

Glenda Wiles

From: Williams, Jamie <JWilliams@mt.gov>
Sent: Wednesday, September 12, 2018 9:44 AM
To: Ravalli County Commissioners Office; Bill Fulbright; Jenni Frase; John Palacio; Steve Holton; Swingley, Dick; Drollinger, Dawn; Clark, Steve
Subject: Info Letter 13-6573 Sula Country Store
Attachments: Info Letter 13-6573 Camp Sula.pdf

Hello all,

Please see attached info letter pertaining to the transfer of ownership of the alcohol license at Sula Country Store. Let me know if you have any questions.

Thanks,



Jamie Williams
Compliance Specialist
Montana Department of Revenue
Alcoholic Beverage Control Division
Tel: 406.444.0712
Fax: 406.444.0722
JWilliams@mt.gov



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DISCLAIMER NOTICE: The information provided is based upon my understanding of the facts as you have presented them and my view of the issues involved. The information does not in any way supersede or augment the statutes and administrative rules that apply to alcoholic beverage licensees. Please keep in mind that you are responsible for your decisions on how to operate your business and the information provided in no way mitigates or excuses any violations, nor will it reduce any penalty or liability you may face for any such violation. Accordingly, I strongly recommend that you consult with an attorney to determine your rights and responsibilities as a licensee.

As you know, the Department cannot provide your client with legal advice; we can, however, provide you with our thoughts on matters based on the information provided, for your consideration in independently forming your legal advice for your client. The information does not in any way supersede or augment the statutes and administrative rules that apply to alcoholic beverage licensees. Please also keep in mind that the Department is not bound by any such information provided and if any action taken by your client is later determined to be out of compliance with the law, the Department may need to take administrative action to uphold the Montana Alcoholic Beverage Code.

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Gene Walborn
Director

Montana Department of Revenue



Steve Bullock
Governor

September 12, 2018

License Type: Montana Montana Retail Off-Premises Consumption Beer and Wine License
License Number: 13-999-6573-303

Subject: Transfer of Ownership
Applicant: Camp Sula, LLC – memberS: Scott Roberts and Rebecca Roberts
Location Address: d/b/a Sula Country Store, 7060 US Highway 93 South, Sula, Ravalli County, Montana

EXISTING LICENSED PREMISES

We need your help to determine if the above applicant and location comply with all laws and ordinances administered by your office. We ask that you advise us by **September 26, 2018**, if there is a compliance issue. We will assume the laws and ordinances have been met if we don't hear from you by that date.

Building, health and fire approval will be required before department approval will be considered. Building, health and fire officials will be contacted by the applicant to schedule final inspections.

It is important for you to understand that local laws are not enforced through the alcoholic beverage licensing process. There are additional factors that can influence the issuance of a license or prevent processing of the application such as:

- Compliance with local laws may influence our final decision; and
- Notification of a local deficiency

Questions? Please contact me at the address, telephone number or e-mail below.

Sincerely,

Jamie Williams
Compliance Specialist
Alcoholic Beverage Control Division
PO Box 1712
Helena MT 59604-1712
Phone: (406) 444-0712
Email: JWilliams@mt.gov

Encl. Floor Plan and Application Pages
Certificate of Service

CERTIFICATE OF SERVICE

I certify that on this 12th day of September, 2018, a true and correct copy of the foregoing has been served by sending via email and addressed as follows:

RAVALLI COUNTY COMMISSIONERS
COURTHOUSE
205 BEDFORD ST #5001
HAMILTON MT 59840
commissioners@rc.mt.gov

RAVALLI COUNTY ATTORNEY
BILL FULBRIGHT
COURTHOUSE
205 BEDFORD ST. #5008 SUITE C
HAMILTON MT 59840
bfulbright@rc.mt.gov

RAVALLI COUNTY SANITARIAN
215 S 4TH STREET STE D
HAMILTON MT 59840
jfrase@rc.mt.gov
jpalacio@rc.mt.gov

RAVALLI COUNTY SHERIFF
CHRIS HOFFMAN
205 BEDFORD ST #5022 SUITE G
HAMILTON MT 59840
sholton@rc.mt.gov

DICK SWINGLEY, STATE FIRE MARSHAL
FIRE PREVENTION AND INVESTIGATION BUREAU
diswingley@mt.gov

Dawn Drollinger, Deputy State Fire Marshal
ddrollinger@mt.gov

STATE BUILDING STANDARDS DIVISION
PROGRAM MANAGER
Steve Clark, State Building Inspector
sclark@mt.gov

Jamie Williams
Compliance Specialist

Application Summary

Changes Requested

- New Business
- Purchase Business

Submitted By Rebecca Roberts

Phone Number 4063610338

Business and Location Information

Business #	TBD	Location #	41122
Name	REBECCA & SCOTT ROBERTS	Location Name	CAMP SULA LLC
FEIN	[REDACTED]	Address 1	7060 US HIGHWAY 93 S
Address 1	7060 US HWY 93 S	Address 2	
Address 2	7060 US HWY 93 S		SULA, MT 59871-
	SULA, MT, USA 59871-	Phone Number	406-821-3364
Phone Number	406-361-0338	Fax Number	
Fax Number		Email Address	
Email Address	sulastoremt@gmail.com	County	RAVALLI
Entity Type	LIMITED LIABILITY COMPANY		

License Information

License Type	License Sub Type	Count	Changed?
CIGARETTE	TOBACCO PRODUCTS RETAILER	1	Yes
LIQUOR	OFF-PREMISES BEER/WINE COMBINATION	1	Yes
LOTTERY	TRADITIONAL LOTTERY	1	Yes
METER	PA - RETAIL METERS, MAX DELIVERY <=20 GPM	10	Yes
RETAIL FOOD ESTABLISHMENT	RETAIL FOOD ESTABLISHMENT -- LARGE	1	Yes
STORAGE TANK	T2 - TANKS > 1,100 GALLONS	3	Yes

Payment Information

Amount Due	\$1254.00	Payment Amount	\$1254.00
Payment Date	8/14/2018 2:34 AM		
Payment Id	NONE		



Beer and Wine License Application (Retail Off-Premises Consumption)

Note: When eStop Business Licenses receives your Beer and Wine License application, we will contact you by letter to request additional documents and let you know if your application meets our initial requirements. It usually takes 45 to 60 days to process an application. When we receive a complete application, we will notify the necessary officials for final review and approval of your application.

Section 1. Application Guide and Checklist

Please check the appropriate boxes below and include this page with your application.

Register for a New License

- Complete and sign the eStop Master Application.
- Include the license, processing and background check fees (see page 2 of the eStop Master Application).
- Complete Sections 2-6 of this application.
- Include additional documents needed to complete this application or send them to the appropriate agency. See Section 7, items 1-7.
- Request Temporary Operating Authority (see Section 4) if the premises has been licensed within the last year to sell beer and wine.
- Schedule a fire, building and health inspection of the premises at least two weeks prior to the tentative date of opening or completion.

Submit a Business Structure Change

To add an entity or individual to the business structure that has never before had an ownership interest in the license or the ownership interest is changing from less than 10% to more than 10%.

- Complete and sign the eStop Master Application.
- Include the \$200 processing fee and \$27.25 background check fee (see page 2 of the eStop Master Application).
- Complete Sections 2-6 of this application.
- Include additional documents needed to complete this application or send them to the appropriate agency. See Section 7, items 2-7.

Relocate to a New Physical Location

- Complete and sign the eStop Master Application.
- Include the \$200 processing fee (see page 2 of the eStop Master License Application).
- Complete Sections 2-6 of this application.
- Include additional documents needed to complete this application or send them to the appropriate agency. See Section 7, items 1, 2, 6 and 7.
- Schedule a fire, building and health inspection of the premises two weeks prior to the tentative date of opening or completion.

Adding a Beer or Wine License to an Existing License

- Complete and sign the eStop Master Application.
- Include the license fee and \$100 processing fee (see page 2 of the eStop Master License Application).

Section 2. Premises

1. Please indicate the location of the physical address.

City Limits County Area

2. Is the building complete and ready for use?

Yes

No. The expected completion date is _____

The delay is due to: remodel new construction

3. Is the location to be licensed within a zone or area where the sale of alcoholic beverages is not allowed by city, county or tribal ordinances?

Yes

No

4. Do you, as the individual or entity on the eStop Master Application, own or are you purchasing the real property, building or building area proposed for licensing?

Yes. Please provide a warranty deed, purchase agreement or current property tax statement.

No. Please provide a lease agreement.

Section 3. Type of Off-Premises Business

Please check the license type under which the premises proposed for licensing will operate.

Grocery store (include a copy of the Grocery Inventory form)

Pharmacy (include a copy of your current pharmaceutical license)

Stand Alone

If applying for a Stand Alone license type, do you agree to maintain a business gross income of 95% or more from the sale of beer and wine, and that the business gross income of other retail products will not exceed 5%?

Yes No

Section 4. Temporary Operating Authority

Has this premises been licensed within the last year and no building, health or fire deficiencies exist?

Yes. Please enter the expected date that Temporary Operating Authority will begin Aug. 1st

No. Temporary Operating Authority cannot be granted.

Note: Temporary Operating Authority is granted for the use of the Beer and Wine license only during the time period that your application is being processed.

The department will issue Temporary Operating Authority when we receive verification that the tax information of the current recorded licensee or seller is current. The current recorded licensee (seller) must provide the Liquor Division Authorization to Disclose Tax Information form to the department. This form is available on our website at <http://revenue.mt.gov/licor/authorforms.aspx>. Please be aware that we will revoke Temporary Operating Authority if you or your employees violate any provisions of Montana Code Annotated or Administrative Rules of Montana.

Section 5. Corporate Statement

All entities, except sole proprietorships, need to complete the following information for all shareholders, members or partners. (Please attach additional pages if necessary.)

Please Print

1	Shareholder, Member or Partner Name Scott Roberts		SSN [REDACTED]
	Address 327 Laird creek RD Conner MT 59827		
	Date of Birth 9/9/70	Actual Number of Shares and % of Ownership 50	
2	Shareholder, Member or Partner Name Rebecca Roberts		SSN [REDACTED]
	Address 327 Laird creek RD		
	Date of Birth 5/15/69	Actual Number of Shares and % of Ownership 50	
3	Shareholder, Member or Partner Name		SSN
	Address		
	Date of Birth	Actual Number of Shares and % of Ownership	
4	Shareholder, Member or Partner Name		SSN
	Address		
	Date of Birth	Actual Number of Shares and % of Ownership	

Officers and Directors (Use additional sheet of paper if necessary.)

1	Officer or Director Name		SSN
	Address		
	Date of Birth	Title	
2	Officer or Director Name		SSN
	Address		
	Date of Birth	Title	
3	Officer or Director Name		SSN
	Address		
	Date of Birth	Title	
4	Officer or Director Name		SSN
	Address		
	Date of Birth	Title	

Section 6. Manager Information

Name of person or entity that is managing or that will be managing the business Scott Roberts
Rebecca Roberts

- This person or entity is a shareholder, member or partner.
- This person or entity was employed as a manager and a current management agreement is on file with the department.
- This manager was recently employed. Date of hire _____
Please include with your application a management agreement for this manager or management company. A Management Agreement form is available on our website at <https://svc.mt.gov/dor/vStopPortal/Default.aspx>. This form meets the requirement for ARM 42.12.132.

Section 7. Required Documents

- ✓ 1. A Floor Plan form detailing the outside dimensions, general layout and areas where beer and wine will be stored and sold. Please label the floor plan with the date, DBA (doing business as) and address of premises to be licensed.
2. A lease agreement, purchase agreement, warranty deed or current property tax bill verifying the applicant has possessory interest in the real property where the business is located.
3. A Registered Certificate of Existence, Authority or Fact if you are applying as a corporation, company or partnership. In addition, if your DBA is different than the applicant's name, please include the certificate as filed with the Secretary of State's (SOS) Office. In Montana, call (406) 444-3665 or go to <http://sos.mt.gov/BusinessForms/index.asp> to register the new entity and DBA by mail or online.
4. A background check fee of \$27.25, personal history statement and two fingerprint cards for each individual with an ownership interest of 10% or more of the license. In certain circumstances, a representative for the licensee will require a background check. Please contact our office toll free at (866) 859-2254, (in Helena) at (406) 444-6900, and we will mail the fingerprint cards to you. Go to your local law enforcement agency to be processed. (Local officials may charge a separate fee for this service).
5. A bank account agreement having the applicant's name, Federal Employer Identification (FEIN) or social security number and authorized signatures.
6. The Liquor Division Authorization to Disclose Tax Information form for each individual and entity that has an ownership interest of 10% or more, and for the current recorded licensee (seller). Please fax the completed form to Department of Revenue, Business Income Tax Division at (406) 444-6642. The form is available on our website at <http://revenue.mt.gov/home/liquor/forms.aspx>.
7. If you have not registered your business with Alcohol and Tobacco Tax and Trade Bureau (TTB), all alcohol beverage dealers must file the TTB F 5630.5d form and mail it to the designated address on the form, or contact TTB's National Revenue Center at (800) 937-8864 or (513) 684-2979.