

KENAI PENINSULA BOROUGH

Office of the Borough Clerk

144 North Binkley Street
Soldotna, AK 99669
Phone 907-714-2160
Fax 907-714-2388

Johni Blankenship, MMC
Borough Clerk

MEMORANDUM

To: Assembly President Dale Bagley
Members of the Assembly

Thru: Johni Blankenship, Borough Clerk (JB)

From: Katie Ring, Clerk's Secretary *KAR*

Date: September 1, 2015

Re: Protest of Liquor License Transfer Application - Echo Lake Superior Meat & Processing LLC

Kenai Peninsula Borough Code § 7.10.010 provides for mandatory Assembly review of all applications for a transfer of liquor license at a location within the Borough. Accordingly, the attached application for the liquor license transfer as filed by Echo Lake Superior Meats & Processing LLC dba Ninilchik Trading, located within the Kenai Peninsula Borough, Ninilchik, is being submitted to you for review and action.

The Borough Finance Department has reviewed the application and has no objection to the transfer of the license based on unpaid taxes. The Planning Department has reviewed the application for proximity to churches and/or schools and has determined the licensed premises would be within the 500-foot proximity to Calvary Baptist Church, Methodist Church & Ninilchik School.

Kenai Peninsula Borough Code § 7.10.020 requires the Borough Assembly to protest any liquor license where the public entrance of the licensed premises would be within 500-feet by straight line measurement from the property line of an established school or church or the outer boundaries of a playground.

RECOMMENDATION: The Assembly should formally protest the application, as per Section 7.10.020.

cc: Echo Lake Superior Meat & Processing LLC
Calvary Baptist Church, Methodist Church & Ninilchik School

RECEIVED

State of Alaska
Alcoholic Beverage Control Board

AUG 06 2015

Date of Notice: August 6, 2015

Borough Clerk's Office
Kenai Peninsula Borough

Application Type: New

- TRANSFER
- Ownership
- Location
- Name Change

Governing Body:	Kenai Peninsula Borough
Community Councils:	n/a
License #:	493
License Type:	Package Store
D.B.A.:	Ninilchik Trading
Licensee/Applicant:	Echo Lake Superior Meat & Processing LLC.
Physical Location:	15945 Sterling Hwy. Ninilchik
Mail Address:	PO Box 346 Soldotna, AK 99669
Telephone #:	907-567-3378
EIN:	92-0176080

Corp/LLC Agent:	Address	Phone	Date and State of Incorporation	Good standing?
Echo Lake Superior Meat & Processing LLC	PO Box 346 Soldotna, AK 99669	907-567-3378	4/16/2001 AK	yes

Please note: the Members/Officers/Directors/Shareholders (principals) listed below are the principal members. There may be additional members that we are not aware of because they are not primary members. We have listed all principal members and those who hold at least 10% shares.

Member/Officer/Director:	DOB	Address	Phone	Title/Shares (%)
Sharon Rose Clark	9/1/1960	37794 Country Woods Cir. Soldotna, AK 99669	907-202-4513	Sec. 54%
James Brian Clark	7/14/1943	37794 Country Woods Cir. Soldotna, AK 99669	907-202-4513	Mgr. 28%
Randall S Yost	11/24/1955	3410 Harrier Cir. Anchorage, AK	907-242-9324	Treas. 18%

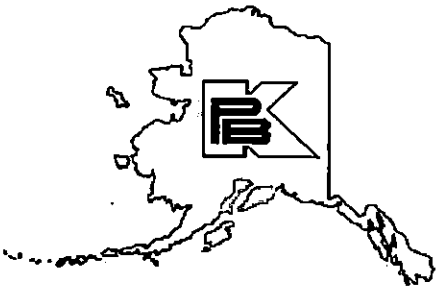
Transfer of ownership from Grizzly Ridge, LLC d.b.a. Grizzly Ridge located 18280 Sterling Highway (Cooper Landing)

Received

AUG 10 15

K.P.B. - DAC

Liquor License Application Review	
TO:	<input checked="" type="checkbox"/> Delinquent Accounts <input type="checkbox"/> Planning Department
DATE:	<u>8-10-15</u>
Review and return to Borough Clerk with comments by: <u>9-3-15</u>	
For Assembly Meeting of <u>9-15-15</u>	
The <u>Finance</u> Department has no objection to the issuance of this license	
Date:	<u>8/10/15</u> By: <u>[Signature]</u>



KENAI PENINSULA BOROUGH

PLANNING DEPARTMENT

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2200 • **FAX:** (907) 714-2378

Toll-free within the Borough: 1-800-478-4441, Ext. 2200

www.borough.kenai.ak.us

MIKE NAVARRE
BOROUGH MAYOR

M E M O R A N D U M

TO: Johni Blankenship, Borough Clerk

THRU: Max J. Best, Planning Director *mb*

FROM: Maria Sweppy, Platting Specialist *Maria Sweppy*

RE: Ninilchik Trading Transfer Liquor License

DATE: August 12, 2015

As requested, the Planning Department reviewed the Ninilchik Trading transfer liquor license application to determine if churches or schools are within 500 feet (KPB 7.10.020). A 500-foot radius search was done for KPB Parcel 157-150-36, 15945 Sterling Highway, Ninilchik.

Churches and schools are shown as institutional on the land use map. Per Kenai Peninsula Borough records, two churches and one school are within 500 feet of Parcel 157-150-36.

Parcel ID	Usage	Owner
157-150-17	Church	Calvary Baptist Church
157-150-28	School	Ninilchik School
157-150-04	Church	Methodist Church

The fourth parcel indicated as institutional on the land use map is the Ninilchik Community Library.

Maps and land status information are attached.



The information depicted hereon is for a graphical representation only of best available sources. The Kenai Peninsula Borough assumes no responsibility for any errors on this map.

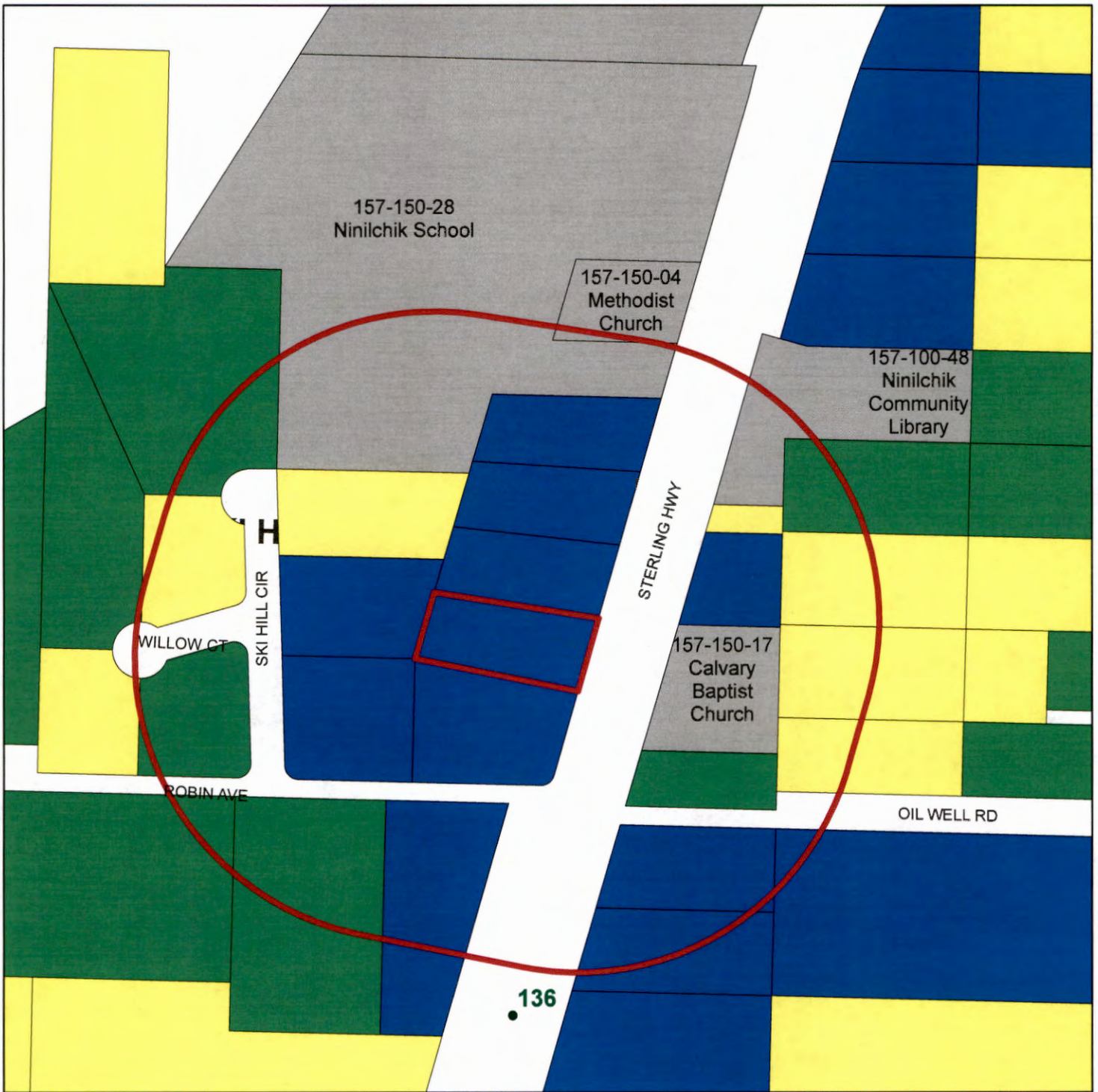
Ninilchik Trading
 Transfer Liquor License Application
 Land Use within 500 Feet



LAND USE

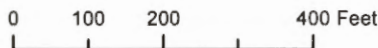
- Accessory Building
- Commercial
- Industrial
- Institutional
- Residential
- Timber/Farm
- Vacant

Date: 8/12/2015



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Ninilchik Trading
 Transfer Liquor License Application
 Land Use within 500 Feet
 Parcel 157-150-37



LAND USE

- Accessory Building
- Commercial
- Industrial
- Institutional
- Residential
- Timber/Farm
- Vacant

Date: 8/20/2015

NINILCHIK TRADING
TRANSFER LIQUOR LICENSE

LAND USE WITHIN 500 FEET

PARCEL ID	USAGE	OWNER	ADDRESS	CITYSTATEZ	IMPROVEMENTS
15710026	350 General Commercial	AURORAL RESOURCES LLC	PO BOX 39111	NINILCHIK, AK 99639	\$ 107,000
15715034	350 General Commercial	BAKERS FISHING CHARTERS INC	13089 EZI VIEW CIR	EAGLE RIVER, AK 99577	\$ 60,200
15715017	840 Institutional Church	CALVARY BAPTIST CHURCH	PO BOX 39565	NINILCHIK, AK 99639	\$ 163,600
15715035	350 General Commercial	CAMERON ROSS A	PO BOX 39258	NINILCHIK, AK 99639	\$ 202,400
15715012	100 Residential Vacant	COOPER JOSEPH	PO BOX 39116	NINILCHIK, AK 99639	0
15710035	110 Residential Dwelling - single	COOPER JOSEPH	PO BOX 39116	NINILCHIK, AK 99639	\$ 78,600
15715020	350 General Commercial	COVEY & SONS INC	PO BOX 39124	NINILCHIK, AK 99639	\$ 116,900
15715024	100 Residential Vacant	COVEY ROGER A	PO BOX 39124	NINILCHIK, AK 99639	0
15715022	100 Residential Vacant	COVEY ROGER A	PO BOX 39124	NINILCHIK, AK 99639	0
15715023	110 Residential Dwelling - single	COVEY ROGER A	PO BOX 39124	NINILCHIK, AK 99639	\$ 151,700
15715027	105 Residential Improved Land	COVEY ROGER A	PO BOX 39124	NINILCHIK, AK 99639	\$ 1,500
15905068	350 General Commercial	GRABHORN BURT & GRABHORN BART	32821 WIKSTROM RD	SCAPPOOSE, OR 97056	\$ 64,400
15710041	100 Residential Vacant	HUEY ELIZABETH A	381 SENIOR CT APT 207	KENAI, AK 99611	0
15715016	120 Residential Cabin - single	KELLY BURTON D & GAIL	PO BOX 2284	CORDOVA, AK 99574	\$ 16,000
15905055	130 Residential Mobile Home	KELLY CARL E	PO BOX 39123	NINILCHIK, AK 99639	\$ 89,100
15715028	820 Institutional School	KENAI PENINSULA BOROUGH	144 N BINKLEY ST	SOLDOTNA, AK 99669	\$ 15,707,600
15715004	840 Institutional Church	METHODIST CHURCH	PO BOX 39153	NINILCHIK, AK 99639	\$ 262,800
15710048	850 General Institutional	NINILCHIK COMMUNITY LIBRARY	PO BOX 39165	NINILCHIK, AK 99639	\$ 366,200
15715036	350 General Commercial	NINILCHIK GENERAL STORE LLC	3351 ARCTIC BLVD	ANCHORAGE, AK 99503	\$ 269,900
15715037	350 General Commercial	NINILCHIK GENERAL STORE LLC	3351 ARCTIC BLVD	ANCHORAGE, AK 99503	\$ 45,100
15715019	350 General Commercial	NINILCHIK PROPERTY MANAGEMENT LLC	PO BOX 39124	NINILCHIK, AK 99639	\$ 168,100
15715013	350 General Commercial	NINILCHIK TRADITIONAL COUNCIL	PO BOX 39070	NINILCHIK, AK 99639	\$ 237,300
15715021	350 General Commercial	NINILCHIK TRADITIONAL COUNCIL	PO BOX 39070	NINILCHIK, AK 99639	\$ 382,200
15710036	100 Residential Vacant	OSWALD RUSSELL H	6913 MADELYNNE WAY	ANCHORAGE, AK 99504	0
15905028	350 General Commercial	PRESLEY INCORPORATED	PO BOX 39370	NINILCHIK, AK 99639	\$ 234,600
15710039	100 Residential Vacant	UHOUSE CAROLYN J & WILLIS EDWARD C & WILLIS RICHARD A & WILLIS ALFRED	PO BOX 1390	SEQUIM, WA 98382	0
15905003	350 General Commercial	WOLSEY ARDELL LAMONT	PO BOX 39456	NINILCHIK, AK 99639	\$ 218,300

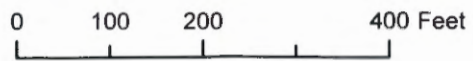


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Created by: msweppy

Kenai Peninsula Borough Planning Department

Vicinity Map



Date: 8/12/2015





Ninilchik Traditional Council

P.O. Box 39070

Ninilchik, Alaska 99639

Phone: 907 567-3313 / Fax: 907 567-3308

E-mail: ntc@ninilchiktribe-nsn.gov

ninilchiktribe-nsn.gov

RESOLUTION 2015-21

Resolution in Support of Ninilchik Trading Co Liquor License

WHEREAS, Ninilchik Village, is a distinct, independent political community, and as such is qualified and exercises powers of self-government by reason of its original tribal sovereignty as passed down from its ancestors since time immemorial; and

WHEREAS, the Ninilchik Village Tribe is a federally Recognized Indian Tribe in Alaska (Federal Register Volume 75, Number 190, October 1, 2010, Notices Pages 60810-60814); and

WHEREAS, the Ninilchik Traditional Council (NTC) is the Tribal Governing body for the Ninilchik Village Tribe, as recognized by Ninilchik Tribal Members and the Constitution of the Tribe, with Tribal Boundaries extending from the Kasilof River through Homer, and

WHEREAS, the Ninilchik Trading Co. is proposing the procurement and implementation of a liquor license in the town of Ninilchik, and

WHEREAS, as a local government in the Ninilchik community, NTC is committed to being an active participant in our village, and cares deeply about certain negative social ramifications of alcohol consumption; and

WHEREAS, NTC strives to provide many programs which range from health and wellness, to behavioral health, social services, child welfare, environmental, housing, and resource development. In addition, specific services also include youth alcohol prevention programs and outpatient treatment services for adults, and

WHEREAS, NTC endeavors to support individuals and families in this light, especially youth alcohol prevention, however, we do not condemn the responsible legal consumption of alcohol by adults, and believe that the pursuit of another liquor license in the town of Ninilchik is reasonable and poses no adverse risk to the community, school, or local organizations, and

WHEREAS, NTC is very conscientious about alcohol consumption, the abuses that can happen from it, and the devastation that can occur when it is done illegally or to excess and we do not take additional opportunities for it to be available in the community lightly, and

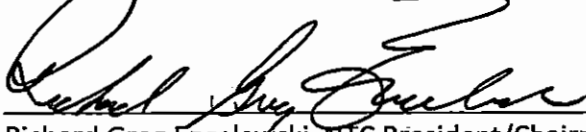
WHEREAS, the community already has two liquor stores, one directly across the street from the Ninilchik School and the other in the immediate area, and

WHEREAS, we take no position as to those businesses and services or any competition created by additional business opportunities, although, we cannot find that an additional liquor store would harm the town in any way, and that it also has the potential to bring about increased tourist stops and traffic which could supplement the income of other local businesses as well.

NOW THEREFORE BE IT RESOLVED, that the Ninilchik Traditional Council (NTC) hereby supports the Ninilchik Trading Co.'s application and responsible implementation of a liquor license that would be established in conjunction with the local store and coincide with their current hours of operation.

PASSED AND ADOPTED THIS 18th day of August, 2015 at Ninilchik, Alaska.

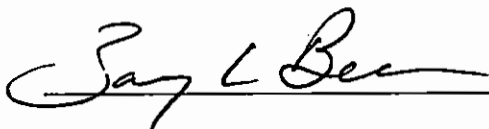
NINILCHIK TRADITIONAL COUNCIL



Richard Greg Encelewski, NTC President/Chairman

CERTIFICATION

I hereby certify that the foregoing resolution was duly adopted by the Ninilchik Traditional Council on the 18th day of August, 2015 at Ninilchik, Alaska, by a vote of 4 FOR, 0 AGAINST, 0 ABSENT, and 1 NOT VOTING.



Tammy Bear, Secretary/Treasurer



Resolution 2015-17

Resolution in Support of Ninilchik Trading Co Liquor License

WHEREAS, the Ninilchik Native Association's board of Directors on behalf of the Ninilchik Native Association, Inc. have agreed to support to the Ninilchik Trading Co. in their procurement of a Liquor License in the town of Ninilchik.

WHEREAS, the Ninilchik Natives Association Board of Directors feels that the addition of a Liquor License would not harm the town in any way.

WHEREAS, the Ninilchik Natives Association Board of Directors feels that the addition of a Liquor License and store on the main highway of Ninilchik would bring about increased traffic and tourist stops to the town of Ninilchik thereby supplementing the income to the local businesses.

WHEREAS, the Ninilchik Natives Association Board of Directors feels that the addition of a Liquor License would not detract from the business of the other establishments in the area due to the target market being that of tourist and passerby rather than the local populous. As well as being that planed hours of operation are during regular business hours.

NOW THEREFORE BE IT RESOLVED, By the Board of Directors for the Ninilchik Natives Association, Inc.:

That the above resolution of support has been approved and adopted as a true representation of the wishes of the Ninilchik Natives Association Inc. at a duly called Board of Directors meeting on this the 15th day of August 2015.

We, the undersigned, hereby certify that the foregoing Resolution Number 2015-17 was duly adopted by the Ninilchik Natives Association, Inc.

Richard "Greg" Encelewski, President

Michelle Partridge, Secretary

