

DENALI BOROUGH, ALASKA  
RESOLUTION NO. 09-16

A RESOLUTION TO SUPPORT THE CONCEPT OF ALLOWING A SEASONAL LOCATION TRANSFER OF A PACKAGE STORE LIQUOR LICENSE WITHOUT THE NECESSITY OF THE LICENSEE SUBMITTING MULTIPLE TRANSFER APPLICATIONS.

WHEREAS, David Coleman, Jason Motyka, and David McCarthy are the owners of two businesses, Denali Park Grocery, Inc and Alaska Sol, LLC; and

WHEREAS, Alaska Sol leases certain real property and improvements located at Mile 248.4 Parks Highway in Healy, Alaska; and

WHEREAS, Denali Park Grocery owns and operates a package store liquor license at Mile 238.4, Parks Highway, in Denali Borough, Alaska; and

WHEREAS, the package store is currently operational only during the tourist season May 1<sup>st</sup> – September 30<sup>th</sup> at its current location; and

WHEREAS, there are no additional package store liquor licenses available either from the Alcoholic Beverage Control Board or for sale in the Denali Borough; and

WHEREAS, Denali Park Grocery wishes to operate the package store license year around, but to do so it must operate at a location different than the location where the license is used in the summer; and

WHEREAS, the location at 248.4 Parks Highway in Healy, Alaska, is suitable for the operation of a package liquor license during the winter months; and

WHEREAS, under the regulations of the ABC Board, a license can be transferred to a new location by filing an application with the ABC Board and securing the approval for the new location by the Denali Borough; and

WHEREAS, the Licensee does not wish to have to do multiple transfers of location in the spring and then again in the fall each and every year; and

WHEREAS, the Owners have demonstrated through their ownership of the package liquor license that they are qualified and competent operators of liquor licensed businesses; and

WHEREAS, there are no Borough ordinances which prohibit the seasonal transfer of the license to and from the two locations each spring and fall; and

WHEREAS, if the Borough states its acceptance of the spring and fall transfer process without the necessity of multiple transfer applications to the ABC Board and the Borough, the ABC Board staff has agreed to present the concept to the ABC Board for consideration.

**NOW, THEREFORE BE IT RESOLVED:** the Borough Assembly supports the concept of allowing seasonal location transfers of the package store liquor license owned by Denali Park Grocery, between 238.4 Parks Highway in Denali Park, Alaska, and 248.4 Parks Highway in Healy, Alaska, without the necessity of the Licensee submitting multiple transfer applications subject to the following conditions:

- a) The approval of the concept of seasonal location transfers must be approved by the ABC Board; and
- b) Denali Park Grocery's agreement to abide by any conditions imposed on them by the ABC Board; and;
- c) Completing an initial transfer process to allow for the operation of the seasonal license at 248.4 Parks Highway in Healy, Alaska.

PASSED and APPROVED by the DENALI BOROUGH ASSEMBLY this 10<sup>TH</sup> day of JUNE, 2009.

  
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Mayor David M Talerico

ATTEST:   
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Gail Pieknik, Borough Clerk



AYES: PASSED UNANIMOUSLY  
ABSENT: MERCER AND MILLER

Denali Borough, Alaska

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