

# 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: 7/1/20

License #/Type: 1294 Package Store

Licensee: Irini, Inc

Address: 43750 Kalifornsky Beach Rd, KPB

DBA: Big John's

AMCO Case #: 20-0646

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 6-29-20, an inspection was conducted at your establishment. Contact was made with manager Grant Feather, who stated he has been working at this location for approximately 8 weeks. Feather was asked to provide proof of server education to which he stated he has had it in the past but doesn't have it now. Feather stated 3 or 4 other employees who work in the liquor store, who have been employed longer than 30 days, do not have server education. Feather stated due to COVID, the last two classes that have been advertised were on such short notice, he could not adjust his and his employees schedules to attend training. However, he did state they were all scheduled to attend training on 6-30-20 on your premises. On 6-30-20, Inv. Hamilton contacted Alaska CHARR who advised him that the last class taught in Soldotna was on June 10th of 2020, in. They further stated they usually try to give at least a weeks notice of the class. Finally, there is no class scheduled in Soldotna on June 30, 2020.

Your attention is referred to AS 04.21.025: Alcohol server education, and AS 04.21.030: Responsibility of licensee, 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. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:



SIGNATURE:

Delivered VIA: Mail

Date:

Big John's Chevron  
47 Spur View Drive  
Kenai, AK 99611

July 7, 2020

Alcohol & Marijuana Control Office  
Attn: Enforcement  
550 W. 7<sup>th</sup> Ave. Suite 1500  
Anchorage, AK 99501

Via email to: [amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)

***Re: Notice of Violation dated 7/1/20; License #1294***

Mr. Hamilton:

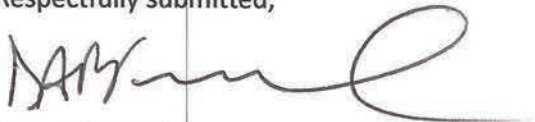
I am in receipt of your notice. Please accept this as our written response, per your directive.

I think it's fair to say that COVID 19 has disrupted our business and staffing plans as it has no doubt those of the State of Alaska. Employee turnover is at a record pace as evidenced by record high unemployment levels and reported by your co-workers at the Department of Labor.

Indeed, what Mr. Brant Feather told you was true. Big John's Chevron contracted with the same course instructor as CHARR uses, Mr. David Ahlberg, to perform the class and testing within our facility on Tuesday, June 30, 2020 for the exclusive benefit of our staff.

Of the necessary attendees at that in-house class, all but one employee passed the test. Tomorrow, Wednesday, July 8, 2020 he and one other new employee will attend the class scheduled for the VFW Hall in Soldotna.

Respectfully submitted,



Duane Bannock  
907 283 3660 Uptown Motel office

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**ATTN: Enforcement**

**550 W. 7<sup>th</sup> Ave, Suite 1600**

**Anchorage, Alaska 99501**

**[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)**

Issuing Investigator: J. Hamilton

SIGNATURE:

*J.R. Hamilton*

Delivered VIA: Mail

Received by:

*Duane Bannock*

SIGNATURE:

*Duane Bannock*

Date:

*7-8-2020*

# Notice of Violation

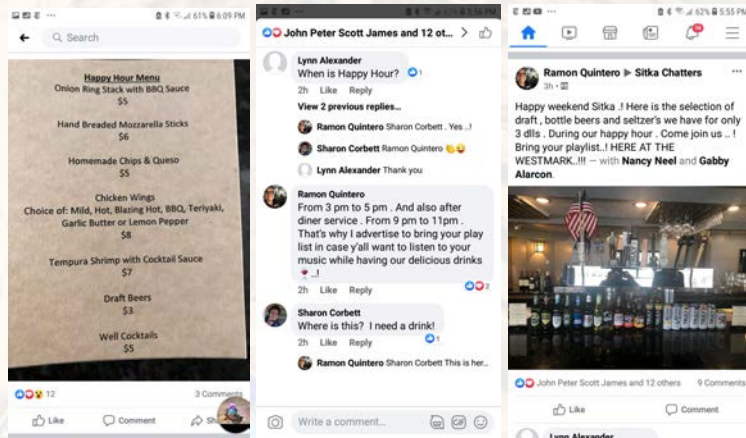
(3AAC 304.525)

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

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

Issuing Investigator:

SIGNATURE:

Delivered VIA:

Received by:

SIGNATURE:

Date:



July 16, 2020

To: Alcohol & Marijuana Control Office

550 W. 7<sup>th</sup> Ave., Suite 1600

Anchorage, Alaska 99501

From: JL Sitka

License #1031

Case: AM200271

Attn: Enforcement:

We have received your notice of the Happy Hour violation. This was brought to the Chef Benjamin Ortiz's attention before we received this notice and was immediately changed. Therefore, No discount on drinks for limited hours, no Happy Hours.

Sincerely,

A handwritten signature in blue ink that reads "Sharon Bryant".

Sharon Bryant

Controller, Westmark Sitka

907-747-0965

Benjamin Ortiz

Chef

**Westmark Sitka**

330 Seward Street, Sitka, Alaska 99835-7523  
Phone (907) 747-6241 Fax (907) 747-5486

# 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: 7/13/20

License #/Type: 1031

Beverage Dispensary-Tourism AS 04.11.400(d)

Licensee: JL Sitka, INC

Address: 330 Seward Street, Sitka, AK 99835

DBA: Westmark Sitka Hotel

AMCO Case #: AM200271

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 07/10/2020 AMCO enforcement was notified of a message posting on Facebook of an advertisement for Happy Hour at the Westmark Sitka Hotel. The message showed a "Happy Hour menu" and had a message describing the hours as "from 3pm to 5pm, and also after dinner service, from 9pm to 11pm." The Happy Hour menu listed \$3 Draft Beers and \$5 Well Cocktails.

Screenshots attached.

This is a violation of AS04.16.015(a)(5)



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

Issuing Investigator: S. Johnson

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: 7/10/20

License #/Type: 5399

Restaurant/Eating Place-Public Convenience

Licensee: The Sea Bean, LLC

Address: 225 4th Ave, Seward, AK

DBA: The Sea Bean

AMCO Case #: 20-0716

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 7-9-20, AMCO Investigator Hamilton conducted a walk through of your establishment. The establishment was missing the \$1,500 civil penalty sign which should be posted at the entrance of the establishment. On 8-28-19 during an inspection, it was noted to move the existing civil penalty sign to the entrance. Also at the time of inspection the pregnancy sign and \$50,000 serving a minor sign was also provided.

As a reminder, not posting required sign-age could result in a \$100.00 a day fine.

Your attention is referred to AS 04.21.065: Posting of warning signs

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

Issuing Investigator: J. Hamilton

Received by:

SIGNATURE:

*J. R. Hamilton*

SIGNATURE:

Delivered VIA: Mail

Date:



Department of Commerce, Community, and Economic Development  
 Alcoholic Beverage Control Board  
 550 W. 7<sup>th</sup> Ave, Suite 1600, Anchorage, AK 99501  
 Tel. (907) 269-0350

**LICENSED PREMISES INSPECTION REPORT**

Case No. 19-1359

Premises, DBA <b>THE SEA BEAN</b>		Date: 8/28/19	Time: 1420
Address (Street No. RR No. etc., City, Zip code) 225 4TH AVE, SEWARD, AK		Type of License RESTAURANT/EATING PLACE-PUBLIC CONVENIENCE SEASONAL	
License or Permit Number 5399	Type of Inspection: <input type="checkbox"/> Initial <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Requested <input type="checkbox"/> Follow-Up		
<b>Important Notice</b>			
Any item determined to be unsatisfactory must be corrected or the Alcoholic Beverage Control Board may take action to suspend or revoke the license in accordance with AS 04.11.370(3)			

**GENERAL ITEMS**

	Yes	No	See Comments
1. Is the DBA the same as what is indicated in the ABC master file? 3 AAC 304.185	✓		
2. License posted correctly? 3 AAC 304.185, pg. 101 / AS 04.11.630	✓		
3. Does the premises have a restaurant designation permit? 3 AAC 304.745	✓		
4. Does the licensee employ persons under 21 years of age? AS 23.10.355		✓	
5. Warning signs posted? AS 04.21.065	✓	✓	See Comments
6. Do employees/supervisors have proof of current alcohol server training? AS 04.21.025(c), 3AAC304.465	✓	✓	See Comments
7. Do you expect to be closed more than 30 days in the near future? 3AAC304.170 AAC 304.195		✓	
8. Do premises appear safe / neat? AS 04.21.030(2)	✓		
9. Is any off-premises storage area approved by the board? AS 04.21.060(1)		✓	
10. Have there been any physical changes to the licensed premises? 3 AAC 304.185(c)		✓	
11. Is a duplicate license required/appropriately displayed? AS 04.11.090(e)			N/A
12. If new license inspection, will they meet the 240 hour operation requirements by the end of the calendar year? AS 04.11.330 (3) AAC 304.170 (j) (1-7)			N/A
13. Is the license premise in a Rural area? (50 miles from a statewide road system)		✓	

**MISCELLANEOUS**

14. Does the facility have the number of rooms required by Statute? AS 04.11.400			
15. Is there an operating restaurant or are there kitchens in the majority of the rooms? AS 04.11.400			

**COMMENTS:**

- 1 NO NEW LICENSE SHOWING, POSTED WAS THE 17-18 LICENSE
- 5 MOVED CIVIL PENALTY TO DOOR, NO PREGNANCY OR 50K SIGN, PROVIDED THEM
- 6 MANAGER DID NOT HAVE SERVER EDUCATION, ON DUTY SERVER DID HAVE VALID SERVER EDUCATION

Owner/Manager/Agent Name: MANAGER VERONIKA HODKOVA	Contact #	Investigator Name: Joe Hamilton
Driver's License Number / Date of Birth: CZ ID                      6-7-92		Investigators Signature: <i>J.R. Hamilton</i>
Alcohol Server Education Card Number / Expiration Date: NONE		Rank or Title: Special Investigator I



**From:** [Hamilton, Joe \(CED\)](#)  
**To:** [The Sea Bean](#)  
**Cc:** [Davies, Jason M \(CED\)](#); [CED AMCO Enforcement \(CED sponsored\)](#)  
**Subject:** Re: Violation response #20-0716  
**Date:** Saturday, July 25, 2020 1:59:45 PM

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This fine, thank you.

Sent from my iPhone

On Jul 25, 2020, at 10:24 AM, The Sea Bean <[seabeancafe@gmail.com](mailto:seabeancafe@gmail.com)> wrote:

Hello, thank you for the clarification. We move the sign last week but I forgot to send you a picture. See attached. Is there anything else we need to do to get this resolved?

Thank you,  
Meredith  
The Sea Bean  
<IMG\_6490.jpg>

On Mon, Jul 20, 2020 at 2:16 PM Davies, Jason M (CED)  
<[jason.davies@alaska.gov](mailto:jason.davies@alaska.gov)> wrote:

*Jason M Davies – Criminal Justice Tech II*

*AMCO/ENFORCEMENT*

*[jason.davies@alaska.gov](mailto:jason.davies@alaska.gov)*

*907-754-3410*

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**From:** Hamilton, Joe (CED)  
**Sent:** Monday, July 20, 2020 2:05 PM  
**To:** Davies, Jason M (CED) <[jason.davies@alaska.gov](mailto:jason.davies@alaska.gov)>  
**Subject:** Re: Violation response #20-0716

Ms Hershock,

I am quite confident the person I spoke with last year misunderstood where the sign could go. I am a stickler about where this sign can be posted and inform everyone that the sign has to be seen as you are entering the establishment. Not above the door on the inside.

If I recall the sea bean as you enter there is a support post about maybe 15 feet into the premises. The service station is toward the back on the left. I would have told who I talked with that the two other signs could be put on or near the service counter and that the \$1500 sign could be posted on the post or window pane of door facing out or in one of the side windows. I do recall leaving two 1500 signs at an establishment to have them put one in the window on each side of the door.

Please remove the sign from its current location and place it so it can be seen as you enter the establishment.

Than you

Inv Hamilton

**From:** The Sea Bean  
[<mailto:seabeancafe@gmail.com>]  
**Sent:** Monday, July 20, 2020 1:27 PM  
**To:** CED AMCO Enforcement (CED sponsored)  
<[amco.enforcement@alaska.gov](mailto:amco.enforcement@alaska.gov)>  
**Subject:** Violation response #20-0716

Hello,

We received a notice of Violation that I was hoping we could respond to via email? The case #20-0716, for the Sea Bean, license 5399.

The letter states that when Investigator Hamilton walked though on July 9, the \$1500 civic penalty sign was missing from the front entrance. The sign actually is up, and has been in its present location since last fall when another inspector came through and helped us install the signs. It's above the door, so maybe he didn't see it? I'm attaching a photo.

I hope this email suffices- if I need to mail a response, could you please let me know?

--

Thank you!

Meredith Hershock  
The Sea Bean  
907-491-0473

<IMG\_6418.jpg>

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Thank you!

Meredith Hershock  
The Sea Bean  
907-491-0473