



City Council

Agenda Item

Subject: Application for a transfer of ownership of a retail (on-off sale) malt beverage & SD Farm Wine license and video lottery license from Guest House Inc. d/b/a Guest House Inc. (Inactive), 101 N Broadway to Commonwealth Gamin & Holdings Co, Inc. d/b/a Deuces Casino 12.76 (Inactive).

Meeting: City Council - Sep 06 2022

From: Kristen Bobzien, Finance Officer

BACKGROUND INFORMATION:

This license is being transferred as inactive and the new owner is aware there will need to be another Notice of Hearing and additional fees paid if they change the location once they want to activate the license.

SUGGESTED MOTION:

I move to approve the application for a transfer of ownership of a retail (on-off sale) malt beverage & SD Farm Wine license and video lottery license from Guest House Inc. d/b/a Guest House Inc. (Inactive), 101 N Broadway to Commonwealth Gamin & Holdings Co, Inc. d/b/a Deuces Casino 12.76 (Inactive).

STAFF REFERENCE(S):

Kristen Bobzien

ATTACHMENT(S):

[Deuces Casino 12.76 - Transfer](#)

Date Received _____
Date Issued _____

License No. RB-3273

Uniform Alcoholic Beverage License Application

A. Owner Name and Address

Commonwealth Gaming & Holdings Co, Inc
PO BOX 88250
Sioux Falls SD 57109

Owner's Telephone #: 605 334-8905

C. Indicate the class of license being applied for (submit separate application for each class of license).

- ☐ Retail (on-sale) Liquor
- ☐ Retail (on-sale) Liquor - Restaurant
- ☐ Convention Center (on-sale) Liquor
- ☐ Package (off-sale) Liquor
- ☐ Retail (on-off sale) Wine and Cider
- ☒ Retail (on-off sale) Malt Beverage & SD Farm Wine
- ☐ Package Delivery
- ☐ Hunting Preserve
- ☐ Other _____

Is this license in active use? ☐ Yes ☒ No

Do you or any officers, directors, partners, or stockholders hold any other alcohol retail, manufacturing, or wholesaler licenses?

☒ Yes ☐ No If Yes, please list on the back page.

B. Business Name and Address

Deuces Casino 12.76
137 5th St NE STE 104
Watertown, SD 57201

Business Telephone #: _____
Place of business is located in a municipality? ☒ Yes ☐ No

County: Codington

Do you own or lease this property? ☐ Own ☒ Lease

Are real property taxes paid to date? ☒ Yes ☐ No

D. Legal description of licensed premise:

Lots A-B less lot H1 Haggars
Subdivision Block 20, RF Pettigrews
Addition Suite 104

Have you ever been convicted of a felony? ☐ Yes ☒ No

E. State Sales Tax Number applied for

F. New license ☐ Transfer? (\$150) ☒ Re-issuance ☐

G. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Date 8/23/2022 Print Name Bryant Soberg Signature [Signature]

H. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on _____, Public hearing on the application was held _____, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Renewal - no public hearing held ☐

Amount of fee collected with application \$ _____

Amount of fee retained \$ _____

Forwarded with application \$ _____

For Local Government Use

Transferred (State Use)

(Seal) _____
Mayor or Chairman

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY:

APPROVAL _____ REVIEW _____

If disapproved, endorse reason thereon and return to applicant

Please complete the reverse side if applicable

Company supplement information
(For corporate/partnership/LP/LLC applicants)

Name of corporation/partnership/LP LLC Commonwealth Gaming & Holdings Co, Inc

Address of office and principal place of business of corporation/partnership/LP/LLC 330 N. Main #201 SF, SD

Are all managing officers of this corporation/partnership/LP/LLC of good moral character having never been convicted of a felony? ☒ Yes ☐ No

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
Bryant Soberg	President	46001 265th Street Hartford SD 57033	Operator
Kirby Mulkenburg	VP	2000 S. Jonathan Ln SF SD 57103	Operator

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other alcoholic beverage license:

Name	Type of License, License Number, Financial Interest Held, and Address of Business Location
See Attached list	

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

GMC, LLC 330 N. Main Avenue Suite 201 Sioux Falls SD 57104


With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner

Date



8/23/2022

♠♥ Beverage Licenses ♠♥

Officer		Location	License Number			
Bryant Soberg	100%	Black Diamond				
		5113 W. 41st St SF, SD 57106	RL 5990	BD	RB 25791 - inactive	
		5113 W. 41st St #102 SF, SD	RB 20766	BDII	RW 20769	
		5113 W. 41st St #103 SF, SD	RB 27370	BDIII		
Bryant Soberg	50%	Commonwealth				
Kirby Mullenburg	50%	317 N. West Ave SF, SD 57104	RB 3800	D1		
		1708 W. Burnside SF, SD 57104	RB 27849	D1	RW 28029	
		1706 W. Burnside SF, SD 57104	RB 27850	D1.3	RW 28030	
		1704 W. Burnside SF, SD 57104	RB 27851	D1.75	RW 28031	
		1912 W. 41st St SF, SD 57105	RL 5886	D2		
		1912 W. 41st St #A SF, SD 57105	RB 21230	D2A	RB 27219 - cancelled	
		5119 Arrowhead Pkwy SF, SD	RL 5975	D3		
		5115 Arrowhead Pkwy SF, SD	RB-23279	D3.5	RW 23278	
		800 E. 8th St SF, SD 57103	RB 3410	D4		
		3613 N. Cliff Ave SF, SD 57104	RB 3875	D5		
		3613 N. Cliff Ave Suite 101	RB 27348	D5.3		
		510 Valley View Rd SF, SD 57106	RL 5970	D6		
		510 Valley View Rd #2	RB 23499	D6.3		
		4709 E. 26th St SF, SD 57110	RL 5962	D7		
		4713 E. 26th St SF, SD 57110	RB 22625	D7.3	RW 22941	
		4713 E. 26th St #A SF, SD 57110	RB 27580	D7.5A		
		4205 S. Racket Dr SF, SD 57106	RB 3653	D8	RW 20776	
		4205 S. Racket Dr #B SF, SD	RB 20773	D8.3		
		3401 W. 85th St #A SF, SD	RB 27579	D9		
		3401 W. 85th St #B SF, SD	RB 27578	D9.3		
		457 W. 69th SF, SD 57108	RL 25611	D10.3		
		449 W. 69th St SF, SD 57108	RL 5285	Tinnari	PL-24997	
		825 S. Minnesota Ave SF, SD	RB 3065	J1		
		223 6th St #105A Brookings, SD	RB 2321	BRK	RW 24554	
		223 6th St #105B Brookings, SD	RB 25247	BRK2	RW 25246	
		223 6th St #105C Brookings, SD	RB 26509	BRK3	RW 26509	
		224 6th St #105D Brookings, SD	RB 28324	BRK4		
		137 5th Street NE Watertown, SD	RL-5814	D12		
		137 5th St NE #101	RB 3189	D12.3		
		137 5th St NE #C	RB 3276	D12.75		
		4305 W. 61st Street N SF, SD		N5		
		4305 W. 61st St N Suite A	RB 8129	N5II		
		2101 W. 69th Street Suite 107	RL 5940	T20		
Kirby Mullenburg	50%	Crown Gaming				
Don Drake	50%	1725 S. Minnesota Ave SF, SD	RB 3161	C26	RW	
		1721 S. Minnesota Ave SF, SD	RB 23061	C26II	RW 23174	
		2516 W. 41st St SF, SD 57105	RB 3067	C41	RW 6519	
		2516 W. 41st St #200 SF, SD	RB 21450	C41II	RW 26130	
		2516 W. 41st St #300 SF, SD	RB 27577	C41III		
		1914 S. Sycamore Ave SF, SD	RB 3678	PE	RW 23908	
		5109 W. 12th St SF, SD 57106	RB 3068	PW	RW 23909	
		5109 W. 12th St Suite A SF, SD 5710	RB 26932	PWII		
Kirby Mullenburg	25%	Four Horsemen				
Rick McKinney	25%	108 Military Road N.Sioux City, SD	RB 2867	TC1	RW 6559	
Dave Gaspar	25%		RB 3585	TC2		
Tim Stupka	25%			TC3		
Kirby Mullenburg	50%	Morgen				
Jeff Wahl	25%	1101 Broadway #109 Yankton	RB 3610	SP1	RW 7574	
Judy Wahl	25%		RB 2254	SP2		
			RB 20380	SP3		
			RB 23935	SP4		
Kirby Mullenburg	100%	Quan Holdings				
		2401 E. 10th St SF, SD 57103	RB 3084	CE	RW 7593	
		904 S. Cliff Ave SF, SD 57104	RB 3073	CCL	RW 21296	
		902 S. Cliff Ave SF, SD 57104	RB 21666	CCLII		
		108 Military Road Suite 4	RB 23373	TC4		
		108 Military Road Suite 5	RB 23374	TC5	inactive	
		108 Military Road Suite 6	RB 23375	TC6		
Kirby Mullenburg	99%	Quan Holdings LLC2				
Robert Correa	1%	2417 E. 10th Street Suite A	RL 26713	CEII		
		2417 E. 10th Street Suite B	RB 27067	CEIII		
Kirby Mullenburg	25%	Regal Holdings				
Rick McKinney	75%	4805 W. 12th St SF, SD 57106	RB 3186	C1	RW 24177	
Dave Gaspar	25%	4809 W. 12th St SF, SD 57106	RB 3655	C2	RW 24178	
Don Drake	25%	4805 W. 12th St #3	RB 27581	C3		
		1821 W. 12th St SF, SD 57104	RB 2817	PC	RW 24179	
		1821 W. 12th St STE D	RB 26109	PCII		
		41st & Tea Ellis Road SF, SD	RB 3792	Ellis		
Nicole Mullenburg	40%	TNT Entertainment	RL 5263			
Tammy Soberg	30%	330 N. Main Ave SF, SD 57104				
Todd Van Sicker	20%					
Greg Daohen	10%					
Kirby Mullenburg	33%	Tryfeca Holdings, Inc.				
Rick McKinney	33%	2916 S. Ellis RD SF, SD 57106	RB 27880	E1	RW 28017	
Don Drake	33%	2918 S. Ellis RD SF, SD 57106	RB 27881	E2	RW 28018	
		2920 S. Ellis RD SF, SD 57106	RB 3792	E3	RW 28019	
		2912 S. Ellis RD SF, SD 57106	RB	E4		
		2914 S. Ellis RD SF, SD 57106	RB	E5		

AFFIDAVIT

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF CODINGTON)

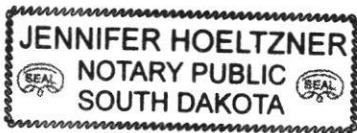
Gast house INN, being first duly sworn on oath deposes and
says: That on the 23 day of August, 2022, s/he was the owner of
the license / business / stock of RB-3273 situated
on (legal description) Hanken & Haggard OLNE 1/4 31-117-S2

_____ in
the city/county of Watertown Codington, South Dakota and that on the
said date s/he made a transfer / sale of said license operated under an alcoholic beverage license to
Commonwealth Gaming of Watertown, South Dakota.

[Signature] (owner)

_____ (owner)

Subscribed and sworn to before me this 23rd day of August, 2022



(SEAL)

[Signature]
Notary Public

My commission Expires: July 6, 2028

**NOTICE OF HEARING ON
MALT BEVERAGE & SD FARM WINE LICENSE**

Pursuant to Section 35-2-5 of the SDCL 19678 and any amendments thereto, NOTICE IS HEREBY GIVEN, that the City Council of the City of Watertown, Codington County, South Dakota have fixed Tuesday, September 6, 2022 at 5:30 PM in City Hall, Council Chambers, 23 Second Street Northeast, as the time and place to consider the following applications for transfer of a Retail (On-Off Sale) Malt Beverage & SD Farm Wine with Video Lottery to operate within the City of Watertown, SD for the current licensing period, which has been presented to the governing body and filed in the office of the Finance Officer.

**APPLICATION FOR TRANSFER
RETAIL (On-Off Sale) MALT BEVERAGE & SD FARM WINE LICENSE**

FROM: Guest House Inc. d/b/a Guest House Inc. (Inactive), 101 N. Broadway, Hanken & Haggar OL NE 1/4, 31-117-52

TO: Commonwealth Gaming & Holdings Co., Inc. d/b/a Deuces Casino 12.76 (Inactive), 137 5th St. NE STE 104, Lots A-B less lot H1 Haggar's Subdivision Block 20, RF Pettigrews Addition Suite 104

**APPLICATION FOR TRANSFER
VIDEO LOTTERY LICENSE**

FROM: Guest House Inc. d/b/a Guest House Inc. (Inactive), 101 N. Broadway, Hanken & Haggar OL NE 1/4, 31-117-52

TO: Commonwealth Gaming & Holdings Co., Inc. d/b/a Deuces Casino 12.76 (Inactive), 137 5th St. NE STE 104, Lots A-B less lot H1 Haggar's Subdivision Block 20, RF Pettigrews Addition Suite 104

NOTICE IS FURTHER GIVEN, which any person interested in the approval or rejection of said application may appear and be heard. At the time and place so fixed, the City Council will consider such application and all objections thereto, if any, prior to the final decision thereon.

The City of Watertown, South Dakota does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services.

Dated at Watertown, South Dakota, this 24th day of August, 2022.

Kristen Bobzien
Finance Officer

Published once at the approximate cost of _____