



## MEMORANDUM

TO: Alcoholic Beverage Control Board      DATE: September 10, 2019  
FROM: Erika McConnell, Director      RE: 1381 Creekbend Company

This restaurant or eating place license in Hope, an unincorporated community in the Kenai Peninsula Borough, is held by Creekbend Company LLC, a limited liability company in good standing owned by Stephen Thomas 72%, Keith Lopez 14%, and Ronald Wilson 14%. The license transfer from New Discovery LLC to Creekbend Company LLC was approved by the board on October 15, 2018, and effectuated in October of 2018. Mr. Thomas operated the license before the transfer under a management agreement that was approved on July 19, 2018.

At the July meeting, the board noted two community complaints sent to the Alcohol Mailbox and provided to the board at the last meeting. Since the cut-off date for the last meeting, eleven more complaints have been received, along with one email supporting the licensee. All fourteen emails from members of the public are attached.

It came to my attention in early June that this restaurant or eating place license was applying for and being issued restaurant caterer's permits to hold musical concerts in the large yard surrounding the restaurant.

Please see the below list of permits issued for the lawn area outside the licensed premises for license 1381 so far this summer.

<u>Date</u>	<u>Permit Type</u>	<u>Licensee</u>	<u>Event Name</u>
5/5/19	Restaurant Caterer's	Creekbend	Live Music with Great American Taxi
5/17/19	Restaurant Caterer's	Creekbend	Blackwater Railroad Live Ale Launch Concert
5/24-25/19	Restaurant Caterer's	Creekbend	Nervis Rex Concert
6/14-15/19	Restaurant Caterer's	Creekbend	Wedding Reception
6/21-22/19	Caterer's	Avenue Bar	Summer Solstice Celebration
7/13-14/19	Restaurant Caterer's	Creekbend	Private Wedding – Travis & Mackenzie
7/19/19	Caterer's	Avenue Bar	Live Music in the Creekbend Backyard
8/1/19	Caterer's	Avenue Bar	Live Music in the Creekbend Backyard
8/9-10/19	Caterer's	Avenue Bar	Live Music in the Creekbend Backyard
8/16-17/19	Caterer's	Avenue Bar	Live Music in the Creekbend Backyard
8/24/19	Restaurant Caterer's	Creekbend	Private Wedding – Katrina & Jamie

The restaurant caterer's permit, at 3 AAC 304.680, allows the holder of a restaurant or eating place license to "sell or dispense beer or wine before and during service of food provided by the licensee at a designated location for a banquet or dinner event held off the holder's licensed premises."

A concert is not a "banquet or dinner event." In 2016, the previous director had ceased issuing this type of permit to a music festival in Chicken as the event did not meet the requirements of the permit type. I had assumed that the permit instructions provided to staff had been "recalibrated" at that time regarding how the restaurant caterer's permit was to be used. It appears that was not the case, as Mr. Thomas informed me that "We were surprised with this message as we had filled out the permit in the same fashion as we have for each event since purchasing this business early in 2018." Further research shows that nine restaurant or caterer's dinner permits were issued to New Discovery LLC between June 8 and August 29, 2018, for events titled "Live Music."

Past errors do not justify current or future errors. After two permits were denied in early June when this came to my attention, Mr. Thomas and I communicated, both by email and phone. Mr. Thomas stated that he had booked multiple musical acts for his property based on the permits he had received in previous years. I attempted to work with him for the events in the immediate future to give him a little time to find a beverage dispensary licensee with whom to work, so that a caterer's permit could be used. As you can see from the list of permits above, Mr. Thomas found a beverage dispensary license with whom to partner in order to permit his music events. One of the two denied permits was subsequently approved, after misleading information was provided on the permit application (see NOV below).

In relation to the multiple public complaints received regarding events at this location, we asked the Alaska State Troopers whether they had received complaints as well. The Seward Post Supervisor provided the attached list of "Hope concerns" as well the attached spreadsheet of "Creek Bend Complaints." The information came in an email string containing the following two messages:

"Attached is documentation of calls received from Seward Post and Dispatch. After June 22, which is when dispatch received the most calls, dispatch was told to refer complaints to a different number, so that could be why the sudden drop off in calls after that."

"A partial list of complaints is attached. For a while we had so many complaints coming in (after the fact) that we stopped pulling ARMS numbers. We would have 5-6 people calling in the next morning after some of the events."

An NOV was issued to Creekbend Company for submitting a permit application with false information. As noted in the NOV, Mr. Thomas indicated the permit was for a wedding when in fact no wedding took place. Additionally, Mr. Thomas was informed that he could not permit a concert using a Restaurant Caterer's Permit. He stated the event was "a wedding ceremony/reception event with music" when in fact the event appeared to be some sort of engagement party, followed by an unrelated public concert for which several hundred tickets were sold.

AS 04.11.320(b) states that a permit shall be denied if "the board finds, after review of all relevant information, that issuance of the permit would not be in the best interests of the public." AS

04.11.395 states, “The board may, in the best interests of the public, impose conditions or restrictions on a license or permit issued under this chapter.” The board may wish to consider some or all of the following options, or provide alternate direction to staff:

- Limit the number of caterer’s permits to be issued at this location in a year.
- Limit the hours of caterer’s permits issued at this location.
- Require a certain number of port-a-potties at each event permitted with a caterer’s permit.
- Request the director to write an accusation.

Also note that Mr. Thomas indicates in two different emails that he started operating the license before his transfer was approved by the board. In his response he states, “after operating and submitting permits for approvals for over two years,” and in his date email to me, he states “we had filled out the permit in the same fashion as we have for each event since purchasing this business early in 2018.” As noted at the beginning of this memo, the transfer of ownership of this license was approved by the board and effectuated less than a year ago (October of 2018), and a management agreement allowing Mr. Thomas to operate the license, but not derive any profit from the sale of alcohol, was approved in July of 2018.

Attachments: Public complaints  
Alaska State Troopers information  
NOV and attachments (original permit application, correspondence, revised application, post-event correspondence)  
Licensee response

**From:** [Shelley Christopherson](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Creekbend in Hope Complaint  
**Date:** Friday, June 21, 2019 4:40:38 PM

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Greetings ABC Board,

I just wanted to file a formal complaint about the Creekbend Cafe in Hope and their live music events that happen in the 'Acres' area behind the cafe. I was present in Hope during the events last weekend (June 14th & 15th). I was shocked at the amount of people who were flooding Hope for the consecutive shows. The show was sold out and then Creekbend opened up 100 more tickets at the door for people who drove down despite the sell out. I am wondering if there is a limit to people attending these events? It seemed to over take the town. There were 30-40 cars parked alongside the road, many who were sleeping in their cars overnight, illegally 'camping'. I walked around at the break, and there were many patrons openly drinking alcoholic beverages at their cars, and walking around the downtown area of Hope with them. The noise decibel level was quite high. We have two small kids and it is difficult to fall asleep due to the loud music penetrating our cabin until late at night (11:00 PM). I have safety concerns for the amount of people in our small town, and the level of alcohol consumption happening. There were also limited port-a-potties, with long lines (and therefore people hitting the woods) which is a trespassing and health concern

The two nights of music in a row is extremely uncomfortable for us who live downtown. We are wary as they have two consecutive days of music this weekend as well (June 21 & 22).

Thank you for considering the residents of Hope when you are handing out any permits for these events, or extending their liquor license. I don't mind them having 1 or 2 big events a summer, but their raucous, loud, party scene multiple days in a row, multiple weekends in a row is too much for the neighbors to bear.

[Shelley Christopherson](#),  
Cabin on 5th St Hope

**From:** [Rhianne Christopherson](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Fwd: Hope Ak Creekbend Noise  
**Date:** Friday, June 21, 2019 8:38:10 PM  
**Attachments:** [image001.png](#)

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Members of the board,

I have been corresponding with Joe Hamilton going on two summers now with concerns my family has regarding the noise produced by Creek Bend Co in Hope, AK. Not only is the volume of the music impacting our lives here there is clearly a safety issue with the population the venue is bringing to Hope and the lack of noise ordinance and law enforcement presence. If you are not aware there has been a recent alcohol induced hit and run in our community. The troopers are doing what they can to get down here, however the issue at hand continues to be just that a safety and risk to our community in Hope. Please see the most recent email I have sent to Jos Hamilton. I am asking you to assist with the problem as we have voiced our concerns and asked to have volumes lowered and crowds more control with the owner who is not responding. I would like to see the board support and protect our community. Thank you!

Best regards,

Rhianne Christopherson  
907-223-9202

----- Forwarded message -----

**From:** **Hamilton, Joe (CED)** <[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)>  
**Date:** Fri, Jun 21, 2019 at 9:52 AM  
**Subject:** RE: Hope Ak Creekbend Noise  
**To:** Rhianne Christopherson <[rhiannechristopherson@gmail.com](mailto:rhiannechristopherson@gmail.com)>

I denied a permit for last weekend. We advised him that he had to team up with a beverage dispensary license and now things could get worse. There is no time limit for the music. The trooper was correct, write letters to the Board, not an investigator, but to the Alcohol Beverage Control, chairman Bob Klein. You can email them at [alcohol@alaska.gov](mailto:alcohol@alaska.gov), this goes directly to board members. This weekend the music should stop at ten pm.

Joe



***Joe Hamilton***  
***Special Investigator 1***

***Enforcement Unit***  
***Alcohol & Marijuana Control Office***  
***550 W. 7<sup>th</sup> Ave, Suite 1600***

***Anchorage, AK 99501***  
***Office (907) 269-0063***

**From:** Rhianne  
Christopherson

Cell (907) 441-2534  
[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)

[mailto:[rhiannechristopherson@gmail.com](mailto:rhiannechristopherson@gmail.com)]

**Sent:** Friday, June 21, 2019 8:39 AM

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

**Subject:** Hope Ak Creekbend Noise

Good morning Joe,

I just wanted to take the opportunity to touch base with you regarding the Creek Bend Ak noise in Hope. I did take your advice and contact the troopers, trooper Howard to be exact, to voice our concerns about the noise in Hope. He stated to continue to voice concerns to the alcohol board as well.

Unfortunately the noise still continues to be a problem in Hope from Creek Bend. We are not able to keep our windows open at night as the noise penetrates through closed windows. We use white noise machines to assist with drowning out the noise so our two young kids can get to sleep, ages 3 and 5 years old. We aren't able to sit on our deck without being overwhelmed by the noise.

We have voiced our concerns to the owners without any changes or interest in addressing community concerns. There are more concerning things I'd like to mention such as the recent hit and run following a concert, which the troopers did respond to. This is very concerning as we are active biking, running, and hiking throughout the community as are our young children.

There are also only two port-a-potties at the Creek Bend music venue and with our property in close proximity to the venue we worry about individuals toileting in the woods. In addition to these worries I'd like to include the dangers of forest fires, drunk drivers, general nuisance and disruption.

This is the second summer that we are filing complaint/concerns and would really appreciate support to help decrease these concerns and safety risks.

Thank you for your time and best regards,

Rhianne Christopherson

907-223-9202

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Sent from Gmail Mobile

**From:** [Rhianne Christopherson](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Creek Bend noise Hope Ak  
**Date:** Saturday, June 22, 2019 7:55:28 AM

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Good morning members of the board,

I would like you to be aware that the noise from the music at Creek Bend Co last night was again extremely loud, reading at a decibel level of 94-112. The music did not stop until 11:20. I'd also like you to again know, we are not able to leave windows open at night when they have music, we hear the music and bass even with white noise counseling machines going. I'd like you to take a look at the noise ordinance for the municipality of Anchorage. 15.70 Noise control. I am reaching out to you as the board members and community advocates to help resolve this problem. The music is too loud and the safety risks are too high. I look forward to hearing your response to our concerns, ways to resolve this continued problem, and moving forward to a better quality of life here in Hope.

Thank you and best regards,

Rhianne Christopherson  
907-223-9202

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Sent from Gmail Mobile



**From:** [Tor Christopherson](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Creekbend Complaint  
**Date:** Saturday, June 22, 2019 1:24:30 PM

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Greetings,

I am writing from Hope in regards to the amount of people, and noise that have taken over Hope because of the Creekbend. Last night, Friday, June 21, I was not able to put my kids to sleep at our family cabin in Hope due to the noise level from the concert at the Creekbend. The music went past 11pm (11:20). I have approached Steve, owner of Creekbend, in the past to address the noise of his concerts, and he has more or less shrugged off my concerns. Please know that my family, and all residents on 3rd, 4th, and 5th street in Hope, are very upset with the influx of people and noise in Hope due to the Creekbend. This is a reoccurring problem, that happens every weekend now. It needs to stop.

Thank You,

Tor Christopherson  
907-333-7076

Cabin owner on 5th street.

Sent from my iPhone

**From:** [Sandra Christopherson](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Concern about music fest in Hope, AK  
**Date:** Saturday, June 22, 2019 1:24:46 PM

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Alcohol Beverage Control Board

Dear Chairman Klein and Board Members,

I am voicing my concern over the invasion and ramifications of the music fest that the Creek Bend cafe and acreage have offered the community of Hope this summer. Today is June 22. There have been 6 evenings this June with loud music from the venue on the grass behind the cafe. Two of the weekends have had music both nights. Today the music will start at 2 and go to 11. Last night it went until 11:30. In response to community complaints to the owner, he built a bandshell that now aims directly south, away from the majority of cabins in the townsite. The decibel readings still are anywhere from 60 to over 100 in town. Despite any of those levels, the sound of the music fills the valley. It is overpowering in its presence. In addition to the disruption of our peace, I worry about the hundreds of visitors who are drinking and driving, using other drugs and driving, building fires, sleeping in their cars, parking double on our narrow road and who we have found this morning camping on our property. There are not public restrooms for these many multitudes of people. Already someone drove into a resident's truck and damaged it significantly and was arrested. The Creek Bend owner has opened a well stocked liquor store which many are using on the weekends.

Most people who have homes in Hope have come here for the quiet. We leave Anchorage and move here for the summer. We have had our place for over 40 years. We welcome many of the changes that have come to the community but this step into alcohol and music fests is intolerable. The availability of alcohol is what the attraction is for these weekends. Please look carefully at granting this new cafe owner any permits or license to sell alcohol.

Thank you for listening to my concerns.

Sandra Christopherson

**From:** [Amanda Skogstad](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Creekbend Music  
**Date:** Saturday, June 22, 2019 11:52:02 PM

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To whom it may concern,

I am a resident of Hope and live off 5th Street. The Creekbend Cafe In Hope, Alaska is still playing music well past their permit. It is 11:47pm June 22,2019.

I hope this can be logged as a complaint for the future.

-Amanda Skogstad

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**Amanda Skogstad**  
**Owner/Operator**  
**Skogstad Designs and Printing - Jargon Clothing**  
[skogstaddesigns.com](http://skogstaddesigns.com)  
[etsy.com/shop/jargonclothing](http://etsy.com/shop/jargonclothing)  
[skogstaddesigns@gmail.com](mailto:skogstaddesigns@gmail.com)

**From:** [Robert Whitney](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** CreekBend Cafe concerns: Hope, AK  
**Date:** Tuesday, June 25, 2019 9:07:03 PM

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Mr Klein,

I am contacting you as a concerned property owner in Hope, Alaska. More specifically, the large weekend partying that has been occurring both last summer and this summer at the Creekbend Café, in downtown Hope. This has been an ongoing, and escalating issue. This past weekend was ridiculous.

Approx. 500+ partiers were at the Creekbend Café outside concert both Friday night and Saturday night. Many were heavily intoxicated, drunk driving, illegal drug usage, loud music levels reaching as high as 112 DB recorded, hundreds of illegally parked cars in roadways and on private property, defecation and urination on private property, nuisance noise, speeding vehicles, illegal camp fires, a recent hit and run by a drunk driver, and 3 porta-potties for 500+ individuals.

Noise is crazy. Many locals, including my family, are unable to sleep. My children rely on white noise machines. The concerts are going well past the 11 pm curfew (fri- 11:20 pm, Sat 11:45 pm)

We have voiced our concerns to the owner of the Creekbend, Steve Thomas, with no change. We have contacted the State Troopers many times and the KPBB, etc.

The general ruckus is comparable to the Seward 4<sup>th</sup> of July 20 years ago when partying/revelry was out of control.

We would really appreciate you support with this ongoing issue, the safety concerns and safety risks.

Respectfully,

Rob Whitney & Holly Brooks.  
Hope, AK  
907-602-2650

**From:** [Skogstad](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Cc:** [Hamilton, Joe \(CED\)](#); [kcarpenter@kpb.us](mailto:kcarpenter@kpb.us)  
**Subject:** Creekbend Extended event hours for permits in Hope  
**Date:** Friday, June 28, 2019 10:35:26 AM

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Mr Klein,

The Community of Hope is organizing to try and stop the huge influx of people at the Creekbend music events, it is overwhelming with the public intoxication, partying and camping in the streets during and after the events. Shelley Christopherson will be presenting facts/concerns to the Hope Inc board this evening at 7:00 pm.

Question: Steve Thomas the owner of Creekbend stated he was issued a permit last weekend which gave him until 2:00 am.....**How does the permitting work for extending hours?**

Pam Skogstad  
907-351-5840 cell

**From:** [Skogstad](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Creekbend Co Hope AK  
**Date:** Friday, June 28, 2019 10:37:29 AM

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Mr. Klein,

I am contacting the AMCO board to file a formal complaint against Creekbend Co in Hope AK.

- This past weekend, the 22nd & 23rd of June, there were vehicles parked on both sides of the main road through Hope and at the top of 5th street where we live. People were urinating and defecating along side the road.
- I witnessed several people staggering through the Main Street with open containers as they were leaving the venue at midnight.
- The town of Hope has approximately 180 full time residents, the music venue last weekend brought over 500 people to the town to basically party at the Creekbend
- The owner of Creekbend has no regard for community members who have asked him to scale back the events, he ignores them

I would like to request:

1. AMCO has representation here to ensure the venue is following AMCO regulations permitting, crowd size, security, bathroom facilities that are appropriate
2. The community of Hope cannot support a large music venue, safety is a huge issue.

Pamela Skogstad  
907-351-5840 cell

**From:** [Bill Britt](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Creekbend Company Music Events  
**Date:** Monday, July 08, 2019 6:42:30 PM

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My wife and I own a cabin a short walk from the Creekbend Café. We have witnessed the results of the live music business recently begun by the Creekbend Company. There has been a huge increase in traffic in Hope, a huge increase in people camping on the streets and trespassing on private property, numerous chemically-fueled parties on the streets of Hope well after the performances end, and much more.

There is inadequate infrastructure in Hope for the people the performances are bringing to town - too few places to camp, too few toilets, too few waste facilities, on and on. There is no police presence and only a small volunteer fire department to deal with the existing and future public safety issues created by the crowds the performances attract.

I strongly urge you to talk to the folks who live near the performance venue, and to witness a performance or two, before granting any more alcohol permits. Without the sale of alcohol, the music events might fit the scale of my small town.

Bill Britt

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**From:** [putin@trumpwearsnoclothes.com](mailto:putin@trumpwearsnoclothes.com)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Hope music complaints  
**Date:** Tuesday, July 09, 2019 12:51:54 PM

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There is a big controversy in Hope over a business called "Creekbend." A hate mail was sent out with your address and other people to complain to and it was somehow cycled through Hope Inc. It is very hateful and against one business Creekbend. It complains that music went past 10 P.M. and ALL music in Hope including the Seaview goes past 10 P.M. It was a very misinformed hate mail listing attendance at 500 to 1,000 people while the number was about 400. Most concerts at Creekbend have far less attendance than a typical band at the Seaview in Hope. The band "Nervous Wreck" may have had 25 and the last concert had maybe 45 people. The circulated complaint included Creekbend is in a residential neighborhood but in truth all of downtown Hope has 4 houses where people live year around and the complainers are weekend people. Creekbend is at the junction of Hope Highway and the old road through town with a gold panning booth, Food on Second, a coffee shop, an art gallery and the museum. There are two houses on the whole street. Most of the winter people in Hope support Creekbend and appreciate it is the ONLY business that stayed open all last winter so us locals who winter over have a gathering spot. Sound measurements are being taken in a vigilante method that does not represent actual impacts of sound. I worked for the Oregon State Highway as an engineer in the 70's measuring sound for construction of I 205, impacts of I 5 and sound concentrations for the Vista Ridge tunnel. These local jokers are sitting on a property line, 1/4 mile from their home which is across a road taking measurements while they ignore the sound from a band at the Seaview. This is a vigilante posse and mentality. When Clinton Fearson put on a concert, reggae, about love and hope, these local butt heads slashed tires. There is more to the story than you are getting from the vigilantes and it also has to do with people choosing sides in competition between the Seaview which I am sure sell more beer than Creekbend but they blame everything on Creekbend. Steve at Creekbend intentionally built a new stage with the speakers pointed away from residents but nothing will ever satisfy the haters. This vigilante posse are misdirected. Attached is a photo of one of the tires slashed during the Clinton Fearon concert.





**From:** [Maggie Holeman](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Fwd: Alcohol/noise complaint  
**Date:** Monday, July 29, 2019 6:49:13 PM

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Attention Bob Klein.

Sent from my iPhone

Begin forwarded message:

**From:** Maggie Holeman <[maggieholeman@icloud.com](mailto:maggieholeman@icloud.com)>  
**Date:** July 29, 2019 at 5:17:55 PM AKDT  
**To:** Maggie Holeman <[maggieholeman@icloud.com](mailto:maggieholeman@icloud.com)>  
**Subject:** Alcohol/noise complaint

My name is Maggie Holeman and I live in Hope, Alaska. My physical address is 63640 Resurrection Creek Road. On July 17, 2019, at 10:15 PM while engaging in conversation with my Bed and Breakfast guests outside my home we could hear the downtown music so loud we recognized the song and words. I am approximately three miles south of downtown. My neighbor who is south of me had to close her window in order to sleep.

I called the troopers then filed a complaint with Joe Hamilton of the alcohol and marijuana board who said he takes only Title IV complaints.

I am a former law enforcement officer and the increase in alcohol and drugs with the concerts at the Creekbend is disturbing as well as the noise level.

We are a small unincorporated village surrounded by federal state and borough land and not likely to grow.

Although I would never discourage a business owner to make a living this seems excessive and damaging to our community. The total disregard and respect for law and order has caused anger and frustration with the locals. Reports of sleeping in their cars, human feces, public urination, drunk driving, vehicle accidents, people passed out in public and drug use have been noted. In addition bed and breakfast owners have reported clients sneaking in additional people and dogs at night without compensation.

We have had a tremendously hot and dry summer and our fire volunteers had to put out one camp fire left burning off the Hope highway. That is our one road in and one road out. It could have been devastating. With the increase in weekend activities the danger level increases. We are faced with health, noise, crime, fire danger and for what? A venue that is too much for a little community. I would ask that you limit Creekbend alcohol permits. Enough damage has been done already.

Thank you for your time

Sincerely

Maggie Holeman.

Sent from my iPhone



## Alaska State Troopers Information

### Seward Post Hope Residents' Complaints

6/21/2019

Rayanne Christopherson a resident in Hope called this morning and wanted to express her concerns to a Trooper in regards to the Summer Solstice Festival tonight and tomorrow. She is worried about the huge venue, music being so loud, drunk and disorderly conduct, high fire danger & increased traffic. She has small kids and there are many kids and families that ride their bikes along the Hope Hwy. She is concerned for their safety with the amount of traffic. They can't leave their windows open because of the noise, it is hard for her to get their kids down to bed. Citizens have been expressing their concerns for 2 years now and would really appreciate Trooper presence this weekend. It is a small community and she is worried these festivals are growing too big. She gave an example of the Forest Fair when there were 2 deaths, she doesn't want that to happen there. Her 21 is [REDACTED]

6/24/2019

There was a message on the front desk phone on Saturday 6/22 from a Holly Brooks [REDACTED]. Complaining about the debauchery that is taking place this weekend, noise complaint, 100 cars are parked illegally, people are going the bathroom on private properties, her neighbor had two drunk people passed out in their driveway. She wanted to add this to the list of complaints being received.

6/26/2019

6/25/19 – Shelly Christopherson a cabin owner in Hope called [REDACTED] and wanted to invite Trooper/s to a Town Hall meeting this Friday 6/28/2019 7PM at the Social Hall on Main Street. The entire Community would **greatly** appreciate a Trooper presence. This past weekend was out of control. 100's of cars parked along Hwy, heavily drunk people sleeping in their vehicles, vomiting, defecating & urinating in and around roadway and on private property. Partying goes on after the music stops, until 2am.

6/26/19 – Received a call from Rob Whitney (cabin owner in Hope) around 1145 hrs [REDACTED]. Music events in Hope are out of hand. There was close to 1,000 people in attendance. Community is having a town Hall meeting this Friday at 7pm and expressed the importance of a Trooper presence. They are planning to discuss solutions with both sides... but also concerns/complaints, and is sure the meeting will be not only emotional but heated. He also wanted me to pass along how much they appreciate the Troopers and everything you do! 😊

On a side note: Shelly mentioned they are planning on another festival July 4 & 5<sup>th</sup>. And Rob stated they are having another music fest this Saturday 6/29. **FYI:** Creekbend Company (Steve Thomas) has not yet submitted catering permits for these upcoming events. I have conveyed to him on many occasions that permits should be submitted at least 7 to 10 business days prior to the event.

## Alaska State Troopers Information

### Date Complaint

8/10/2019 Noise

7/19/2019 Noise, even after 11pm

6/22/2019 Intoxicated people urinating in yards, open containers, thefts, speeding

6/22/2019 Council president had 50+ calls tonight

6/22/2019 Patrol request

6/22/2019 Wild, people passed out everywhere the next morning

6/22/2019 Traffic complaint

6/22/2019 Noise

6/22/2019 Noise

6/22/2019 Noise, drinking, camping, traffic congestion

6/21/2019 Noise

6/15/2019 Noise

6/15/2019 Patrol request, parking everywhere, concerned about DUI

5/25/2019 Noise

5/25/2019 Patrol request, traffic, concerned about DUIs

# 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:



SIGNATURE:

Delivered VIA:

Date:



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[amco.permits@alaska.gov](mailto:amco.permits@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

**Form AB-06: Restaurant Caterer's Dinner Permit Application**

What is this form?

This restaurant caterer's dinner permit application form is required for the holder of a restaurant / eating place or golf course license to sell or dispense beer or wine before and during service of food provided by the licensee for a banquet or dinner event held off the holder's licensed premises. A separate form must be completed for each event. All sections of this form must be completed. A menu of the food that will be provided at the banquet or dinner must be attached to this form. The required \$50 restaurant caterer's dinner permit fee may be made by credit card, check, or money order.

**PLEASE NOTE:**

This form must be completed and submitted to AMCO's main office in-person or to [amco.permits@alaska.gov](mailto:amco.permits@alaska.gov) at least one business day in advance of the event. Applications submitted after 12:00pm on Fridays for events to be held the following Saturday or Sunday will be denied. Applications that are submitted with inaccurate or incomplete fields will be returned to the applicant in the manner in which it was received, per 3 AAC 304.105, 3 AAC 304.675, and 3 AAC 304.680.

Any event occurring in an outdoor location must have a written security plan attached to this form. This form must be signed by both the current licensee and by the law enforcement agency having jurisdiction over the site of the occasion for which this permit is sought before it is submitted to AMCO staff for review. If the completed application is approved by AMCO, a permit will be issued to the licensee for posting at the event.

**Section 1 – Licensee and Contact Information**

Enter information for the business seeking the permit.

Licensee:	Creekbend Company LLC	License #:	1381
Doing Business As:	Creekbend Company		
Premises Address:	64777 Second Street		
City:	Hope	State:	Alaska
		ZIP:	99605
Contact Person:	Steve Thomas	Contact Phone:	4407730173
Contact Email:	steve@creekbendco.com		

OFFICE USE ONLY			
Permit #:		Transaction #:	
Issue Date:		OLE:	

AK19030238





Alaska Alcoholic Beverage Control Board

**Form AB-06: Restaurant Caterer's Dinner Permit Application**

**Section 2 - Event Information**

Enter information regarding the specific event for which you are seeking a permit.

Event Name:	Hope Social Club Wedding Shower/Concert		
Event Description:	Live Music on the Cafe Lawn		
Event Location:	64777 Second Street		
Event City:	Hope, Alaska		

Date(s):	6/14/2019 - 6/15/2019				
Start Time:	1:00pm	am pm	End Time:	11:00pm	am pm

The licensee, or a specified employee or agent of the licensee, must be present on the catered premises during all permit hours, as required by 3 AAC 304.685. Please provide the following information for the licensee, employee, or agent who will be present:

Person Present:	Steve Thomas
Title:	Owner/Operator

Location of Event:

Yes No

1. Is this event going to take place on school or church grounds?  Yes  No

If "Yes" to question 1, please attach authorization from the school or church for the service of alcohol during the event at the proposed location.

2. Are you anticipating, or in the process of applying for a liquor license for the event location?  Yes  No

3. Is there an existing liquor license of any type and ownership at the event location?  Yes  No

If "Yes" to question 3, please provide the following information:

License Type:	Restaurant/Eating Place	License #:	1381
Doing Business As:	Creekbend Company		

Reason event held on an existing licensed premises:

Holding Live Music in our back lawn area. Currently licensed premise is only inside of restaurant.



Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
[amco.permits@alaska.gov](mailto:amco.permits@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

## Form AB-06: Restaurant Caterer's Dinner Permit Application

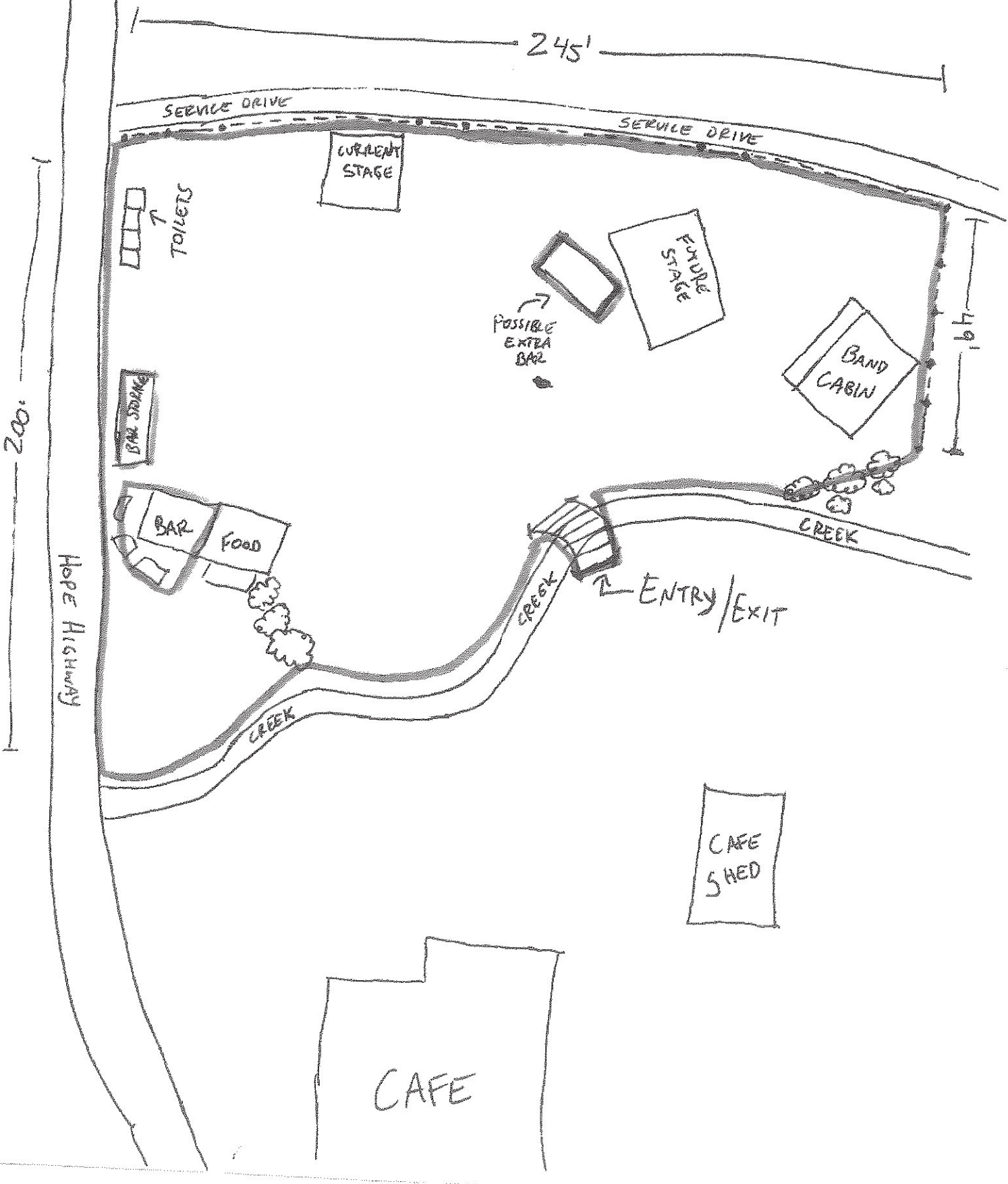
### Section 3 – Detailed Premises Diagram

Clearly indicate the boundaries of the premises and the proposed permitted area within that property. Clearly indicate the interior layout of any enclosed areas on the proposed premises. Clearly identify all entrances and exits, walls, bars, and fixtures, and outline in red the perimeter of the areas designated for alcohol storage, service, and consumption. Include dimensions, cross-streets, and points of reference in your drawing. You may attach blueprints or other detailed drawings that meet the requirements of this form.

SEE ATTACHED DIAGRAM,  
SECURITY PLAN, & MENU



# 2019 BACK LAWN LAYOUT



## Creekbend Back Lawn Events Security Plan & Menu

### Security Plan

New to our back lawn this year, areas of our venue perimeter that do not have a natural enclosed border, now have a permanent 5' tall fence enclosing them. This would include the entire length of the service drive as well as around the band cabin. Therefore no guest can enter or exit except through the actual posted entry/exit spots. Like last year, the venue has only one gate where guests can Enter and Exit. All attendees will have their ID checked at the door and then be given the appropriate Over 21 OR Under 21 wristband. Security and Bartenders will also check IDs throughout the night.

For both Friday & Saturday 6/14 & 6/15, we will have an additional floating security guard within our venue ensuring safety and legal consumption.

### Menu

Cheese Burger

Veggie Burger

BBQ Chicken Sandwich

Philly Cheese Steak

Salmon BLT

Reindeer Sausage

Kids Hot Dog

Sides: Macaroni salad, Potato Salad, Chips

Desserts: Cookies, Brownies, Rice Crispy Treats

Drinks: Water, Soda, Lemonade, Select Energy Drink



Alaska Alcoholic Beverage Control Board

**Form AB-06: Restaurant Caterer's Dinner Permit Application**

**Section 4 - Servers**

Enter information for all servers at the event. Additional copies of this page may be included.

CH

Name:	Steve Thomas	AK Driver License #:	OH RT637082
Date of Birth:	10/05/1988	Alcohol Server Education Card Expiration Date:	5/31/2021
Name:	Delaney Sank	AK Driver License #:	IN-7700172949
Date of Birth:	06/10/1995	Alcohol Server Education Card Expiration Date:	6/6/2021
Name:	Molly Trostel	AK Driver License #:	6994008
Date of Birth:	06/08/1981	Alcohol Server Education Card Expiration Date:	6/6/2021
Name:	Samuel Miller	AK Driver License #:	7074359
Date of Birth:	06/30/1990	Alcohol Server Education Card Expiration Date:	6/7/2021
Name:	MJ Haider	AK Driver License #:	OH-UA449243
Date of Birth:	08/21/1996	Alcohol Server Education Card Expiration Date:	6/15/2021
Name:	Christina Apostolou	AK Driver License #:	7112880
Date of Birth:	9/23/1986	Alcohol Server Education Card Expiration Date:	02/18/2022
Name:	Chris Bartlett	AK Driver License #:	7758872
Date of Birth:	4/11/1983	Alcohol Server Education Card Expiration Date:	2/26/2022
Name:		AK Driver License #:	
Date of Birth:		Alcohol Server Education Card Expiration Date:	
Name:		AK Driver License #:	
Date of Birth:		Alcohol Server Education Card Expiration Date:	
Name:		AK Driver License #:	
Date of Birth:		Alcohol Server Education Card Expiration Date:	





Alaska Alcoholic Beverage Control Board

**Form AB-06: Restaurant Caterer's Dinner Permit Application**

**Section 5 - Declarations and Approvals**

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

Initials

I certify that I am the current licensee, that a licensee, employee, or agent will be present at the event during all hours of the permit, and that I have included a menu with this application.

ST

I certify that I will comply with all statutes, ordinances, and regulations pertaining to the possession and sale of alcoholic beverages, and I understand that violation of any of these laws is grounds for suspension or revocation of my liquor license and/or denial of any future permit applications.

ST

I certify 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 permit issued.

ST

As an applicant for a restaurant caterer's dinner permit and holder of a liquor license, 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.

[Signature]  
Signature of licensee

Executed on this 30 day of MAY, 2019.

STEVE THOMAS  
Printed name of licensee

Law Enforcement and AMCO Review:

[Signature]  
Signature of local law enforcement

MA20  
Badge number

Approved  Disapproved

MICHAEL ZNAFA  
Printed name of local law enforcement

6-6-19  
Date

Approved  Disapproved

\_\_\_\_\_  
Signature of Program Coordinator

\_\_\_\_\_  
Signature of AMCO Investigator/Director

\_\_\_\_\_  
Printed name of Program Coordinator

\_\_\_\_\_  
Printed name of AMCO Investigator/Director

\_\_\_\_\_  
Date

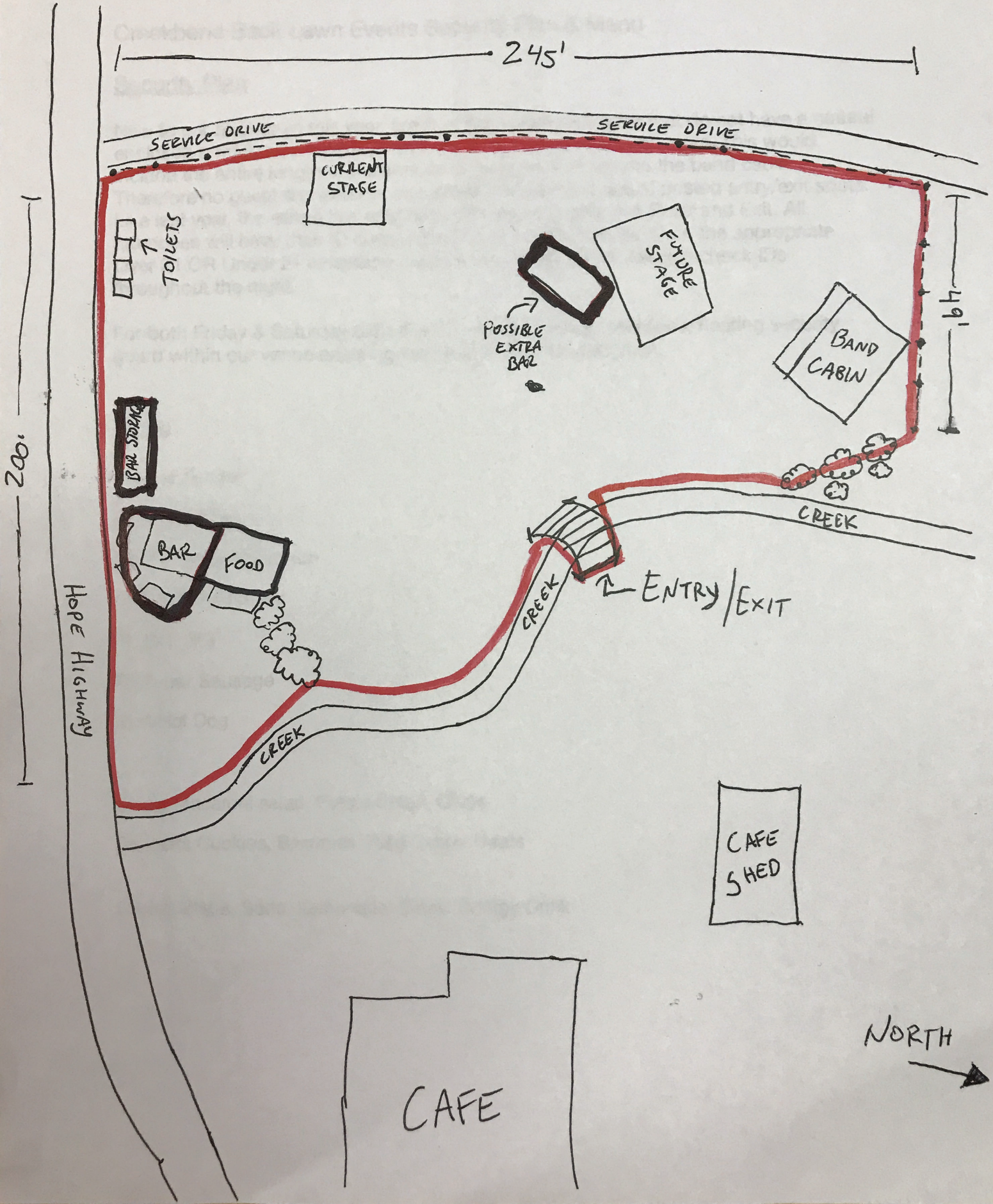
AMCO Comments:

[Empty box for AMCO Comments]



NORTH  
→

# 2019 BACK LAWN LAYOUT



## Dufresne, Jennifer R (CED)

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**From:** Stephen Thomas <steve@creekbendco.com>  
**Sent:** Monday, June 10, 2019 3:07 PM  
**To:** AMCO Event Permits (CED sponsored)  
**Subject:** Re: Creekbend Permit June 14 Weekend

**Categories:** Complete

Hi Mikal,

Thank you for the email.

This wedding is indeed a dinner event. A dinner banquet is being served to wedding guests from 5pm-7pm with music following. There will also be food/snacks/desserts/cake available after 7pm to guests as well. Music is always cut off around 10:50pm.

Thank you for reaching out for that confirmation. I wish there was a section to provide a paragraph explanation to describe the event to give you a better explanation.

Let me know if you have any questions.

Thank you so much as always.

Best,  
Steve Thomas

On Mon, Jun 10, 2019 at 9:27 AM AMCO Event Permits (CED sponsored) <[amco.permits@alaska.gov](mailto:amco.permits@alaska.gov)> wrote:

Hello,

After review of your application, it has been determined that we are unable to accept this permit. The event is called "Hope Social Wedding Shower/Concert" and the event description is "Live Music on the Café Lawn".

Neither of these things indicate that the event is a "banquet or dinner event".

If you have further questions about the requirements for the AB-06 Restaurant Caterer's Dinner Permit Application, please contact [amco.permits@alaska.gov](mailto:amco.permits@alaska.gov).

Thank You,

Mikal Milton

Records and Licensing Supervisor

Alcohol and Marijuana Control Office



Phone: 907.269.0350

[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)

[marijuana.licensing@alaska.gov](mailto:marijuana.licensing@alaska.gov)



Please consider the environment before printing this e-mail.

*Any guidance provided by this electronic communication is not a binding legal opinion, ruling, or interpretation that may be relied upon, but merely guidance concerning existing statutes and regulations. There may be other unique or undisclosed facts, circumstances, and information that may have changed any guidance provided in this communication.*

**CONFIDENTIALITY NOTICE:** This communication is intended for the sole use of the individual or entity to whom it is addressed, is covered by the Electronic Communications Privacy Act (18 USC § 2510-2521), and may contain Confidential Official Use Only Information that may be exempt from public release under the Freedom of Information Act (5 USC § 552). If you are not the intended recipient, you are prohibited from disseminating, distributing, or copying any information contained in this communication.

*The State of Alaska cannot guarantee the security of e-mails sent to or from a state employee outside the state e-mail system. If you are not the intended recipient or receive this communication in error, please notify the sender by reply e-mail and delete the original message and all copies from your computer.*

**From:** Stephen Thomas [<mailto:steve@creekbendco.com>]  
**Sent:** Monday, June 10, 2019 12:38 AM  
**To:** AMCO Event Permits (CED sponsored) <[amco.permits@alaska.gov](mailto:amco.permits@alaska.gov)>  
**Subject:** Creekbend Permit June 14 Weekend

Hello!

Please see the attached event permit with sign off by local law enforcement. I also attached the diagram with the red line instead of the black and white scanned version in the main document.

This event is a dinner event as we are hosting a wedding ceremony/reception event with music.

I will send an email regarding our discussion from Friday and how to go about permitting for our future events. We appreciated your time so late in the day.

Thanks for your assistance as always!!

Best,

Steve Thomas

**From:** [McConnell, Erika B \(CED\)](#)  
**To:** [Stephen Thomas](#); [Dufresne, Jennifer R \(CED\)](#); [Alcohol Licensing, CED ABC \(CED sponsored\)](#)  
**Cc:** [Milton, Mikal C \(CED\)](#); [Hoelscher, James C \(CED\)](#)  
**Subject:** RE: Creekbend Permits Follow-Up from Friday  
**Date:** Monday, June 10, 2019 1:56:00 PM

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Dear Mr. Thomas,

In general, catering is an activity that is reserved to beverage dispensary licenses. The legislature created two types of permits in statute: the caterer's permit which can be obtained only by beverage dispensary licenses, and the special events permit which can be obtained only by a non-profit organization and is limited to beer and wine service at no more than five events per year.

Over the years, the ABC Board has carved out some very specific events may be catered by a license that is not a beverage dispensary license: the restaurant caterer's dinner permit, the club license caterer's permit, the art exhibit permit, and the wine auction permit. Each one of these permits has very specific limitations.

In the case of a restaurant caterer's dinner permit, it is restricted to "a banquet or dinner event." This means that the event must be the banquet or dinner—not just that dinner is being served at some other event. Some examples of the appropriate use of this permit would be for an "awards banquet" or a "reunion dinner."

It appears that you have been using this permit as a way to provide live entertainment before/after the hours restricted by your license and/or to expand your premises beyond your currently licensed restaurant. AMCO processes over 1,300 permits per year, so at times things get missed. However, the fact that these events have been inappropriately permitted under the restaurant caterer's permit in the past does not mean that we can continue to inappropriately do so.

A response email regarding the wedding permit application was sent to you this morning. It is certainly not out of the question that a wedding dinner could qualify for a restaurant caterer's dinner permit. A solstice celebration does not appear to qualify for this permit. I recommend you work with a beverage dispensary licensee to cater that event under a caterer's permit, or hold the event without alcohol service/consumption off your licensed premises.

If you wish to request to extend your licensed premises to include an outdoor area, you may submit an MJ-14 form, which you can find on our website: <https://www.commerce.alaska.gov/web/amco/AlcoholLicenseApplication.aspx>. However, please note 3 AAC 304.305(b) which states, "...the board will determine the portion of the premises or proposed premises that constitutes a restaurant or eating place, and will license only that portion for the sale and consumption of alcoholic beverages."

Sincerely,  
Erika McConnell

*Erika McConnell*



Director  
Alcohol & Marijuana Control Office  
State of Alaska

**From:** Stephen Thomas <steve@creekbendco.com>

**Sent:** Monday, June 10, 2019 11:00 AM

**To:** Dufresne, Jennifer R (CED) <jennifer.dufresne@alaska.gov>; Alcohol Licensing, CED ABC (CED sponsored) <alcohol.licensing@alaska.gov>; McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>

**Subject:** Creekbend Permits Follow-Up from Friday

Hello Director and other AMCO Staff,

My name is Steve Thomas, owner of Creekbend Company in Hope, AK. We were asked to reach out via email regarding a few questions and concerns with the event permit process.

This past week we were contacted that our event permit for the weekend was denied. We were surprised with this message as we had filled out the permit in the same fashion as we have for each event since purchasing this business early in 2018. We received an explanation that this event not being interpreted as a "dinner event".

We are very concerned with this interpretation as we have several upcoming weekends in which we have events planned, a couple that required significant planning and investment leading up to.

Creekbend has filled out event permits in the same procedure now for a summer and a half and perhaps 14-18 permits. We have always carefully crafted our diagram and security plan and taken pride in the execution of a safe and secure dinner event that serves beer and wine. The previous owner also used this permit form for her events in the back lawn.

It is extremely important to Creekbend to be following your requirements and regulations exactly as we should. Because we have had a very consistent and "normal" process of filling out event permits and then having our payment taken for each permit over the last year, a precedent was set by AMCO that this is the way we should plan our events and business out.

It is reasonable after last year's operations and permitting process, for Creekbend to plan its events accordingly again this summer. The first two event permits, both last month, were also approved as they always have been for us.

We are not sure why the interpretation has suddenly changed. We feel our events are all dinner events and felt comfortable after so many approved permits. Our Cafe is open 8am-4pm each day. Then on the days we have events, they are typically held 6p or 7pm-11pm and act as our dinner service for our business. We have a fantastic Menu offered on our outdoor grill by our Chef. It is absolutely intended to be dinner, often times accompanied by live music.

We have two events coming up that required significant planning and our short term concern. We have a wedding and live music this coming weekend and then had a summer solstice celebration the following weekend.

Creekbend is requesting, due to this very sudden change in the interpretation and because of

the close proximity to these events that required weeks of preparation for, that we can receive approval for these events and we together work on what the best long term plan is.

It would mean a lot to Creekbend and to the family having their wedding this weekend if that was not disrupted. We truly had no way to plan for that.

Beyond these next few weeks, we request guidance on a few questions, so we can continue to always be properly following AMCO regulations and guidelines and know that the interpretation will not change in the middle of a summer season.

-What is the true definition of a "dinner event"? We have the understanding that if you are serving a full dinner, it would qualify.

-What ways could we change the style of event to make sure it does fall under the "dinner event?"

-Could we find a way to fast track, adding our back lawn (which is fully enclosed now), to our overall licensed premise, and then we avoid having to have special permits?

We thank you for your attention this week as we near Friday's event.

I have sent in the permit for this coming weekend already to the permits email. I can also send the permit application for next weekend, as we have already received local law enforcement approval.

Thank you so much as always!

Best,  
Steve Thomas

## Dufresne, Jennifer R (CED)

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**From:** Stephen Thomas <steve@creekbendco.com>  
**Sent:** Wednesday, June 12, 2019 9:36 AM  
**To:** AMCO Event Permits (CED sponsored)  
**Subject:** Creekbend Wedding Celebration page 2  
**Attachments:** Wedding 614.pdf

**Categories:** Complete

Hi Jennifer,

Thank you for the call.

As requested, I have updated page 2 of the permit for our wedding event this weekend.

We appreciate it!

Best,  
Steve Thomas



Alaska Alcoholic Beverage Control Board

**Form AB-06: Restaurant Caterer's Dinner Permit Application**

**Section 2 – Event Information**

Enter information regarding the specific event for which you are seeking a permit.

<b>Event Name:</b>	Wedding Reception
<b>Event Description:</b>	Wedding Celebration including rehearsal dinner, dinner reception
<b>Event Location:</b>	64777 Second Street
<b>Event City:</b>	Hope, Alaska

<b>Date(s):</b>	6/14/2019 - 6/15/2019						
<b>Start Time:</b>	5:00pm	am	pm	<b>End Time:</b>	11:00pm	am	pm

The licensee, or a specified employee or agent of the licensee, must be present on the catered premises during all permit hours, as required by 3 AAC 304.685. Please provide the following information for the licensee, employee, or agent who will be present:

<b>Person Present:</b>	Steve Thomas
<b>Title:</b>	Owner/Operator

Location of Event: Yes    No

1. Is this event going to take place on school or church grounds?    

If "Yes" to question 1, please attach authorization from the school or church for the service of alcohol during the event at the proposed location.

2. Are you anticipating, or in the process of applying for a liquor license for the event location?    

3. Is there an existing liquor license of any type and ownership at the event location?    

If "Yes" to question 3, please provide the following information:

<b>License Type:</b>	Restaurant/Eating Place	<b>License #:</b>	1381
<b>Doing Business As:</b>	Creekbend Company		

Reason event held on an existing licensed premises:

Wedding celebration in our back lawn area. Currently licensed premise is only inside of restaurant.
---

**From:** [McConnell, Erika B \(CED\)](#)  
**To:** [Stephen Thomas](#)  
**Cc:** [Hoelscher, James C \(CED\)](#); [Hamilton, Joe \(CED\)](#)  
**Subject:** RE: Creekbend Update and Permit info for this coming weekend  
**Date:** Monday, June 17, 2019 3:18:00 PM

---

Steve,

In both our written correspondence and our phone discussion, it was never mentioned that “the wedding couple requested the after dinner music to be open to the public.” Everything you wrote and said to me implied that the music was a part of the wedding. I quote from your 6/10 email: “I followed up with Mikal via email with further explanation of when the dinner banquet is being served and then music and desserts following dinner.” This CLEARLY implies that the music is part of the wedding celebration; not that hundred or more people will pay \$20 per ticket to come to a concert held after a wedding. You never mentioned selling tickets to the “wedding”—only tickets to your solstice event. I feel very misled.

Erika

*Erika McConnell*

Director  
Alcohol & Marijuana Control Office  
State of Alaska

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**From:** Stephen Thomas <steve@creekbendco.com>  
**Sent:** Monday, June 17, 2019 3:12 PM  
**To:** McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>  
**Subject:** Re: Creekbend Update and Permit info for this coming weekend

Good Afternoon Erika,

That is correct. As we discussed over the phone last week, the wedding couple requested the after dinner music to be open to the public. Tickets had been for sale for months. It also should be noted we were requested last week by the office and Jennifer to specifically remove any mention of the music from the description on the event. The other two weddings we have scheduled for 2019, are both closed to the public.

This coming weekends solstice celebration has also been an event folks have been buying tickets for for months. It is again follows our previously approved model of closing our restaurant at 3p or 4pm and then moving our dinner service to the back lawn.

Thus why we have requested the fair and reasonable amount of time to make the changes to the way we get event permits. We hope 3-4 weeks will be enough time to find that partner. Do you think that is a fair and reasonable request?

As mentioned the big concerns to our staff/partners due to super short amount of time to make changes are:

1. This weekend- the solstice celebration
2. 4th of July BBQ/jubilee weekend
3. Weekend of July 19/20

Significant tickets have been sold to these events.

Other than these events coming up soon, we believe we will have enough time to work with the Beverage Dispensary licensee to execute our August and September events. Then can truly revisit how we operate things all winter.

Thanks again for understanding this situation and working with us on a fair and balanced short term solution!! Let me know if you have any other questions and I would be glad to follow up. As we have stated throughout the process, we want you to have the full understanding of exactly how we run our dinner service and events.

Thanks Erika!!

Best,  
Steve Thomas

On Jun 17, 2019, at 2:31 PM, McConnell, Erika B (CED) <[erika.mcconnell@alaska.gov](mailto:erika.mcconnell@alaska.gov)> wrote:

Good afternoon Steve,

It was brought to my attention today that at Saturday's event, the wedding took place in the late afternoon, and then there was a separate concert to which tickets were sold and which was attended by many more people than attended the wedding. Is that true?

Thank you,  
Erika

*Erika McConnell*

Director  
Alcohol & Marijuana Control Office  
State of Alaska

**From:** Stephen Thomas <[steve@creekbendco.com](mailto:steve@creekbendco.com)>

**Sent:** Sunday, June 16, 2019 10:09 PM

**To:** McConnell, Erika B (CED) <[erika.mcconnell@alaska.gov](mailto:erika.mcconnell@alaska.gov)>; Dufresne, Jennifer R (CED) <[jennifer.dufresne@alaska.gov](mailto:jennifer.dufresne@alaska.gov)>

**Subject:** Creekbend Update and Permit info for this coming weekend

Erika,

I hope you had a great weekend!

As we discussed last week, I am sending you details on our upcoming events. As mentioned last week, our business was asking for a fair and reasonable amount of time to create our game plan for finding and working with a beverage dispensary license holder for events that didn't fit the "dinner event" permit designation. I truly believe if we could have 3-4 weeks to make and develop that relationship, we will be able to re-organize how we have to plan our events moving forward!

We discussed how the upcoming events have been planned for and been on the calendar for months and we cannot realistically, properly or safely create the new relationship with the beverage dispensary licensee in 4-5 days before the weekend. We also want to be as transparent as possible with exactly what our events will look like and simply want to know we are operating within all requirements and regulations.

The upcoming events within that 3 to 4 week window that we are requesting to be permitted for are below. After these several, I think we are far enough out that we can follow the new requested Beverage Dispensary special event permit process.

This coming weekend June 21/22 - Summer Solstice Celebration - this event was again planned based on the model of all the previous permits including the same solstice celebration last year. Our main restaurant closes at 3 or 4pm and then we move out to the back lawn for dinner service and live music. Like you said, instead of permitting the entire day, even to be permitted 6pm-11pm on Friday and 3pm-11pm on Saturday, that would be sufficient and extremely appreciated.

Weekend of June 28/29 - no event in the back lawn area

July 4th weekend - Our Annual 4th of July BBQ cookout & jubilee, we do a BBQ cookout, town-wide parade, hot dog eating contest and live music. This year the events will be Thursday the 4th and Friday the 5th

July 12th/13th - private wedding, Friday rehearsal dinner, Saturday ceremony, reception dinner

July 19th/20th - Dinner service and live music in back lawn. Country music musician.

After these events, we believe we would feel comfortable moving to the new method of permitting that you are requesting.

We thank you for discussing our situation and working with us on a fair and balanced remedy to our short term business concerns. We have compiled the list of the Kenai Peninsula Beverage licensees and will begin reaching out to them this week to partner on our already scheduled events in August and September. Then we will have the full off-season to decide what direction to take our events

in general in the future.

I have attached our permit for this coming weekend, with its local law enforcement sign off. I also re-wrote page 2 of the permit to shorten the period of time for beer/wine service to exactly what we need. Let me know if there is anything else you would like me to change for it.

I thank you for taking the time to work through our situation last week. It meant a lot to us to be able to ask questions related to why the interpretation of the permits had changed and to also describe the short term business concerns that were created by this change. I will keep you posted as we develop that relationship.

I should be available most of the day on Monday if you have any questions!

Thanks again so much Erika!

Best,  
Steve Thomas  
Creekbend Company



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

Response to the NOV Dated: 8/20/19. AMCO Case #19-1298 & Response to Public Complaints

Dear Alcohol & Marijuana Control Office,

I reviewed the two public complaints in the July 29<sup>th</sup> alcohol mailbox. The two complainants are Shelley and Rhianne Christopherson.

In mid-June 2019, after operating and submitting permits for approvals for over two years and engaging in 20 successful events with no licensing problems, our company was hit with a severe economic blow, that came out of nowhere. After two years of engaging in the same course of conduct, AMCO, with no warning or timeframe for adjustment, informed me that it was changing in the way it would be permitting our specific events that we hold on our parcel behind the restaurant.

Historically, we used form AB-06, as we always provide dinner service, with our Chef cooking at the events. But in mid-June, Creekbend was told some of the music events did not qualify as a dinner event and asked us to start using form AB-04, partnering with a BDL holder to cater the alcohol.

The weekend of this NOV was literally days after finding out that AMCO had changed its interpretation of the Dinner Caterer's Event Permit. We had no previous notice of this change, we have not seen or received any change in interpretation memorandums, policy statements, or changes in the actual regulations or applicable statutes.

Following the news that dinner permits would no longer be allowed to be utilized for its music events, Creekbend quickly informed AMCO of concerns created by this sudden change. The primary concern was that we have already relied on the past two years of AMCO's course of conduct, issuing the permits as we have been accustomed to. Therefore, we relied on AMCO's well established course of conduct for the previous two years to our detriment. Obviously, like any responsible business owner would do, we had already scheduled and booked a series of events and the complications created from making changes in a short period of time due to a change in interpretation with no public notice by AMCO. Musicians with plane tickets scheduled, customers already purchasing covers/renting lodging in Hope, employees losing out on shifts/compensation, the complications of having an event with no alcohol when customers were expecting it.. the list of negative impacts on our business, our vendors, and our customers can go on and on...

The June 14/15 original permit application event title was "Hope Social Club Wedding Shower/Concert", also indicating the nature of the event.

After the many conversations discussing the weekend, Creekbend was asked by AMCO staff to remove any mention of live music from the wedding weekend permit. This is illustrated in the email correspondences on 6/11 & 6/12. The intentions of the weekend were fully transparent. Creekbend simply followed the guidance provided by AMCO.

There was a wedding & dinner event. There were invitations sent out months prior. There were over 18 family members who flew in from out of state in attendance.

Creekbend does not admit to the claim that we were untruthful on our permit. We don't admit to the allegation because it's **simply not true** – we are businesspeople, we are unsure why AMCO, which falls under the Commission of Commerce, are making allegations in the NOV that we are lying. Also questioning our marriage reception for Alaska friends and family – when it's normal for people who are marrying away from their home state/city to also have a reception in their home town, there's no nefarious intent here, and we would appreciate it if we were treated like the business people we are, as opposed to criminals. Not that it is anyone's business but our own, my finance and I are being married out of state, where a lot of our Alaskan friends and family are unable to attend – we had the reception event for our Alaskan friends and family, including our staff – we love Hope. We wanted to have a piece of our wedding events in our Hope home. We don't appreciate our religion, values, honesty, and integrity to be grilled and disrespected by AMCO investigators.

This whole situation is confusing – the first emails we got from Investigator Hamilton on this particular weekend didn't even make sense, he mentioned the wrong dates, the wrong events, and it took up time with our legal counsel (which is expensive) and our time to address and finally sort out what he was digging for. We are a small business that offers year-round employment to this community – we are not cheating or lying our way through the system as the NOV insinuates.

We always want to keep the communication between AMCO and Creekbend fully transparent. We have nothing to hide, we simply want to be able to run our business with confidence again. It is disappointing that a misinformed “town resident” informing AMCO that there was no wedding event was taken at their word, over the operator themselves. More bizarre is that the only two public complaints in the July 29<sup>th</sup> mailbox were from two individuals who are **CLEARLY** related – and even stranger is Investigator Hamilton's response to Rhianne Christopherson – where he states “we advised him that he had to team up with a beverage dispensary license **and now things could get worse**”. See below, emphasis added. Why would any AMCO official give a licensee direction, and then tell a community member that due to that direction, the problem could get worse? We are at a loss .. AMCO is a state agency that should be promoting commerce and small locally owned businesses like ours, not villainizing it.

**From:** [Rhianne Christopherson](#)  
**To:** [Alcohol, CED AMCO \(CED sponsored\)](#)  
**Subject:** Fwd: Hope Ak Creekbend Noise  
**Date:** Friday, June 21, 2019 8:38:10 PM  
**Attachments:** [image001.png](#)

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Members of the board,


I have been corresponding with Joe Hamilton going on two summers now with concerns my family has regarding the noise produced by Creek Bend Co in Hope, AK. Not only is the volume of the music impacting our lives here there is clearly a safety issue with the population the venue is bringing to Hope and the lack of noise ordinance and law enforcement presence. If you are not aware there has been a recent alcohol induced hit and run in our community. The troopers are doing what they can to get down here, however the issue at hand continues to be just that a safety and risk to our community in Hope. Please see the most recent email I have sent to Jos Hamilton. I am asking you to assist with the problem as we have voiced our concerns and asked to have volumes lowered and crowds more control with the owner who is not responding. I would like to see the board support and protect our community. Thank you!  
Best regards,  
Rhianne Christopherson  
907-223-9202

----- Forwarded message -----

**From:** **Hamilton, Joe (CED)** <[joe.hamilton@alaska.gov](mailto:joe.hamilton@alaska.gov)>  
**Date:** Fri, Jun 21, 2019 at 9:52 AM  
**Subject:** RE: Hope Ak Creekbend Noise  
**To:** Rhianne Christopherson <[rhiannechristopherson@gmail.com](mailto:rhiannechristopherson@gmail.com)>

I denied a permit for last weekend. We advised him that he had to team up with a beverage dispensary license and now things could get worse. There is no time limit for the music. The trooper was correct, write letters to the Board, not an investigator, but to the Alcohol Beverage Control, chairman Bob Klein. You can email them at [alcohol@alaska.gov](mailto:alcohol@alaska.gov), this goes directly to board members. This weekend the music should stop at ten pm.

Joe

 **Joe Hamilton**  
**Special Investigator I**

Action we are taking to prevent a re-occurrence of this violation:

Our actions relating to special events and wedding permits the year prior to and then the months since this weekend in June, illustrate Creekbend closely follows the guidance provided by AMCO to properly fill out special event/caterer's permits. When AMCO's interpretation relating to the dinner caterers permit changed this summer (immediately prior to this June weekend in question) we were given new guidance on how to permit events. For non-wedding events, we were asked to have a BDL holder cater the alcohol at our events. Given the events already on our summer calendar, we immediately worked to find a quality BDL to cater alcohol for non-dinner events.

Our past practice now from the last several weeks, proves action has been taken to prevent a re-occurrence of a situation similar to this.

This situation had the opportunity to happen, only because of the short term issues the request to change our permitting process created. Moving forward in the short term, we have a solid game plan for permitting events. Dinner caterer's permits remain available for weddings and BDL caterer's permits for other special events. Given the understanding and expectations both Creekbend and AMCO have regarding event permits moving forward, this situation will not re-

occur. We have filed for a combined 6-8 permits since this event and haven't had any issues arise.

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### **Written Statement for AMCO Board Meeting on 9/10**

Creekbend Company is a dynamic hospitality business that covers two properties in the tourist town of Hope, Alaska. Including a Lodge, Market with Services, RV Park, and a Restaurant with a large Event Space. The Lodge/Market and the Restaurant are two of the only businesses open year-round in Hope. Both are very important parts to our community here.

Given the fact that Hope has "been found" and it's now "on the map", our goal is to make a more sustainable, proactive Hope moving into the future. We struggle with many of the very same issues almost every small-town encounter. Creekbend wants to continue to create more year-round jobs, for people to be able to live and work in Hope. We want to tackle problems our community has faced for the last 15 years. Creekbend is always thinking about its impact on the community. How can we both positively impact our local community as well as ensure a positive experience for our tourist visitors, who are also very important to our community.

Creekbend and its events in the event space behind our restaurant have come under a microscope this summer by several property owners in Hope (many who admittedly only visit sparingly during the summer and do not live here year-round).

This select group has gone on to file numerous complaints to the troopers and AMCO. Many of the claims are disappointing as they are reckless and untrue. As in every small town, when someone doesn't like something, they sometimes go to extreme measures to harm someone or someone's business. It has forced our business to fully defend itself and take extensive time in providing explanations to offices such as AMCO.

A very important note to make is that these complaints all stem from a very few concentrated weekends each year. There is an attempt to paint that every weekend in Hope is crazy, loud and full of people everywhere. That is simply not true. Each summer, whether it is a community event like the Wagon Trail Race Weekend or a weekend in which the Seaview Cafe, Dirty Skillet or Creekbend host a popular band, there are around 3-6 weekends that are noticeably busier than others each year. And as an economy and residents that rely so heavily on these busy weekends, this is not an unreasonable ask. Outside of those few weekends each summer, Hope is extremely quite year-round.

Creekbend's Restaurant and Events held out back are a family friendly, safe environment. One would find Mom and 5-year-old blowing bubbles, next to four guide friends, next to a 75-year-old couple dancing to the music. We run a completely legal business, that works with AMCO very closely and regularly to ensure compliance and ask for further guidance often. Our business is a great economic boost as well as community supporter of our local school, community events and more.

We are under attack by a few biased households. Many of which don't live in Hope 365 days a year. We also have a small community organization in which the leadership has held an anti-

business/anti-growth bias for years. The Seaview Cafe came under attack just a few years ago by some of these same families. Now the target has shifted to Creekbend.

Just like every other Alaska town, we have sawmills running all day, roosters crowing in the early morning hours, airplanes passing over at inopportune times. However, as a community we respect our neighbors and don't bother or harass them just because of something that we don't 100% support. This is about compromise.

Hope has struggled with many small tourist town problems for over 10 years now. There has been a parking issue in the downtown area for over ten years. There has been a fear of not having enough bathrooms as Hope continues to grow and more fisherman and tourists find their way to Hope.

Creekbend finds it essential to continue to tackle this growing pains and work with other business owners as well as community members to be proactive in making Hope stronger moving into the next decade.

Creekbend alone added 40 more parking spots on its own property from 2018 to 2019. We plan to add numerous more this off-season. We also will be working with a newly formed community committee here in town, to find more public parking solutions for all.

Unlike many of the complaints that stated we only have 2 rent-a-cans, we have 6 rent-a-cans. And for those few larger weekends each summer, we bring in additional units as well.

In regard to noise complaints, there also is extreme claims being made, such as 120db readings from over 1/2 a mile away. These are simply untrue. The noise levels, at their peak, as live music is not sustained sound, is around 85-90dbs right near the speakers. You can hold a full conversation with your neighbor 50 feet from the speakers without raising your voice.

Creekbend finds the combination of ending music at 11pm (far earlier than most places), the fact we only have live music 15-16 nights a summer and the fact we continue to work on noise levels and find the optimal level for all parties, to be a very fair compromise. We do absolutely have the right to host live music events and continue benefit our local economy. We continue to work with those who have filed complaints to find compromise.

Below is a summary of our sound levels:

We have a professional sound technician working each of our live music events, ensuring a band does not have the power to just turn music up as loud as they want.

Sound readings peak at 85-95 decibels within close proximity of speakers.

You can hold a full conversation with the person next to you around 50 feet back from the speakers, well over half the venue

Claims of decibels reaching 120 db half a mile away are reckless. 120dbs is standing right next to a jet engine, below is a chart puts sound decibels in perspective<sup>1</sup>:

### COMPARITIVE EXAMPLES OF NOISE LEVELS

Noise Source	Decibel Level	Decibel Effect
<b>Jet take-off</b> (at 25 meters) <b>Recommended product:</b> <a href="#">Outdoor Noise Barriers</a>	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121 dB).	120	Painful. 32 times as loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure.

<sup>1</sup> <http://www.industrialnoisecontrol.com/comparative-noise-examples.htm>



Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage in 8 hour exposure.
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 hour exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 feet.	60	Half as loud as 70 dB. Fairly quiet.
Quiet suburb, conversation at home. Large electrical transformers at 100 feet.	50	One-fourth as loud as 70 dB.
Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area.	30	One-sixteenth as loud as 70 dB. Very Quiet.
Whisper, rustling leaves	20	

Readings on the closest neighboring properties peak at 60-80 db.

Lets keep in mind during a concert, music isn't sustained. 4 minute songs followed by 3 minute break of band talking.

On a music night, music usually starts around 8p, ends around 11p. Band usually take a couple 15-20 minutes. Thus, we're literally talking about no more than 2 and a half hours of the event anyways.

Creekbend finds the combination of ending music at 11pm (far earlier than most places), the fact we only have live music 15-16 nights a summer and the fact we continue to work on noise levels and find the optimal level for all parties, to be a very fair compromise. We do absolutely have the right to host live music events and continue benefit our local economy. We continue to work with those who have filed complaints to find compromise.

List of live music nights:

May 17th - ended 11:00pm

May 23rd/24th - ended 11:00p Friday and 10:30p Saturday

June 8th - Moved to Cafe, ended at 10pm

June 14th/15th - ended at 11:00pm

June 21st/22nd - ended at 11:00pm

July 4th/5th - ended 11:00p Friday and 10:30p Saturday

July 19th - ended at 10:30p

July 20th - event cancelled

Aug 1st - ended 11:00pm

Aug 9th/10th - ended 11:00pm

Aug 16th/17th - ended 11:00pm