

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3-20-18

License #/Type: #5352 / Restaurant / Eating Place

Licensee: Oriental Garden LLC

Address: 720 Muldoon Road, Anchorage, AK

DBA: Oriental Garden

AMCO Case #: AB18-0248

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.

Your entity has made ownership changes and did not notify this office in the proper time allowed.

Previous Officials: Chris Cho, Manager, 51%
Susan Cho, Manager, 49%
New Officials: Chen-Hsing Cho, Member, 20%
Susan Cho, Member/Manager, 80%

Date of Unreported Change: 9/19/2016

*On 3/15/2018, ownership was changed again. Removal of Chen-Hsing Cho. The current official is: Susan Cho, Manager, 100%. She notified this office the same day of the change.

Your attention is referred to AS 04.11.050: Reports required of corporations

Please refer all inquiries to alcohol.licensing@alaska.gov

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

Oriental Garden
720 Muldoon Rd
Anch. AK 99504
907-338-2272

License # 5352

RE: Notice of Violation

Dear Mr. Hamilton,

I did not know that I have to notify the business member changes to ABC board in 10 days.

The reason for the primary ownership is not changed, and our member was my son, and my boy friend.

All member was family. Even I did not realize to ABC Board changing the member in 10 days report.

On 3/20/18, I was following up my Renewal application, Miss Carrie told that "Violation", next day I got the violation notice. Before I got letter of notice, I did not realize that was "violation", and she mentioned on it. On that still was not sure that ^{was} violation.

Please, consider this. It won't be again.

Thanks.

Susan Cho

3/24/18

nto

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



UNITED STATES POSTAL SERVICE

• Sender: Please print your name, address, and ZIP+4® in this box•

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

18-0059
FRAB

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

Oriental Garden LLC
720 Muldoon Road
Anchorage, AK 99504

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
- B. Received by (Print Name) Addressee
- C. Date of Delivery 8/21/02
- D. Is delivery address different from item 1? Yes No
if YES, enter delivery address below:

3. Service Type

- Certified Mail®
- Registered
- Insured Mail
- Priority Mail Express™
- Return Receipt for Merchandise
- Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number

(Transfer from service label)

7016 2710 0000 8600 3869

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3-21-18

License #/Type: #45 / Beverage Dispensary - Tourism

Licensee: Mykel's Restaurant, Inc.

Address: 35041 Kenai Spur Road, Soldotna, AK

DBA: Mykel's Restaurant

AMCO Case #: AB18-0253

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.

On 2-23-18, Soldotna Police Department Officer Burdick conducted a server education card check at your establishment. Contact was made with server Gregory Hicks. Hicks provided an expired TAMS card which had expired on 4-9-17.

Your attention is directed to AS 04.21.025: Server education

As part of your mandatory response, include a copy of Hick's identification card and current server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

Mykel's



Restaurant & Lounge

35041 Kenai Spur Highway

Soldotna, AK 99669

(907) 262-4305 ❖ (907) 262-4353 fax ❖ www.mykels.com



To: Alcohol & Marijuana Control Office

From: Mykel's Restaurant, License #45

Date: March 28, 2018

Subject: AMCO Case #: AB18-0253, Server Education Violation

Mykel's Restaurant has been diligent for 19 years in collecting proof of Alcohol Training upon being hired, but I have failed to implement an effective procedure to ensure that servers keep their cards current as they near expiration. I took it on faith that servers would renew as necessary because it is a condition of their employment. After this incident I did go to all the files of every current and on-call employee and verified that their TAPS card was current. There was one on-call person whose card had just expired, but she had not worked since it had expired. She was contacted and told she wouldn't be eligible to fill in until the card was current. Researching all employee files also found that two current employees are nearing expiration and will need to take the renewal class within two months. A spread sheet has been created that is now part of our scheduling system and we will be reminded when current employee cards are approaching expiration so this incident cannot be repeated.

Greg Hicks has since re-taken the class and his current ID and TAPS card are attached.

If you have any further questions for me or if you have any suggestions for how to improve this system of checking for current cards, my cell number is 907-398-3693.

Regards,

Alice Kerkvliet
Owner / Manager





CERTIFICATE # 160622

Name Gregory Hicks

Birthdate 4.27.1971

Signature [Handwritten Signature]

EXPIRES ON

14/11/192021

800-478-2427 or
907-274-9133
www.yukonharp.com

Instructor



POSTNET barcode

552011

Handwritten signature

RECEIVED
MAR 27 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

• Sender: Please print your name, address, and ZIP+4® in this box•

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

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



UNITED STATES POSTAL SERVICE
AK 995
26 MAR '18
11 AM

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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.

Mykel's Restaurant, Inc.
35041 Kenai Spur Hwy
Soldotna, AK 99669

COMPLETE THIS SECTION ON DELIVERY

- A. Signature *[Signature]* Agent
- B. Received by (Printed Name) Addressee
C. Stachurski
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Certified Mail® Priority Mail Express™
- Registered Return Receipt for Merchandise
- Insured Mail Collect on Delivery

- 4. Restricted Delivery? (Extra Fee) Yes

Article Number
(Transfer from service label)

7016 2710 0000 8600 3883

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3-21-18

Licensee: River Edge, Inc.

DBA: Bridge Lounge

License #/Type: #5338 / Beverage Dispensary - Tourist

Address: 393 Riverside Drive, Soldotna, AK

AMCO Case #: AB18-0255

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.

On 2-23-18, Soldotna Police Department Officer Burdick conducted a server education card check at your establishment. Contact was made with server's Kristina Barker and Jennifer Hester. Both failed to show proof of current server education to Officer Burdick.

Your attention is directed to AS 04.21.025: Server education and 3AAC304.465

As part of your mandatory response, include a copy of Barker's and Hester's identification card and current server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

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Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

SIGNATURE: *JR*

Delivered VIA: Mail

Received by: Michelle Dix

SIGNATURE: *Michelle Dix*

Date: 3/23/18



Date: 03/23/2018

Licensee: Riverr Edge, Inc.

DBA: Bridge Lounge

License #: 5338

To whom it may concern:

I used to keep a copy of all my employees Tap Cards in my File cabinet. I now provide a folder that is in the bar that has a copy of Current TAP Cards of all current employees. In case any of my employees forget their cards at home I have the hard copies accessible for them to show.

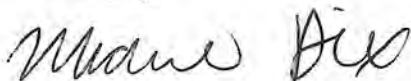
Jennifer Hester said she provided Officer Burdick with a picture of her TAP card that she had saved on her phone. I thought that was acceptable, but if it isn't please let me know and I can let my employees know that it is not acceptable. Jennifer Hester also needs to change her name on her TAP Card. Her maiden name was Peura and now is Hester she will do that at the next class that comes to Soldotna.

We shouldn't ever have this problem again. I will always update the folder that has copies of everyone's TAP Cards when I hire new employees and it should be in the bar and accessible at all times to the bartenders and any law enforcement.

We are truly sorry for the inconvenience. This will not happen again.

Thank You ,

Michelle Dix



Bridge Lounge

907-252-3479





CERTIFICATE # 167402

Name Kristina Barker

Birthdate 05/28/1993



Signature [Handwritten Signature]

800-478-2427 or 907-274-8183 www.alaskacharr.com

EXPIRES ON

13 Sept/2020

Instructor

RECEIVED
MAR 27 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

TAP!
Training for Alcohol Professionals
(not valid for use as identification)

CERTIFICATE # 122461

Name JENNIFER PERKINS

Birthdate 05-04-1980

Signature Jennifer Perkins

800-478-2427 or 907-274-8133
www.alaska.charr.com

CHARR

Sarah Mulligan

EXPIRES ON 8/10/2018

RECEIVED
MAR 27 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

RECEIVED
MAR 27 2018
THE MARIJUANA CONTROL OFFICE
STATE OF ALASKA

18-055

[Handwritten signature]

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

• Sender: Please print your name, address, and ZIP+4® in this box•

UNITED STATES POSTAL SERVICE
AK 99505
26 MAR '18
PM 11

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

River Eduge, Inc.
aka Bridge Lounge
393 Riverside Drive
Soldotna, AK 99669

COMPLETE THIS SECTION ON DELIVERY

- A. Signature
[Handwritten signature]
- B. Received by (Printed Name) *Melody Burt*
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

- Certified Mail®
- Registered
- Insured Mail
- Priority Mail Express™
- Return Receipt for Merchandise
- Collect on Delivery

4. Restricted Delivery? (Extra Fee)

Yes

7016 2710 0000 8600 3906

2. Article Number
(Transfer from service label)

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3-21-18

License #/Type: #418 / Restaurant / Eating Place

Licensee: Buckets North, Inc.

Address: 43960 Sterling Hwy, Soldotna, AK

DBA: Buckets Sports Brill

AMCO Case #: AB18-0252

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.

On 2-23-18, Soldotna Police Department Officer Burdick conducted a server education card check at your establishment. Contact was made with server Morgan Lancaster. Lancaster failed to provide proof of server education and stated she left her card at home.

Your attention is directed to AS 04.21.025: Server education and 3AAC304.465: Server education

As part of your mandatory response, include a copy of Lancaster's identification card and current server education card.

Copies

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

SIGNATURE: *J. Hamilton*

Delivered VIA: Mail

Received by:

SIGNATURE: *Francine Jones*

Date: 3-23-18



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

License #418

Buckets Sports Grill
43960 Sterling Hwy
Soldotna, AK 99669

When Officer Burdick visited, the manager on duty at the time assumed the TAPs card would be in her file. When he couldn't find it he called me. I explained to him any files the authorities would ask for are in the front of the cabinet. The officer had told him that he would return that night. He didn't. So the manager tried to take the files to the police department the next day. It was the officer's day off.

We understand our responsibility. We don't like to have employee personal files on site for their protection. But we understand that your policy is important. All managers are now fully informed of file locations.

Francine Jones
CoOwner/ Manager
Buckets North INC





CERTIFICATE # 157489

Name Morgan Lancaster

Birthdate MAY 3 1995

Signature Morgan Lancaster

800-478-2427 or
907-274-8138
www.alaskacharr.com



EXPIRES ON

Instructor

13 DEC /2020

RECEIVED
MAR 27 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

RECEIVED

MAR 7 7 2018

ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

2520-81

[Handwritten Signature]

• Sender: Please print your name, address, and ZIP+4® in this box•

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

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



UNITED STATES POSTAL SERVICE
AK 995
23 MAR 18
PM 11

007555-1
1-555700

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 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.

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 [Handwritten Signature] Addressee

B. Received by (Printed Name) C. Date of Delivery

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

Article Addressed to:
Buckets North, Inc.
226 Susieana Lane
Kenai, AK 99611

3. Service Type
 Certified Mail® Priority Mail Express™
 Registered Return Receipt for Merchandise
 Insured Mail Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

Article Number (Transfer from service label) 7016 2710 0000 8600 3876

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3-21-18

License #/Type: #3311 / Beverage Dispensary

Licensee: Don Jose's, LLC

Address: 2052 E. Northern Lights Blvd, Anchorage, Alaska

DBA: don Jose's Mexican Restaurant

AMCO Case #: AB18-0257

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.

A caterer's permit was drawn by your establishment to host an event at Last Frontier Bar on 3-15-18. During the event, you failed to have Last Frontier Bar cease operations resulting in your establishment selling their alcoholic beverages instead of selling your alcoholic beverages. This is a violation.

Your attention is referred to AS 04.11.230: Caterer's permit

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

7016 2710 0000 8600 3913

Date: 3-28-18

Licensee: Don Jose's LLC

#3311/Beverage Dispensary

AMCO Case #: AB18-0257

This is to the response in question of catering event 3/15/18 at The Last Frontier Bar. I have spoken with Ivan Ramos in regards to the rules and regulations in using a catering permit. Prior to any offsite catering events, a check list will be created covering all the rules and regulations of offsite catering events.

All alcohol prior to the event found on premise will be placed in a separate locked room not accessible to employees so it may remove any human error in serving. This will be passed on to any staff members working any future events. Alcohol was transported from Don José's to Last Frontier Bar to be sold under Don Jose's catering permit.

Don Jose's LLC has been serving the hospitality industry for 36 years by following the rules and regulations.

Thank you

A handwritten signature in black ink, appearing to read 'Jose Ramos', is written over the typed name. The signature is stylized and includes a date '3/29/18' written in the middle of the signature.
Jose Ramos

Davies, Jason M (CED)

From: Davies, Jason M (CED)
Sent: Friday, March 30, 2018 3:51 PM
To: 'Don Jose's LLC'
Cc: CED AMCO Enforcement (CED sponsored)
Subject: RE: Don Jose's (AB18-0257)

Tracking:	Recipient	Read
	'Don Jose's LLC'	
	CED AMCO Enforcement (CED sponsored)	Read: 3/30/2018 3:51 PM

To Jose Ramos,

Thank you for the initial response to NOV #AB18-0257. Would you please clarify what steps you take to apply for a catering permit. i.e who applies for the permit, who signs the application, and who's alcohol gets used during the catered event.

Jason M Davies – Criminal Justice Tech I
AMCO/ENFORCEMENT
jason.davies@alaska.gov
907-754-3410

From: Don Jose's LLC <iramos@alaskadonjoses.com>
Sent: Friday, March 30, 2018 2:38 PM
To: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>
Subject: Don Jose's (AB18-0257)

Any questions please feel free to contact Jose Ramos 907-229-7196

Date: 3-31-18

Licensee: Don Jose's LLC

#3311/Beverage Dispensary

AMCO Case #: AB18-0257

Steps required in applying for a catering permit.

1. Form AB-04: Caterer's Permit Application
 - a. Must be filled out and completed and then turned into APD, a week prior to schedule event.
 - b. Once approved by APD it then is turned into AMCO for approval.
2. Don Jose's LLC applies for the catering permit
 - a. Jose Ramos owner of the application signs and authorizes the application
 - b. Alcohol being used during the catered event is purchased from liquor distributors and sold under Don Jose's LLC

Jose Ramos

Date:



4/3/18

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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:

**Don Jose's, LLC
127 W. Pioneer Avenue
Homer, AK 99603**

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

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

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7016 2710 0000 8600 3913

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

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

FKH

1810257

POSTNET barcode consisting of a series of vertical bars of two different heights.

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3-21-18

License #/Type: #5177 / Restaurant / Eating Place

Licensee: Pizza Boy's, Inc.

Address: 44686 Sterling Hwy, Soldotna, AK

DBA: Pizza Boys

AMCO Case #: AB18-0254

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.

On 2-23-18, Soldotna Police Department Officer Burdick conducted a server education card check at your establishment. Contact was made with server Amada Wearly. Wearly stated she had server education buy had left her card at home.

Your attention is directed to AS 04.21.025: Server education and 3AAC304.465

As part of your mandatory response, include a copy of Wearly's identification card and current server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE: *JRH*

SIGNATURE:

Delivered VIA: Mail

Date:

7016 2710 0000 8600 3890

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 3-21-18

License #/Type: #5177 / Restaurant / Eating Place

Licensee: Pizza Boy's, Inc.

Address: 44686 Sterling Hwy, Soldotna, AK

DBA: Pizza Boys

AMCO Case #: AB18-0254

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.

On 2-23-18, Soldotna Police Department Officer Burdick conducted a server education card check at your establishment. Contact was made with server Amada Wearly. Wearly stated she had server education buy had left her card at home.

Your attention is directed to AS 04.21.025: Server education and 3AAC304.465

As part of your mandatory response, include a copy of Wearly's identification card and current server education card.

I have spoken with Ms. Wearly and my management team about the requirement to have her TAP card on her at all times while serving. We have also updated our file with copies of TAP/ID cards for Ms. Wearly and all of our qualified servers and have them all on site for future reference.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

*Please send your response to the address below and include your alcohol license number in your response.

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by: *Genevieve Smithwick-Alex*

SIGNATURE: *J. Hamilton*

SIGNATURE: *Genevieve Smithwick-Alex*

Delivered VIA: Mail

Date: 3-26-18



TAP-IT
Trainers for Alcohol Professionals
800-478-2427 or
807-274-8158
www.alcoholchapters.com

GARR

Participant # 113324

Name Amanda K. Kelly

Birthdate 4.16.70

Signature [Handwritten Signature]

Expires On 12 July 2020

Institute [Handwritten Signature]

RECEIVED
MAR 29 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

RECEIVED

MAR 27 2018

ALASKA MARIJUANA CONTROL OFFICE
STATE OF ALASKA

18-234

Fisher

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



UNITED STATES POSTAL SERVICE
ANCHORAGE AK 995

26 MAR '18
11 PM

• Sender: Please print your name, address, and ZIP+4® in this box.

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

SENDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 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.

Article Addressed to:

Pizza Boy's, Inc.
PO Box 4163
Soldotna, AK 99669

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
[Signature] Addressee

B. Received by (Printed Name) Date of Delivery
Cassandra de la *3-26-18*

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

3. Service Type
 Certified Mail®
 Registered
 Insured Mail
 Priority Mail Express™
 Return Receipt for Merchandise
 Collect on Delivery

4. Restricted Delivery? (Extra Fee) Yes

Article Number
(Transfer from service label)

7016 2710 0000 8600 3890

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 04/09/2018

License #/Type: #4346 / Beverage Dispensary

Licensee: Bernie V. Ballao

Address: 320 Center Avenue, Kodiak, AK 99615

DBA: Bernie's

AMCO Case #: AB18-0340

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.

On 04/02/2018 at approximately 1925 hrs., I was conducting a licensed premises inspection at Bernie's, beverage dispensary license # 4346 when I contacted the on-duty bartender, who verbally identified herself to me as Hannah CLARK. When I asked to see CLARK's alcohol server education card and identification card she went outside to make a phone call and check her vehicle. After not being able to find her alcohol server education card and her wallet, CLARK told me she lost her wallet which contained her identification and alcohol server education card. CLARK asked the two customers in the bar to leave after giving one of them a refund. CLARK asked me if I could return after 2000 hrs. when the other bartender came on-duty. CLARK closed the bar and left. I returned to Bernie's at approximately 2035 hrs. The bar was reopened with a different bartender who had proof of valid alcohol server education in her possession. CLARK was not there. I asked CLARK before she left earlier to send me a copy of her alcohol server education card when she found it. To date she has not contacted me. This is a violation of AS 04.21.025 and 3 AAC 304.465.

AS 04.21.025(a) Alcohol Server Education:

(a) As a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board shall require a licensee who sells or serves alcoholic beverages and a licensee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board, if the license is for a
(1) beverage dispensary;

3 AAC 304.465. Alcohol server education course

(a) While selling or serving alcoholic beverages, a person required under AS 04.21.025 to complete an alcohol server education course and the person's on-duty supervisor shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course.

As part of your mandatory response, include a copy of CLARK's identification card and current server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

U.S.P.S. Article # 7016 0910 0000 9694 8536

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 04/09/2018

License #/Type: #4346 / Beverage Dispensary

Licensee: Bernie V. Ballao

Address: 320 Center Avenue, Kodiak, AK 99615

DBA: Bernie's

AMCO Case #: AB18-0340

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.

On 04/02/2018 at approximately 1925 hrs., I was conducting a licensed premises inspection at Bernie's, beverage dispensary license # 4346 when I contacted the on-duty bartender, who verbally identified herself to me as Hannah CLARK. When I asked to see CLARK's alcohol server education card and identification card she went outside to make a phone call and check her vehicle. After not being able to find her alcohol server education card and her wallet, CLARK told me she lost her wallet which contained her identification and alcohol server education card. CLARK asked the two customers in the bar to leave after giving one of them a refund. CLARK asked me if I could return after 2000 hrs. when the other bartender came on-duty. CLARK closed the bar and left. I returned to Bernie's at approximately 2035 hrs. The bar was reopened with a different bartender who had proof of valid alcohol server education in her possession. CLARK was not there. I asked CLARK before she left earlier to send me a copy of her alcohol server education card when she found it. To date she has not contacted me. This is a violation of AS 04.21.025 and 3 AAC 304.465.

AS 04.21.025(a) Alcohol Server Education:

(a) As a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board shall require a licensee who sells or serves alcoholic beverages and a licensee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board, if the license is for a
(1) beverage dispensary;

3 AAC 304.465. Alcohol server education course

(a) While selling or serving alcoholic beverages, a person required under AS 04.21.025 to complete an alcohol server education course and the person's on-duty supervisor shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course.

As part of your mandatory response, include a copy of CLARK's identification card and current server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by: *M. Chiesa*

SIGNATURE: *[Signature]*

SIGNATURE: *BERNIE BALLAO*

Delivered VIA: Mail

Date: *4/14/18*

U.S.P.S. Article # 7016 0910 0000 9694 8536



April 18, 2018

Alcohol & Marijuana Control Office
ATTN: Enforcement
#550 W. 7th Ave., Suite 1600
Anchorage, Alaska 99501

Dear Mr. Chiesa,

This is in response to the Notice of Violation that was received on April 14, 2018. Please be informed that our bartender Ms. Hannah Clark inadvertently failed to provide her TAM card during your inspection on April 02, 2018 due to the reason that her wallet was stolen from her car.

She mentioned that when she was instructed to send a copy of her TAM card, she exactly did the next day. All the while, she thought that everything was okay. However, upon verification it was found out later that the telephone number she used to send the copy of the TAM card was the old cell phone number that is posted in our bulletin board.

Albeit not required, I will have a copy of all my employees TAM card posted in our bulletin board for inspection at anytime to prevent re-occurrence.

Thank you.



Bernie V. Ballao
Bernie's Bar
Owner/Manager





STATE OF ALASKA, DCCED
ALCOHOL & MARIJUANA
CONTROL OFFICE

Michael Chiesa
Investigator III

1648 S. CUSHMAN ST., SUITE 203
FAIRBANKS, AK 99701
amco.enforcement@alaska.gov

(907) 451-2749
michael.chiesa@alaska.gov

Ms. HANNIHA
SENT IT IN THIS
NUMBER.



State of Alaska
Alcohol & Marijuana
Control Office

Michael Chiesa
Special Investigator I

1648 South Cushman St., Ste 203
Fairbanks, Alaska 99701
amco.enforcement@alaska.gov

Office: (907) 451-2030
Work Cell: (907) 328-8335
michael.chiesa@alaska.gov

INSTEAD OF
THIS NUMBER



CERTIFICATE # 159198

Name Hannih Clark

Birthdate 3/17/88

Signature [Handwritten Signature]

800-478-2427 or
907-274-8133
www.alaskachart.com

Instructor L. Ponte

EXPIRES ON

4/3/2021



POSTNET barcode

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

• Sender: Please print your name, address, and ZIP+4® in this box•

United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



08 4479 5EE2 089E 2046 0656

USPS TRACKING #



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.

Mr. Bernie V. Ballao
P.O. Box 1529
Kodiak, AK 99615

9590 9402 3680 7335 6474 80



COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent

B. Received by (Printed Name) Addressee
Bernie Ballao

C. Date of Delivery 4/12/18

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
 all Restricted Delivery

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

2. Article Number (Transfer from service label)
7016 0910 0000 9694 8536

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 04/09/2018

License #/Type: #4044 / Package Store

Licensee: Liquor Cabinet Inc.

Address: 2161 Mill Bay Rd., Kodiak, AK 99615

DBA: Liquor Cabinet/Cost Savers

AMCO Case #: AB18-0337

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.

On 04/02/2018 at approximately 1835 hrs., I was conducting a licensed premises inspection at the Liquor Cabinet/Cost Savers, package store license # 4044 when I contacted the on-duty manager/clerk in the package store, identified by her Alaska driver's license as Rachel MACKENZIE. When I asked to see MACKENZIE's alcohol server education card I discovered her card expired on 10/07/2017. MACKENZIE stated she was scheduled to take an alcohol server education course on 04/03/2018 and she has been working for the licensee for over 30 days. She stated she informed her employer of the expired status of her alcohol server education. This is a violation of AS 04.21.025 and 3 AAC 304.465.

AS 04.21.025(a) Alcohol Server Education:

(a) As a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board shall require a licensee who sells or serves alcoholic beverages and a licensee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board, if the license is for a

(4) package store;

3 AAC 304.465. Alcohol server education course

(a) While selling or serving alcoholic beverages, a person required under AS 04.21.025 to complete an alcohol server education course and the person's on-duty supervisor shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course.

As part of your mandatory response, include a copy of MACKENZIE's identification card and current server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

U.S.P.S. Article # 7016 0910 0000 9694 8543

Cost Savers

the Liquor Cabinet

Nickel & Dime Inc

2161 Mill Bay Road

Telephone 486-2408

Kodiak, AK 99615

Fax 486-7070

4/19/2018

Alcoholic & Marijuana Control Office

Attn: Enforcement

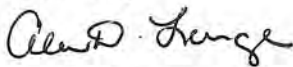
550 W. 7th Ave Suite 1600

Anchorage, AK 99501

Rachel Mackenzie updated her alcohol server education card by taking the class on 4/3/18 . We are aware of how important it that our employee be properly trained.

She knew before the violation that she needed to take the time to renew her card and made the appointment and attended the class the next day.

Sincerely



Alan D. Large

Liquor Cabinet Inc.

License number 4044

Kodiak, AK

AMLO # AB18-0337





(not valid for use as identification)



800-478-2427 or
907-274-8133

www.alaskacharr.com

Instructor

CERTIFICATE # 159193

Rachel Mackenzie

Name

12/09/1992

Birthdate

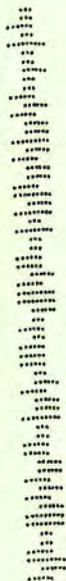
Rachel Mackenzie

Signature

J. Ponte

EXPIRES ON

4/3/2021



AGIS-0337

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

• Sender: Please print your name, address, and ZIP+4® in this box*

E2 4249 5EE2 089E 2046 0656

United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



USPS TRACKING#



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:

Liquor Cabinet, Inc.
2161 Mill Bay Rd.
Kodiak, AK 99615

9590 9402 3680 7335 6474 73



2 Article Number (Transfer from service label)

7115 0910 0000 9694 8543

COMPLETE THIS SECTION ON DELIVERY

A. Signature Adult
 B. Received by (Printed Name) Addressee
 C. Date of Delivery 4/15/16
 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 Restricted Delivery
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 04/09/2018

License #/Type: #57 / Club

Licensee: American Legion Robert G Blair Post #17

Address: 318 Center Avenue, Kodiak, AK 99615

DBA: American Legion Post #17

AMCO Case #: AB18-0318

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.

On 04/02/2018 at approximately 1935 hrs., I was conducting a licensed premises inspection at the American Legion Post #17, license # 57 when I contacted the on-duty bartender, identified by her Alaska driver's license as Beverly EADS. When I asked to see EADS' alcohol server education card I discovered her card expired on 03/11/2018. EADS stated she has been working for the American Legion Post #17 for over 30 days. This is a violation of AS 04.21.025 and 3 AAC 304.465.

AS 04.21.025(a) Alcohol Server Education:

(a) As a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board shall require a licensee who sells or serves alcoholic beverages and a licensee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board, if the license is for a

(3) club;

3 AAC 304.465. Alcohol server education course

(a) While selling or serving alcoholic beverages, a person required under AS 04.21.025 to complete an alcohol server education course and the person's on-duty supervisor shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course.

As part of your mandatory response, include a copy of EADS' identification card and current server education card.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

U.S.P.S. Article # 7016 0910 0000 9694 8529

From: Lynette
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: Violation case #AB18-0318
Date: Tuesday, April 17, 2018 5:02:56 PM

M. Chiesa

Here's the copy of Beverly Eads identification card and current server education card, as requested. Beverly was able to take the test on site that day because a certified TAP instructor was on premise.

Thank you for your time.

Lynette Ponte

The American Legion Post #17

License #57



(not valid for use as identification)

CERTIFICATE #

140025

Beverly Eads

Name

3/11/54

Birthdate

Beverly Eads

Signature

800-478-2427 or
907-274-8133

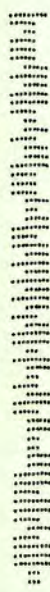
www.alaskacharr.com

Mike Hatan

Instructor

EXPIRES ON

4/2/2021



AG18-0318

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

• Sender: Please print your name, address, and ZIP+4® in this box*

United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



44 9686 5229 8222 2046 0656
USPS TRACKING#



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.

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 AG *Ind* Addressee

B. Received by *AG Ind* Date of Delivery *4/17/09*

delivery address different from item 1? Yes
YES, enter delivery address below: No

American Legion Robert G. Blair Post #17
318 Center Avenue
Kodiak, AK 99615



9590 9402 2328 6225 9896 44

2. Article Number (Transfer from service label)

6 0910 0000 9194 8529

3 Form 3811, JUN 2015 PSN 7530-02-000-9053

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 04/10/2018

License #/Type: #4988 / Beverage Dispensary

Licensee: Host International, Inc.

Address: Anchorage International Airport

DBA: Norton Sound Seafood House

AMCO Case #: AB18-0301

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.

On 04/05/2018 at approximately 1803 hrs., I was conducting a licensed premises inspection at the Norton Sound Seafood House, beverage dispensary license # 4988 when I contacted the on-duty server, identified by her Alaska driver's license as Jiaping HUANG. When I asked to see HUANG's alcohol server education card I discovered her card expired on 03/10/2018. HUANG stated she has been working for the Norton Sound Seafood House for over 30 days. I spoke to the on-duty manger, identified by his Alaska driver's license as Christopher ALIKI. He stated he was not previously aware of HUANG's expired server education. ALIKI said he immediately relieved HUANG of duty and she would not be allowed to work until she renewed her alcohol server education card. This is a violation of AS 04.21.025 and 3 AAC 304.465.

AS 04.21.025(a) Alcohol Server Education:

(a) As a condition of issuance or renewal of a license and selling alcoholic beverages under a license, the board shall require a licensee who sells or serves alcoholic beverages and a licensee's agents and employees who sell or serve alcoholic beverages or check the identification of a patron to complete an alcohol server education course approved by the board, if the license is for a

(1) beverage dispensary;

3 AAC 304.465. Alcohol server education course

(a) While selling or serving alcoholic beverages, a person required under AS 04.21.025 to complete an alcohol server education course and the person's on-duty supervisor shall carry or have available to show a current course card or a photocopy of the card certifying completion of an approved alcohol server education course.

As part of your mandatory response, include a copy of HUANG's identification card and current server education card.

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

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

U.S.P.S. Article # 7017 0530 0000 9551 3176

From: [Davies, Jason M. \(CED\)](#)
To: ["licensing@hmshost.com"](mailto:licensing@hmshost.com)
Subject: Norton Sound Seafood House, license 4988 - Notice of Violation AB18-0301
Date: Wednesday, May 09, 2018 2:20:00 PM
Attachments: [4988-Norton.Sound.Seafood.House.NOV.AB18-0301.pdf](#)
[image001.png](#)
Importance: High

To Whom It May Concern,

On 04/12/2018 Investigator Chiesa mailed a Notice of Violation to Host International, Inc at 6905 Rockledge Dr., MS 7-1, Bethesda, MD 20817. It was accepted on 04/16/2018. You were required to respond within 10 days of receiving the notice of violation. Please respond to the violation attached to either my email or amco.enforcment@alaska.gov

Regards,



Jason M. Davies
Criminal Justice Technician I
AMCO Enforcement
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Office (907) 754-3410
jason.davies@alaska.gov

THE LAW OFFICES OF ERNOUF & COFFEY

**A PROFESSIONAL CORPORATION
P.O. Box 212314
Anchorage, Alaska 99521
(907) 274-3385**

April 26, 2018

Mr. Jason Davies
Alcohol & Marijuana Control Office
550 West 7th Avenue
Suite 1940
Anchorage, Alaska 99501
VIA EMAIL

**Re: HMS International
N.O.V. AB18-03017
Date of Incident: 4/10/18**

Dear Jason:

I am writing this letter on behalf of my client Host International, Inc. ("Host") who operates the Norton Sound Seafood House in the Anchorage International Airport. Please let this letter serve as my client's formal response to NOV AB18-03017 dated April 10, 2018. My client sincerely apologizes for the late response. Simply put, it seems that the NOV was not forwarded internally to the appropriate person at Host's corporate headquarters. This will not happen again. Immediately upon receipt of your follow-up e-mail notification, Host conducted an internal investigation and prepared this response.

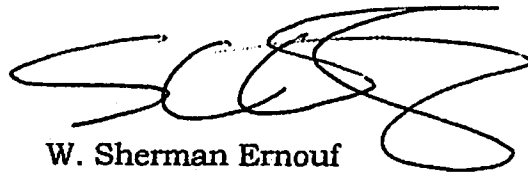
Host takes matters of compliance and licensing very seriously. During an inspection of the facility, it was discovered that a Host employee failed to renew her TAP card. As soon as this was discovered, the employee clocked out and did not return to work until she had a new and valid TAP card. *Attached please find a copy of the involved employee's new TAP card.*

This incident is the first compliance violation at this facility since it was licensed. My client takes this NOV as an eye-opener and is using the experience to re-educate its employees to the importance of making sure every employee who handles alcohol not only has their TAP card, but also that the TAP card is valid and has been properly renewed. As a result of this incident and the heightened attention to this issue it has

generated, Host will take all necessary steps to prevent this from happening again at the Norton Sound Seafood House.

My client and I are available at any time to discuss this matter with you further should you feel such a discussion is necessary. Thank you for your time and courtesy in this regard.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'W. Sherman Ernouf', with a large, stylized flourish extending to the right.

W. Sherman Ernouf

cc: Client
Attachment



TAP!
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Just what you need for your Alaska certification

CERTIFICATE # 161978

Name Jiaping Huang

Birthdate 6-17-1989



Signature [Handwritten Signature]

800-478-2427 or
907-274-8133
www.alaskachart.com

EXPIRES ON

SE 2610 JAWAZON
Instructor

04 / 07 / 2021

Notice of Violation

(3AAC 306.805)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 04-18-18

License #/Type: 5452, BDL - Tourism

Licensee: The Local

Address: 6450 Airport Way Fairbanks, AK 99709

DBA: The Local

AMCO Case #: AB17-000417

This is a notice to you as licensee that an alleged violation has occurred. If the Marijuana 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.

A copy of a police report and video surveillance footage from Fairbanks Airport Police was received regarding the sale of alcohol by a licensed establishment to a person 20 years of age. The report states two "The Local" employees, Doulat Miah and Thomas Haun III, both served alcohol to the underage individual on 09/11/17. The underage person was subsequently denied boarding by Alaska Airlines due to his intoxication level; which resulted in the Airport Police's response to the incident.

The Fairbanks Airport Police administered a PBT on the underage person, resulting in 0.209 BrAC.

Airport Police Officers cited and released the underage person for AS 04.16.050 Minor Consuming. Charges were forwarded to the Fairbanks District Attorney's Office on both bartenders, Doulat Miah and Thomas Haun III for AS 04.16.052 (1)(2)(3)(5) Furnishing Alcohol to a Minor by a Licensee. Mr. Haun admitted serving the underage person a mixed drink of Malibu Rum and Sprite and a margarita. Mr. Miah stated he was on break and did not serve the underage person.

As of 04-18-18, the Fairbanks District Attorney's Office has dismissed all charges on Doulat Miah. The case is still pending for Thomas Haun III.

Your Attention is directed to: AS 04.21.030 Responsibility of licensees, agents, and employees.

3 AAC 306.805 provides that upon receipt of a Notice of Violation, a licensee may request to appear before the board and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice. A licensee may respond, either orally or in writing, to the Notice. 3 AAC 306.810(3)(A)(B)(C) failed, within a reasonable time after receiving a notice of violation from the director, to correct any defect that is the subject of the notice of violation of AS 17.38 or this chapter, a condition or restriction imposed by the board or other applicable law.

IT IS RECOMMENDED THAT YOU RESPOND IN WRITING TO DOCUMENT YOUR RESPONSE FOR THE MARIJUANA CONTROL BOARD.

*Please send your response to the address below and include your Marijuana Establishment License Number in your response.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Article #

THE LAW OFFICES OF ERNOUF & COFFEY

**A PROFESSIONAL CORPORATION
P.O. Box 212314
Anchorage, Alaska 99521
(907) 274-3385**

April 26, 2018

Ms. Erika McConnell
Alcohol & Marijuana Control Office
550 West 7th Avenue
Suite 1940
Anchorage, Alaska 99501
VIA EMAIL

**Re: HMS International
N.O.V. AB17-000417
Date of Incident: 9/11/17**

Dear Erika:

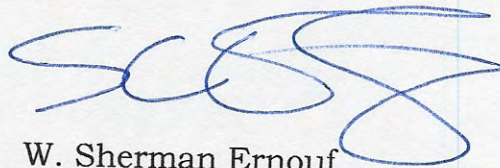
I am writing this letter on behalf of our client Host International, Inc. ("Host") who operates The Local bar and restaurant inside the Fairbanks International Airport. Please let this letter serve as my client's formal response to NOV AB17-000417 dated April 18, 2018. It should be noted that on April 19, 2018, the day after an NOV was issued, my client received a letter from Investigator Stonecipher stating that there was insufficient evidence to support a Notice of Violation with respect to overserving and in essence retracted the NOV and issued a warning. See *Attached Letter from Investigator Stonecipher*.

My client is a large international company who takes these matters very seriously. As such, we felt it appropriate to respond to the NOV even though it appears that the Notice of Violation was retracted. Due to the nature of the facts surrounding this matter, my client has conducted a full investigation into this incident. As a result of the internal investigation, one bartender was terminated from employment for failing to follow my client's internal policies and procedures, as well as Alaska law. Host's internal policies are stricter than Title 4 in many regards, including requiring all employees to card all patrons who appear to be 40 or under. The bartender who was terminated was informed of this policy upon hiring and at that time acknowledged in writing his receipt and understanding of Host's policies and procedures, including the policy to card any patrons appearing to be under 40 years old.

Host has no prior violations of law in Alaska and takes pride in this fact. As such, my client has taken this opportunity to reeducate its employees to both the law and its own internal policies with regard to the service of alcohol. My client and its employees will remain vigilant to ensure that service of alcohol to minors does not occur at any time. Re-education of Host's employees was especially timely as my client is gearing up for the busy summer season in Fairbanks. Simply put, I do not expect that you will see or hear of another incident like this involving my client.

I am available at any time to discuss this matter with you further should you feel such a discussion is necessary. Thank you for your time and courtesy in this regard.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'W. Sherman Ernouf', with a large, stylized flourish at the end.

W. Sherman Ernouf

cc: Client
Attachment

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5-3-18

License #/Type: #3148 Beverage Dispensary

Licensee: Scooters, Inc

Address: 398 Old Chena Pump Road

DBA: Red Fox Bar & Grill

AMCO Case #: AB 18-000095

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.

On 1/27/18 at approximately 0206 hours, an underage buyer was sold two beers during a Compliance Check conducted by AMCO Enforcement. The underage buyer was 20 years old at the time of the incident. The underage buyer's ID was not checked by any employee working at the establishment. Two employees were determined to be involved in the incident, Bartender Jennifer Sottile and Waitress Kiana Edwards.

Your attention is directed to AS 04.16.052 Furnishing of Alcoholic Beverages to Persons Under the Age of 21 by Licensees.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5-3-18

Licensee: Scooters, Inc

DBA: Red Fox Bar & Grill

License #/Type: #3148 Beverage Dispensary

Address: 398 Old Chena Pump Road

AMCO Case #: AB 18-000095

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Your attention is directed to AS 04.16.052 Furnishing of Alcoholic Beverages to Persons Under the Age of 21 by Licensees.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

*Please send your response to the address below and include your alcohol license number in your response.

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Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov



Issuing Investigator: A. Stonecipher

SIGNATURE: *ast*

Delivered VIA: Email

Received by: *Riek Mensik*

SIGNATURE: *Riek Mensik*

Date: *5/3/2018*

To: Alcohol & Marijuana Control Office: ATTN: Enforcement

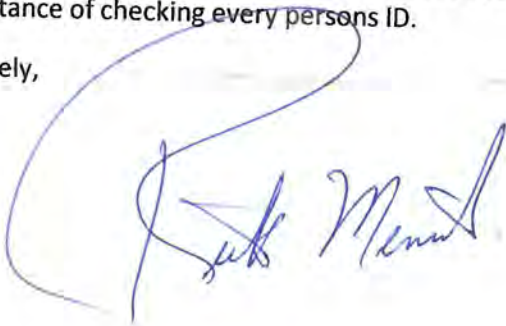
From: Licensee: Scooters Inc dba Red Fox Bar and Grill -Beverage Dispensary License #3148

RE: Notice of Violation

The two employees involved with the incident which occurred on 1/27/18 at our business were suspended from work for two weeks. They also were required to attend a mandatory meeting to review the procedure regarding all aspects of responsibility and requirements when selling alcohol in Alaska. Both of them have a current TAM certification.

All employees who handle alcohol were contacted individually by management to remind them of the importance of checking every persons ID.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rick Mensik", is written over a large, light blue circular scribble.

Rick Mensik

VP Scooters Inc.

907-347-6671



Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5-3-18

License #/Type: #725 Beverage Dispensary

Licensee: Borealis Investments, Inc.

Address: 308 Wendell Ave, Fairbanks, AK 99701

DBA: Midnite Mine

AMCO Case #: AB 18-000094

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.

On 1/27/18 at approximately 0105 hours, Bartender Erin Lee sold a glass of red wine to a underage buyer during a Compliance Check conducted by AMCO Enforcement. The underage buyer was 20 years old at the time of purchase. The underage buyer's ID was not checked by any employee. In regards to whom was the responsible Licensee during the time of the incident, it is noted Borealis Investments, Inc. was in the process of transferring the license to Midnight Mine, LLC as of 7/20/17. A management agreement between Borealis Investments, Inc & Midnight Mine, LLC was established, indicating the effective date as: "This agreement, entered into this 19th day of, (missing month), 2017". The management agreement backdated the date Midnight Mine, LLC would begin to manage the establishment commencing on 10/1/17 & continuing until the Beverage Dispensary License was transferred to Midnight Mine, LLC. The agreement indicates Borealis Investments, Inc. "shall have power and duty to oversee, supervise, and is solely responsible to ensure Midnight Mine, LLC perform all duties necessary in the normal course of operation of said business lawfully and in compliance by agents or employees." The transfer of the license was issued on April 9, 2018.

Your attention is directed to: AS 04.16.052 Furnishing of Alcoholic Beverages to Persons Under the Age of 21 by Licensees.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: A. Stonecipher

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Email

Date:

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5-3-18

Licensee: Borealis Investments, Inc.

DBA: Midnite Mine

License #/Type: #725 Beverage Dispensary

Address: 308 Wendell Ave, Fairbanks, AK 99701

AMCO Case #: AB 18-000094

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.

On 1/27/18 at approximately 0105 hours, Bartender Erin Lee sold a glass of red wine to a underage buyer during a Compliance Check conducted by AMCO Enforcement. The underage buyer was 20 years old at the time of purchase. The underage buyer's ID was not checked by any employee. In regards to whom was the responsible Licensee during the time of the incident, it is noted Borealis Investments, Inc. was in the process of transferring the license to Midnight Mine, LLC as of 7/20/17. A management agreement between Borealis Investments, Inc & Midnight Mine, LLC was established, indicating the effective date as: "This agreement, entered into this 19th day of, (missing month), 2017". The management agreement backdated the date Midnight Mine, LLC would begin to manage the establishment commencing on 10/1/17 & continuing until the Beverage Dispensary License was transferred to Midnight Mine, LLC. The agreement indicates Borealis Investments, Inc. "shall have power and duty to oversee, supervise, and is solely responsible to ensure Midnight Mine, LLC perform all duties necessary in the normal course of operation of said business lawfully and in compliance by agents or employees." The transfer of the license was issued on April 9, 2018.

Your attention is directed to: AS 04.16.052 Furnishing of Alcoholic Beverages to Persons Under the Age of 21 by Licensees.

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov



Issuing Investigator: A. Stonecipher

SIGNATURE:

A handwritten signature in black ink, appearing to be "AST".

Delivered VIA: Email

Received by:

SHARON MENSIK

SIGNATURE:

A handwritten signature in black ink, appearing to be "Sharon Mensik".

Date:

5-3-18

To: Alcohol & Marijuana Control Office: ATTN: Enforcement

From: Licensee: Borealis Investments Inc dba Midnite Mine-Beverage Dispensary License # 725

RE: Notice of Violation—1/27/2018

The bartender was depending on the door personnel to check IDs when customers enter the premise. The two men on staff on 1/27/2018 were negligent in their duty and are no longer employed at the Midnite Mine. Erin Lee was required to attend a mandatory meeting to review the procedure regarding all aspects of responsibility and requirements when selling alcohol in Alaska. Erin Lee has a current TAM Certification.

All employees who handle alcohol were contacted individually by management to remind them of the importance of checking every persons ID.

Sincerely,



Sharon Mensik

Midnight Mine LLC

907-347-6671



Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5-17-18

License #/Type: #5178 / Restaurant/Eating - PC

Licensee: Bering Sea Nome, Inc.

Address: 305 Front Street, Nome, AK

DBA: Bering Sea Restaurant Bar

AMCO Case #: AB18-0546

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.

On 5-9-18 an inspection was conducted at your establishment. You and your server were asked to provide proof of current server training. The cards presented had an expiration dates of 5-3-18.

Your attention is directed to AS 04.21.025: Server education and 3 AAC 304.465: Server education

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 5-17-18

License #/Type: #5178 / Restaurant/Eating - PC

Licensee: Bering Sea Nome, Inc.

Address: 305 Front Street, Nome, AK

DBA: Bering Sea Restaurant Bar

AMCO Case #: AB18-0546

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.

On 5-9-18 an inspection was conducted at your establishment. You and your server were asked to provide proof of current server training. The cards presented had an expiration dates of 5-3-18.

Your attention is directed to AS 04.21.025: Server education and 3 AAC 304.465: Server education

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

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Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov



Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

SIGNATURE:

Delivered VIA: Mail

Date: 5-25-18

5/28/2018

Alcohol & Marijuana Control Board
Attn: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501

Mr. Hamilton,

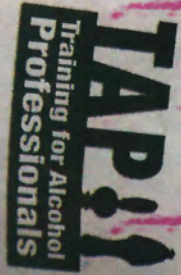
In regards to the inspection of Bering Sea Restaurant alcohol license # 5178 where our server Jin Jung Yi was working with a recently expired TAP card. Jin took the test the on 5/9/2018, the same day of the inspection, I have included a copy of her new certificate with this letter. We are also implementing an new card process where we will be keeping a copy of all cards in one place that way we can track when an employee has to re-certify. If there is any more information that you need or any other help we can provide please do not hesitate to ask. i am mailing a hard copy of this letter and Ms. Yi certificate today to the address listed.

Sincerely



Alfred Burgo
Bering Sea Restaurant Bar (GM)
P.O. Box 1841
Nome, AK 99762
Cell (907) 434-6076





Certificate of Completion

This is to certify that

Jin Jung Yi

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

Edward D McLean, Administrator
www.Alaskatap.com

Date: 05/09/2018
Expiration: 36 Months
Certificate #: 2595
Birth Date: 12/01/1965

919166



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.

POSTNET barcode

ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA
RECEIVED
MAY 29 2018

Photo

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

• Sender: Please print your name, address, and ZIP+4® in this box.

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



UNITED STATES POSTAL SERVICE

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- 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.

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
- B. Received by (Printer Name) Addressee
- C. Date of Delivery *5/24/18*
- D. Is delivery address different from item 1? Yes No
- If YES, enter delivery address below:

Bering Sea Nome, Inc.
dba Bering Sea Restaurant
PO Box 1841
Nome, AK 99762

1. Article Addressed to:

3. Service Type
- Certified Mail®
 - Registered
 - Insured Mail
 - Priority Mail Express™
 - Return Receipt for Merchandise
 - Collect on Delivery
4. Restricted Delivery? (Extra Fee) Yes

2. Article Number **7017 0530 0000 9548 8665**

(Transfer from service key)

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 05/22/2018

License #/Type: 4488 / Beverage Dispensary

Licensee: Roy J. Stoltz

Address: 3450 Airport Road, Fairbanks, AK 99709

DBA: R.J.'s Lounge & Grill

AMCO Case #: AB18-0584

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.

On 05/08/2018 AMCO Enforcement the Department of Environmental Conservation- Food Safety & Sanitation informed AMCO that as of 01/01/2018, your business has been operating without a valid DEC food establishment permit due to nonpayment of required annual fee. This is a violation of 18 AAC 31.020(a)(2) and 18 AAC 31.050.

As a licensee you are required to comply with all public health, fire, or safety laws and regulations in the state. You are also subject to suspension or revocation of your license by not being in compliance with 18 AAC 31.020(a)(2) and 18 AAC 31.050.

Your attention is directed to:

AS 04.11.370(a)(6) -

(a) A license or permit shall be suspended or revoked if the board finds
(6) failure of the licensee to comply with the public health, fire, or safety laws and regulations in the state;

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Article # 7017 0530 0000 9551 3206

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 05/22/2018

License #/Type: 4488 / Beverage Dispensary

Licensee: Roy J. Stoltz

Address: 3450 Airport Road, Fairbanks, AK 99709

DBA: R.J.'s Lounge & Grill

AMCO Case #: AB18-0584

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(a) A license or permit shall be suspended or revoked if the board finds

(6) failure of the licensee to comply with the public health, fire, or safety laws and regulations in the state;

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Article # 7017 0530 0000 9551 3206



R.J.'s Lounge & Grill
3450 Airport Road
Fairbanks, Alaska 99709

ABC R.J.'s Lounge & Grill License Number **4488**
N.O.V. AMCO Case # AB 18-0584

May 29, 2018

Subject: Department of Environmental Conservation – Food Safety & Sanitation
DEC food establishment permit.

Notice of Violation letter dated May 22, 2016
AS 04.11.370 (a) (6) "failure of the licensee to comply with the public health,
Fire or safety laws and regulations in the state."

Enclosed is a copy of payment in the amount of \$280.00 to D.E.C. for the food
establishment permit for 2018 dated May 22, 2018.

Our office is located beneath an upstairs laundry room which has flooded our office this
winter on four separate occasions. Letters and documents were destroyed by water
damage and I suspect the original DEC permit application and any subsequent notices
were a victim of these floods. I also lost a computer and two printers during these
floods.



Roy J. Stoltz
Owner R.J.'s Lounge & Grill
907-452-6539



State of Alaska
Department of Environmental Conservation
EH Food Safety and Sanitation Program
555 Cordova St. 5th Floor
Anchorage, Alaska 99501

2018 Renewal Application for Food Service
Establishment Invoice

Facility ID: 4236
Business Code: EBADF348

If ownership has changed since last permit issued,
please email DEC.FSSPermit@Alaska.gov or call
(907)269-6289.
This renewal can be completed through our online portal
at <http://fss.dec.alaska.gov/usafoodsafety/Login.aspx>.

RJ's Lounge & Grill
3450 Airport WAY
Fairbanks, AK 99707

Establishment Information (if any information has changed, update information on renewal application).
Note: A new application is required for change in the business address or ownership. New Application can be found online at
<http://dec.alaska.gov/eh/fss/forms> or by contacting Permit Coordinator at (907)269-6289.

Name of Establishment: RJ's Lounge and Grill Owner's Name: RJ's Lounge & Grill
Business Phone Number: (907) 452-6539 Alternative Or Cell Phone: (-)
Business E-mail Address (Please verify, will be used to email permit if requested) :
Physical Business: 3450 Airport WAY Suite#:
City: Fairbanks State: Alaska Zip Code: 99709
Mailing address for all correspondence, if different than above:
ATTN: Telephone Number: (907) 452-6539
Address (Street/Box): 3450 AIRPORT WAY Unit#: City: Fairbanks State: Alaska Zip Code: 99707

COPY

The Balance Due shown below represents your calendar year annual fee for the type of food operations(s) within your food establishment. Payment is due in full by December 31 in order for you to be issued your annual permit. Failure to pay these fees may subject you to legal action that can result in criminal penalties under AS 17.20.305 or AS 46.03.790, or a civil action to collect the amount due to the State. The Department will initiate enforcement action on establishments operating without a current permit. If you are renewing multiple licenses, one check is acceptable.

Date	Program ID	Description	Amount
12/31/2017	2945	FN-4 Tavern/Bar	\$280.00
Invoice Balance Due			\$280.00

If you have questions, your business is no longer in operation, have changes to the operation, or you feel you may have difficulty paying these fees on time, please email DEC.FSSPermit@alaska.gov or call 907-269-6289.

For quicker processing pay online by check or credit card, visit:
<http://fss.dec.alaska.gov/usafoodsafety/Login.aspx>
or call 907-269-6289.

If you are mailing in payment, please send to
DEC-Food Safety and Sanitation
555 Cordova St. Fifth Floor
Anchorage, AK 99501
and include this form.

DEC FAIRBANKS 1835
618 UNIVERSITY AVE
FAIRBANKS, AK. 99703
907-465-5089

If you have questions or concerns regarding safe food handling practices call toll free: 1-87-SAFE-FOOD (in Anchorage call (907) 334-2560)

If you have any questions or wish to make special arrangements for payment, contact dec.fsspermit@alaska.gov or call 907-269-6289.

Sale

XXXXXXXXXXXX2829
VISA Entry Method: Chip
Total: \$ 280.00
05/22/18 15:09:51
Inv #: 000008698 Appr Code: 040198
Apprvd: Online

PAID: 5/22/18



Visa Credit
AID: A000000031010
TVR: 00 00 00 00 00
TSL: 78 00

Customer Copy
THANK YOU!

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.

Mr. Roy J. Stoltz
R.J.'s Lounge & Grill
3450 Airport Road
Fairbanks, AK 99709



9590 9402 3680 7335 6474 59

Article Number (Transfer from service label)

7017 0530 0000 9551 3206

COMPLETE THIS SECTION ON DELIVERY

A. Signature <i>X Vanessa J. Malloy</i>	<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery 5/25/2015

Every address different from item 1? Yes
If not, enter delivery address below: No

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input checked="" type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail (over \$500)	
<input type="checkbox"/> Insured Mail Restricted Delivery	

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 05/22/2018

License #/Type: 4488 / Beverage Dispensary

Licensee: Roy J. Stoltz

Address: 3450 Airport Road, Fairbanks, AK 99709

DBA: R.J.'s Lounge & Grill

AMCO Case #: AB18-0536

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.

On 05/10/2018 I conducted a walk through of your licensed premises. I discovered the area you have designated as your licensed premises on file with the ABC Board appears to have changed. The licensed premises diagram on file shows the entire downstairs area of the building located at 3450 Airport Road in Fairbanks to be part of R.J. Lounge and Grill's licensed premises. Half of the downstairs portion of the building now appears to be a separate business, the Alaska Cheesesteak Company as demonstrated by signs posted and advertising by the other business.

A check of city and state licensing records reveals the Alaska Cheesesteak Company is owned by a different owner and is operating under its own business license and DEC food permit, separate from the ownership of R.J.'s Lounge & Grill.

Your attention is directed to:

Regulations for the Alcoholic Beverage Control Board:

3 AAC 304.185: Licensed premises

3 AAC 304.105: Application Generally

Title 4 Alcoholic Beverages Statutes:

AS 04.16.150: Licensee responsible for violations

AS 04.21.030: Responsibility of licensees, agents and employees

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

***Please send your response to the address below and include your alcohol license number in your response.**

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Article # 7017 0530 0000 9551 3213

Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 05/22/2018

License #/Type: 4488 / Beverage Dispensary

Licensee: Roy J. Stoltz

Address: 3450 Airport Road, Fairbanks, AK 99709

DBA: R.J.'s Lounge & Grill

AMCO Case #: AB18-0536

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AS 04.21.030: Responsibility of licensees, agents and employees

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE: 

SIGNATURE:

Delivered VIA: Mail

Date:

Article # 7017 0530 0000 9551 3213



R.J.'s Lounge & Grill
3450 Airport Road
Fairbanks, Alaska 99709

May 31, 2018

License #/Type: **4488 / Beverage Dispensary**

AMCO Case #: AB18-0536

Subject: Notice of Violation dated May 22, 2018

Response.

Investigator M. Chiesa states his walk through of R.J.'s licensed premises on file with the ABC board appears to have changed.

The licensed premises on file with the ABC board has not changed. The area identified in the original licensed premises diagram is still the licensed premises today.

The address of the licensed premises and the business name under which the licensee is doing business at this address, R.J.'s Lounge & Grill is indicated on the latest license renewal application on file. AS AAC 304.185(a)

Investigator M. Chiesa further states that half of the licensed premises area appears to be a separate business, the Alaska Cheesesteak Company, and has photographs of signs posted as advertising by the Alaska Cheesesteak Company.

The unchanged licensed premises area on file with the ABC board shows two separate rooms which are located on the ground level of a two story complex. The left room is the lounge room. The right room is the restaurant room. Refer to diagram on file with the ABC Board.

R.J.'s Lounge & Grill business has leased the Grill room, or restaurant room to Alaska Cheesesteak Company. The Alaska Cheesesteak Company is required to have its own business license and is required to secure a D.E.C. food safety permit to conduct business in the R.J.'s Grill room, or restaurant room.

The R.J.'s Grill room has no bar where alcohol is served. A patron in the restaurant must come to the lounge room to purchase any alcohol the patron wishes to have with their meal.

The Alaska Cheesesteak Company is not doing business as R.J.'s Lounge and Grill. R.J.'s Lounge and Grill is not doing business as The Alaska Cheesesteak Company.

To be clear, The Alaska Cheesesteak Company is **doing business at** R.J.'s Lounge and Grill. Or R.J.'s Lounge & Grill is **featuring** The Alaska Cheesesteak Company in the restaurant room.



R.J.'s Lounge & Grill
3450 Airport Road
Fairbanks, Alaska 99709

Notice of Violation dated May 22, 2018 - Continued

The Alaska Cheesesteak Company has no financial interest in the beverage dispensary license of R.J.'s Lounge & Grill.

There are no Alaska Cheesesteak Company deeds, lease agreements, or other documents that **show title to, or interest in, land and buildings at the location** of R.J.'s Lounge & Grill.

AS AAC 304.105 (b) (6)

R.J.'s Lounge & Grill did not alter the functional floor plan, reduce or expand the area **or change the business name of the licensed premises** as required to be noted on the licensee license application presently on file with the ABC board by leasing the restaurant portion of the licensed premises to the Alaska Cheesesteak Company. *AAC 304.185 (c)*


It is also clear that leasing the restaurant portion of the licensed premises is **not part of a transfer or ownership or location of the licensed premise diagram on file with the ABC Board** requiring written approval of the Director, a new line drawing of any changes and a \$250 fee. *AS AAC 304.185 (c) again.*

R.J.'s Lounge & Grill also has Vend Alaska **doing business at** R.J.'s Lounge & Grill with vending machines. Vend Alaska is required to have its own business license and necessary permits. Vend Alaska is paying R.J.'s Lounge & Grill to have their vending machines on the licensed premises.

The only difference between Vend Alaska and the Alaska Cheesesteak Company business **at** R.J.'s Lounge & Grill is that Vend Alaska does not advertise its business outside the building.

If this written response is not sufficient for the Director to dismiss this N.O.V. then I request to appear before the director and be heard regarding the Notice of Violation.

Because of the nature of this investigation I would submit that an Advisory Notice under 3 AACV 304.525 (a) (2) should have been the appropriate document to complete.


Roy J. Stoltz
Owner, R.J.'s Lounge & Grill



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.

Article Addressed to:
Mr. Roy J. Stoltz
R.J.'s Lounge & Grill
3450 Airport Road
Fairbanks, AK 99709



9590 9402 3680 7335 6474 42

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Agent
 Addressee
X Vanessa D. Martiny

B. Received by (Printed Name)

C. Date of Delivery
5/25/2018

Delivery address different from item 1? Yes
 No
If different, enter delivery address below:

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery (Additional fee \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

2. Article Number (Transfer from service label)
7017 0530 0000 9551 3213

USPS TRACKING #



9570 140903680 7335 6474 42



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box*

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



Notice of Violation

(3AAC 304.525)

This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 05/30/2018

License #/Type: 4816 / Beverage Dispensary

Licensee: Taco Azteca, Incorporated

Address: 3401 Airport Way, Fairbanks, AK

DBA: Mayan Palace

AMCO Case #: AB18-0618

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.

On 05/04/2018 AMCO Enforcement heard a radio advertisement on local Fairbanks radio station 94.3 advertising drink specials at the Mayan Palace on Cinco de Mayo. The advertisement stated "Cinco! The party is on at the Mayan Palace more fun, more food and a live DJ. Amazing drink specials. Jimador shots just 4 bucks, Herradura 5 bucks, buckets of Corona or Modelo only \$15....."

I checked the Mayan Palace Facebook page and saw a video posted on 05/03/2018. The video showed still shots of various signs and graphics and included the same audio as I heard on the radio advertisement including the language about drink specials on Cinco de Mayo. In the same post as the video were the words: "Come an celebrate with us May 5th -Live DJ -Drink specials Join us for cash and prizes Only at Mayan Palace on 3401 Airport Way!! Ready.Set.Cinco"

Your attention is directed to:

AS 04.16.015. Pricing and marketing of alcoholic beverages

AS 04.16.150: Licensee responsible for violations

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

***Please send your response to the address below and include your alcohol license number in your response.**

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

Article # 7017 0530 0000 9551 3183



Mayan Palace Taco Azteca Mexican Restaurant is at



Mayan Palace Taco Azteca Mexican Restaurant.

May 3 at 3:48pm · Fairbanks, AK ·

Come an celebrate with us 🎉🎊🎂🎁🎈🎉🎊🎂🎁🎈🎉🎊🎂🎁🎈

May 5th

-Live DJ

-Drink specials

Join us for cash and prizes 🎉🎊🎂🎁🎈🎉🎊🎂🎁🎈🎉🎊🎂🎁🎈

Only at Mayan Palace on 3401 Airport Way!!

Ready.Set.Cinco 🎉🎊🎂🎁🎈🎉🎊🎂🎁🎈🎉🎊🎂🎁🎈

JOIN US FOR THE PARTY
ENTER TO WIN
CASH AND PRIZES
55 INCH SMART TV

FOOD
 FUN

-0:24

1,3K Views

Like

Comment

Share

18

Most Relevant ▾

19 Shares

Violation

LAC 304.6261
Public documents per Alaska Public Records ACT AS 40.26

License #/Type: 4816 / Beverage Dispensary
Address: 3401 Airport Way, Fairbanks, AK
AMCO Case #: AB18-0618

occurred. If the Alcoholic Beverage Control Board decides to act
4.62.630 (Administrative Procedures Act) you will receive an

advertisement on local Fairbanks radio station 94.3
(Cinco de Mayo.) The advertisement stated "Cinco!
ore food and a live DJ. Amazing drink specials.
uckets of Corona or Modelo only \$15....."

saw a video posted on 05/03/2018. The video
nd included the same audio as I heard on the radio
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irport Way!! Ready.Set.Cinco"

beverages

on within 10 days of receipt to explain what action you have
TO RESPOND TO THIS NOTICE OF VIOLATION WITHIN 10 DAYS
OR TELEPHONICALLY, BEFORE THE ABC BOARD AT THEIR

clude your alcohol license number in your response.

ensee may request to appear before the Director and be heard regarding the
it of the Notice and the Director must grant an appearance within ten days after
the Notice.



CERTIFIED MAIL

Taco Azteca, Incorporated
P.O. Box 74708
Fairbanks, AK 99707



UNITED STATES POSTAGE
\$ 006.670
MAY 23 2018
MAILED FROM ZIP CODE 99701

2/1

SIGNATURE: *[Signature]*

Delivered VIA: Mail

Article # 7017 0530 0000 9551 3183

Received by: *[Signature]*

SIGNATURE: *[Signature]*

Date: 6/4/18 *[Initials]*

Date: 6/4/18

To: Mr. M. Chiesa

Mr. Chiesa,

We had the Specials/Selling two weeks
Prior to May 5th 2018 (Cinco de Mayo).
We are currently still having the Special
available as of June 4th, 2018.
(Please See attachment via email)

I apologize for any inconvenience and misunderstanding.
we will also include our Commercial via email.
our Commercial Does not state that the Special is
only on (May 5th 2018) and the advertisement is
still current after a month and half - June 4th 2018
Pos. on window's *[Arrow]*

[Signature] *[Initials]*

6/4/18

Notice of Violation

(3AAC 304.525)
This form, all information provided and responses are public documents per Alaska Public Records ACT AS 40.25

Date: 05/30/2018 License #/Type: 4816 / Beverage Dispensary
Licensee: Taco Azteca, Incorporated Address: 3401 Airport Way, Fairbanks, AK
DBA: Mayan Palace AMCO Case #: **AB18-0618**

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.

On 05/04/2018 AMCO Enforcement heard a radio advertisement on local Fairbanks radio station 94.3 advertising drink specials at the Mayan Palace (on Cinco de Mayo.) The advertisement stated "Cinco! The party is on at the Mayan Palace more fun, more food and a live DJ. Amazing drink specials. Jimador shots just 4 bucks, Herradura 5 bucks, buckets of Corona or Modelo only \$15....."

I checked the Mayan Palace Facebook page and saw a video posted on 05/03/2018. The video showed still shots of various signs and graphics and included the same audio as I heard on the radio advertisement including the language about drink specials on Cinco de Mayo. In the same post as the video were the words: "Come an celebrate with us May 5th -Live DJ -Drink specials Join us for cash and prizes (Only at Mayan) Palace on 3401 Airport Way!! Ready.Set.Cinco"

Your attention is directed to:

AS 04.16.015. Pricing and marketing of alcoholic beverages

AS 04.16.150: Licensee responsible for violations

You are directed to respond in writing to this Notice of Violation within 10 days of receipt to explain what action you have taken to prevent a re-occurrence 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 AT THEIR NEXT REGULARLY SCHEDULED BOARD MEETING.

*Please send your response to the address below and include your alcohol license number in your response.

3 AAC 304.525 (B) provides that upon receipt of a Notice of Violation, a licensee may request to appear before the Director and be heard regarding the Notice of Violation. The request must be made within ten days after receipt of the Notice and the Director must grant an appearance within ten days after receipt of a request. A Licensee shall respond, either orally or in writing, to the Notice.

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
amco.enforcement@alaska.gov

Issuing Investigator: M. Chiesa

SIGNATURE: 

Delivered VIA: Mail

Article # 7017 0530 0000 9551 3183

Received by: 

SIGNATURE: 

Date: 6/4/18


Date: 6/4/18

To: Mr. M. Chiesa

Mr. Chiesa,

We had the specials/selling two weeks prior to May 5th 2018 (Cinco de Mayo).

We are currently still having the special available as of June 4th, 2018.
(Please see attachment via email)

I apologize for any inconvenience and misunderstanding. we will also include our commercial via email. our commercial does not state that the special is only on (May 5th 2018) and the advertisement is still current after a month and half - June 4th 2018
Pos. on window's 

 Wilfredo Gello.

6/4/18
Thank you for your time.

AB.8.078

002956-1

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

Sender: Please print your name, address, and ZIP+4® in this box*

RECEIVED
JUN 04 2018
ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

United States
Postal Service

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



USPS TRACKING #
HE 1940 4602 5862 2046 0556

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:
Taco Azteca, Incorporated
P.O. Box 74708
Fairbanks, AK 99707

9590 9402 2985 7094 0481 34



COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 X Zeus Gallo Addressee
 B. Received by (Printed Name) Zeus Gallo
 C. Date of Delivery 6/1/18
 D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

2. Article Number (Transfer from service label)
7017 0530 0000 955J 31B3

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input checked="" type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Collect on Delivery Restricted Delivery (5300)	