



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: January 5, 2022

FROM: Colleen Button, OLE

RE: #1241 Valley Country Store #4

**Statutory &
Regulation
Authority:**

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. A protest received after the 60-day period may not be accepted by the board, and in no event may a protest cause the board to reconsider an approved renewal, relocation, or transfer. The local governing body may protest the continued operation of a license during the second year of the biennial license period by sending the board and the licensee a protest and the reasons for the protest by January 31 of the second year of the license. The procedures for action on a protest of continued operation of a license are the same as the procedures for action on a protest of a renewal 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 or continued operation, and the protest and the record of the hearing conducted under AS 04.11.510(b)(2) or (4) shall be kept as part of the board's permanent record of its review. 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)(1): "if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested"

3 AAC 304.145(h) "The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed."

Background: At the November 2, 2021 ABC Board meeting, the board approved the transfer application with delegation. On October 26, 2021, the Matanuska-Susitna Borough protested the transfer application pending issuance of the Conditional Use Permit.

Staff Recommendation: Consider the Matanuska-Susitna Borough's protest and determine if the protest is arbitrary, capricious and unreasonable. If it is not, rescind the previous approval and deny the application with a 180-day abeyance period.

Attachment: Matanuska-Susitna Borough Protest
AB-00
AB-02



MATANUSKA-SUSITNA BOROUGH

Planning and Land Use Department

Development Services Division

350 E. Dahlia Avenue, Palmer, AK 99645

Phone (907) 861-7822

E-mail: permitcenter@matsugov.us

November 1, 2021

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

SUBJECT: Valley Country Store #4
3068 S. Trunk Road
License #1241
Transfer – Package Store

A review of the files relating to the subject business and license application, as they relate to Matanuska-Susitna Borough Code, has been completed. Based on that review, the Matanuska-Susitna Borough hereby takes the following action:

WAIVE THE RIGHT TO PROTEST

PROTEST the issuance of the license for the following reason(s):

Delinquent Real Property Taxes owed:

Other debts owed:

The required Conditional Use Permit has not been issued:

There is a violation of the Conditional Use Permit:

There is a resident objection to the facility on file:

Other:

Upon curing all of the above referenced deficiencies the Matanuska-Susitna Borough will rescind any protest. It is the applicant's responsibility to notify the Development Services Division that any debts or taxes owed have been paid in full.

The applicant(s) has been sent a copy of this letter by certified mail or via email, only if a protest has been issued. Should you have any questions, please feel free to contact my office.

Sincerely,

Peggy Horton

Peggy Horton,
Planner II
Development Services Division
Matanuska-Susitna Borough
907-861-7862



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

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:	Valley Country Store & Fuel, LLC	License #:	1241
License Type:	Package Store	Statutory Reference:	04.11.150
Doing Business As:	Valley Country Store # 4		
Premises Address:	No Premise		
City:		State:	Alaska
		ZIP:	
Local Governing Body:	Mat-Su Borough		

Transfer Type:

- Regular transfer
 Transfer with security interest
 Involuntary retransfer

OFFICE USE ONLY			
Complete Date:	10/8/21	Transaction #:	100276872
Board Meeting Date:	4/2/21	License Years:	2021-2022
Issue Date:		BRE:	ceb



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:	Valley Country Store & Fuel, LLC				
Doing Business As:	Valley Country Store # 4				
Premises Address:	3068 S Trunk Rd				
City:	Palmer	State:	AK	ZIP:	99645
Community Council:	Gateway Community Council				

Mailing Address:	4891 E Stoney Hollow Dr				
City:	Wasilla	State:	AK	ZIP:	99654

Designated Licensee:	Matthew Gittlein				
Contact Phone:	907-841-5666	Business Phone:	907-841-5666		
Contact Email:	mattgittlein59@hotmail.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.

2 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.

.75 miles



SEP 23 2021



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:	KG Enterprises, LLC				
Title(s):	Member	Phone:	907-841-5666	% Owned:	100
Address:	4891 E Stoney Hollow Dr				
City:	Wasilla	State:	AK	ZIP:	99654

AMCO

SEP 23 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-01: Transfer License Application

Entity Official:	Matthew Gittlein (20% owner of KG Enterprises, LLC)				
Title(s):	Affiliate	Phone:	907-841-5666	% Owned:	0
Address:	4891 E Stoney Hollow Dr				
City:	Wasilla	State:	AK	ZIP:	99654

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 #:	10015808	AK Formed Date:	10/9/2013	Home State:	Alaska
Registered Agent:	Janice Gittlein		Agent's Phone:	907-354-4865	
Agent's Mailing Address:	3147 E Carney Rd				
City:	Wasilla	State:	AK	ZIP:	99654

Residency of Agent: Yes No

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

AMCO

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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):

See Attachment

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:

Empty box for disclosure of authorization details.

AMCO

SEP 23 2021

Attachment 1 – Other Licenses

**Matthew Gittlein (20% owner of KG Enterprises, LLC)
Valley Country Store & Fuel, LLC**

dba: Valley Country Store # 1
4891 E Stoney Hollow Dr.
Wasilla, AK 99654
Package Store, License # 4574

dba: Valley Country Store # 2
3065 N Church Rd.
Wasilla, AK 99654
Package Store, License # 4773

dba: Valley Country Store # 3
4644 N Trunk Rd.
Palmer, AK 99645
Package Store, License # 302

dba: Valley Country Store # 4
No premise
Package Store, License # 1241

dba: Valley Country Liquor
2809 S Big Lake Rd.
Big Lake, AK 99654
Package Store, License # 118



**Brian Gittlein (20% owner of KG Enterprises, LLC)
Valley Country Store & Fuel, LLC**

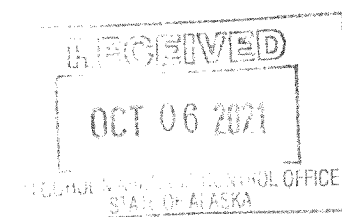
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4891 E Stoney Hollow Dr.
Wasilla, AK 99654
Package Store, License # 4574

dba: Valley Country Store # 2
3065 N Church Rd.
Wasilla, AK 99654
Package Store, License # 4773

dba: Valley Country Store # 3
4644 N Trunk Rd.
Palmer, AK 99645
Package Store, License # 302

dba: Valley Country Store # 4
No premise
Package Store, License # 1241

dba: Valley Country Liquor
2809 S Big Lake Rd.
Big Lake, AK 99654
Package Store, License # 118



**Kenneth Gittlein (20% owner of KG Enterprises, LLC)
Valley Country Store & Fuel, LLC**

dba: Valley Country Store # 1
4891 E Stoney Hollow Dr.
Wasilla, AK 99654
Package Store, License # 4574

dba: Valley Country Store # 2
3065 N Church Rd.
Wasilla, AK 99654
Package Store, License # 4773

dba: Valley Country Store # 3
4644 N Trunk Rd.
Palmer, AK 99645
Package Store, License # 302

dba: Valley Country Store # 4
No premise
Package Store, License # 1241

dba: Valley Country Liquor
2809 S Big Lake Rd.
Big Lake, AK 99654
Package Store, License # 118



**Janice Gittlein (20% owner of KG Enterprises, LLC)
Valley Country Store & Fuel, LLC**

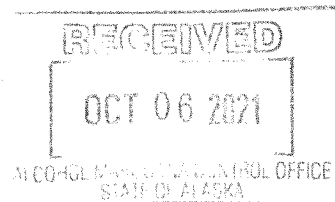
dba: Valley Country Store # 1
4891 E Stoney Hollow Dr.
Wasilla, AK 99654
Package Store, License # 4574

dba: Valley Country Store # 2
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Wasilla, AK 99654
Package Store, License # 4773

dba: Valley Country Store # 3
4644 N Trunk Rd.
Palmer, AK 99645
Package Store, License # 302

dba: Valley Country Store # 4
No premise
Package Store, License # 1241

dba: Valley Country Liquor
2809 S Big Lake Rd.
Big Lake, AK 99654
Package Store, License # 118



**Rita Gittlein (10% owner of KG Enterprises, LLC)
Valley Country Store & Fuel, LLC**

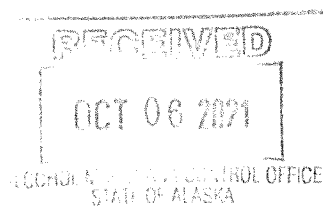
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4891 E Stoney Hollow Dr.
Wasilla, AK 99654
Package Store, License # 4574

dba: Valley Country Store # 2
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Wasilla, AK 99654
Package Store, License # 4773

dba: Valley Country Store # 3
4644 N Trunk Rd.
Palmer, AK 99645
Package Store, License # 302

dba: Valley Country Store # 4
No premise
Package Store, License # 1241

dba: Valley Country Liquor
2809 S Big Lake Rd.
Big Lake, AK 99654
Package Store, License # 118



**Rachel Gittlein (10% owner of KG Enterprises, LLC)
Valley Country Store & Fuel, LLC**

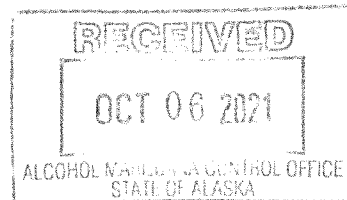
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Wasilla, AK 99654
Package Store, License # 4574

dba: Valley Country Store # 2
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Wasilla, AK 99654
Package Store, License # 4773

dba: Valley Country Store # 3
4644 N Trunk Rd.
Palmer, AK 99645
Package Store, License # 302

dba: Valley Country Store # 4
No premise
Package Store, License # 1241

dba: Valley Country Liquor
2809 S Big Lake Rd.
Big Lake, AK 99654
Package Store, License # 118





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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.

Signature of transferor

Matthew Gittlein

Printed name of transferor

Subscribed and sworn to before me this 20 day of August, 2021.

Signature of Notary Public



Notary Public in and for the State of Alaska.

My commission expires: 10/7/2023

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.

ML

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

ML

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.

ML

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.

ML

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

ML

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

Matthew Gittlein

Printed name

Subscribed and sworn to before me this 20 day of August, 2021.



Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 10/7/23





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

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.

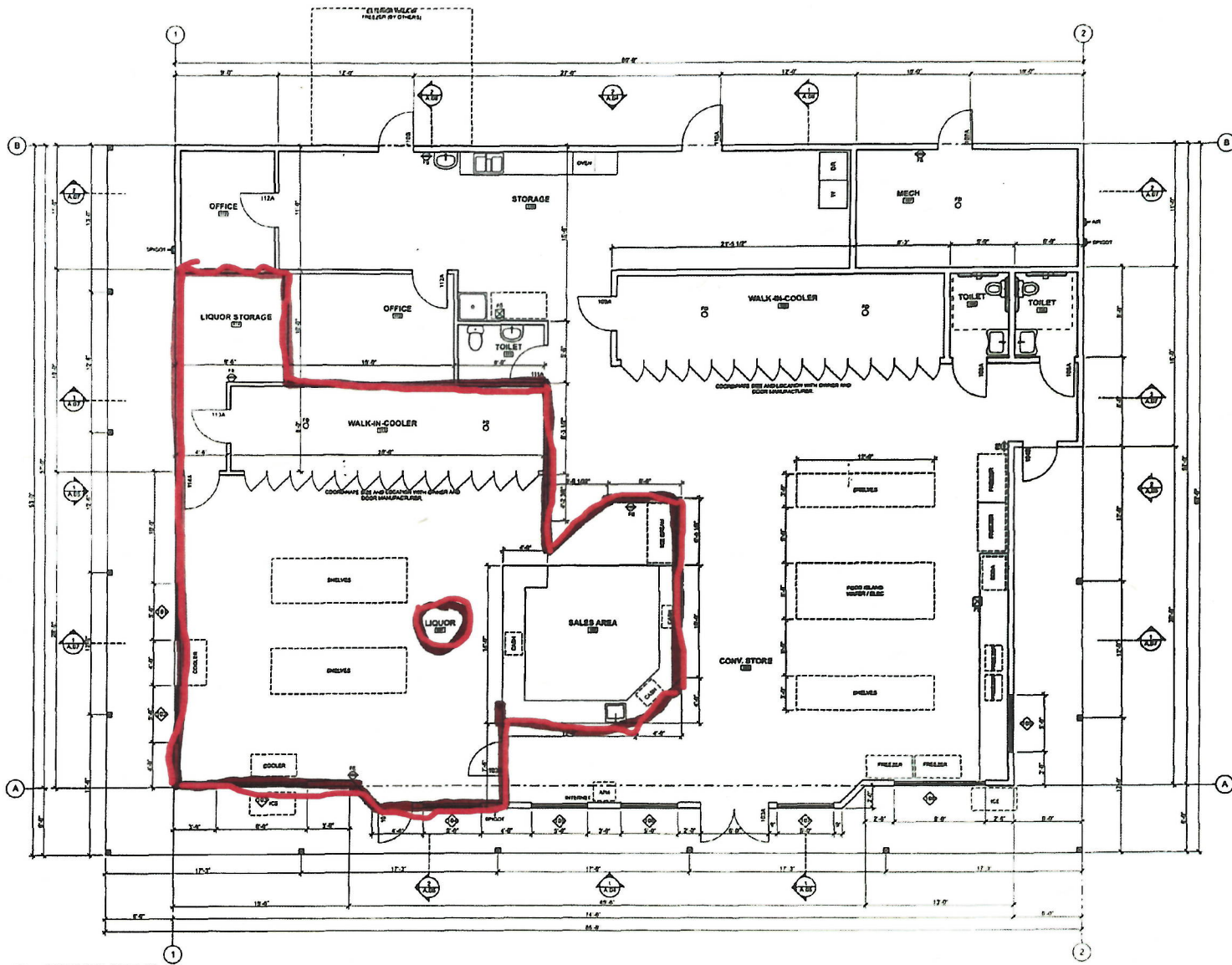
Section 1 – Establishment Information

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

Licensee:	VALLEY COUNTRY STORE & FUEL, LLC	License Number:	1241		
License Type:	PACKAGE STORE				
Doing Business As:	VALLEY COUNTRY STORE # 4				
Premises Address:	3068 S TRUNK RD				
City:	PALMER	State:	AK	ZIP:	99645

AMCO

SEP 23 2021



1 FIRST FLOOR PLAN
SCALE 1/4" = 1'-0"

188 E. NELSON AVE. PALM BEACH
WALLULA, ALASKA 99854
PHONE 907-378-8755
FAX 907-378-8753
WWW.AMCOCORPORATION.COM



COMMERCIAL & RESIDENTIAL ARCHITECTURE



VALLEY COUNTRY STORE #4

PALM BEACH, ALASKA

BY	PREVIOUS DATE
DATE	12/14/20
SCALE	AS NOTED
JOB #	
DRAWN	
CHECKED	

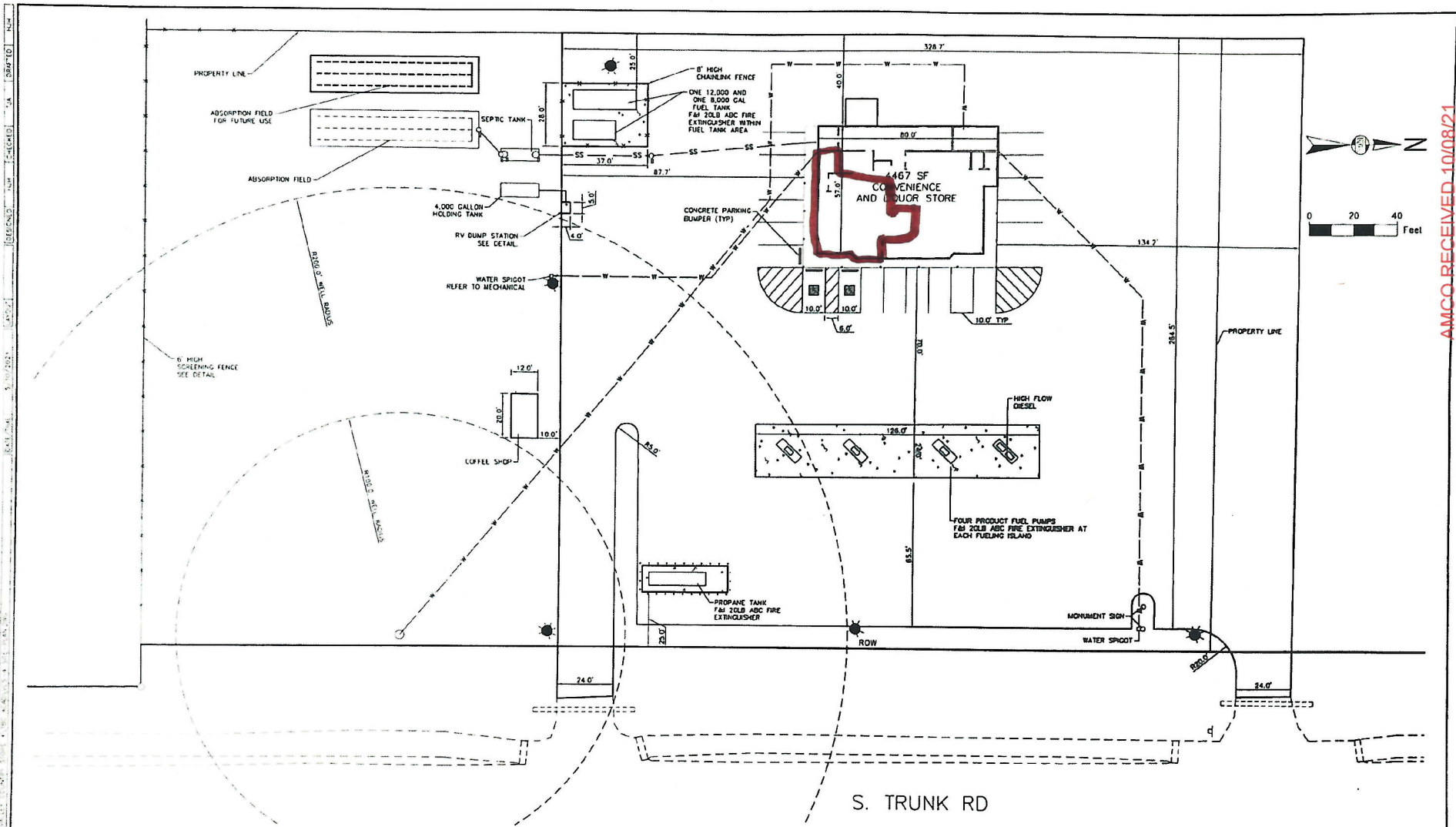
A.02

Project No. 12-14-20

FIRST FLOOR PLAN

AMCO RECEIVED 10/08/21

AMCO RECEIVED 10/08/21



hbc
 The Bonnet Company, Inc.
 501 E. 87th Place #102
 Anchorage, AK 99518
 PH: 907-522-8776
 License No. AECC857

STATE OF ALASKA
 49th
 BRADLEY J. AILEY
 CE 1438
 01/18/12
 PROFESSIONAL ENGINEER

CONSULTANT
 SEAL

VALLEY COUNTRY STORE 4 WASILLA, ALASKA	
CIVIL SITE & UTILITY IMPROVEMENTS	
VALLEY COUNTRY STORE 4	
VERT SCALE 1" = 10' HORIZ SCALE 1/4" = 1'	DATE 02/10/2021
SHEET 03	