City Council

Agenda Item

Subject: Application for a Special Malt Beverage Retailer's License to MacKenzie Blais d/b/a K&H Rodeo Company LLC at Derby Downs Rodeo Grounds, junction of 32nd Street W and Golf Course Road, N 1/2 SW 1/4 less OL 3 & less that PT Watertown Airport 1st Subd LY within City Lands 26-117-53, from 3:00 PM on Thursday, August 3, 2023 until 11:59 PM on Saturday, August 5, 2023.

Meeting: City Council - Jul 17 2023

From: Amanda Mack, City Manager

BACKGROUND INFORMATION:
Fees have been paid and proof of insurance has been provided. Notice of Hearing was published on July 11th, 2023.

SUGGESTED MOTION:
I move to approve the application for a Special Malt Beverage Retailer's License to MacKenzie Blais d/b/a K&H Rodeo Company LLC at Derby Downs Rodeo Grounds, junction of 32nd Street W and Golf Course Road, N 1/2 SW 1/4 less OL 3 & less that PT Watertown Airport 1st Subd LY within City Lands 26-117-53, from 3:00 PM on Thursday, August 3, 2023 until 11:59 PM on Saturday, August 5, 2023.

STAFF REFERENCE(S):
Jennifer Collins

ATTACHMENT(S):
K&H Rodeo Company LLC

Date Received_____ License No._____
Date Issued_____

Uniform Alcoholic Beverage License Application

A. Owner Name and Address

MacKenzie Blais
44506 156th Street
Florence, SD 57235

Owner's Telephone #: 605-880-4418

B. Business Name and Address

K&H Rodeo Company LLC
44506 156th Street
Florence, SD 57235

August 3, 4, and 5th
3:00 PM to 11:59 PM

Business Telephone #: 605-880-4418

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

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 On-Sale Beer & Wine

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.**

D. Legal description of licensed premise:

Derby Downs Rodeo Grounds, junction of 32nd Street W and Golf Course Road, N 1/2 SW 1/4 less OL 3 & less that PT Watertown Airport 1st Subd LY within City Lands 26-117-53

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

E. State Sales Tax Number 1038-5955-ST

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 6-7-23 Print Name MACKENZIE BLAIS Signature _____

H. APPROVAL OF LOCAL GOVERNING BODY – Notice of hearing was published on 7/11/23. Public hearing on the application was held 7/17/23, 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.

CK# 1135 & 1136

Renewal - no public hearing held ☐
Amount of fee collected with application $ 340.00
Amount of fee retained $ 340.00
Forwarded with application $ 0.00

For Local Government Use

(Seal) _____
Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)

From:_____

Sales tax approval_____ Date _____

STATE LIQUOR AUTHORITY:

APPROVAL_____ **REVIEW**_____

Please complete the reverse side if applicable

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

Name of corporation/partnership/LP LLC K&H Rodeo Company LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 44506 156th Street Florence SD 57235

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
MacKenzie Blais	President	44506 156th Street Florence SD 57235	General Manager

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

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

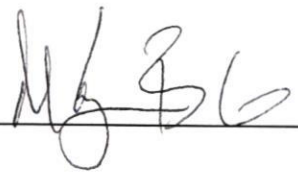
K&H Rodeo Company LLC 44506 156th Street Florence, SD 57235

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**



6-7-23

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 06/07/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	**CONTACT NAME:** James H. Knudson
Puthoff Insurance Agency	**PHONE A/C, No,** 605-886-9319 **FAX A/C, No):** 605-886-9356
PO Box 16	**E-MAIL ADDRESS** Jim@puthoffinsurance.com
Watertown SD 57201	**PRODUCER CUSTOMER ID:**
INSURED K&H Rodeo Co. LLC, 44506 156th St, Florence SD 57235	**INSURER(S) AFFORDING COVERAGE** / **NAIC #** **INSURER A:** Cincinnati Speciality Underwriters Ins Co. **INSURER B:** **INSURER C:** **INSURER D:** **INSURER E:** **INSURER F:**

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PROJECT ☐ LOC	Y		CSU 675392905	07/21/2023	08/07/2023	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG BI & PD deductible	$ 1,000,000 $ 100,000 $ 2,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 1,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DEDUCTIBLE ☐ RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					WC STATUTORY LIMITS / OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ $ $
A	Liquor Liability			CSU 675392905	08/03/2023	08/05/2023	Each Common Cause Limit	$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

For PRCA Rodeo held at Derby Downs Arena, Watertown, SD on August 3rd - 5th, 2023

Certificate holder listed below is named as an additional insured.

CERTIFICATE HOLDER

City of Watertown it's officers agents & Employees
PO Box 910
Watertown SD 57201

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE TH EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITI THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

James H. Knudson

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