



Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Date: 10-4-16
Number AB16-0464
Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee F Scott & Ernest, LLC	License Number 2988	Type of License Beverage Dispensary
D.B.A. Little Italy Restaurante	How Delivered Via USPS 7015 1520 0001 7802 2412	Law Enforcement Agency Anchorage Police Department
Street or P.O. Box 2300 E. 88th Avenue	City, State Anchorage, AK	Zip 99507

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

You were previously issued a notice of violation for the below occurrence. You have failed to respond to the original notice as of 10-4-16. You are now receiving another notice of violation for failing to communicate with the Alcohol & Marijuana Control Office. A violation of 3AAC304.525: Communication with licensees.

VIOLATION: This office received e-mail from DOL Investigator J. Hartlieb that they had received a complaint of under 21's working on a licensed premises without work permits. A spot check by DOL Investigator revealed two persons under 18 were identified as working without permits. This is a violation of Title IV.

Your attention is directed to **AS04.16.049: Access of persons under the age of 21 to licensed premises and AS04.21.030: Responsibility of licensee, employees and agents**

You are directed to respond to the Director of the Alcohol & Marijuana Control Office in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

A Response is Required

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Receipt:	Violation Observed By: F.R. Hamilton
Filed By: <i>J.R. Hamilton</i>	Title: Investigator III

PLACE STICKER HERE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:



F Scott & Ernest, LLC
dba Little Italy Restaurante
2300 E 88th Ave
Anchorage, AK 99507



9590 9402 1211 5246 2924 61

2. Article Number (Transfer from service label)

7014 0150 0000 9499 0856

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name)
PT GILBERTSON

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Mail
 - Mail Restricted Delivery (over 5000)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

Domestic Return Receipt

LOYAL ORDER OF MOOSE



PETERSBURG LODGE 1092 RONALD LINDSEY, ADMINISTRATOR 15 FRAM ST - 222 PETERSBURG, AK 99833 (907) 772-4616

Cynthia Franklin, Director

A.B.C. Board

In response to N.O.V. for License #745, I received the notice on 12/10/2015.

I have talked to each sever in our employ stressing the importance of making sure no one is served that is in a drunken state.

I am having a servers meeting on 12/20/2015. In this meeting we will review the T.A.P. manual stressing the points of determining an intoxicated person. Determine how to handle a person that is in a drunken state. Insure that all servers are fully aware of the guidelines of the T.A.P. manual.

Regards

Ronald B. Lindsey, Administrator

Petersburg Moose Lodge #1092

Box 222

Petersburg AK. 99833

DEC 21 '15 PM 12:30



Alcoholic Beverage Control Board
550 W. 7th AVE, SUITE 1600
Anchorage, AK 99501

Date: 12/02/2015
Number AB15000598
Page 1 of 1

Notice of Violation

(3AAC 304.525)

Licensee Loyal Order of Moose #1092	License Number 745	Type of License Club
D.B.A. Loyal Order of Moose	How Delivered <input checked="" type="checkbox"/> Certified Mail # On-File <input type="checkbox"/> In Person	Law Enforcement Agency Petersburg Police Department
Street or P.O. Box PO Box 222,	City, State Petersburg, AK	Zip 99833

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will received an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 11/23/2015 Officer Kent Preston of the Petersburg Police Department issued bartender, Laura Oman, a borough citation for over service of a drunken person. The patron, who was injured in a fall, was transported to the local hospital and administered a breath test registering a .399 BAC.

Your attention is directed to 04.16.030(a)(3) Prohibited conduct relating to a drunken persons.

You are directed to respond to the Director of the Alcohol Beverage Control Board in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

**Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. 7th Ave. Suite 1600
Anchorage, Alaska 99501**

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DEC 21 15 PM 12:30



Birch Horton Bittner & Cherot
a professional corporation



Aaron D. Sperbeck

Respond to Anchorage Office
T 907.263.7214 • F 907.276.3680
asperbeck@bhbc.com

November 17, 2016

Ms. Cynthia Franklin, Director
Alcoholic Beverage Control Board
550 W. Seventh Avenue, #1600
Anchorage, AK 99501

VIA ELECTRONIC DELIVERY

Re: Petersburg Lodge #1092 d/b/a Loyal Order of Moose #1092
ABC License No. 745
Notice of Violation Nos.: AB15000598 & AB15000740

Dear Ms. Franklin:

Thank you for the opportunity to thoroughly discuss the facts surrounding the above-referenced Notices of Violation ("NOVs") which were issued to my client, the Petersburg Lodge #1092 ("Lodge") on or about December 2, 2015 and January 11, 2016, respectively. This letter will serve as the Lodge's acknowledgment of and proposed compromise to the allegations set forth in these NOVs and restated in your proposed Amended Accusation No. 2016-02, dated May 19, 2016. It is our sincere hope that upon consideration of the Lodge's diligent efforts to address these matters promptly, acknowledgment of poor performance, and with an eye toward continued success as good stewards within the community, you will grant the Lodge an opportunity to rebuild its reputation within the industry and your department.

Upon receipt by the Lodge of the NOVs, I was asked to conduct an internal investigation into the validity of the NOV allegations, during which I received enormous assistance from Lodge Administrator Ronald Lindsey, with whom you spoke during our telephone conference on May 16, 2016. During our investigation, Mr. Lindsey and I were able to identify and substantiate certain allegations raised in the NOV, while contemporaneously finding that certain allegations against the Lodge were not supported by objective evidence and third-party testimony. Nonetheless, the Lodge took the NOVs seriously and moved to address these allegations with its employees by convening a special meeting during which the T.A.P manual was reviewed, special emphasis directed toward drunken person identification, and the care and responsibilities that each employee has to ensure the safety of these individuals.

On May 10, 2016, I traveled to Petersburg to conduct in-person training with all Lodge servers, employees and management regarding the specific allegations raised in the NOVs, which focused on responsibilities towards drunken persons and the relationship that licensees have with law enforcement agencies. During this training, we reviewed the statutory responsibilities that licensees have to the Board and community regardless of the nature of the event or activity the licensee is engaged in on the licensed premises.

On October 4, 2016, I again was able to travel to Petersburg to conduct another recurrent training for all servers, employees and management which Mr. Lindsey graciously opened to other industry members and licensees in the Petersburg area.

Ms. Cynthia Franklin, Director
Alcohol Beverage Control Board
November 17, 2016
Page 2 of 2

This particular Alaska Title 4 training, entitled "Alcohol Servers' Guide to Compliance Checks, Drunken Persons and Avoiding Criminal Prosecution," is one I have presented to many industry members over the last seven years, and is significantly broader in scope and depth than a simple staff meeting. I utilize a combination of lecture materials, real-world scenario role playing and the Socratic Method to impart to participants the frontline urgency necessary for them to become responsible members of the alcohol industry and to foster a sense of unified purpose in protecting patrons from harm.

It is important to note that between the date the NOVs were issued to the Lodge and present, the Lodge has successfully passed more than 13 unannounced walk-throughs and inspections by both Alcohol Beverage Control Inspectors and the local Petersburg Police Department.¹ This is relevant for two reasons: First, nine of these inspections occurred prior to my formal trainings, meaning that the Lodge's efforts to reeducate its employees on the importance of Title 4 responsibilities were effective; and second, the Lodge remains compliant in all aspects of its Title 4 obligations, especially with regard to the important issue of educating members of the Lodge on the importance of self-regulation and moderation.

Regarding self-regulation and moderation, the Lodge is mindful of law enforcement's perception that there is room for improvement on a number of fronts and has taken steps to specifically address members whose attitudes do not conform to your expectations. While Mr. Lindsey's efforts to right the ship, so to speak, was not a popular decision amongst some members, there is no question that his campaign for change was necessary and beneficial to the overall success of the Lodge. Under his leadership and direction, Mr. Lindsey has recommitted his staff to achieve not only excellence within the tight-knit community of Petersburg but also within the industry.

I remain confident that the time, money and energy dedicated to this effort was and continues to be worthwhile and worthy of your consideration for leniency under the facts of the case as they evolved and were tested through the judicial process. To this end, the Lodge respectfully requests that the Amended Accusation be withdrawn and that the Lodge be allowed to demonstrate its renewed dedication to Title 4 compliance in the normal course of business.

As always, please feel free to contact me directly if you have any questions.

Sincerely,

BIRCH HORTON BITTNER & CHEROT

Aaron D. Sperbeck



ADS/mkm

Enclosure

¹

See Exhibit No. 1.

LOYAL ORDER OF MOOSE



PETERSBURG LODGE 1092 RONALD LINDSEY, ADMINISTRATOR 15 FRAM ST - 222 PETERSBURG, AK 99833 (907) 772-4616

- 1) Nov. 23-2015 8pm. Steve Berry slipped and fell, the police responded to the EMT call. Afterward returning to the lodge and writing Laura Oham a citation for over serving.
- 2) Dec. 18-2015 10:15pm. Noise complaint we lowered the music.
- 3) Dec.20-2015 8:40 pm. 2 officers entered through back door to people cleaning up after an officers and employee Christmas party. Cited Vicky Sokal for over serving. She did not serve any one.
- 4) 1-01-2016 9pm. Officer walked through.
- 5) 1-01-2016 11.20 Officer walked through. (closing up)
- 6) 1-09-2016 11pm. Officer Thorsenson walked through.
- 7) 1-15-2016 10.25pm. Officer walked through.
- 8) 1-26-2016 ABC Investigator III Steven M. Johnson came in and checked for TIPS cards. No problems.
- 9) 2-05-2016 6.25pm. Officer walked through.
- 10) 3-05-2016 23:30 noise complaint, compiled a lowered music.
- 11) 4-18-2016 Officer Preston walked through.
- 12) 5-07-2016 " " "
- 13) 7-01-2016 " " "
- 14) 7-02-2016 " " "
- 15) 7-30-2016 10:30 " " "
- 16) 8-13-2016 10:45 " " "





Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501

Date: 10-24-16
Number AB16-0624
Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee Tok Investments Inc.	License Number 1144	Type of License Package Store
D.B.A. Tok Liquor & Mini Mart Mile 124 Glenn Hwy	How Delivered Certified via USPS 7014 0150 0000 9499 0832	Law Enforcement Agency Alaska State Troopers
Street or P.O. Box PO Box 135	City, State Tok, AK	Zip 99780

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 10-20-16, your establishment was inspected. Store Manager Kim A. Sanford was asked to provide proof of server education. Sanford provided an expired TAP card #110517. The card displayed an expiration of 7-5-12 but Sanford said they put the date he took the course instead of the expiration. This still indicates he is expired by over a year. This is a violation of Title 04.

Your attention is directed to AS 04.21.025: Server education

You are directed to respond to the Director of the Alcohol & Marijuana Control Office in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a reoccurrence of this violation. FAILURE TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS WILL RESULT IN YOUR APPEARANCE, EITHER IN PERSON OR TELEPHONICALLY, BEFORE THE ABC BOARD OF DIRECTORS AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

A Response is Required

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Receipt:	Violation Observed By: F.R. Hamilton
Filed By: <i>F.R. Hamilton</i>	Title: Investigator III

Tok Investments

dba

Tok Motel

Tok Liquor Mini Mart

Husky Lounge

Box 135, Tok, Ak. 99780

Ph: 907-883-2852

Fax: 907-883-4020

e-mail: tokmotel@aptalaska.net

CHARRS ONLINE TAPS CLASS IS DOWN AND HAS BEEN SINCE SEVERAL DAYS AGO ACCORDING TO THERE HEAD TECH. I HAVE TRIED SINCE 10/31/16 UNTILL TODAY 11/2/16. AND WILL TRY AGAIN TOMORROW AS THEY HOPE IT WILL BE FIXED; IF NOT I WILL DRIVE TO FAIRBANKS MONDAY 11/7/16 AND TAKE THE CLASS.

K. Sufar

MY # IS 907-590-2289 (CELL)

FAX # 907-883-4020

Thank you



Certificate of Completion

This is to certify that

kim sanford

has successfully completed the
Alaskatap.com Responsible Beverage
Server and Seller Training Program



Edward D McLean, Administrator
www.Alaskatap.com

Date: 11/06/2016

Expiration : 36 Months

Certificate #: 1202

Birth Date: 09/18/1954



NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.

Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.



Alcoholic Beverage Control Board
 550 W. 7th Ave, Suite 1600
 Anchorage, AK 99501

Date: 9-12-16
 Number AB16-0572
 Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee Landing Lights LLC	License Number 3461	Type of License Beverage Dispensary - Tourism
D.B.A. Puddle Jumpers Saloon 300 Airport Road	How Delivered Via Certified Mail 7014 0150 0000 9499 0771	Law Enforcement Agency Valdez Police Department
Street or P.O. Box PO Box 1999	City, State Valdez, AK	Zip 99686

This is a notice to you as licensee that an alleged violation has occurred. If the Alcoholic Beverage Control Board decides to act against your license, under the provisions of AS 44.62.330 - AS 44.62.630 (Administrative Procedures Act) you will receive an Accusation and Notice of your right to an Administrative Hearing.

Note: This is not an accusation or a criminal complaint.

VIOLATION: On 8-16-16, it was learned that you are providing entertainment in the restaurant portion of your licensed premises. Your restaurant designation permit application indicates you do not provide entertainment. Twice since the inspection you requested time to sell or remove the entertainment and were given until 9-1-16. You stated you would notify AMCO when you corrected the violation by either removing entertainment or surrendering your RDP. As of 9-12-16, you have failed to notify AMCO the status of the entertainment. This is a violation of Title 04.

Your attention is directed to 3AAC304.715: Application for designation and 04.21.030: Responsibility of licensees, agents, and employees

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***Please include your Alcohol License Number in your response.**

Cynthia Franklin, Director
Alcoholic Beverage Control Board
 550 W. 7th Ave, Suite 1600
 Anchorage, Alaska 99501

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Receipt:	Violation Observed By: F.R. Hamilton
Filed By: <i>F.R. Hamilton</i>	Title: Investigator III

From: [Hamilton, Joe \(CED\)](#)
To: [Hoelscher, James C \(CED\)](#); [Franklin, Cynthia A \(CED\)](#); [Johnston, Naomi A \(CED\)](#)
Subject: Fwd: Notice of Violation for Puddle Jumper Saloon!
Date: Friday, September 23, 2016 7:52:08 AM
Attachments: [Puddle Jumpers Diagram for AMCO.pdf](#)
[ATT00001.htm](#)

Sent from my iPhone

Begin forwarded message:

From: "Karen Ables" <ables@cvinternet.net>
To: "Hamilton, Joe (CED)" <joe.hamilton@alaska.gov>
Subject: Notice of Violation for Puddle Jumper Saloon!

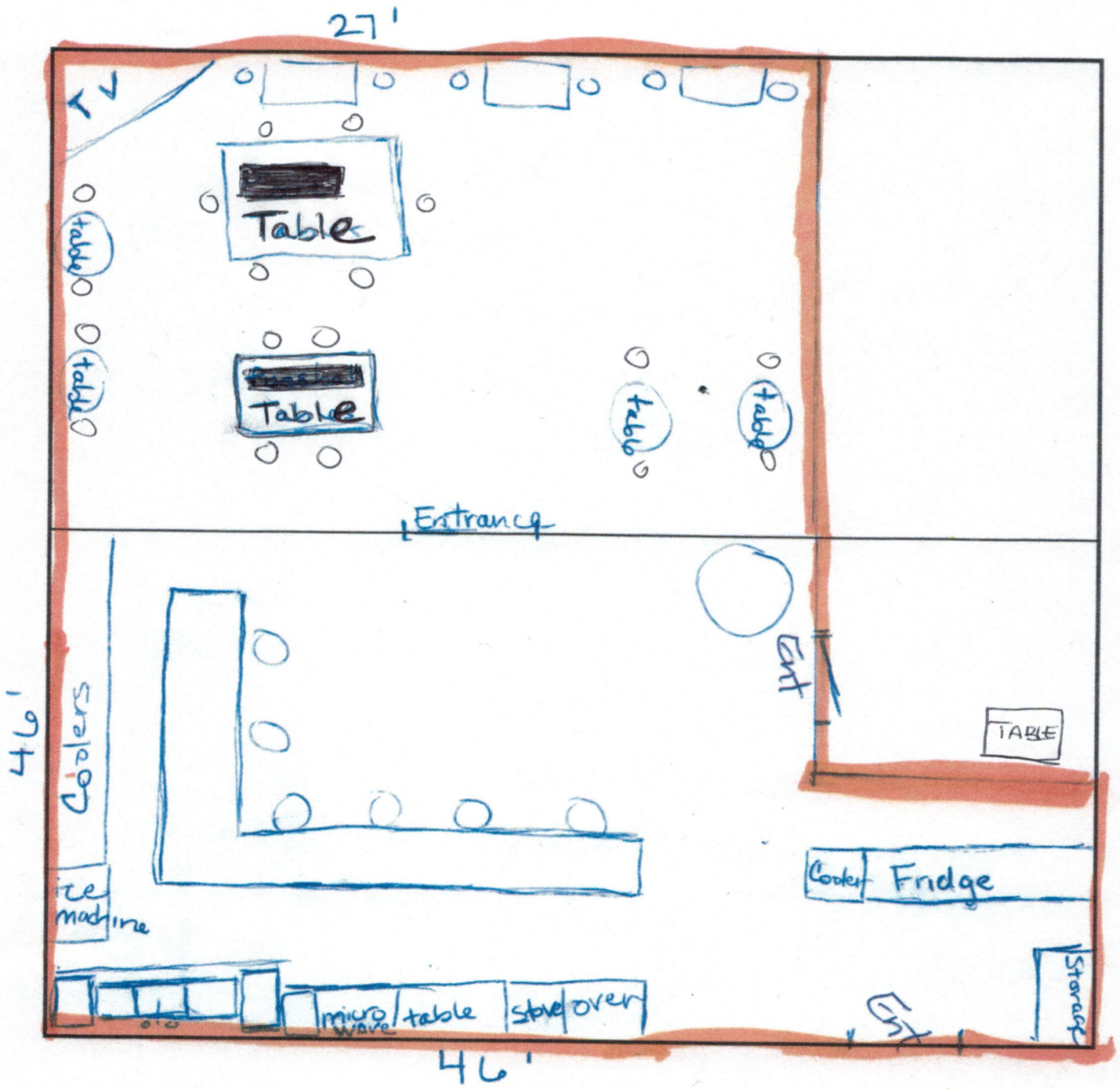
Cynthia,

After having a very informative conversation with officer Hamilton I will be correcting the following error noted in my violation. In the existing area that is covered under my permit there are two tables. One is a foosball table and the other a pool table. They do not belong to me and I am not able to get a hold of the owner "Hank Baron" he is with a vending company in Anchorage, however, I have currently asked my maintenance person to build me ply wood covers to cloak the tables. This will dis-allow anyone to play on the tables but rather use them as tables. Please note that at any point I never knew I was breaking rules and regulations of AMCO. I apologize for the mix up. I am attaching a new diagram showing the covered tables. Please let me know if you have any questions.

Sincerely,

Karen Ables

Puddle Jumpers Saloon



Puddle Jumpers Saloon
 300 Airport Road
 Valden AK
 Valden Pioneer Airport

From: [Karen ables](#)
To: [Hamilton, Joe \(CED\)](#)
Cc: [Hoelscher, James C. \(CED\)](#)
Subject: Re: Notice of Violation
Date: Monday, November 07, 2016 10:14:23 AM

Joe,

Please note the removal of pool table and foosball table.

via [Newton Mail](#)

On Sat, Nov 05, 2016 at 8:33am, Karen ables <ables@cvinternet.net> wrote:

Yes, I send today.

Thanks.

Karen

via [Newton Mail](#)

On Thu, Nov 03, 2016 at 6:54am, Hamilton, Joe (CED)

<joe.hamilton@alaska.gov> wrote:

Plz send pic of new area

Sent from my iPhone

On Nov 2, 2016, at 7:46 PM, Karen Ables <ables@cvinternet.net> wrote:

Hi Joe,

Wanted to let you know that the pool table and foosball tables are gone. I sold the pool table to the Totem Boardroom bar and foosball went to a private owner.

Thank you,

Karen Ables

Puddle Jumpers Saloon, Valdez

From: Hamilton, Joe (CED) [<mailto:joe.hamilton@alaska.gov>]

Sent: Wednesday, October 05, 2016 12:13 PM

To: Karen Ables <ables@cvinternet.net>

Subject: RE: Notice of Violation

Should be all cleared up now.

From: Karen Ables [<mailto:ables@cvinternet.net>]
Sent: Wednesday, September 21, 2016 4:10 PM
To: Hamilton, Joe (CED)
Subject: FW: Notice of Violation

From: Karen Ables [<mailto:ables@cvinternet.net>]
Sent: Tuesday, September 06, 2016 9:10 PM
To: 'Karen ables' <ables@cvinternet.net>
Subject: RE: Notice of Violation

Hi Joe,
Please find the following corrections attached for the violation of no server card for Tiffany and the new diagram for the Puddle Jumpers saloon. Also I have attached my DL and server cards as well. Mu staff immediately, same day or next day went on line and took examine. Perhaps the violation was a good motivator for the staff as they are constantly reminded to get the server permits asap. Thanks for your time and attention to keeping us all on the right path. Please call with any questions.

Sincerely,
Karen Ables
The Fat Mermaid and
The Puddle Jumpers Saloon

From: Karen ables [<mailto:ables@cvinternet.net>]
Sent: Tuesday, August 30, 2016 3:45 PM
To: Hamilton, Joe (CED) <joe.hamilton@alaska.gov>
Subject: Re: Notice of Violation

Yes

via [CloudMagic Email](#)
On Tue, Aug 30, 2016 at 2:01 PM, Hamilton, Joe (CED) <joe.hamilton@alaska.gov> wrote:

Is this your new bartender?

Sent from my iPhone

On Aug 30, 2016, at 12:08 PM, Karen Ables <ables@cvinternet.net> wrote:

Joe,
Thank you for the phone call and
email. Please see attached
information.

Sincerely,
Karen Ables

From: Hamilton, Joe (CED)
[mailto:joe.hamilton@alaska.gov]
Sent: Tuesday, August 30, 2016
11:23 AM
To: ables@cvinternet.net
Cc: Hoelscher, James C (CED)
<james.hoelscher@alaska.gov>;
Johnston, Naomi A (CED)
<naomi.johnston@alaska.gov>
Subject: Notice of Violation

Landing Lights LLC,

This notice will also be sent to you
by certified mail. Your ten day
response time starts when the
card is returned to us. Either e-
mail me a copy of your ID and
server card or you can text it to
441-2534. Please put the subject
as Puddle Jumpers.

Joe Hamilton
AMCO Investigator
269-0063

<ABC response for PJ.pdf>