

# 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: License #/Type:  
Licensee: Address:  
DBA: AMCO Case #:

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

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

**You 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. 7<sup>th</sup> Ave, Suite 1600**  
**Anchorage, Alaska 99501**  
[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

Issuing Investigator:

Received by:

SIGNATURE:

*J.R. Hamilton*

SIGNATURE:

Delivered VIA:

Date:

I appreciate your assistance. As you know, because we are not a bar we aren't solely dependent on alcohol sales for our business, but our lodge guests do expect it as an amenity and not being able to provide it would greatly hamper our ability to be competitive in the fishing lodge industry.

Thank you.

Amy Herrig

HJ

Hamilton, Joe (CED) <joe.hamilton@al

Reply all |

Tue 11/6, 2:40 PM

Amy Herrig

If I recall correctly that was for not reporting to licensing some changes in officials? You don't need to fedex, just respond with an email, I'll make sure it goes where it needs to go. That was issued at the request of licensing. That is only the action that will be taken.

Joe

AH

Amy Herrig |

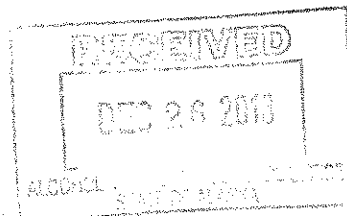
Tue 11/6, 2:31 PM

Mr. Hamilton,

Today I received a Notice of Violation from the AMCO, and it was signed by you. I immediately wrote a response, which I'm prepared to mail via Fed Ex today, not realizing that the J. Hamilton signature on the notice was your signature. When I started going back through old emails from AMCO I realized it's you are who sent the letter, assuming there isn't another J. Hamilton at the AMCO. We did not personally meet when you visited Rapids Camp this past summer, but you did meet with Dan Herrig, my husband, and you and I visited on the phone one time when I called you with some questions. I am prepared to send the letter, per the instructions in the notice, but I also thought I would reach out to you to see if there is anything we can discuss in the meantime.

Thank you for your time.

Amy Herrig  
Rapids Camp Lodge





Alaska Alcoholic Beverage Control Board  
**Form AB-17: 2019/2020 Renewal License Application**

**What is this form?**

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

**Section 1 – Establishment and Contact Information**

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Rapids Camp Lodge, Inc	License #:	5053
License Type:	Outdoor Recreation Lodge - Seasonal	Legal Ref.:	AS 04.11.225
Doing Business As:	Rapids Camp Lodge		
Premises Address:	1 Rainbow Run, King Salmon		
Local Governing Body:	Bristol Bay Borough		
Community Council:	None		

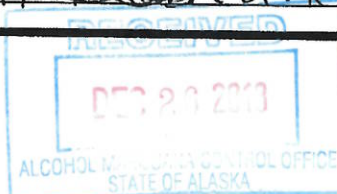
Mailing Address:	5800 Maple Avenue		
City:	Dallas	State:	TX
ZIP:	75235		

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual must be a licensee who is required to be listed in and authorized to sign this application.

Contact Licensee:	Daniel Herrig	Contact Phone:	541-829-9207
Contact Email:	danba@deneki.com		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:	Amy Herrig	Contact Phone:	214-683-4068
Contact Email:	<del>danba@deneki.com</del> aherrig@amylynn.com		





# Form AB-17: 2019/2020 Renewal License Application

## Section 2 – Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a **corporation** or **LLC**. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>

General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	49528D
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You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.



This subsection must be completed by any **community** or **entity**, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a **corporation**, the following information must be completed for each **stockholder who owns 10% or more** of the stock in the corporation, and for each **president, vice-president, secretary, and managing officer**.
- If the applicant is a **limited liability organization**, the following information must be completed for each **member with an ownership interest of 10% or more**, and for each **manager**.
- If the applicant is a **partnership**, including a limited partnership, the following information must be completed for each **partner with an interest of 10% or more**, and for each **general partner**.

**Important Note:** The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Gerald Shults			
Title(s):	Director, President	Phone:	214-728-3602	% Owned: 100
Mailing Address:	5800 Maple Avenue			
City:	Dallas	State:	TX	ZIP: 75235

Name of Official:	Daniel Herrig			
Title(s):	Secretary, Treasurer	Phone:	547-829-9227	% Owned: 0
Mailing Address:	PO Box 113			
City:	King Salmon	State:	AK	ZIP: 99613

Name of Official:				
Title(s):		Phone:		% Owned:
Mailing Address:				
City:		State:		ZIP:





# Form AB-17: 2019/2020 Renewal License Application

## Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant  affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

This individual is an:  applicant  affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

## Section 4 – Alcohol Server Education

This section must be completed only by the holder of a **beverage dispensary, club, or pub** license or **conditional contractor's permit**. The holders of all other license types should skip to Section 5.

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.



## Section 5 – License Operation

Check a **single box** for each calendar year that best describes how this liquor license was operated:

2017    2018

The license was regularly operated continuously throughout each year.

The license was regularly operated during a specific season each year.

The license was only operated to meet the minimum requirement of 240 total hours each calendar year.

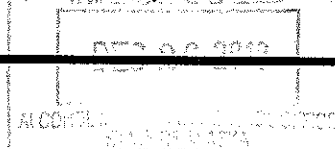
*If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.*

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.

*If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.*





# Form AB-17: 2019/2020 Renewal License Application

## Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018?

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

## Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

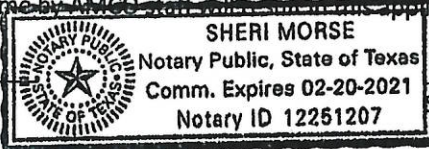
I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control Board.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Signature of licensee



Signature of Notary Public

GERALD A. SHULTS

Printed name of licensee

Notary Public in and for the State of Texas

My commission expires: 2-20-2021

Subscribed and sworn to before me this 26<sup>th</sup> day of December, 2018.

Seasonal License?  Yes  No

If "Yes", write your six-month operating period: May 1<sup>st</sup> to October 31

License Fee:	\$ 625.00	Application Fee:	\$ 300.00	TOTAL:	\$ 925.00
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					



I appreciate your assistance. As you know, because we are not a bar we aren't solely dependent on alcohol sales for our business, but our lodge guests do expect it as an amenity and not being able to provide it would greatly hamper our ability to be competitive in the fishing lodge industry.

Thank you.

Amy Herrig

HJ

Hamilton, Joe (CED) <joe.hamilton@al

Reply all |

Tue 11/6, 2:40 PM

Amy Herrig

If I recall correctly that was for not reporting to licensing some changes in officials? You don't need to fedex, just respond with an email, I'll make sure it goes where it needs to go. That was issued at the request of licensing. That is only the action that will be taken.

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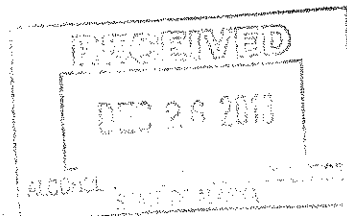
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Amy Herrig  
Rapids Camp Lodge



Amy Herrig

Tue 11/6, 3:01 PM

Thank you Joe - I really appreciate it!

Amy

HJ

Hamilton, Joe (CED) <joe.hamilton@alaska.gov>

Tue 11/6, 3:00 PM

This will not delay your renewal. Congrats on cancer free. If you want to check on your renewal status, you can email [alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

Again, congratulations on beating cancer, best wishes,

Joe

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Amy Herrig

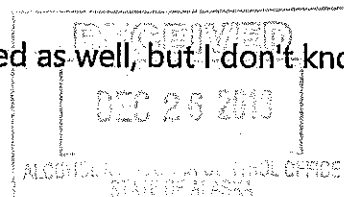
Tue 11/6, 2:47 PM

Hi Joe,

Thanks for responding so quickly. Do you know if this is going to impact our renewal? I had written this lengthy letter explaining our operation, that we are a very simple lodge only serving to our guests, all of which you obviously already know. And, I of course explained my oversight in not notifying the board about the change in officers when I was reinstated.

I know "ignorance of the law" is no excuse, but I didn't know of the statute and really with the craziness of everything, it never occurred to me to notify AMCO of my reinstatement as an officer. As I had told AMCO in spring of 2017 when we were going through our renewal and they had a question about my background check, I was stepping down as an officer for the time being anyway because I had just been diagnosed with breast cancer, which I spent most of 2017 battling, but I am now cancer free. I was reinstated as an officer so I could act on behalf of the corporation in other matters, and I didn't really think again about AMCO or notifying them. I apologize.

The issue with the background check has been resolved as well, but I don't know if that is something I need to discuss further with anyone.





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Tue 11/6, 3:01 PM

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