

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-37: Tourism Statement

A new, transfer, or renewal application for a Beverage Dispensary – Tourism or Restaurant/Eating Place – Tourism license must be accompanied by a written statement that explains how the establishment encourages tourism and meets the requirements listed under AS 04.11.400(d) and 3 AAC 304.325.

Section 1 – Establishment Information						
Enter information for the	licensed establishment or the business seeking to be licensed.					
Doing Business As: Icy Strait Lodge License #: 1290						
License Type:	Beverage Dispensary - Tourism					
	Section 2 – Tourism Stateme	ent				
2.1. Explain how issuance	of a liquor license at your establishment has/will encourage	tourism.				
The facility is consta	ty was/will be constructed or improved as required by AS 04 antly being improved with more food options an	nd games. The ba	r chairs were			
replaced last year al	nd we are always trying to make the operation	more attractive to	our patrons.			
2.3 Does the licensee or a	pplicant for this liquor license also operate the ich this license is located?	YES 🗸	NO			
2.3 Does the licensee or a	ich this license is located?		NO			



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Form AB-37: Tourism Statement

2.5 Do you offer room rentals to the traveling public?					
If "yes" answer the following questions:					
How many rooms are available?					
Sixteen rooms are available to general public, 5 to staff, 1 elde	r rental 1	salon			
How many of the available rooms (if any) have kitchen facilities (defined as: a separate sink for with refrigeration and cooking appliance devices, including a microwave)?	food prepara	tion along			
All rooms have microwave, mini-refrigerator & coffee maker. 1 unit has kitchen, bedroom & deck	with Barbecue	s.			
Do you stock or plan to stock alcoholic beverages in guest rooms?	YES	NO 🗸			
If "no" is your facility located within an airport terminal?	YES	NO 🗾			
2.6 If your establishment includes a dining facility, please describe that facility. If it does not please we have restaurant is a full service facility & includes a bakery. We serve Steaks, so hamburgers and Pizza. The original bar has metal accordion style gates that of from the time convertible Multipurpose restaurant/bar area that has not change diagram.	seafood, go completely	isolate it			
2.7 If additional amenities are available to your guests through your establishment (eg: guided tours of guests, other activities that attract tourists), please describe them. If they are not offered, please writ	or trips, rental e "none".	equipment for			
We also rent automobiles & boats to travellers to Hoonah					



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Form AB-37: Tourism Statement

Section 3 - Certification

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

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.



Printed name of licensee/affiliate

Signature of licensee/affiliate

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED 8/7/2023 ABC BOARD LIQUOR LICENSE 2023 - 2024

TEMPORARY

1290

LICENSE RENEWAL APPLICATION DUE DECEMBER 31, 2024 (AS 04.11.270(b))

THIS LICENSE EXPIRES MIDNIGHT FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Dispen

LICENSE FEE: \$2,500.00

1106

CITY / BOROUGH: Hoonah

Unorganized Borough

D/B/A: Icy Strait Lodge 435 Airport Road

Mail Address:

ISL Enterprises, LLC

PO BOX 320

Hoonah, AK 99829

This license cannot be transferred without permission of the Alcoholic Beverage Control Board

[] Special restriction - see reverse side

ISSUED BY ORDER OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

Joan M. Wilson

DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES

04-900 (REV 10/20/22

STATE OF ALASKA - ALCOHOLIC BEVERAGE CONTROL BOARD

LICENSE NUMBER

FORM CONTROL

XXXX

ISSUED 8/7/2023 ABC BOARD LIQUOR LICENSE

2023 - 2024

1290

LICENSE RENEWAL APPLICATION DUE DECEMBER 31, 2024 (AS 04.11.270(b))

TEMPORARY

THIS LICENSE EXPIRES MIDNIGHT FEBRUARY 28, 2025 UNLESS DATED BELOW

TYPE OF LICENSE: Beverage Disper

LICENSE FEE: \$2,500.00

CITY / BOROUGH: Hoonah

Unorganized Borough

This license cannot be transferred without permission of the Alcoholic Beverage Control Board

[] Special restriction - see reverse side

ISSUED BY ORDER OF THE ALCOHOLIC BEVERAGE CONTROL BOARD

COPY

DIRECTOR

THIS LICENSE MUST BE POSTED IN A VISIBLE PLACE ON THE PREMISES 04-900 (REV 5/9/22)

D/B/A:

Icy Strait Lodge 435 Airport Road

Mailing Address:

ISL Enterprises, LLC

PO BOX 320

Hoonah, AK 99829



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Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

2023-2024 Master Checklist: Renewal License Application

Doing Business As:	Icy S	Strait Lodge			License Number:	1290
License Type:	Beve	erage Disper	nsary - Touris	m		
Examiner:	T.	gilliland	8/4/23		Transaction #:	100552716
Document		Received	Completed	Notes		
AB-17: Renewal Appli	cation	3/17/23				
App and License Fees		3/17/23				
Supplemental Docum	ent	Received	Completed	Notes		
AB-25: Supplier Certifica	ation					
AB-33: Restaurant Recei	ipts Aff					
AB-36: Rec Site Stateme	nt					
AB-37: Tourism Stateme	ent	3/17/23				
AB-39: Change of Offic	ers					
COI / COC / 5 Star / FAA	Cert					
FP Cards & Fees / AB-08	а					
Late Fee (after 12/31/20	022)	N/A		*Spec	ial Circumstanc	e/OAH
Additional Documents:				•		
Names on FP Cards:	Names on FP Cards:					
			Yes No	N/A		
CBPL Entity Printout include	CBPL Entity Printout included?					
Business License Copy inclu	ded?		\times			
Background(s) Completed 8	& Date:			X		
Special Consideration:	DWW	ism	Board Mee	ting Date: 62	2 23	
LGB Sent Date: 67123 LGB Deadline Date: 10/6/23						
LGB 1 Name: Hoonah, WWW Jam inged BONDUSh						
Waive	Protest	Lapsed	Wais	ve Prote	st Lapsed	

[Master Checklist: Renewal] (rev 10/3/2022)



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Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 General Renewal Application

- This form and any required supplemental forms must be completed, signed by the licensee, and postmarked no later than 12/31/2022 per AS 04.11.270, 3 AAC 304.160, with all required fees paid in full, or a non-refundable \$500.00 late fee applies.
- Any application for renewal or any fees for renewal that have not been postmarked by 2/28/2023 will be expired per AS 04.11.540,3 AAC 304.160(e).
- All fields of this application must be deemed complete by AMCO staff and must be accompanied by the required fees and all documents required, or the application will be returned without being processed, per AS 04.11.270, 3 AAC 304.105
- Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees in any way that an application will be deemed complete, renewed, or that it will be scheduled for the next ABC Board meeting.

Licensee (Owner):	ISL Enterprises, LLC			1290	
License Type:	Beverage Dispensary - Tourism				
Doing Business As:	Icy Strait Lodge				
Local Governing Body:					
Community Council:	Hoonah Indian Association (?)	NONE			
	changed, write the NEW address below:	10010			
Mailing Address:					
City	State:		ZIP:		
City:			1111111111		
Contact Licensee: The individ	Section 2 – Licensee Contactual listed below must be part of the ownership structur contact regarding this license, unless the Optional contact	re of the licensee listed in	Section 1. T	his person	
Contact Licensee: The individ	Section 2 – Licensee Contac	re of the licensee listed in		his person 209–4806	
Contact Licensee: The individual be the designated point of a	Section 2 – Licensee Contactual listed below must be part of the ownership structur contact regarding this license, unless the Optional contact	re of the licensee listed in set is completed.			
Contact Licensee: The individual be the designated point of Contact Licensee: Contact Email:	Section 2 – Licensee Contactual listed below must be part of the ownership structur contact regarding this license, unless the Optional contact Ed Phillips	e of the licensee listed in a tris completed. Contact Phone:	907	209-4806	
Contact Licensee: The individual be the designated point of contact Licensee: Contact Email: Optional: If you wish for AMCO st their information below: Name of Contact:	Section 2 – Licensee Contact dual listed below must be part of the ownership structur contact regarding this license, unless the Optional contact Ed Phillips icystraitlodge@gmail.com	ce of the licensee listed in a strict is completed. Contact Phone: ttact Licensee (such as leg	907	209-4806	
Contact Licensee: The individual be the designated point of contact Licensee: Contact Email: Optional: If you wish for AMCO st their information below:	Section 2 – Licensee Contact dual listed below must be part of the ownership structur contact regarding this license, unless the Optional contact Ed Phillips icystraitlodge@gmail.com	ce of the licensee listed in a strict is completed. Contact Phone: ttact Licensee (such as leg	907	209-4806	
Contact Licensee: The individual be the designated point of contact Licensee: Contact Email: Optional: If you wish for AMC st their information below: Name of Contact: Contact Email:	Section 2 – Licensee Contact dual listed below must be part of the ownership structure contact regarding this license, unless the Optional contact Ed Phillips icystraitlodge@gmail.com O staff to communicate with anyone other than the Contact co	ce of the licensee listed in a cit is completed. Contact Phone: tact Licensee (such as leg	907	209-4806	
Contact Licensee: The individual be the designated point of contact Licensee: Contact Email: Optional: If you wish for AMC st their information below: Name of Contact: Contact Email:	Section 2 – Licensee Contact dual listed below must be part of the ownership structur contact regarding this license, unless the Optional contact Ed Phillips icystraitlodge@gmail.com	ce of the licensee listed in a cit is completed. Contact Phone: tact Licensee (such as leg	907	209-4806	



Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

Section 4 - Ownership Structure Certification

[YES NO Did the ownership structure of the licensed business change in 2021/2022?				
. 1	f <i>Yes</i> , and you have NOT notified AMCO, list the updated information on form AB-39: Change of Officers and submit with you	ır renewa	application		
I	f No, certify the statement below by initialing the box to the right of the statement.		170		
	certify that the ownership structure of the business who owns this alcohol license did not change in any way during he calendar years 2021 or 2022.		P		
	Section 5 - License Operation				
C	Check ONE BOX for EACH CALENDAR YEAR that best describes how this liquor license was operated:	2021	2022		
1	The license was operated for more than 240 hours throughout each year. (Year-round)	\checkmark	/		
2	2. The license was only operated during a specified time each year. (Not to exceed 6 months per year)				
	If your operation dates have changed, list them below: to				
3	The license was only operated to meet the minimum requirement of 240 total hours each calendar year. A complete AB-30: Proof of Minimum Operation Checklist, and all documentation must be provided with this form.				
4	The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both calendar years. A complete Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not				
	operated. If you have not met the minimum number of hours of operation in 2021, you are not required to pay the fees, however a complete AB-29 is required with Section 2 marked "Other" and COVID is listed as the reason.				
	Section 6 - Violations and Convictions				
		YES	NO		
ŀ	Have ANY Notices of Violation been issued for this license?	\checkmark			
ł	Has ANY person or entity in this application been convicted of a violation of Title 04, 3AAC 304 or a local ordinance adopted under AS 04.21.010 in 2021 or 2022?		\checkmark		
	If you checked YES, you MUST attach a list of all Notices of Violation and/or Convictions per AS 04.11.270(a)(2)				
	If you are unsure if you have received any Notices of Violation, contact the office before submitting this form.				
	Section 7 – Certifications	7			

As an applicant for a liquor license renewal, 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, are true, correct, and complete.

- I agree to provide all information required by the Alcoholic Beverage Control Board or requested by AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned and the license being potentially expired if I do not comply with statutory or regulatory requirements.
- I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.
- I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all required changes of the ownership structure of the

business license, and have provided all required documents for any new or changes of officers.

**AS STIPULATED IN OWNERS hip dispute.

[Form AB-17] (rev 9/27/2022)

Page 2 of 3



Alaska Alcoholic Beverage Control Board

Form AB-17: 2023/2024 License Renewal Application

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 304.465.

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.

Signature of licensee

Ed Phillips

Printed name of licensee

STATE OF ALASKA OFFICIAL SEAL

Misty Voeller NOTARY PUBLIC

My Commission Expires With Office

Notary Public in and for the State of Alaska

My commission expires: Expires Woffice

Subscribed and sworn to before me this 29 day of December, 20 22.

Restaurant and Eating Place applications must include a completed AB-33: Restaurant Receipts Affidavit Recreational Site applications must include a completed AB-36: Recreational Site Statement Tourism applications must include a completed AB-37: Tourism Statement Wholesale applications must include a completed AB-25: Supplier Certification Common Carrier applications must include a current safety inspection certificate

> All renewal and supplemental forms are available online: https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx

FOR OFFICE USE ONLY

License Fee:	\$ 2500	Application Fee:	\$ 300.00	Misc. Fee:	\$ 28.00	0
				Total Fees Due:	\$ ↓	

+100552714 3/17/23

Craig, Carrie D (CED)

From:

Craig, Carrie D (CED)

Sent:

Tuesday, January 31, 2023 2:52 PM

To:

Sawyer, Jane Preston (CED); Wilson, Joan M (CED); Higgins, Kevin A (LAW)

Cc:

Serezhenkov, Kristina R (CED)

Subject:

RE: 22-0129-ABC/1290

Thanks everyone!

Garrie Graig

Records and Licensing Supervisor Alcohol and Marijuana Control Office 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 907-269-0350

From: Sawyer, Jane Preston (CED) < jane.sawyer@alaska.gov>

Sent: Tuesday, January 31, 2023 2:39 PM

To: Wilson, Joan M (CED) < joan.wilson@alaska.gov>; Craig, Carrie D (CED) < carrie.craig@alaska.gov>; Higgins, Kevin A

(LAW) < kevin.higgins@alaska.gov>

Cc: Serezhenkov, Kristina R (CED) < kristina.serezhenkov@alaska.gov>

Subject: RE: 22-0129-ABC/1290

I will take care of putting this on the agenda for the board.

Jane P. Sawyer Regulations Specialist/Acting Program Coordinator DCCED-Alcohol and Marijuana Control Office 550 W. 7th Avenue, Suite 1600 Anchorage, AK 99501 907-269-0490



From: Wilson, Joan M (CED) < joan.wilson@alaska.gov>

Sent: Tuesday, January 31, 2023 2:37 PM

To: Craig, Carrie D (CED) < carrie.craig@alaska.gov >; Higgins, Kevin A (LAW) < kevin.higgins@alaska.gov >

Cc: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>; Serezhenkov, Kristina R (CED)

<<u>kristina.serezhenkov@alaska.gov</u>> **Subject:** RE: 22-0129-ABC/1290

Yes, Carrie. The Board will need to approve the decision. I do expect they will.

From: Craig, Carrie D (CED) < carrie.craig@alaska.gov>

Sent: Tuesday, January 31, 2023 2:18 PM

To: Wilson, Joan M (CED) < <u>ioan.wilson@alaska.gov</u>>; Higgins, Kevin A (LAW) < <u>kevin.higgins@alaska.gov</u>>

Cc: Sawyer, Jane Preston (CED) < jane.sawyer@alaska.gov>; Serezhenkov, Kristina R (CED)

<<u>kristina.serezhenkov@alaska.gov</u>> **Subject:** RE: 22-0129-ABC/1290

Hi Kevin/Joan,

That was my misunderstanding – I believed they were not operating during this time and/or expired in the system (they were not) so I agree, no waivers or reinstatement requirements including those fees. Will the board need to review and vote on the findings before I update the expiration date in the database from 2020 to 2022?

In regards to the 23/24 renewal application, will I need to wait for the board to take in the payment and get the renewal in the queue?

AS 04.11.270(4): if December 31 falls on a weekend or a state holiday, the deadline is extended to the first business day following December 31.

That would make the postmark date 1/3/2023 this renewal cycle.

- 3 AAC 304.160. License renewals
- (a) For purposes of AS 04.11.270(b), a license renewal is timely and not delinquent if received at the board's main office or postmarked on or before December 31.
- (c) If a mailed renewal application has an illegible postmark or an undated postmark, the postmark date is rebuttably presumed to be five calendar days before the application was received in the board's office.

This renewal app and fees were received in our office 1/5/2023 with no postmark, so based on the above highlighted information, we would <u>not</u> charge the \$500.00 late fee.

Garrie Graig

Records and Licensing Supervisor Alcohol and Marijuana Control Office 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 907-269-0350

From: Wilson, Joan M (CED) < joan.wilson@alaska.gov>

Sent: Monday, January 30, 2023 5:36 PM

To: Higgins, Kevin A (LAW) < kevin.higgins@alaska.gov >; Craig, Carrie D (CED) < carrie.craig@alaska.gov >

Cc: Sawyer, Jane Preston (CED) <jane.sawyer@alaska.gov>; Serezhenkov, Kristina R (CED)

<<u>kristina.serezhenkov@alaska.gov</u>> **Subject:** RE: 22-0129-ABC/1290

Just checking to see if Kevin received a reply to this. I may have missed it.

From: Higgins, Kevin A (LAW) < kevin.higgins@alaska.gov >

Sent: Monday, January 30, 2023 2:14 PM

To: Craig, Carrie D (CED) < carrie.craig@alaska.gov >; Wilson, Joan M (CED) < joan.wilson@alaska.gov >

Cc: Sawyer, Jane Preston (CED) < <u>jane.sawyer@alaska.gov</u>>; Serezhenkov, Kristina R (CED)

< kristina.serezhenkov@alaska.gov >

Subject: RE: 22-0129-ABC/1290

Hi, Carrie.

Thanks for following up (and thanks for the Friday email, Joan).

I just want to confirm that, for the '21-'22 application, ISL would not need a waiver or have to pay a reinstatement or late fee because they have been operating on the temporary permit pending this decision (see attached, as Ex 15) and presumably had all the fees paid (I didn't run back through the record to check, but I can). The decision says the Board should grant the renewal application (accepting the documents marked "Attch-E" and "Attch-F" to cure the renewal app. Let me know if you think it should be otherwise.

Thanks,

Kevin A. Higgins Assistant Attorney General Alaska Department of Law 907-465-4169 (direct)

From: Craig, Carrie D (CED) < carrie.craig@alaska.gov>

Sent: Monday, January 30, 2023 1:42 PM

To: Wilson, Joan M (CED) < ioan.wilson@alaska.gov >; Higgins, Kevin A (LAW) < kevin.higgins@alaska.gov >

Cc: Sawyer, Jane Preston (CED) < <u>jane.sawyer@alaska.gov</u>>; Serezhenkov, Kristina R (CED)

<<u>kristina.serezhenkov@alaska.gov</u>> **Subject:** RE: 22-0129-ABC/1290

FYI: (I had this in my basket) on January 5, 2023 we received the 23/24 renewal application with a check for \$2850.00 (missing \$450 late fee). But no waiver forms, reinstatement requests or related fees.

Garrie Graig

Records and Licensing Supervisor Alcohol and Marijuana Control Office 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 907-269-0350

From: Wilson, Joan M (CED) < joan.wilson@alaska.gov>

Sent: Friday, January 27, 2023 3:47 PM

To: Higgins, Kevin A (LAW) < kevin.higgins@alaska.gov>

Cc: Sawyer, Jane Preston (CED) < <u>iane.sawyer@alaska.gov</u>>; Craig, Carrie D (CED) < <u>carrie.craig@alaska.gov</u>>;

Serezhenkov, Kristina R (CED) < kristina.serezhenkov@alaska.gov >

Subject: RE: 22-0129-ABC/1290

Kevin,

Thank you for your patience and representation. We do not dispute the proposed decision in Icy Strait. I do forward Carrie's email about some of the procedural matters we will need to address if the Board adopts the ALJ's decision as its final decision. I do see the board as agreeing to waiving some of these fees, but that will be its decision.

Should the board agree, this decision will be a huge help in future cases where holders of licenses attempt to bring the board into its business disputes. The "public interest" analysis will help them determine when it is and is not relevant.

Joan M. Wilson AMCO Director

From: Craig, Carrie D (CED) < carrie.craig@alaska.gov>

Sent: Friday, January 27, 2023 1:25 PM

To: Wilson, Joan M (CED) < ioan.wilson@alaska.gov >; Serezhenkov, Kristina R (CED) < kristina.serezhenkov@alaska.gov >

Cc: Sawyer, Jane Preston (CED) < jane.sawyer@alaska.gov>

Subject: RE: 22-0129-ABC/1290

I do not disagree. What I'm thinking about is that once we "reactivate" the license and renew it, the new expiration date will be 2022. Which means they have to complete this cycle's renewal application and pay all fees (late fee of \$500 because submitted after 12/31/22?). They would probably have to fill out waiver applications with a fee for 2022 in addition to another late fee. I'm assuming we wouldn't require a reinstatement and the \$1000.00 fee plus that late fee because of the judge's proposed decision.

2023/2024 Renewal

\$300 Application fee \$2500 License fee \$500 Late fee (after 12/31/22)

\$3200 Total

AB-29 Waivers

\$0 2021 Waiver (Covid) \$1250 2022 Waiver \$1000 2022 Waiver Late fee (after 11/25/22)

\$2250 Total

Reinstatement

\$1000 fee

\$1000 Total

\$6450.00 Possible Grand Total to bring #1290 into full compliance.

Garrie Graig

Records and Licensing Supervisor Alcohol and Marijuana Control Office 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 907-269-0350 From: Wilson, Joan M (CED) < joan.wilson@alaska.gov>

Sent: Friday, January 27, 2023 12:58 PM

To: Craig, Carrie D (CED) < carrie.craig@alaska.gov >; Serezhenkov, Kristina R (CED) < kristina.serezhenkov@alaska.gov >

Cc: Sawyer, Jane Preston (CED) < jane.sawyer@alaska.gov>

Subject: FW: 22-0129-ABC/1290

I should have forwarded this to you last week. I am reviewing now to determine whether we should oppose the decision. My current answer is no and that it will help with future, similar situations, but if you disagree please let me know. Unfortunately, I have to provide my recommendation to Kevin by the end of the day. I hate putting you out and I do apologize for my lack of planning.

Joan

From: Higgins, Kevin A (LAW) < kevin.higgins@alaska.gov>

Sent: Wednesday, January 11, 2023 3:09 PM

To: Wilson, Joan M (CED) < <u>joan.wilson@alaska.gov</u>> **Cc:** Sawyer, Jane Preston (CED) < <u>jane.sawyer@alaska.gov</u>>

Subject: FW: 22-0129-ABC/1290

Hot off the presses, the proposed decision concludes that the War of the Roses does not mean they need to lose:

After a full hearing on the merits and with further events having unfolded since the Board's initial review, this decision concludes that ISL's renewal application should be GRANTED. The Division did not establish that the business dispute between the LLC's members makes renewal of ISL's beverage dispensary license contrary to the public interest.

. . .

The Board denied the January 2021 renewal application at least in part because of inconsistencies between that application and the Division of Corporations' records. The Board's reconsideration of the application in this de novo review must take into account all evidence presented at the hearing – including the evidence that the LLC's Division of Corporations records have now been reverted (as AMCO's Licensing Examiner had requested) to reflect the same ownership structure as is reflected in AMCO's records.

. . .

These proceedings – both before the Board and before the OAH – would likely have gone more smoothly had the LLC parties been better able to focus here on the operation of the license, while addressing their business dispute in a more appropriate forum. But the fact of that business dispute does not – or should not – preclude the LLC entity from continuing to hold a license. While membership/ownership of the LLC is clearly contested, it is uncontested that the LLC (through Mr. Phillips) has been able to successfully operate the license. Whatever allegations of lying and fraud Mr. Phillips and Ms. Martin are lobbing against one another do not appear to have any bearing on or relationship to the actual operation of the license. Where that is the case, mere sweeping, generalized aspersions cast between parties in a legal dispute are not sufficient to establish that renewal of the license would be against the public interest.

Thanks,

Kevin A. Higgins Assistant Attorney General

Alaska Department of Law 907-465-4169 (direct)

From: oah (DOA sponsored) < doa.oah@alaska.gov >

Sent: Wednesday, January 11, 2023 2:56 PM

To: icystraitlodge@gmail.com; Higgins, Kevin A (LAW) kevin.higgins@alaska.gov

Cc: LAW_OAH_ECF (LAW sponsored) < law.oah.ecf@alaska.gov>

Subject: 22-0129-ABC/1290

Good afternoon Mr. Phillips and Mr. Higgins,

Please see the attached proposed decision.

Thank you,

Sarah Marshall
Law Office Assistant I
Office of Administrative Hearings
550 W 7th Avenue, Suite 1940
Anchorage, AK 99501
Phone: (207) 360, 8170

Phone: (907) 269-8170 Fax: (907) 269-8172

NOTICE: All case-related correspondence must be directed to doa.oah@alaska.gov and must be copied on the opposing party or attorney. Failure to direct case-specific emails to the doa.oah@alaska.gov address may result in delays in the processing of your request.

Department of Commerce, Community, and Economic Development CORPORATIONS, BUSINESS & PROFESSIONAL LICENSING

State of Alaska / Commerce / Corporations, Business, and Professional Licensing / Search & Database Download / Corporations / Entity Details

ENTITY DETAILS

Name(s)

	Name
Legal Name	ISL ENTERPRISES, LLC

Entity Type: Limited Liability Company

Entity #: 69869D

Status: Good Standing

AK Formed Date: 4/28/2000

Duration/Expiration: Perpetual

Home State: ALASKA

Next Biennial Report Due: 1/2/2024

Entity Mailing Address: PO BOX #320, HOONAH, AK 99829-0320

Entity Physical Address: 435 GARTINA HWY, AKA - 435 AIRPORT RD, HOONAH, AK 99829-0320

Registered Agent

Agent Name: Ed Phillips

Registered Mailing Address: PO Box #320, Hoonah, AK 99829

Registered Physical Address: Icy Strait Lodge 435 Airport Rd, HOONAH, AK 99829

Officials

			Show Former
AK Entity #	Name	Titles	Owned
	DONNA MARTIN	Member	51.00
	EDWIN PHILLIPS	Manager, Member	49.00

Filed Documents

Date Filed	Туре	Filing Certificate
4/28/2000	Creation Filing	Click to View
4/28/2000	Creation Filing	Click to View
10/16/2000	Biennial Report	
12/24/2001	Biennial Report	Click to View
1/30/2004	Biennial Report	Click to View
12/27/2006	Biennial Report	Click to View
12/29/2008	Biennial Report	Click to View
1/02/2009	Agent Change	Click to View
8/11/2010	Biennial Report	Click to View
12/10/2012	Biennial Report	Click to View
11/20/2013	Biennial Report	Click to View
12/16/2015	Biennial Report	Click to View
1/14/2018	Biennial Report	Click to View
7/30/2019	Change of Officials	Click to View
12/20/2019	Biennial Report	Click to View
10/07/2021	Biennial Report	Click to View
10/17/2022	Change of Officials	Click to View

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Alaska Business License # 916936

Alaska Department of Commerce, Community, and Economic Development

Division of Corporations, Business, and Professional Licensing PO Box 110806, Juneau, AK 99811-0806

This is to certify that

ICY STRAIT LODGE

PO BOX #320, HOONAH, AK 99829-0320

owned by

ISL ENTERPRISES, LLC

is licensed by the department to conduct business for the period

December 27, 2022 to December 31, 2024 for the following line(s) of business:

72 - Accommodation and Food Services



This license shall not be taken as permission to do business in the state without having complied with the other requirements of the laws of the State or of the United States.

This license must be posted in a conspicuous place at the business location. It is not transferable or assignable.

Julie Sande Commissioner