

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: 8/9/19

License #/Type: 4755 Restaurant / Eating Place

Licensee: Ronnie 2 Incorporated

Address: 924 Muldoon Rd, Anchorage, AK

DBA: Ronnie Sushi 2

AMCO Case #: 19-1223

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

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

On 8-7-19, an inspection was conducted at your establishment. As part of the inspection, the manager, Hyeong Rok Kim, was asked to provide proof of attending alcohol server education. Kim, a four year employee, stated he did not have alcohol server education.

Your attention is directed to AS 04.21.025: Alcohol server education, AS 04.21.030: Responsibility of licensees, agents, and employees, AS 04.16.150: Licensee responsible for violations and Anchorage Municipal Code 10.50.015(R) which states you have to have server education prior to starting work.

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



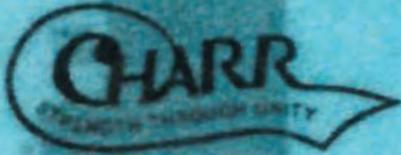
SIGNATURE:

Delivered VIA: Mail

Date:



(not valid for use as identification)



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

SERGIO INFANZON
Instructor

CERTIFICATE #

153827

Hyeong Kim
Name



Birthdate

[Signature]

Signature

EXPIRES ON

8 / 21 / 2022

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: 8/20/19

License #/Type: 1381 Restaurant / Eating Place

Licensee: Creekbend Company LLC

Address: 64777 Second Street, Hope, AK

DBA: Creekbend Company

AMCO Case #: 19-1298

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.

BACKGROUND: On or about 7 June 2019, you submitted an application for a restaurant caterer's dinner permit for an event called "Hope Social Club Wedding Shower/Concert" with an event description of "live music on the Cafe Lawn." The application was denied because the event was beyond the scope of what a Restaurant/Eating Place license could do using a restaurant Caterer's Dinner Permit (AAC 304.680). Discussion followed with Inv. Hamilton on the types of events you could hold with this type of license and what type of license you could "team up" to continue with your events. You were told by Inv. Hamilton that you could not hold a concert under a restaurant caterer's dinner permit. You emailed the director and stated, "We have a wedding and live music this coming weekend and then had a summer solstice celebration the following weekend.... It would mean a lot to Creekbend and the family having their wedding this weekend if that was not disrupted." On or about 6-10-19, you submitted a restaurant caterer's dinner permit application for Event: Hope Social Club Wedding Shower/Concert to be held on June 14, at 1:00pm to June 15, to 11:00pm. The event description was for a wedding celebration including rehearsal dinner and dinner reception. This application was denied as out of the scope of your license because there was a concert, and you were told to remove the concert. You later resubmitted the application with the event description "Wedding Reception" with the same times and dates. The event description was again for wedding celebration including rehearsal dinner and dinner reception with "music and desserts following dinner." This event was approved by Director McConnell on 6-12-19 with limited hours relating to dinner/banquet event.

AMCO learned that the event on Saturday, June 15, was a two-hour engagement party followed by an unrelated music concert to which several hundred tickets were sold to the general public. On June 17th, Inv. Hamilton observed video of people dancing at the event. The event was attended by an ex-state employee who advised that he had purchased a ticket for the concert. The event was opened after the "Wedding Reception." The director was notified that the concert was held. Director McConnell asked you about the concert, tickets sold and that it was attended by more than the original wedding party. You responded, "That is correct. As we discussed over the phone last week, the wedding couple requested the after-dinner music be opened to the public. Tickets had been for sale for months." In fact, no mention of a public concert was made during a telephone call between you, Director McConnell, and Ms. Milton, the Records and Licensing supervisor. You had been told that a concert could not be permitted using a restaurant caterer's dinner permit and your final permit application and correspondence with the office indicated, as noted above, a rehearsal dinner on Friday and a wedding dinner on Saturday with "music and desserts following dinner."

On June 22nd, a town resident informed AMCO that the event in question was the owner's personal engagement party, no wedding. On 6-25-19, Inv. Hamilton requested you provide the names of the couple that were married on either the 14th or the 15th of June. He did not receive a response from you regarding who was married. On July 11th, you stated to the Director that you didn't see why the names of the couple are relevant but then wrote "Yes there was indeed a wedding celebration and it was more my fiancée and myself...There should not be a question of whether the wedding celebration occurred." However, there was no wedding. You and your fiancée did not get married on June 14 or 15, 2019.

You declared on your application that all the information was true, correct, and complete. However, your application for a restaurant caterer's dinner permit contained false information that it was for a wedding when there was no wedding, and the event included an unrelated concert where alcoholic beverages were served and several hundred tickets were sold to the public; even though you were informed that such a concert was not allowable under this type of permit.

Your attention is referred to 3AAC 304.680: Restaurant caterer's dinner permit

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:



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:	Wedding Reception		
Event Description:	Wedding Celebration including rehearsal dinner, dinner reception		
Event Location:	64777 Second Street		
Event City:	Hope, Alaska		

Date(s):	6/14/2019 - 6/15/2019				
Start Time:	5:00pm	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?

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:

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



Dufresne, Jennifer R (CED)

From: AMCO Event Permits (CED sponsored)
Sent: Monday, June 10, 2019 9:28 AM
To: steve@creekbendco.com
Cc: AMCO Event Permits (CED sponsored); Dufresne, Jennifer R (CED)
Subject: RE: Creekbend Permit June 14 Weekend
Attachments: ak19036238.pdf; IMG_0632.JPG

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.

Thank You,

Mikal Milton
Records and Licensing Supervisor
Alcohol and Marijuana Control Office
Phone: 907.269.0350
alcohol.licensing@alaska.gov
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>
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.



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
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 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Is there an existing liquor license of any type and ownership at the event location? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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.

AMCO
 JUN 14 2019



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

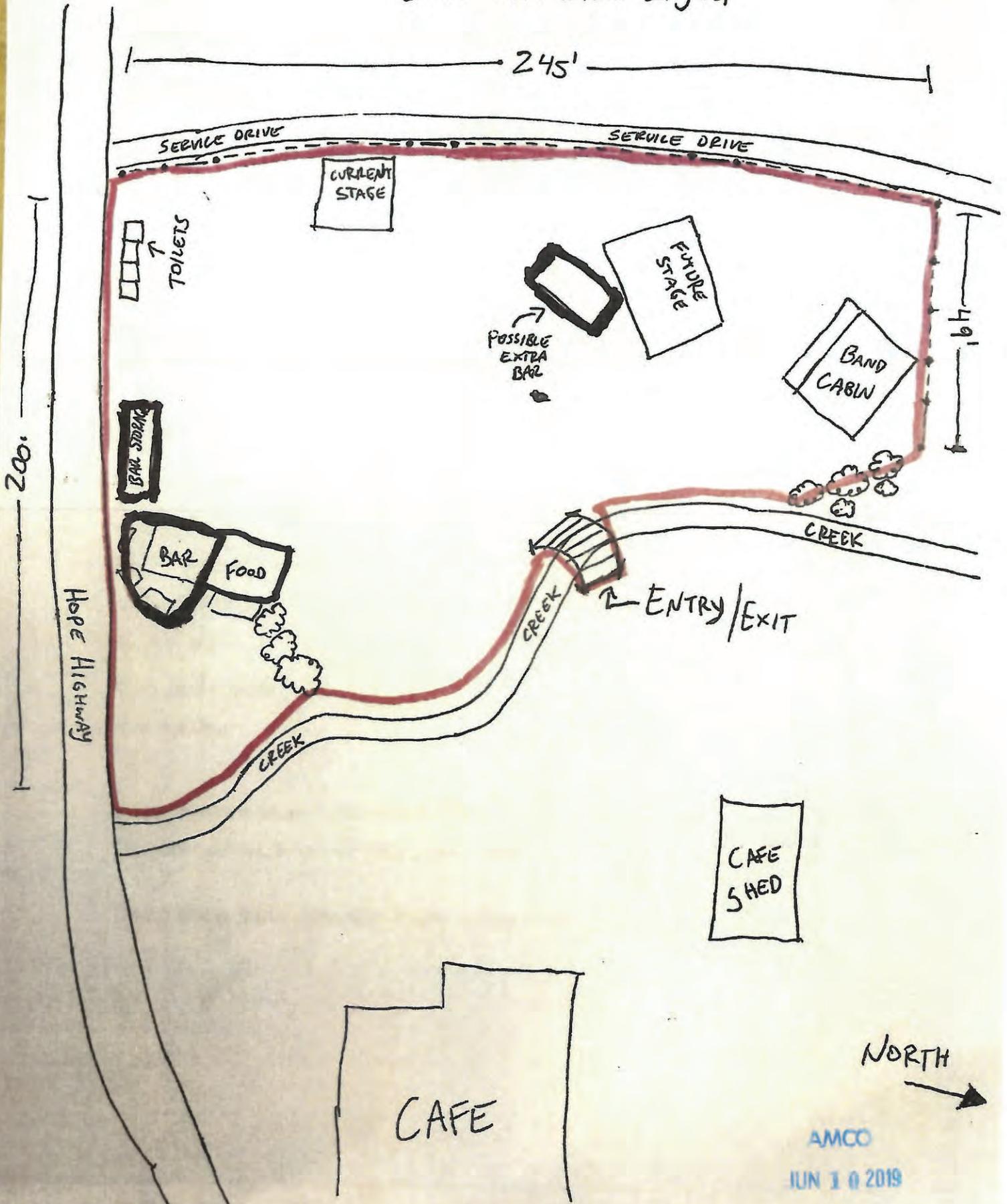
Section 3 - Detailed Premises Diagram

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

NORTH



200'

245'

SERVICE DRIVE

SERVICE DRIVE

CURRENT STAGE

FUTURE STAGE

BAND CABIN

POSSIBLE EXTRA BAR

TOILETS

BAR SIDING

BAR

FOOD

CREEK

ENTRY/EXIT

CREEK

CREEK

Hope Highway

CAFE SHED

CAFE

NORTH



AMCO

JUN 10 2019

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

AMCC

JUN 10 2019



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
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 5 - Declarations and Approvals

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

- 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. Initials
 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. Initials
 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. Initials
 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.

Steve Thomas
 Signature of licensee
STEVE THOMAS
 Printed name of licensee

Executed on this 30 day of MAY, 2019.

Law Enforcement and AMCO Review:

Michael Znaifa
 Signature of local law enforcement
MICHAEL ZNAIFA
 Printed name of local law enforcement

M220
 Badge number
6-6-19
 Date

Approved Disapproved

 Signature of Program Coordinator

 Printed name of Program Coordinator

Jeff Rukos
 Signature of AMCO Investigator/Director
Jeff Rukos
 Printed name of AMCO Investigator/Director

Approved Disapproved
6/13/19
 Date

AMCO Comments:

AMCO
 JUN 10 2019



Department of Commerce, Community,
and Economic Development

Alcohol & Marijuana Control Office

550 West 7th Ave, Suite 1600, Anchorage, AK 99501
Telephone: (907) 269-0350
Fax:
Website: www.commerce.alaska.gov/web/amco

Date

06/13/2019

Items Purchased

Item Name	Business or Last Name	Reference ID	Item Amount
ALC - Alcohol Permit Fee	Creekbend Company LLC	19-18637	50.00
ALC - Alcohol Permit Fee	Creekbend Company LLC	19-18638	50.00
Items Total:			100.00

Payments

Receipt Number	Payer Name	Payment Type	Amount	Date Received
201901077771	Creekbend Company LLC	Credit Card	100.00	June 13, 2019
Payment Total:				100.00

Thank you for your payment !

From: [Stephen Thomas](#)
To: [Dufresne, Jennifer R \(CED\); Alcohol Licensing, CED ABC \(CED sponsored\); McConnell, Erika B \(CED\)](#)
Subject: Creekbend Permits Follow-Up from Friday
Date: Monday, June 10, 2019 10:59:44 AM

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

McConnell, Erika B (CED)

From: McConnell, Erika B (CED)
Sent: Monday, June 10, 2019 1:57 PM
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

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".

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-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?

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Thank you so much as always!

Best,
Steve Thomas

McConnell, Erika B (CED)

From: McConnell, Erika B (CED)
Sent: Monday, June 10, 2019 5:06 PM
To: Stephen Thomas
Cc: Milton, Mikal C (CED)
Subject: RE: Creekbend Permits Follow-Up from Friday

I can be available for a call at 2pm, if that works for you.

Erika McConnell

Director
Alcohol & Marijuana Control Office
State of Alaska

From: Stephen Thomas <steve@creekbendco.com>
Sent: Monday, June 10, 2019 3:12 PM
To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Subject: Re: Creekbend Permits Follow-Up from Friday

Hi Erika,

Thank you for the quick response.

Due to the time constraints for the wedding celebration this weekend, 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.

I would love to schedule a call or a visit with you to then discuss further guidance on our unique situation moving forward. Certainly affects our business in a significant way and we always just want to be working within your guidelines. I appreciate your time in advance!

I can be available for a call anytime tomorrow and I could come to the office for a visit anytime tomorrow afternoon.

Thank you so much Erika for your help and support through this new process for us.

Best,
Steve Thomas

On Mon, Jun 10, 2019 at 1:56 PM McConnell, Erika B (CED) <erika.mcconnell@alaska.gov> wrote:

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

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

McConnell, Erika B (CED)

From: McConnell, Erika B (CED)
Sent: Monday, June 17, 2019 3:19 PM
To: Stephen Thomas
Cc: Hoelscher, James C (CED); Hamilton, Joe (CED)
Subject: RE: Creekbend Update and Permit info for this coming weekend

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

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> 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>
Sent: Sunday, June 16, 2019 10:09 PM
To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Dufresne, Jennifer R (CED) <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

From: [Stephen Thomas](#)
To: [McConnell, Erika B \(CED\)](#)
Subject: Re: Creekbend Permit for 7/13
Date: Thursday, July 11, 2019 5:19:34 PM
Attachments: [image001.png](#)

Hi Erika,

Like I said, we simply want to have a full level of trust between us. We hope and trust you are working with us and not against us.

Yes there was indeed a wedding celebration and it was more my Fiancée and myself. We had our out-of-state families and friends fly in to Alaska for it as well as all of our local Alaskan family and friends. Invitations and everything were sent out for the weekend. There should not be a question of whether the wedding celebration occurred.

As we are now getting to late in the day on Thursday, we request that this weekend's permit be reviewed as soon as possible.

Thanks for all of your time and understanding today!

Best,
Steve

On Thu, Jul 11, 2019 at 4:59 PM McConnell, Erika B (CED) <erika.mcconnell@alaska.gov> wrote:

Good afternoon Steve,

I assure you that Investigator Hamilton has no conflict of interest and has my complete confidence. There has been a question raised as to whether or not a wedding actually occurred at the permitted event. This question can be easily answered, once you provide us with the names of the individuals who were married. I am requesting your cooperation with him.

Thank you,

Erika

Erika McConnell

Director

Alcohol & Marijuana Control Office

From: Stephen Thomas <steve@creekbendco.com>
Sent: Thursday, July 11, 2019 4:52 PM
To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Subject: Re: Creekbend Permit for 7/13

Hi Erika,

We will absolutely clarify the details relating to past events with you. However, knowing the interactions that have occurred between several Hope property owners, select Hope Inc. representatives and Investigator Hamilton, we request to discuss those details through you. There has been a group of people who own property here in Hope, that created an "action plan" to do everything in their power to negatively affect our business. In that action plan, folks were instructed to reach out to Joe Hamilton directly and reach out to AMCO with concerns relating to our events. There is now simply a conflict of interest. Something doesn't feel right in this treatment.

I gave you a thorough description of that weekend and the interactions we all had leading up to it. I don't see how the names of the couple are relevant here. Why is that question being asked? Did we do anything wrong with how we filed our permit? That specific permit was heavily discussed between all of us. That event was unlike any other we will every have again based on the changes requested of us last minute. We want to know what concerns there were over that event and address them moving forward ASAP. AMCO has provided its guidance and requests on how to permit events moving forward, and it is clear what is being asked of us.

Again, our events are fully operating within the law and Troopers now attend almost every one of our events. We have a great relationship with them. We ask the same of AMCO staff, come to our events or meet me for lunch in Anchorage, discuss with our team if there are any concerns you see. Help us to creatively think of ways to make our events even safer than they already are.

We have turned in a permit application for a very simply dinner event this weekend and we request the permit is reviewed and finalized in a timely manner. Jennifer quickly replied to our application with requests earlier, to which I quickly followed up with the requested information. We want to be able to confidently host these families for their special day.

Feel free to call me at 440-773-0173 at almost anytime of the day. I would love to meet in person, so you can get to know our team and we can together can clarify any questions or concerns moving forward.

Thank you so much for your time,

Steve

On Thu, Jul 11, 2019 at 4:16 PM McConnell, Erika B (CED) <erika.mcconnell@alaska.gov> wrote:

Thank you Steve.

Please respond to Investigator Hamilton with the information requested.

Erika McConnell

Director

Alcohol & Marijuana Control Office

State of Alaska

From: Stephen Thomas <steve@creekbendco.com>

Sent: Thursday, July 11, 2019 3:59 PM

To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>

Subject: Re: Creekbend Permit for 7/13

Hi Erika,

Was there an issue with the June Wedding event? That was the event that was right after we were informed by AMCO that the interpretation of the dinner event permit had

changed for our permits. We were asked to start using the AB-04 BDL caterer's permit. We all talked over the phone regarding all the concerns that that midseason change created.... the short notice of time between the request to change how we permit our events and that event, the fact that a wedding was planned to have music at it and the amount of tickets that were sold leading up to that weekend and the travel plans of band members flying from out of state. We were then asked by AMCO staff to remove any mention of music from the event permit to have it approved. Documented in email exchanges. As always, we only follow exactly what AMCO staff ask of us. We simply want to operate our business according to your guidelines. Yes, the request to no longer use AB-06 for ticketed live music events, significantly impacts our business, however we have done exactly what we have been asked, in an incredibly short period of time, in the meantime to at least get ourselves through the season of already scheduled events. I would love to clarify information over the phone if you would like, when you are free.

Based on our recent interactions with some Hope Inc. representatives and others, we feel we are no longer being worked with but instead feel like we are being worked against. In fairness, one can both agree that that weekends event, permit and timing of requested changes, was unlike any permitting situation we have ever been asked to do and would assume there will never be a situation like that again, now that we have your requests on how to fill out event permits moving forward.

As we discussed the last time we spoke, we have 2-3 more weddings scheduled this season. The remaining weddings are all closed to the public, small events (under 150 ppl) that should not impact anyone. Essentially the families rent the back venue space, hold their ceremony, then reception dinner celebration after. These are very straightforward, low security risk events. As always, we would love to welcome AMCO staff to come out and visit and certify our events. We just want to be able to operate our business with confidence again. Having the question on permits week after week is not fair. We take pride in our operation and just want to continue to offer great customer service to wedding clients and want to be able to operate the simple wedding weekends as planned. Because this style of event is less impactful to all, we intend to focus a lot of energy in this category in years to come.

The signed permit application you have in the office for this Saturday 7/13, is for a completely standard wedding dinner event, and we request the permit be issued in a timely manner.

We are under a microscope here in Hope, which is a great protection to AMCO. However having locals dig up completely legal permits from years and months past is getting out of hand. We are simply asking for fair treatment. Our business is family friendly, law-abiding and a special place for families to create memories together. A lot has been asked of us, including significant changes in how we operate music events moving forward and we have done exactly what has been asked to do including working with a BDL, thus

sacrificing profits from the bar service during these events.

On a separate note, we are well aware of the concerns of property owners near our business and we continue to actively work on solutions to these concerns. I would love to discuss that greater situation with you as well. As we need to find a balance between what concerns are directly relating to Creekbend/Seaview music events, which concerns are a result of Hope, Alaska being busier day-to-day than it ever has been tourist wise, and which concerns are simply inspired to harass of local businesses here in Hope. This is something I take very seriously, as if we intend to operate our business for the next 40 years, we will have to help Hope through its growing pains and continue to partner with the community. We do everything we realistically can to be a great neighbor and economic driver in Hope.

Thank you very much your time as always Erika, as I know you must be incredibly busy. Perhaps we could grab lunch soon and discuss the greater Hope community. I just want to be able to run our business with confidence again.

Much appreciation to the entire AMCO staff for working with us moving forward.

Best,

Steve

On Thu, Jul 11, 2019 at 2:57 PM McConnell, Erika B (CED)
<erika.mcconnell@alaska.gov> wrote:

Hi Steve,

I'm in a Marijuana Control Board meeting so I can't call you. I think the question can be responded to over email.

Thank you,

Erika McConnell

Director

Alcohol & Marijuana Control Office

State of Alaska

From: Stephen Thomas <steve@creekbendco.com>
Sent: Thursday, July 11, 2019 2:37 PM
To: McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>
Subject: Re: Creekbend Permit for 7/13

Hi Erika,

Hope all is well.

Can you please call me at 440-773-0173. Would love to discuss the past and the future weddings at Creekbend and the permit treatment requested.

Thanks!

Best,

Steve

On Thu, Jul 11, 2019 at 2:29 PM McConnell, Erika B (CED) <erika.mcconnell@alaska.gov> wrote:

Mr. Thomas,

We need this information before we can review the permit application you have submitted for July 13.

Thank you,

Erika

Erika McConnell

Director

Alcohol & Marijuana Control Office

State of Alaska

From: Hamilton, Joe (CED) <joe.hamilton@alaska.gov>
Sent: Thursday, July 11, 2019 2:19 PM
To: AMCO Event Permits (CED sponsored) <amco.permits@alaska.gov>
Cc: steve@creekbendco.com; McConnell, Erika B (CED) <erika.mcconnell@alaska.gov>; Hoelscher, James C (CED) <james.hoelscher@alaska.gov>
Subject: RE: Creekbend Permit for 7/13

Mr. Thomas,

You still have not provided the name of the couple that was married back in June, 15th I believe was the date. The director would like the name of the couple.

Joe



Joe Hamilton
Special Investigator 1

Enforcement Unit
Alcohol & Marijuana Control Office

550 W. 7th Ave, Suite 1600

Anchorage, AK 99501

From: AMCO
Event Permits
(CED)

Office (907) 269-0063

Cell (907) 441-2534

joe.hamilton@alaska.gov

sponsored)

Sent:

Thursday, July

11, 2019 1:13

PM

To: Stephen Thomas <steve@creekbendco.com>; AMCO Event Permits (CED sponsored) <amco.permits@alaska.gov>

Subject: RE: Creekbend Permit for 7/13

Hello!

We have received your permit application. Upon initial review, we will need the following correction(s) or additional information in order to consider your application complete:

- Event Name and Description – Please give a little more information about how/why this dinner event is going to take place over 11 hours.
- Security plan – Please amend your security plan to include ID checks at the bar. Wristbands cannot be used as the only source of identification.

Thank you.

Jennifer

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

Sent: Thursday, July 11, 2019 12:49 PM

To: Dufresne, Jennifer R (CED) <jennifer.dufresne@alaska.gov>; AMCO Event Permits (CED sponsored) <amco.permits@alaska.gov>

Subject: Creekbend Permit for 7/13

Hi Jennifer,

Attached is a permit application for a wedding we are hosting this weekend. This event is closed to the public, no ticket sales. The family has rented out the venue, will have ceremony and reception on our back lawn on Saturday. Only 120 guests will be in attendance.

Thanks for getting this looked at Jennifer. Much appreciated!!

Best,

Steve

Alcohol & Marijuana Control Office
ATTN: Enforcement
550 W. 7th Ave, Suite 1600
Anchorage, Alaska 99501
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 29th 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 29th 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](#)

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>
Date: Fri, Jun 21, 2019 at 9:52 AM
Subject: RE: Hope Ak Creekbend Noise
To: Rhianne Christopherson <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, 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.

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 perspective¹:

COMPARITIVE EXAMPLES OF NOISE LEVELS

Noise Source	Decibel Level	Decibel Effect
Jet take-off (at 25 meters) Recommended product: Outdoor Noise Barriers	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.

¹ <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

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: 8/27/19

License #/Type: 5239

Restaurant / Eating Place-Public Convenience

Licensee: Justin Biocic & Rene Likitprachacomb

Address: 800 Fourth Ave, Seward, AK 99664

DBA: Woody's Thai Kitchen

AMCO Case #: 19-1405

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

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

On 8-27-19 an inspection was conducted at your establishment. As part of the inspection, licensee Rene Likitprachcomb was asked to provide proof of current server education. Ms. Likitprachcomb provided Inv. Hamilton TAP card 144738, which had expired on 5-5-19.

Your attention is directed to AS 04.21.025: Alcohol server education, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violations

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

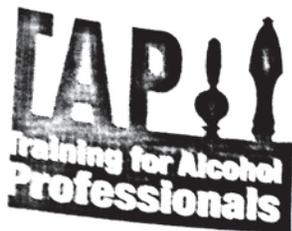
SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:



Certificate of Completion

This is to certify that

Rene Likitprachacomb

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



Edward D McLean, Administrator
www.Alaskatap.com

Date: 09/18/2019
Expiration: 36 Months
Certificate #: 4377
Birth D [REDACTED]

NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.
Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.

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: 9/3/19

License #/Type: 4153 Restaurant / Eating Place

Licensee: Vince Benjamin

Address: 31832 Herman Leirer Road, Seward, AK

DBA: Seward Salmon Bake

AMCO Case #: 19-1406

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

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

On 8-27-19 an inspection was conducted at your establishment. As part of the inspection, server Jayme Ratliff was asked to provide proof of alcohol server education. Ms. Ratliff provided an expired TAP card, 148024, expired on 6-22-19. Ms. Ratliff was told to stop serving alcoholic beverages until she provided proof to AMCO that she has current server education. Ms. Ratliff sent Inv. Hamilton proof of current server education via text message.

Your attention is directed to AS 04.21.025: Alcohol server education, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violations

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:



Certificate of Completion

This is to certify that

Jayme Ratliff

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

A handwritten signature in black ink, appearing to read "E. McLean".

Edward D McLean, Administrator
www.Alskatap.com

Date: 08/29/2019
Expiration: 36 Months
Certificate #: 4343
Birth D: [REDACTED]

NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.
Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.

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: 9/3/19

License #/Type: 2683 Package Store

Licensee: Harbor Gateway, Inc.

Address: 1400 B, Third Ave, Seward, AK 99664

DBA: Gateway Liquor & Food Mart

AMCO Case #: 19-1407

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

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

On 8-28-19, an inspection was conducted at your establishment. As part of the inspection, clerk Sally Ruth Grundman was asked to provide proof of current alcohol server education. Ms. Grundman provided expired TAP card 144740, 5-16-19. Ms. Grundman was told to stop selling alcoholic beverages until she provided proof of current server education AMCO. As of 9-3-19, she has not provided proof.

Your attention is directed to AS 04.21.025: Alcohol server education, AS 04.21.030: Responsibilities of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violations

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

Harbor Gateway, Inc. d/b/a

Gateway Liquor & Food Mart

P.O. Box 944 Seward, AK 99664

Store: (907) 224-3220 Office: (907) 224-7195

Fax: (907) 224-7463 Fax: (907) 224-5496

September 6, 2019

Alcohol & Marijuana Control Office

ATTN : Enforcement

550 W 7th Ave, Suite 1600

Anchorage, AK 99501

In response to your Notice of Violation dated 9/3/19 AMCO Case # 19-1407, you indicate that as of 9/3/19 we had not provided proof that Ms. Grundman had renewed her card. Ms. Grundman did renew here card the day of the inspection via an online class and did forward to a copy via email to the inspector. We have included copies of the renewed card, the temporary card, and a copy of the original email showing the 8/28 date. We do not know why the renewal shows a date of 8/29 when the class was performed on 8/28.

If you have any questions or need more information please contact Sally Grundman at 907-224-3220 or via email at harborgateway@arctic.net

I can be contacted at 907-224-7195 or at shipsaccounting@arctic.net

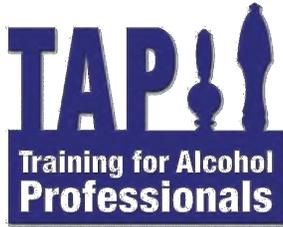
Respectfully,



Joseph Arnaud

Controller

Harbor Gateway Inc.



Certificate of Completion

This is to certify that

Sally Grundman

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

A handwritten signature in black ink, appearing to read "Edward D McLean".

Edward D McLean, Administrator
www.Alaskatap.com

Date: 08/29/2019
Expiration: 36 Months
Certificate #: 4345
Birth Date: [REDACTED]

NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.
Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.

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: 9/3/19

License #/Type: 4334 Package Store

Licensee: Carr-Gottstein Foods Co.

Address: 1907 Seward Hwy, Seward, AK

DBA: Oaken Keg #2728

AMCO Case #: 19-1402

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

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

On 8-27-19 an inspection was conducted at your establishment. As part of the inspection, Assistant Manager Kelsey M. Slough was asked to provide proof of current server education as she supervises liquor store employees. Ms. Slough advised Inv. Hamilton her card had expired. She has been an employee for more than 30 days.

Your attention is directed to 3AAC 304.465: Alcohol server education, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violations

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

September 10, 2019

Dear Mr. Hamilton,

I am sending this letter in response to the Notice of Violation issued on 9/03/19 at Store 2728 Seward, AK (AMCO Case # 19-1402). The violation was issued due to the ASD Kelsey Slough having an expired TIPS card.

Below are the steps we have taken to address the issue and prevent a reoccurrence.

- We currently have 13 employees that work in the liquor store and all have valid TIPS cards.
- Our Front End Ops Specialist Kathy Zahnow is conducting a refresher TIPS course at the Seward store on Wednesday 9/11/19. Kelsey Slough will attend the class and we will also be training new hire employees and a few store employees that are being cross trained.
- We will provide record of Kelsey's TIPS card once we receive hard copy (within the next 30 days).
- If needed we can provide electronic proof by the end of this week showing Kelsey was registered for and took TIPS.
- The Store Director, Front End Ops, and District Admin maintain the records of TIPS certification. Going forward they will review the TIPS list once per month to check for any TIPS cards that within 60 days of expiration. TIPS classes will be scheduled as needed.
- We keep the original hard copy TIPS card for each employee in a binder in the Oaken Keg and we keep a copy of the TIPS card in each employee file.
- I attached a copy of our Carrs/Safeway Alcohol Policy that shows each employee working in the Oaken Keg is required to have a valid TIPS card.
- We have documented the violation and counseled the employee to ensure current TIPS cards are maintained going forward.

If you have questions or need additional information or documentation please reach out to me. Thank you for your time.

Joe Rybak Jr.

Alaska Carrs/Safeway
907-339-7710 Office
907-406-7004 Cell
623-432-3681 Fax



Off Premise

SSN: XXX-XX-XXXX

Issued: 7/28/2016

Expires: 5/24/2019

ID#: 4315614

D.O.B.: [REDACTED]

KELSEY M SLOUGH
44428 Sterling Hwy
Soldotna, AK 99669-8090

For service visit us online at www.gettips.com
Keri Rochon, 40612

SALE OF ALCOHOLIC BEVERAGES PROCEDURES

TO SELL ALCOHOLIC BEVERAGES

- WASHINGTON: Employee must be at least 18 years of age. If under age 21, there must be adult supervision (two employees 21 or older) in the immediate area
- IDAHO: Employee must be at least 19 years of age
- ALASKA: Employee must be at least 21 years of age

TO PURCHASE ALCOHOLIC BEVERAGES

- Washington, 21; Idaho, 21; and Alaska, 21
- Valid ID is required from anyone who appears to be 30 years of age or younger *

CHECKOUT PROCEDURES FOR ALCOHOLIC BEVERAGES

1. Scan the item
2. Register will beep and the display will read, *"Enter DOB [MM/DD/YY]"*
3. Ask for identification from the customer (follow 5 steps listed below)

Step 1: Hold the ID in your hand

Step 2: Feel the ID for alteration

Step 3: Check the expiration date

Step 4: Match the photo to the customer

Step 5: Check the listed height and weight

4. Enter the birth month, day, and year from the ID and press [ENTER]

*It is a violation of policy to enter any other date

*NEVER override the Date of Birth Lock when ID is checked

*NEVER enter a fictitious Date of Birth

If the customer does not have valid ID, to remove the item and the DOB prompt from the display:

- Press [VOID] [ENTER]

If the customer is obviously over 30, when the DOB prompt appears:*

- Press [ENTER]

If ID is checked for any reason, enter the DOB from the ID. **NEVER** enter any other date.

***ALASKA STORES**

All Anchorage area stores including Eagle River and Girdwood **MUST** ask all customers for valid ID each time

they make a purchase. All other Alaska stores, if you have previously reviewed the customer's ID and verified

their age, ask for their date of birth and enter that date into the system. Under no circumstances should the

DOB prompt be bypassed.

Alaska State law requires all employees who sell alcohol products to have a valid TIPS card.

ACCEPTABLE FORMS OF IDENTIFICATION

To be acceptable, the ID must be valid and include the person's photograph, date of birth, signature*, and

expiration date*.

WASHINGTON

- Driver license, identification card, or instruction permit issued by any U.S. state, Territory, District of Columbia or Canadian province
- Washington State temporary driver license
- U.S. Military ID (*no signature)
- Official Passport

Retail Policies and Procedures - Seattle Division 67

August 19, 2019

- Merchant Marine ID
- Washington State tribal enrollment card (*some may not have an expiration date)

IDAHO

- Driver license or identification card issued by any state, district, territorial, possession, provincial, national or other equivalent government (U.S. and Canadian province)
- Military ID (*no signature)
- Official Passport

ALASKA

- Driver license or identification card issued by a federal or state agency
- Official Passport

· United States Military ID (*no signature)

Note: Alaska issues restricted ID (Red Bar) – this ID prohibits the sale of alcohol

PROHIBITED HOURS OF SALE — NO alcoholic beverages can be sold:

· WASHINGTON: From 2 a.m. to 6 a.m.

· IDAHO: From 1 a.m. to 6 a.m. (or as designated by local city or county)

· ALASKA: From 5 a.m. to 8 a.m. (or as noted below)

ALASKA - alcoholic beverages may be sold:

· **Fairbanks - North Star Borough** - 8 a.m. to 12 a.m. (stores 2754, 3410, 1821, 1843)

· **Kenai Borough** - 8 a.m. to 5 a.m. (stores 1808 and 548)

· **Valdez** - 8 a.m. to 5 a.m. (store 1833)

· **Mat-Su Borough** - 8 a.m. to 5 a.m. (stores 1811 and 1814)

· **Municipality of Anchorage** - Monday through Saturday 10 a.m. to 2 a.m.; Sunday 12 noon to 2 a.m.
(520, 1802, 1805, 1806, 1807, 1809, 2628, 1812, 1813, 1817, 1839)

· **Borough and city of Juneau** - Monday through Friday 8 a.m. to 5 a.m.; Saturday, Sunday and
Holidays 8 a.m. to 3 a.m. (store 1821)

· **Kodiak** - 8 a.m. to 5 a.m. (stores 1090 and 2522)

Note:

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: 9/3/19

License #/Type: 877

Package Store

Licensee: Wildlife Investments, LLC

Address: 11857 Seward Hwy, Seward, AK

DBA: The Pit

AMCO Case #: 19-1388

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

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

On 8-27-19, bartender Doreen Roe Valadez was asked to provide proof of current alcohol server education. Valadez stated she has current server education but did not have her card on her. Valadez was advised to stop serving alcoholic beverages until she provided proof. Later that day Valadez did text Inv. Hamilton a current server education card.

Your attention is directed to 3AAC 304.456: Alcohol server education

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

J.R. Hamilton

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 304.525)

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

Date: 9/3/19

Licensee: Wildlife Investments, LLC

DBA: The Pit

License #/Type: 877

Package Store

Address: 11857 Seward Hwy, Seward, AK

AMCO Case #: 19-1388

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

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

On 8-27-19, bartender Doreen Roe Valadez was asked to provide proof of current alcohol server education. Valadez stated she has current server education but did not have her card on her. Valadez was advised to stop serving alcoholic beverages until she provided proof. Later that day Valadez did text Inv. Hamilton a current server education card.

Your attention is directed to 3AAC 304.456: Alcohol server education

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

SIGNATURE: *J.R. Hamilton*

Delivered VIA: Mail

Received by: *Doreen R. McJannet*

SIGNATURE: *Doreen R. McJannet*

Date: *Sept 8, 2019*

Pit Bar & Liquor Store
11857 Seward Hwy
PO Box 2492
Seward, AK 99664
907-224-3006

License # 877 Package Store
License # 876 Beverage Dispensary

Monday, September 8, 2019

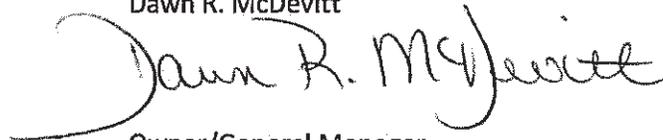
To the Alcoholic Beverage Control Board,

This letter is in response to Amco Case # 19-1387 in regards to our employee Doreen Roe Valadez. On 8-27-2019 Investigator J. Hamilton came into the Pit Bar and requested Mrs. Valadez's current alcohol server education card. Mrs. Valadez did not have her current card on her. I keep a copy of all employees cards on file in their employee file and a copy of them in a binder in a drawer under our register. She does not have access to our employee files and unfortunately one of my other bartenders who updates our book mistakenly mixed hers up with another employees and Mrs. Valadez could not find it when asked.

I came to the bar as soon as she called me but by the time I got there Investigator Hamilton had left. I sent Mrs. Valadez home to get her card and she promptly sent it to Investigator Hamilton and once that was done I sent her home for the rest of that day. When she returned to work she was given a written warning for failing to have her card on her while working. I have since had an employee meeting with all of our staff and reminded them of the importance of them having their cards on them at all times when working and serving alcohol. They have been told that any further violations of this nature could be grounds for termination as that is required by our business and the State of Alaska.

I do apologize for our error and will work diligently in the future with our staff and new employees to make sure this does not happen again. Thank you.

Sincerely,
Dawn R. McDevitt

A handwritten signature in black ink that reads "Dawn R. McDevitt". The signature is written in a cursive style with a large, sweeping initial "D".

Owner/General Manager
Pit Bar & Liquor Store

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: 9/3/19

License #/Type: 876 Beverage Dispensary

Licensee: Wildlife Investments, LLC

Address: 11857 Seward Hwy, Seward, AK

DBA: The Pit

AMCO Case #: 19-1387

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

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

On 8-27-19, bartender Doreen Roe Valadez was asked to provide proof of current alcohol server education. Valadez stated she has current server education but did not have her card on her. Valadez was advised to stop serving alcoholic beverages until she provided proof. Later that day Valadez did text Inv. Hamilton a current server education card.

Your attention is directed to 3AAC 304.456: Alcohol server education

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

J.R. Hamilton

SIGNATURE:

Delivered VIA: Mail

Date:

Notice of Violation

(3AAC 304.525)

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

Date: 9/3/19

Licensee: Wildlife Investments, LLC

DBA: The Pit

License #/Type: 876

Beverage Dispensary

Address: 11857 Seward Hwy, Seward, AK

AMCO Case #: 19-1387

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

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

On 8-27-19, bartender Doreen Roe Valadez was asked to provide proof of current alcohol server education. Valadez stated she has current server education but did not have her card on her. Valadez was advised to stop serving alcoholic beverages until she provided proof. Later that day Valadez did text Inv. Hamilton a current server education card.

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

SIGNATURE:

J.R. Hamilton

Delivered VIA: Mail

Received by:

Doreen R. McDevitt

SIGNATURE:

Doreen R. McDevitt

Date:

Sept 8th 2019

Pit Bar & Liquor Store
11857 Seward Hwy
PO Box 2492
Seward, AK 99664
907-224-3006

License # 877 Package Store
License # 876 Beverage Dispensary

Monday, September 8, 2019

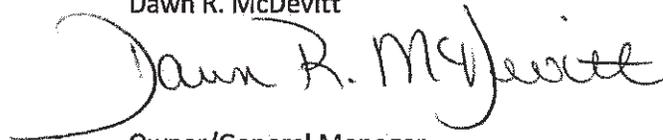
To the Alcoholic Beverage Control Board,

This letter is in response to Amco Case # 19-1387 in regards to our employee Doreen Roe Valadez. On 8-27-2019 Investigator J. Hamilton came into the Pit Bar and requested Mrs. Valadez's current alcohol server education card. Mrs. Valadez did not have her current card on her. I keep a copy of all employees cards on file in their employee file and a copy of them in a binder in a drawer under our register. She does not have access to our employee files and unfortunately one of my other bartenders who updates our book mistakenly mixed hers up with another employees and Mrs. Valadez could not find it when asked.

I came to the bar as soon as she called me but by the time I got there Investigator Hamilton had left. I sent Mrs. Valadez home to get her card and she promptly sent it to Investigator Hamilton and once that was done I sent her home for the rest of that day. When she returned to work she was given a written warning for failing to have her card on her while working. I have since had an employee meeting with all of our staff and reminded them of the importance of them having their cards on them at all times when working and serving alcohol. They have been told that any further violations of this nature could be grounds for termination as that is required by our business and the State of Alaska.

I do apologize for our error and will work diligently in the future with our staff and new employees to make sure this does not happen again. Thank you.

Sincerely,
Dawn R. McDevitt

A handwritten signature in black ink that reads "Dawn R. McDevitt". The signature is written in a cursive style with a large, sweeping initial "D".

Owner/General Manager
Pit Bar & Liquor Store

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: 9/3/19

License #/Type: 5356

Restaurant/Eating Place-Public Convenience

Licensee: Zudy's Cafe LLC

Address: 501 Railway Ave, Seward, AK

DBA: Zudy's Cafe

AMCO Case #: 19-1410

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

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

On 8-28-19 an inspection was done at your establishment. As part of the inspection, Manager Cindy Lou Ecklund was asked to provide proof of current server education. Ms. Ecklund responded she doesn't serve alcohol but does supervise employees who do. Ms. Ecklund has been employed on and off for more than 30 days. Also noticed were no civil penalty signs posted at entrances and the liquor license was not posted.

Your attention is directed to 3AAC 304.465: Alcohol server education, AS 04.11.630: Accessibility of license and licensed premises to inspection; AS 04.21.065: Posting of warning signs, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.150: License responsible for violations

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

September 10, 2019

Dear Mr. Hamilton,

This is Judith Odhner, owner of Zudy's Cafe in Seward, Alaska. I am responding to the Notice of Violation. Cindy Ecklund is taking her TAPs certification. My Husband, Jan Odhner, and I will be at Zudy's Cafe everyday until we close, as we are now closed on Sundays. We have also posted all the proper signs in the restaurant and outside on the porch. Our liquor license is posted inside the restaurant as well. Thank you for your visit and we appreciate your help.

Thank you,

A handwritten signature in black ink, appearing to read "Judith Odhner". The signature is written in a cursive style with a large initial "J" and "O".

Judith Odhner

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: 9/3/19

License #/Type: 3021 Restaurant / Eating Place

Licensee: Seward Lodging III, LLC

Address: 1321 4th Avenue, Seward, AK

DBA: Alaska Seafood Grill

AMCO Case #: 19-1409

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

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

On 8-28-19 an inspection was conducted at your establishment. As part of the inspection, server Deborah Lee Brooks was asked to provide current alcohol server education. Ms. Brooks stated she does have a current card but could not locate it. She has been employed for more than 30 days. She was told to stop serving until she provided proof of server education. Later that day, she did provide proof of her current server education via text message.

Your attention is directed to 3AAC 304.465: Alcohol server education course, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violation

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

THE LAW OFFICES OF ERNOUF & COFFEY

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

April 26, 2018

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

**Re: Seward Lodging III, LLC
N.O.V. AB19-1409
Date of Incident: 8/28/19**

Dear Joe:

I am writing this letter on behalf of my client Seward Lodging III, LLC which operates the Alaska Seafood Grill in Seward. Please let this letter serve as my client's formal response to NOV AB19-1409 dated August 28, 2019.

As you are aware, one of my client's employees did not have a copy of their server education card with them when you conducted your inspection. The server education card was submitted to you the same day after leaving the premises and I have attached a copy of the involved employees TAP card again for the record.

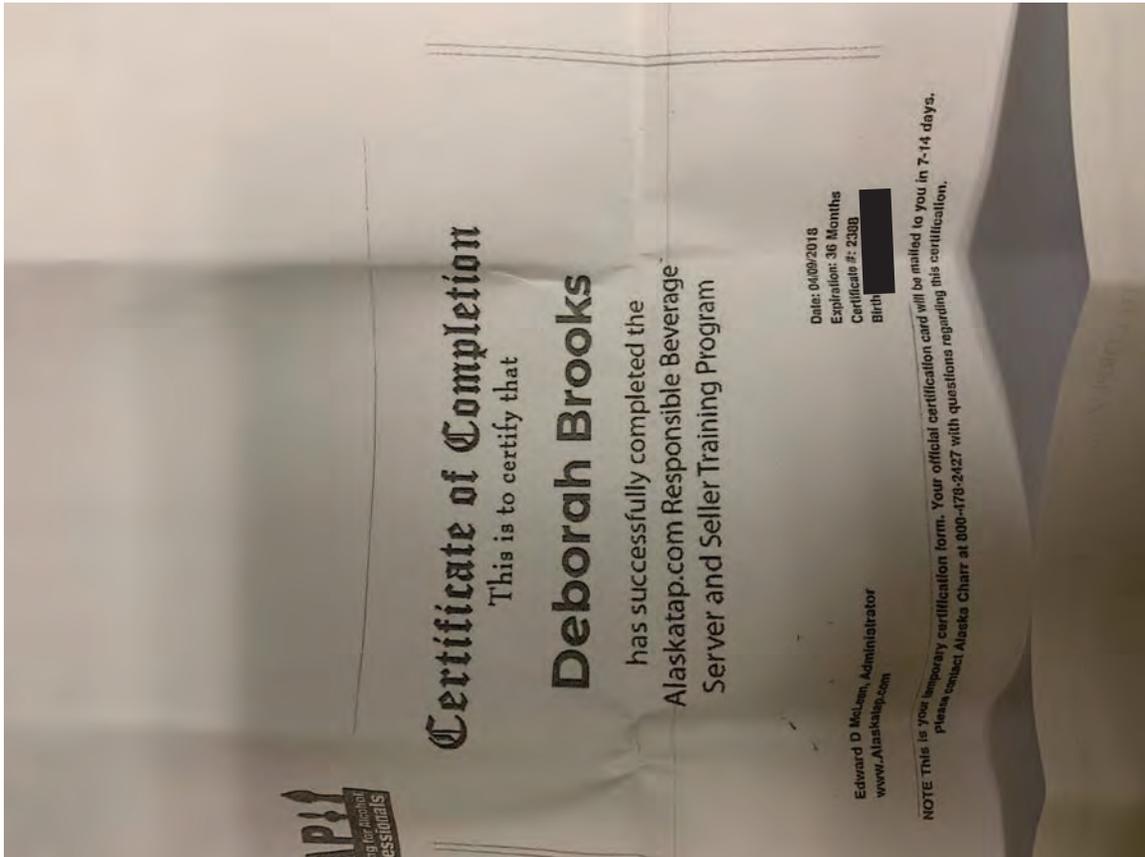
This incident is the first compliance violation at this facility since it was licensed. My client takes this NOV as an eye-opener and is using the experience to re-educate its employees to the importance of making sure every employee who handles alcohol not only has their TAP card but also that the TAP card is valid and has been properly renewed. As a result of this incident and the heightened attention to this issue it has generated, Seward Lodging will take all necessary steps to prevent this from happening again to include maintaining copies of all employees TAP cards onsite.

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

Sincerely yours,

By: s/ W. Sherman Ernouf

cc: Client
Attachment:





Certificate of Completion

This is to certify that

Deborah Brooks

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

Edward D McLean, Administrator
www.Alaskatap.com

Date: 04/09/2018
Expiration: 36 Months
Certificate #: 2388
Birth Date: [REDACTED]

NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.
Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.

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: 9/3/19

License #/Type: 1245 Beverage Dispensary

Licensee: Yukon Tender Inc.

Address: 201 Fourth Ave, Seward, AK

DBA: Yukon Bar

AMCO Case #: 19-1404

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

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

On 8-27-19 an inspection was conducted at your establishment. As part of the inspection, bartender Kiersten Varon was asked to provide proof of server education. Ms. Varon's server education had expired on 7-6-19. She has been working at the establishment for more than 30 days. Ms. Varon was told to stop serving alcoholic beverages until she obtained current server education. Prior to my leaving Seward, Ms. Varon provided me with proof of current server education via text. Other violations observed were no pregnancy sign or 50K sign posted and the civil penalty sign needed to be moved to the entrance door. Also observed was a sign saying prices go up 75 cents with live music and DJ.

Your attention is directed to AS 04.21.025: Alcohol server education, AS 04.16.015: Pricing and marketing, AS 04.21.065: Posting of warning signs, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.50: Licensee responsible for violations

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

PRICES GO UP

75¢

WITH LIVE
MUSIC AND DJ



Certificate of Completion

This is to certify that

KIERSTEN VARON

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

Edward D McLean, Administrator
www.Alaskatap.com

Date: 08/28/2019
Expiration: 36 Months
Certificate #: 4339
Birth Date: [REDACTED]

NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.
Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.

Received 9-11-19
[Signature]

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: 9/3/19

License #/Type: 1245 Beverage Dispensary

Licensee: Yukon Tender Inc.

Address: 201 Fourth Ave, Seward, AK

DBA: Yukon Bar

AMCO Case #: 19-1404

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

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

On 8-27-19 an inspection was conducted at your establishment. As part of the inspection, bartender Kiersten Varon was asked to provide proof of server education. Ms. Varon's server education had expired on 7-6-19. She has been working at the establishment for more than 30 days. Ms. Varon was told to stop serving alcoholic beverages until she obtained current server education. Prior to my leaving Seward, Ms. Varon provided me with proof of current server education via text. Other violations observed were no pregnancy sign or 50K sign posted and the civil penalty sign needed to be moved to the entrance door. Also observed was a sign saying prices go up 75 cents with live music and DJ.

Your attention is directed to AS 04.21.025: Alcohol server education, AS 04.16.015: Pricing and marketing, AS 04.21.065: Posting of warning signs, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.50: Licensee responsible for violations

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

Issuing Investigator: J. Hamilton

SIGNATURE:

J.R. Hamilton

Delivered VIA: Mail

Received by:

Nidelle Seltz

SIGNATURE:

[Signature]

Date:

9-11-19

YUKON TENDER, INC.

PO Box 992 201 4th Ave. Seward, AK 99664 · (907) 224-3065

September 12, 2019

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

DEAR AMCO,

Regarding the inspection conducted at our establishment on 8/27/19:

- I have personally inspected all of our employee's server education cards to make sure they are current and up to date.
- The civil penalty sign has been moved to the front door.
- Inspector Hamilton kindly provided us with extra pregnancy signs and 50K signs, and these have been posted near the door as well.
- We have taken down the sign notifying customers that there was a 75 cent price increase with DJ and live music. We are no longer raising prices in such a manner.

This is regarding AMCO Case # 19-1404. Our Liquor License # is 1245.

Sincerely,



M. Michelle Saltz
General Manager
Yukon Tender, Inc.

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: 9/3/19

License #/Type: 3909 Package Store

Licensee: AK, Inc.

Address: 1711 Old Seward Highway, Seward, AK

DBA: Seward Marketplace

AMCO Case #: 19-1403

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

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

On 8-27-19 an inspection was conducted at your establishment. As part of the inspection, on duty clerk John Lee Swinson Jr. was asked to provide proof of current server education. Swinson stated he didn't have his card on him. He was advised to stop selling alcoholic beverages until he provided proof. As of 9-3-19 he has not provided proof. Swinson has been employed for more than 30 days. Contact was made with Alaska CHARR who provided the following information on Swinson: TAP Card #148042 valid from 7/6/2016 – 7/6/2019.

Your attention is directed to AS 04.21.025: Alcohol server education course, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violations

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

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: 9/3/19

License #/Type: 3909 Package Store

Licensee: AK, Inc.

Address: 1711 Old Seward Highway, Seward, AK

DBA: Seward Marketplace

AMCO Case #: 19-1403

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

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

On 8-27-19 an inspection was conducted at your establishment. As part of the inspection, on duty clerk John Lee Swinson Jr. was asked to provide proof of current server education. Swinson stated he didn't have his card on him. He was advised to stop selling alcoholic beverages until he provided proof. As of 9-3-19 he has not provided proof. Swinson has been employed for more than 30 days. Contact was made with Alaska CHARR who provided the following information on Swinson: TAP Card #148042 valid from 7/6/2016 – 7/6/2019.

Your attention is directed to AS 04.21.025: Alcohol server education course, AS 04.21.030: Responsibility of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violations

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

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

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

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

J.R. Hamilton

SIGNATURE:

Delivered VIA: Mail

Date:

REC'D SEP 09

From: [Linda Pieper](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#); [Hamilton, Joe \(CED\)](#)
Cc: [Linda Pieper](#); dsoto@carenterprises.net
Subject: FW: 60404 Seward Market Place - Notice of Violation - Liquor
Date: Wednesday, September 18, 2019 12:03:02 PM
Attachments: [Notice of Violation - Seward Market Place.pdf](#)
[st#60404TamsCards.pdf](#)
Importance: High

Dear Investigator Hamilton,

Thank you for the communication. It is very disappointing. We understand the legitimate concern that you have raised and we could have easily resolved the expired TAP Card by renewing the Card before it was expired.

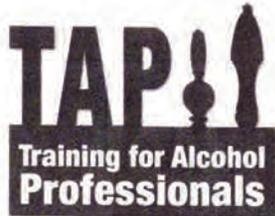
The failure to communicate is an internal issue that has been addressed. We have taken appropriate disciplinary action.

In addition John Lee Swinson Jr. has renewed his TAP Card on 9/6/19.

Thank you for your understanding and we look forward to continuing to work collaboratively with A&MB.

Sincerely,

Linda Pieper
General Manager Alaska



Certificate of Completion

This is to certify that

John Swinson jr

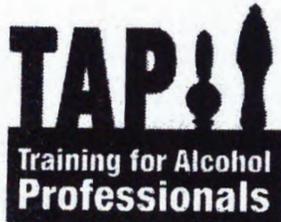
has successfully completed the
Alaskatap.com Responsible Beverage
Server and Seller Training Program

A handwritten signature in black ink, appearing to read "Edward D McLean".

Edward D McLean, Administrator
www.Alaskatap.com

Date: 09/06/2019
Expiration: 36 Months
Certificate #: 4362
Birth Date: [REDACTED]

NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.
Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.



Certificate of Completion

This is to certify that

Rita Tanner

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

A handwritten signature in black ink, appearing to read "E. McLean".

Edward D McLean, Administrator
www.Alskatap.com

Date: 09/10/2019
Expiration: 36 Months
Certificate #: 4366
Birth Date: XXXXXXXXXX

NOTE This is your temporary certification form. Your official certification card will be mailed to you in 7-14 days.
Please contact Alaska Charr at 800-478-2427 with questions regarding this certification.

TAP!
Training for Alcohol Professionals

(not valid for use as identification)



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

Instructor

CERTIFICATE #

164082

TANYA S CARLSEN

Name



Birthdate

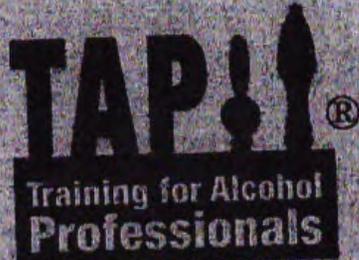
TSC

Signature

[Handwritten signature]

EXPIRES ON

9 / 24 / 20 21



(not valid for use as identification)

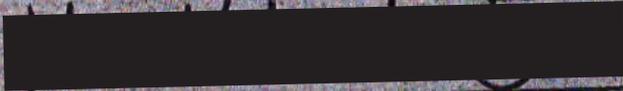


800-478-2427 or
907-274-8133
www.alaskacharr.com

[Handwritten Signature]
Instructor

CERTIFICATE # 158731

Name Angela Houser



Birthdate _____
Signature Angela Houser

EXPIRES ON

4 123 12023

TIPS Off Premise

Issued: 7/18/2018

Expires: 7/10/2021

ID#: 4855402

MICHELLE R MCBRIDE

1907 Seward Hwy

Seward, AK 99664-0100

For service visit us online at www.gettips.com

TIPS Trainer: Keri Rochon, 40612



HEALTH COMMUNICATIONS INC.

Phone: 800-438-8477

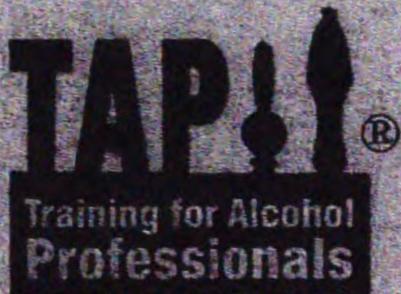
Fax: 703-524-1487

www.gettips.com

This card was issued for successful completion of the TIPS program

Signature

Michelle McBride



(not valid for use as identification)



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

[Signature]
Instructor

CERTIFICATE #

164094

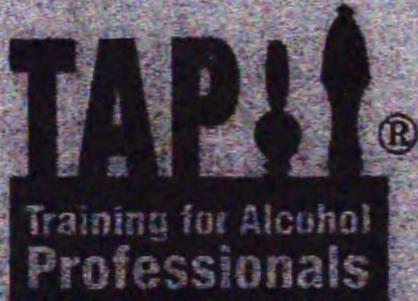
Amanda Marotta
Name

[Redacted]
Employee

[Signature]
Signature

EXPIRES ON

11 / 27 / 20 21



(not valid for use as identification)



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

Instructor

Gabe K

CERTIFICATE #

164095

Dean Zaner

Name



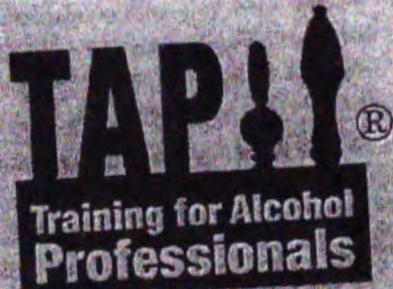
Birthdate

David W. Law

Signature

EXPIRES ON

11 / 27 / 20 21



(not valid for use as identification)



800-478-2427 or
907-274-8133

www.alaskacharr.com

[Handwritten Signature]
Instructor

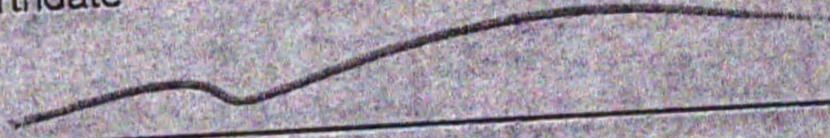
CERTIFICATE # 158712

Jamie Musick

Name



Birthdate



Signature

EXPIRES ON

11 119 12020



(not valid for use as identification)



800-478-2427 or
907-274-8133

www.alaskacharr.com

[Handwritten Signature]
Instructor

CERTIFICATE # 110860

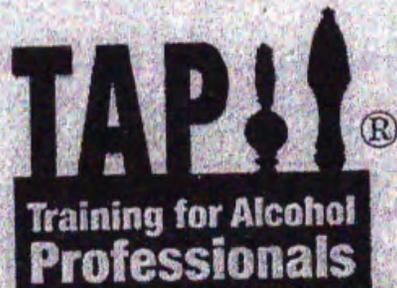
Heidi Harris
Name



Heidi Harris
Signature

EXPIRES ON

11 119 2020



(not valid for use as identification)



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

CERTIFICATE #

149138

Kathleen Verschuere

Name



Birthdate

Kathleen Verschuere

Signature

EXPIRES ON

4/12 /20

Instructor

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: 9/3/19

License #/Type: 5399

Restaurant/Eating Place-Public Convenience Seasonal

Licensee: The Sea Bean, LLC

Address: 225 4th Avenue, Seward, AK 99664

DBA: The Sea Bean

AMCO Case #: 19-1408

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

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

On 8-28-19 an inspection was conducted at your establishment. As part of the inspection, manager Veronika Hodkova was asked to provide proof of alcohol server education. Ms. Hodkova stated she doesn't serve. Ms. Hodkova has been employed for at least 30 days and does supervise persons that sell alcoholic beverages. She was advised to obtain a server card.

Your attention is directed to 3AAC 304.465: Alcohol server education course, AS 04.21.030: Responsibilities of licensees, agents, and employees and AS 04.16.150: Licensee responsible for violations

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

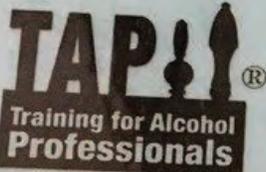
Date:

From: [The Sea Bean](#)
To: [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: Veronika Hodkova TAP card
Date: Friday, September 27, 2019 12:14:20 PM

Hello,

Attached is a copy of Veronika Hodkova's TAP card. We have taken steps to ensure that this won't happen again. Thank you for your help!

Matt Hershock
The Sea Bean
907-422-7125



CERTIFICATE # 170037

Veronika Hodkova
Name



Birthdate

onfile
Signature



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

EXPIRES ON

online
Instructor

9 / 11 / 2022

Thank you!

Meredith Hershock
The Sea Bean

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: 9/10/19

License #/Type: 4535 Package Store

Licensee: TLS, Inc.

Address: 50470 Sterling Hwy, Soldotna, AK

DBA: TJ Seggy's

AMCO Case #: 19-1457

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

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

On 9-5-19, an inspection was conducted at your establishment. It was learned at that time that you are storing extra stock in your office area. According to the latest diagram listed in your file with AMCO, this area has not been approved for storage.

Your attention is directed to 04.21.060: Warehousing of alcoholic beverages, 04.21.080: Definitions, AS 04.16.150: Licensee responsible for violations and AS 04.21.030: Responsibilities of licensees, agents and employees

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

From: [Hamilton, Joe \(CED\)](#)
To: [Davies, Jason M \(CED\)](#)
Subject: FW: Latest Diagram
Date: Wednesday, September 11, 2019 2:51:07 PM
Attachments: [image001.png](#)

Can we include this as their response.

Joe Hamilton
Special Investigator 1
Enforcement Unit
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Office (907) 269-0063
Cell (907) 441-2534
joe.hamilton@alaska.gov

From: John Segesser

[mailto:seggy@ptialaska.net]

Sent: Wednesday, September 11, 2019 2:48 PM
To: Hamilton, Joe (CED) <joe.hamilton@alaska.gov>
Subject: Re: Latest Diagram

Joe,

The alcohol has been removed from the office.

John Segesser

From: Hamilton, Joe (CED)
Sent: Monday, September 9, 2019 9:58 AM
To: seggy@ptialaska.net
Subject: Latest Diagram

This is the latest Diagram I have. Office not on premises.

Joe

Joe Hamilton
Special Investigator 1
Enforcement Unit
Alcohol & Marijuana Control Office
550 W. 7th Ave, Suite 1600
Anchorage, AK 99501
Office (907) 269-0063
Cell (907) 441-2534
joe.hamilton@alaska.gov

Alcohol and Marijuana Control board

RE License #131 TLS Inc dba TJ Seggys

On 9/5/19 it was brought to our attention that the office was not included or approved for extra liquor storage. Upon notification the extra stock was removed and placed in the proper storage area. Owner, manager and all employees have been briefed on where alcohol is to be stored. We at TJ Seggys do apologize and we have posted the premises diagram so that there will be no further violations.

Sincerely,

Heidi Nylander
Manager
TJ Seggys

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: 9/10/19

License #/Type: 2592 Package Store

Licensee: Giana, Inc.

Address: 43299 K-Beach Rd, Soldotna, AK

DBA: Red Diamond Liquor Barn

AMCO Case #: 19-1458

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

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

On 9-4-19 an inspection was conducted at your establishment. Noticed as a result of that inspection you are now doing business as Vaughn's Mini Mart Liquor Store. AMCO records list you doing business as Red Diamond Liquor Barn. A notice of violation, case number 16-0440, was issued for the same violation in June of 2016. See attached.

Your attention is directed to 3AAC 305.185: Licensed premises, AS 04.15.150: Licensee responsible for violations, 04.21.030: Responsibilities of licensees, agents, and employees

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

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

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Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:



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

Date: 6-16-16
 Number AB16-0440
 Page 1 of 1 Page

Notice of Violation

(3AAC 304.525)

Licensee Giana, Inc.	License Number 2592	Type of License Package Store
D.B.A. Red Diamond Liquor Barn 43335 Kalifornsky Beach Road	How Delivered Via USPS 7015 1520 0001 7802 2382	Law Enforcement Agency Soldotna Police Department
Street or P.O. Box PO Box 2917	City, State Kenai, AK	Zip 99611

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

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

VIOLATION: As a result of an inspection conducted 6-8-16, it was learned that all clerks and managers working that day had expired or no server education. The owner was contacted and asked to provide proof that she has current server education to which she has failed to do. On-duty manager advised investigator that owner is aware everyone is expired. It was also observed that your DBA changed to Liquor Store. AMCO records indicate you should be doing business as Red Diamond Liquor Barn.

Your attention is directed to **AS04.21.025 & 3AAC304.465: Server education, AS04.21.030: Responsibility of licenses, agents, and employee', AS04.16.150: Licensee responsible for violations and 3AAC304.185: Licensed premises.**

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

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

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

A Response is Required

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.

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

43335 Kalifornsky Beach Road

Soldotna, Alaska 99699

Vaughns Mini Mart / Red Diamond Liquor Barn

Cynthia Franklin

Director Alcohol & Marijuana

Control Office

This letter is in response to two Notice of Violations issued to Vaughns Mini Mart/Red Diamond Liquor Barn, Violation number AB16-0440 Date 6-16-16 stated that our clerks and managers had expired server education cards, I apologize for the confusion as we thought that issue had been resolved, I have enclosed the current copies of all of our employees food service cards and have new management that will ensure that all employees stay current.

The other violation AMCO Case #19-1458 on 9/4/19 concerning Red Diamond Liquor Barn License # 2592 stated that we were doing business as Vaughns Mini Mart Liquor Store, again I apologize for any confusion as we have always conducted business as Red Diamond Liquor Barn, to clear the issue up we have installed a sign on the Liquor Store side of the building saying Red Diamond Liquor Barn, I have enclosed a picture of this in this letter.

Sincerely;

Dan Navarre

Operation Manager

Giana Inc.DBA Vaughns Mini Mart/

Red Diamond Liquor Barn

P.O.Box 151

Kenai, Alaska 99611



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

Date: 6-16-16
Number AB16-0440
Page 1 of 1 Page

Handwritten initials: U P J

Notice of Violation

(3AAC 304.525)

Licensee Giana, Inc.	License Number 2592	Type of License Package Store
D.B.A. Red Diamond Liquor Barn 43335 Kalifornsky Beach Road	How Delivered Via USPS 7015 1520 0001 7802 2382	Law Enforcement Agency Soldotna Police Department
Street or P.O. Box PO Box 2917	City, State Kenai, AK	Zip 99611

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

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

VIOLATION: As a result of an inspection conducted 6-8-16, it was learned that all clerks and managers working that day had expired or no server education. The owner was contacted and asked to provide proof that she has current server education to which she has failed to do. On-duty manager advised investigator that owner is aware everyone is expired. It was also observed that your DBA changed to Liquor Store. AMCO records indicate you should be doing business as Red Diamond Liquor Barn.

Your attention is directed to **AS04.21.025 & 3AAC304.465: Server education, AS04.21.030: Responsibility of licenses, agents, and employee', AS04.16.150: Licensee responsible for violations and 3AAC304.185: Licensed premises.**

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

*Please include your Alcohol License Number in your response.

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

A Response is Required

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

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: 9/10/19

License #/Type: 2592 Package Store

Licensee: Giana, Inc.

Address: 43299 K-Beach Rd, Soldotna, AK

DBA: Red Diamond Liquor Barn

AMCO Case #: 19-1458

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

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

On 9-4-19 an inspection was conducted at your establishment. Noticed as a result of that inspection you are now doing business as Vaughn's Mini Mart Liquor Store. AMCO records list you doing business as Red Diamond Liquor Barn. A notice of violation, case number 16-0440, was issued for the same violation in June of 2016. See attached.

Your attention is directed to 3AAC 305.185: Licensed premises, AS 04.15.150: Licensee responsible for violations, 04.21.030: Responsibilities of licensees, agents, and employees

COPY

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

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

J.R. Hamilton

SIGNATURE:

Delivered VIA: Mail

Date:

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

CERTIFICATE # 160560

Name ERIC GROSVOLD

Birthdate [REDACTED]

Signature [Signature]

EXPIRES ON 14 FEB 2021

Instructor [Signature]

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

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Division of Environmental Health
 Food Safety and Sanitation Program
Food Worker Card
Eric Grosvold
 Issued: 2/20/2018 Expires: 2/19/2021

Food Worker #: 1278942
 1-87-SAFE-FOOD
 http://www.alaska.gov

[Signature]
 Program Manager

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

CERTIFICATE # 14910

Name DANIEL NAVARRE

Birthdate [REDACTED]

Signature [Signature]

EXPIRES ON 8/3/2021

Instructor [Signature]

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

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

CERTIFICATE # 174423

Name JOANNA PITILONIS

Birthdate [REDACTED]

Signature [Signature]

EXPIRES ON 4 Sept 2021

Instructor [Signature]

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

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

CERTIFICATE # 165691

Name Taletha Lewis

Birthdate [REDACTED]

Signature [Signature]

EXPIRES ON 14 / Nov / 2021

Instructor [Signature]

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

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Division of Environmental Health
 Food Safety and Sanitation Program
Food Worker Card
taleitha lewis
 Issued: 3/27/2019 Expires: 3/26/2022

Food Worker #: 1604301
 1-87-SAFE-FOOD
 http://www.alaska.gov

[Signature]
 Program Manager

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

CERTIFICATE # 174333

Name SARRAH JANE MANOLAKAKIS

Birthdate [REDACTED]

Signature [Signature]

EXPIRES ON 14 / Nov / 2021

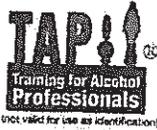
Instructor [Signature]

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

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 Division of Environmental Health
 Food Safety and Sanitation Program
Food Worker Card
SARRAH JANE MANOLAKAKIS
 Issued: 8/23/2019 Expires: 8/22/2022

Food Worker #: 6377242
 1-87-SAFE-FOOD
 http://www.alaska.gov

[Signature]
 Program Manager



CERTIFICATE # 148690

Name Lee Cote

Birthdate [REDACTED]

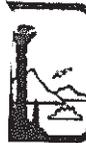
Signature [Handwritten Signature]

EXPIRES ON

14 DEC 2019

800-478-2427 or 807-274-8133 www.alaskacharr.com

Instructor



ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Health Food Safety and Sanitation Program

Food Worker Card Lee Cote

Issued: 9/4/2017 Expires: 9/3/2020

Food Worker #: 1055624 1-87-SAFE-FOOD http://www.alaska.gov

Signature [Handwritten Signature] Program Manager



CERTIFICATE # 160561

Name Loree C Lawrence

Birthdate [REDACTED]

Signature [Handwritten Signature]

EXPIRES ON

14 FEB 2021

800-478-2427 or 807-274-8133 www.alaskacharr.com

Instructor



ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Health Food Safety and Sanitation Program

Food Worker Card Loree Lawrence

Issued: 5/3/2018 Expires: 5/2/2021

Food Worker #: 1193186 1-87-SAFE-FOOD http://www.alaska.gov

Signature [Handwritten Signature] Program Manager



CERTIFICATE # 153282

Name JOSE V. PONS-VIVES

Birthdate [REDACTED]

Signature [Handwritten Signature]

EXPIRES ON

14 JUN 2020

800-478-2427 or 807-274-8133 www.alaskacharr.com

Instructor

ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Health Food Safety and Sanitation Program

Food Worker Card Jose V. PonsVives

Issued: 1/19/2017 Expires: 5/18/2020

Signature [Handwritten Signature] Program Manager



Certificate # 14578007

Issued 1/13/2017

Name: JOSE PONS-VIVES

Expires 1/13/2022



StateFoodSafety Food Handlers Card
Issued to: Casandra Lehmborg
Date of Birth: [REDACTED]
Completion Date: Oct 16, 2018
Valid for 3 years
Verification Number: ca6d2-hjkhbj
Employer: Verify card at www.statefoodsafety.com/Verify

StateFoodSafety
Food Safety Training & Certification

July 9, 1976
Certification Expires 10/16/2021

StateFoodSafety
Food Safety Training & Certification



ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Health
Food Safety and Sanitation Program

Food Worker Card
Marie Thirlwell

Issued: 4/25/2019 Expires: 4/24/2022

Food Worker #: 1729507
1-87-SAFE-FOOD
<http://www.alaska.gov>

Amberly [Signature]
Program Manager

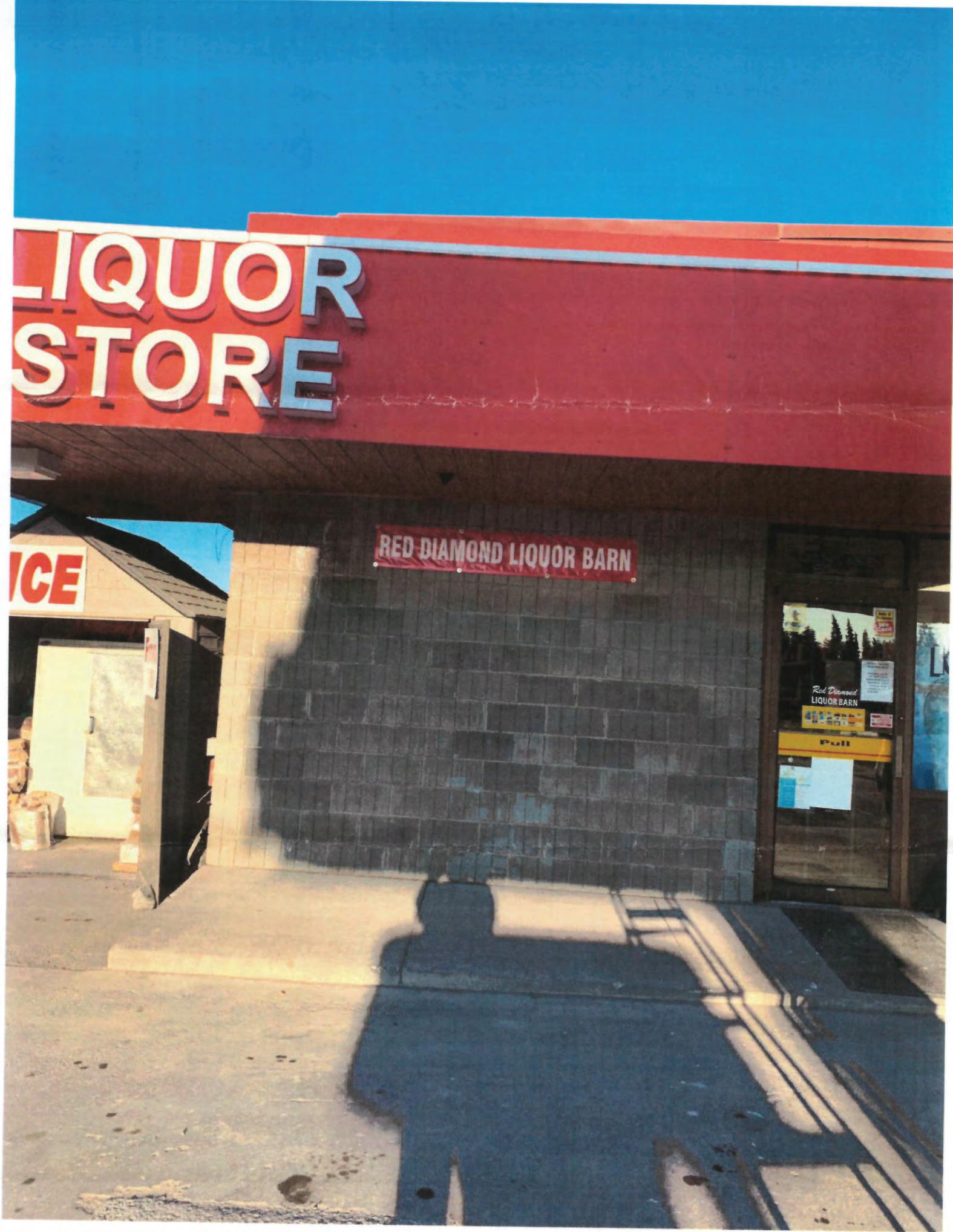
LIQUOR STORE

RED DIAMOND LIQUOR BARN

ICE

Red Diamond
LIQUOR BARN

Pull



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: 10/8/19

License #/Type: 188 Restaurant/Eating Place

Licensee: Bullwinkle's Inc.

Address: 318 Willoughby Ave., Juneau AK 99801

DBA: Bullwinkle's Pizza

AMCO Case #: AM191551

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.

During inspection of licensed premises; on duty manager Sean Stredicke was found not to have a current alcohol server education card on his person or a valid copy available. He was unsure if he had a current card or if his was expired.

This is a violation of:

Sec. 04.21.025. Alcohol server education course.

3 AAC 304.465. Alcohol server education course

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

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

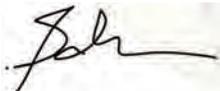
Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: S. Johnson

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

From: [Davies, Jason M \(CED\)](#)
To: bullwinkles1@gci.net; [Dave Macal](#); [Sean Stredicke](#)
Cc: [CED AMCO Enforcement \(CED sponsored\)](#)
Subject: RE: Response to Notice of Violation
Date: Tuesday, October 15, 2019 9:55:00 AM

Morning,

Thank you for the reply to the notice of violation. Please provide copies of either the certificate of completion or the server cards for the employees in question.

Regards,

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

From: bullwinkles1@gci.net [mailto:bullwinkles1@gci.net]
Sent: Tuesday, October 15, 2019 9:39 AM
To: CED AMCO Enforcement (CED sponsored) <amco.enforcement@alaska.gov>
Cc: Sean Stredicke <s_stredicke@hotmail.com>; Dave Macal <sarcasticwombat@gmail.com>
Subject: Response to Notice of Violation

To whom it may concern,

In response to the Notice of Violation, AMCO Case # AM 191551 Bullwinkle's Inc reviewed all personal and verified current and expired alcohol server education cards. Those employees who were expired attended the class offered this past Sunday, 10/13/2019. In addition protocol has been put in place to assure all employees who serve alcohol have the current card.

Thank You,

Mitch Falk
President
Bullwinkle's Inc
907-463-5252



Virus-free. www.avast.com



(not valid for use as identification)

CERTIFICATE #

176440

Sean Stredicke

Name

September 10, 1976

Birthdate

Sean Stredicke

Signature

800-478-2427 or
907-274-8133

www.alaskacharr.com

Johna Wahl

Instructor

EXPIRES ON

10 / 13 / 2022

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: 10/24/19

License #/Type: 1767 Package Store

Licensee: Luna Sea, Inc.

Address: 1855 Van Horn Road, Fairbanks, AK

DBA: Gold Star Keg King

AMCO Case #: 19-1625

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 have an unreported change of ownership. Details are as follows:

Change in ownership:

Randall Kelsch— originally 51%, changed to 90%

Nicholas Kelsch – originally 49%, changed to 10%

Date of unreported change of officers/ownership: 02/18/2017

Your attention is referred to AS 04.11.050(a): Reports required of corporations.

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

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

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

Alcohol & Marijuana Control Office

ATTN: Enforcement

550 W. 7th Ave, Suite 1600

Anchorage, Alaska 99501

amco.enforcement@alaska.gov

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

ANCHORAGE

Matthew K. Peterson, Of Counsel
John B. Thorsness
Rikki Burns-Riley
Tracy Hillhouse Price



**CLAPP PETERSON TIEMESSEN
THORSNESS LLC**

FAIRBANKS

John J. Tiemessen
Lisa Hamby-Krynicky
Constance C. Ringstad
Megan E. Edlund
George R. Vrablik
Marcus R. Clapp
1942 - 2009

October 28, 2019

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED and EMAIL

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

*RE: Incomplete Renewal Application for License # 1767 DBA Gold Star keg King
Insured/Our Client: Randy Kelsch
Our File: 2934-1*

To whom it may concern:

Pursuant to your correspondence of October 24, 2019, we are providing a written statement reflecting the ownership interest change for Luna Sea, Inc., from Randall Kelsch, 51% ownership interest and Nicholas Kelsch, 49% ownership interest to Randall Kelsch 90% ownership interest and Nicholas Kelsch, 10% ownership interest.

Other than the ownership distribution change, all other details and structure of the company remain unchanged.

If you have any questions or concerns please feel free to contact me.

Sincerely,

Patricia A. Tyler, Paralegal
Direct Dial (907) 479-7751
pat@cplawak.com

Cc: Client
pat/1926-546/LtrToABCBoardReCorpShares