naidine Johnson passed away March 2nd 2024 Its been in probate and no one was able to open the lodge this summer. We plan on opening next year 2025 we had to do some repairs to lodge leaks, etc.

Rebecca Lane

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

RL

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

RL

Naidine O Johnson
Printed name of licensee

Rebecca S. Lane
Signature of licensee

Naidine Johnson, by Janet Profen
J.P.

Office Use Only			
Waiver Application Fee:	\$5,000.00	Late Fee:	None
		Transaction #:	100951601



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Why is this form needed?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in each calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to ½ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	<i>Naidine O Johnson</i>	License Number:	<i>1116</i>
License Type:	<i>Beverage Dispensary Tourism - Seasonal</i>		
DBA:	<i>Tangle River Inn</i>		
Premises Address:	<i>Mile 20 Denali Hwy - Paxson, AK</i>		
City:	<i>Glennallen (?)</i>	State:	Alaska
Local Governing Body:	<i>Unorganized Borough</i>		
ZIP:			

Section 2 – Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other _____

Request for Calendar Year *2023*





Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Naidine was very ill and under a guardianship - Guardians were unable to run the lodge and take care of her. Jack (her husband) had died and unable to help.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

[Handwritten initials]

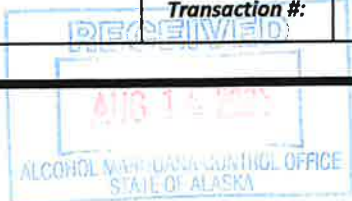
I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

[Handwritten initials]

Naidine O Johnson
Printed name of licensee

*Naidine O Johnson by
Janet Boylan
Personal Representative*
Signature of licensee

Office Use Only				
Waiver Application Fee:		Late Fee:	Transaction #:	100834140





Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Why is this form needed?

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Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	Naidine O Johnson	License Number:	1116
License Type:	Beverage Dispensary Tourism- Seasonal		
DBA:	Tangle River Inn		
Premises Address:	Mile 20 Denali Hwy, Paxson, AK		
City:	Paxson Big Lake	State:	Alaska ZIP: 99652
Local Governing Body:	Unorganized Borough		

Section 2 – Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other _____

Request for Calendar Year 2022





Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Naidine was very ill and under a guardianship. Guardians were unable to run the lodge and take care of her. Jack (her husband) had passed away and unable to help.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

[Handwritten initials]

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

[Handwritten initials]

Naidine O Johnson
Printed name of licensee

Naidine O Johnson by - Janet Boylan
Signature of licensee
Personal Representative

Office Use Only			
Waiver Application Fee:		Late Fee:	
			Transaction #: 100834140





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-29: Waiver of Operation Application

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Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	Vaidine D. Johnson		License Number:	1116	
License Type:	Beverage Dispensary - Tourism Seasonal				
DBA:	Jangle River Inn				
Premises Address:	Mile 20 Denali Hwy.				
City:	Paxson	State:	Alaska	ZIP:	99737
Local Governing Body:	outside City Limits				

Section 2 – Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other: Covid

Request for Calendar Year ~~2020~~ 2021



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-29: Waiver of Operation Application

Section 3 - Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Health of Waidine's husband, and Covid situation. Husband passed Nov. 2021

Section 4 - Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

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WJ

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WJ

Waidine O. Johnson

Violet Dickinson

Printed name of licensee

Violet Dickinson Guardian to

Waidine O. Johnson

Signature of licensee

Office Use Only				
Waiver Application Fee:		Late Fee:		Transaction #:



Alcohol and Marijuana Control Office
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 Anchorage, AK 99501
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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

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- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

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Section 1 - Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	Daidine D. Johnson		License Number:	1116	
License Type:	Beverage Dispensary - Tourism Seasonal				
DBA:	Jangle River Inn				
Premises Address:	Mile 20 Denali Hwy.				
City:	Paxson	State:	Alaska	ZIP:	99737
Local Governing Body:	outside City Limits				

Section 2 - Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other: Covid

Request for Calendar Year 2020 & 2021



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-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Health of Vaidine and husband, and Covid situation. husband passed Nov. of 2021

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

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

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

[Handwritten initials]

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

[Handwritten initials]

Vaidine D. Johnson
 Printed name of licensee
Violet Dickinson

Violet Dickinson Guardian to Vaidine Johnson
 Signature of licensee

Office Use Only			
Waiver Application Fee:		Late Fee:	Transaction #:

June 24, 2024

From:

Donald and Janet Boylan
18609 Man O War
Eagle River, AK. 99577
907-244-0480

To:

State of Alaska
Alcoholic Beverage Control Board
550 W 7th Avenue Ste. 1600
Anchorage, AK. 99501

To whom it may concern:

We are acting as personal representatives for Naidine O Johnson.

She died on March 1, 2024.

Inclosed are a copy of the death certificate and the Letters of Testamentary.

We are charged with the sale of the Tangle River Inn at Mile 20 on the Denali Highway near Paxson, AK.

It will be very difficult to sell the lodge before the August deadline. Therefore we would like an extension of at least a year if possible to complete the legal paperwork and get the lodge sold. Other lodges have taken as long as two years to sell, and we owe it to the heirs to get as good a price as possible.

Licenses affected are:

Liquor License #1116
Beverage Dispensary Tourism-Seasonal

License #1117
Package Store-Seasonal

Also please direct future correspondence to us at the above address.

Thank you,



Janet Boylan

RECEIVED

JUN 28 2024

Dept. of Commerce
AMCO

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT PALMER

In the Matter of the Estate of:)

NAIDINE OLIVE JOHNSON)

Person who Died (Decedent))

Date of Birth: [REDACTED])

CASE NO. 3PA-24-00186 PR

ACCEPTANCE OF DUTIES BY PERSONAL REPRESENTATIVE
(Filed by personal representative when there IS a will)

I accept the appointment of personal representative and agree to perform the following duties:

- (1) Complete Form P-340, Information to Heirs and devisees.
- (2) Deal with creditors:
 - (a) Complete Form P-341, Notice to Creditors.
 - (b) Complete Form P-345, Notice to Creditors Allowing or Disallowing the Claim.
- (3) Handle the estate property of the person who died:
 - (a) Gather the estate property.
 - (b) Complete an inventory of estate property by completing Form P-370, Inventory of Property.
 - (c) Determine the assets and liabilities of the estate property and transfer estate property by completing P-380, Accounting and Proposed Distribution.
- (4) Pay homestead, exempt property, and family allowances to surviving spouse and/or minor children.
- (5) Pay required state and federal taxes (income, property, estate).
- (6) Pay required costs of administering the probate, including any bond.
- (7) Tell the court my address and phone number in writing.
- (8) Wrap up the final business affairs of the person who died
(see www.courts.alaska.gov/shc/probate/probate-after-death.htm#legal-tasks).
- (9) Close the estate as soon as appropriate.

I swear or affirm that I read this document and believe all statements made are true.

4-10-24 Date *Janet Boylan* Signature of Personal Representative Janet Boylan Printed Name
18609 Man O'War Drive 907-694-5387
Address Line 1 Phone Number
Eagle River, Alaska 99687 joneslawinak@yahoo.com
Address Line 2 E-mail Address

Subscribed and sworn to or affirmed before me at Palmer, Alaska on (date) 4/10/24

Notary Public
TIMOTHY HALL
State of Alaska
(SEAL)
My Commission Expires May 12, 2025

Janet Boylan
Clerk of Court, Notary Public or other person
authorized to administer oaths.

My commission expires: 5/12/25

RECEIVED
JUN 27 2024

8. **Right to be Appointed as Personal Representative.** The court finds that [name] Don Boylan & Janet Boylan is 19 years or older and:
 has priority for appointment as personal representative.
 may be appointed as the personal representative because all persons with greater or equal priority to serve as personal representative have consented to the appointment.

9. **Additional Findings.**

10. **Notice.** Any notice required by Alaska law has been given.

PROCEDURAL ORDER

The court orders that:

- The will is admitted to informal probate.
- No bond is required. A bond is required in the amount of \$ _____.
- The appointed personal representative is [name] Don Boylan & Janet Boylan and he or she assumes the responsibilities after posting a bond, if required.
- The court will issue Letters Testamentary after the personal representative files Form P-335, *Acceptance of Duties by Personal Representative and Letters Testamentary by Court*.
- Other: _____

5/9/24
 Date

[Signature]
 Signature of Registrar
Derek Koehler
 Printed Name

cert. Copy Jones
5/14/24
RP

I hereby certify that this is a true and correct copy of the original on file in my office:
 ATTEST: **Clerk of the Trial Courts**

By BP 5/16/24 Date

RECEIVED
 JUN 27 2024

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
AT PALMER

MAY 09 2024

In the Matter of the Estate of:)

Clerk of the Trial Courts

By _____ Deputy

NAIDINE OLIVE JOHNSON)

Person who Died (Decedent))

Date of Birth: [REDACTED])

CASE NO. 3PA-24-00186 PR

****Leave This Portion Blank for the Court to Fill Out****

LETTERS TESTAMENTARY BY COURT

(Court Opens Probate and Appoints a Personal Representative When There is a Will)

The will of the decedent was admitted to probate. The appointed personal representative is:

Don Boylan & Janet Boylan

The personal representative is:

not supervised.

supervised. The personal representative shall not make any distribution of the estate or exercise the following powers without prior order of the court:

5/9/24
Date

[Signature]
Signature of Registrar or Judicial Officer¹

Derek Koehler
Printed Name

Cert. Copy - Jones
5/16/24
RP

I hereby certify that this is a true and correct copy of the original on file in my office:

ATTEST: _____ Clerk of the Trial Courts

By RP 5/16/24
Deputy Date

¹ Informal appointment under AS 13.16.115 can be made by the registrar without hearing or notice. Formal appointment under AS 13.16.145 must be made by a judge after hearing and notice.

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JUN 27 2024

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE

State of Alaska / Commerce / Intranet / ABC License / Home / Add/Update License

ADD/UPDATE A LICENSE

License No.:

Expiration Year:

Data Entry:

Last Update:

Form No.:

Entered By:

Valid Pending Expired

Updated By:

DBA/Establishment:

Owner: ▼

Location:

Address:

City:

State:

Zip:

Community:

Council:

EIN:

Email:

Phone:

Fax:

City Code: ▼

Start Season:

Borough Code: ▼

End Season:

Department of Commerce, Community, and Economic Development
ALCOHOL & MARIJUANA CONTROL OFFICE

State of Alaska / Commerce / Intranet / ABC License / Home / Owner/Enterprise

ADD/UPDATE OWNER OR ENTERPRISE

ID:

Name:

Address:

City:

State:

ZIP:

Email:

LICENSES

1116	Tangle River Inn	Mile 20 Denali Hwy
1117	Tangle River Inn	Mile 20 Denali Hwy

INTERESTED PARTIES

Add Interested Party

No Interested Parties for this Owner/Enterprise