



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive  
Anchorage, Alaska 99501  
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## ABC Board Meeting

**Date: February 11-12, 2015**

**Time: Feb. 11, 11:00 AM – Director’s Report**  
**Feb. 11, 11:15 AM – Meeting**  
**Feb. 12, 9:00 AM – Meeting**

**Location: Juneau**  
**Centennial Hall Convention Center**  
**Ballroom 2 (Feb. 11)**  
**Hickel Room (Feb. 12)**  
**101 Egan Drive**  
**Juneau, AK 99801**

**Teleconference Number:**  
**1-800-315-6338 code 69173#**

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**Agenda**  
**February 11, 2015**  
**Juneau, Alaska**

● **DIRECTOR BRIEFING**

A. Director's Report 11:00 AM [TAB 1](#)

● **ADMINISTRATION**

A. Approve minutes of the December 1-2, 2014 Board Meeting 11:15 AM [TAB 2](#)

● **PUBLIC TESTIMONY**

11:20 AM

A. Period of time for public testimony on alcohol issues not on this agenda. Please phone 1-800-315-6338 code 69173#.

● **BOARD CONSIDERATION**

A. Recommend Investigator Robert Beasley to Carry Firearm 11:50 AM [TAB 3](#)

B. **5146 Eagle Hotel Restaurant & Lounge:** Eagle Hotel, LLC 11:55 AM [TAB 4](#)  
918 S Colony Way; Palmer  
**License: Beverage Dispensary – Tourism**

**No Response to NOV**

B. **484 Gwin's Lodge / Gwin's Roadhouse:** Gwin's Resorts, LLC 12:10 PM [TAB 5](#)  
14865 Sterling Highway; Kenai Peninsula Borough  
**License: Beverage Dispensary**  
From: Gwin's Lodge, Inc. DBA Gwin's Lodge; No Premises

**Consideration of License Transfer**

C. **897 The Place Bar & Motel:** John R. Young 12:20 PM [TAB 6](#)  
53791 Sparrow Lane; Kenai Peninsula Borough  
**License: Beverage Dispensary – Tourism**

**Extension Request for License Transfer**

● **ACTION ON LICENSEE CONVICTION/VIOLATION**

A. Prior Licensee Sanctions **TAB 7**

B. **1295 4 Royle Parkers:** Taek Young & Hee Hwan Lee **12:25 PM** **TAB 8**  
36185 Kenai Spur Highway; Kenai Peninsula Borough  
**License: Package Store**

**Violation: Give/Sell Alcohol to Drunken Person**

C. **3772 Circle M Bar:** DEL, Inc. **12:35 PM** **TAB 9**  
1323 Old Richardson Highway; Fairbanks North Star Borough  
**License: Beverage Dispensary**

**Violation: Furnishing to Persons Under 21**

**Plea/Conviction: Disorderly Conduct**

● **BEVERAGE DISPENSARY – TOURISM LICENSES** **TAB 10**

**5371 Cannery Bay Restaurant:** Ocean Shores, Inc.; Homer  
451 Sterling Highway  
**New: Beverage Dispensary – Tourism**

All statutory requirements have been met. Department of Environmental Conservation approves. Pending City of Homer and State Fire Marshal. Background investigations pending.

**4945 Last Call Tavern:** Alaska’s Two Sisters Holdings, LLC; Denali Borough  
Mile Post 136 Denali Highway (Cantwell)  
**Transfer: Beverage Dispensary – Tourism**  
From: Longhorn Liquor, Inc. DBA Cantwell Lodge & Longhorn Saloon

All statutory requirements have been met. Department of Labor approves. Pending Denali Borough and Department of Revenue. Background investigations complete.

**207 Tustumena Lodge:** Fish ‘N Hole Lodge, LLC; Kenai Peninsula Borough  
58840 Sterling Highway (Kasilof)  
**Transfer: Beverage Dispensary – Tourism**  
From: Susan V. Cook

All statutory requirements have been met. Departments of Labor & Revenue approve. Pending Kenai Peninsula Borough. Background investigations pending.

● **PROTESTS** 12:45 PM TAB 11

**5361 Terra Bella Bakery Cafe:** Terra Bella, Inc.; Anchorage  
601 E Dimond Blvd #6  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Background investigations complete.  
**Municipality of Anchorage protests pending administrative site plan review approved by the Planning Department.**

● **OBJECTIONS** 12:50 PM TAB 12

**4930 El Dorado:** Mariella Valencia; Anchorage  
4300 Old Seward Highway, Ste D1  
**Transfer: Restaurant / Eating Place**  
From: Tarascos, LLC

All statutory requirements have been met. Department of Revenue approves.  
Pending Municipality of Anchorage. Background investigations pending.  
**Department of Labor objects.**

**5247 Tequila Kitchen Express:** Serranos, LLC; Anchorage  
2514 E Tudor Road  
**Transfer: Restaurant / Eating Place**  
From: Tequila Kitchen Express, LLC

All statutory requirements have been met. Department of Revenue approves.  
Pending Municipality of Anchorage. Background investigations complete.  
**Department of Labor objects.**

● **RENEWAL PROTESTS**

**A. 4251 Settler's Bay Golf Course:** Settler's Bay Golf Course, LLC 12:55 PM TAB 13  
7307 S Frontier Drive; Mat-Su Borough  
**License: Golf Course**

**Protest: MSB Tobacco Tax License expired.**

● **PROTESTS OF CONTINUED OPERATION**

**A. 4192 Seong's Sushi Bar & Chinese Takeout:** Seong S. Kim 1:00 PM TAB 14  
740 W 9<sup>th</sup> Street; Juneau  
**License: Restaurant / Eating Place**

**Protest: Delinquent taxes owed; unfiled sales tax returns.**



**4345 Blue Ginger Cafe:** Shine’s Sushi Restaurant, LLC; Anchorage  
11401 Old Glenn Highway, Ste 103

**Stock Transfer: Restaurant / Eating Place**

From: Min Hui Zheng and Shi Wu Huang (100%) to Zhi Hao Zhang

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Departments of Labor and Revenue approve. Background investigations complete.  
Temporary has been issued.

**3639 Carnival Legend:** Carnival Corporation

Alaskan Waters

**Transfer: Common Carrier**

From: Carnival Miracle, M/V (different vessel)

All statutory requirements have been met. Background investigations complete.

**5359 Cynosure Brewing:** Clapp Liquid Industries, LLC; Anchorage

144 E Potter Drive

**New: Brewery**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations complete.

**565 Ivory Jacks:** Ivory Jacks, LLC; Fairbanks North Star Borough

2581 Goldstream Road

**Transfer: Beverage Dispensary**

From: JoAnne E. Ellsworth

All statutory requirements have been met. Fairbanks North Star Borough does not protest.  
Departments of Labor and Revenue approve. Background investigations complete.

**4591 ms Noordam:** Holland America Line N.V., LLC

Alaskan Waters

**Transfer: Common Carrier**

From: ms Zuiderdam (different vessel)

All statutory requirements have been met. Background investigations complete.

**5300 Orca Song, M/V:** Seward Wildlife Cruises, LLC

Alaskan Waters

**New: Common Carrier**

All statutory requirements have been met. Background investigations complete.  
Temporary has been issued.

**5373 Ruby Princess:** Princess Cruise Lines, Ltd.  
Alaskan Waters  
**New: Common Carrier**

All statutory requirements have been met. Background investigations complete.

**5357 Sourdough Mining Company:** Sourdough Mining Co., an AK Restaurant, Inc.; Anchorage  
5200 Juneau Street  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations complete. Temporary has been issued.

**5358 The Perfect Cup – Family Bistro:** The Perfect Cup Plus, LLC; Anchorage  
800 E Dimond Blvd #204  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations complete.

#### **END OF CONSENT AGENDA**

#### ● **DELEGATED CONSENT AGENDA**

**TAB 16**

**5365 Icy Strait Brewing Company:** Icy Strait Brewing Company, LLC; Hoonah  
155 Front Street  
**New: Brewery**

All statutory requirements have been met. Department of Environmental Conservation approves. Pending City of Hoonah and State Fire Marshal.  
Background investigations complete.

**5033 Jimmy Sushi:** Jimmy Restaurant, Inc.; Anchorage  
301 E Dimond Blvd  
**Transfer: Restaurant / Eating Place**  
From: Jimmy Zhou

All statutory requirements have been met. Department of Labor approves.  
Pending Municipality of Anchorage and Department of Revenue.  
Background investigations complete.

**4345 Jimmy Sushi Restaurant:** Shine's Sushi Restaurant, LLC; Anchorage  
11401 Old Glenn Highway, Ste 103  
**Stock Transfer: Restaurant / Eating Place**  
From: Zhi Hao Zhang (100%) to JianRong Ke

All statutory requirements have been met. Department of Revenue approves.  
Pending Municipality of Anchorage and Department of Labor.  
Background investigations pending.

**5368 La Baleine Cafe:** Within the Wild Adventure Company; Homer  
4460 Homer Spit Road  
**New: Restaurant / Eating Place – Public Convenience**

All statutory requirements have been met. Department of Environmental Conservation approves. Pending City of Homer and State Fire Marshal.  
Background investigations pending.

**645 Land's End:** Land's End Acquisition Corporation; Homer  
4786 Homer Spit Road  
**Stock Transfer: Beverage Dispensary**  
From: Jonathan and Sara Faulkner (51.7%) to the Jonathan and Sara Faulkner Living Trust

All statutory requirements have been met. Department of Revenue approves.  
Pending City of Homer and Department of Labor. Background investigations complete.

**4369 Majestic Valley Lodge:** Majestic Valley Wilderness Lodge, LLC; Mat-Su Borough  
16162 W Glenn Highway (Sutton)  
**Transfer: Restaurant / Eating Place**  
From: Jodi Lynn Talcott & Hilda Cordean Talcott DBA Majestic Valley Wilderness Lodge

All statutory requirements have been met. Matanuska-Susitna Borough does not protest.  
Department of Revenue approves. Pending Department of Labor.  
Background investigations complete.

**698 Marine Bar:** Hungry Beaver, Inc.; Wrangell  
640 Shakes Street  
**Transfer: Beverage Dispensary**  
From: Beaver Connection, Inc.

All statutory requirements have been met. City & Borough of Wrangell does not protest.  
Department of Labor approves. Pending Department of Revenue.  
Background investigations complete.

**701 Marine Liquor Store:** Hungry Beaver, Inc.; Wrangell  
640 Shakes Street  
**Transfer: Package Store**  
From: Beaver Connection, Inc.

All statutory requirements have been met. City & Borough of Wrangell does not protest. Department of Labor approves. Pending Department of Revenue. Background investigations complete.

**806 Office Cocktail Lounge:** PGM Investments, LLC; Anchorage  
545 E Northern Lights Blvd  
**Transfer: Beverage Dispensary**  
From: KDAJ Investment Group, Inc.

All statutory requirements have been met. Departments of Labor and Revenue approve. Pending Municipality of Anchorage. Background investigations complete.

**5366 Sea Wolf:** Sea Wolf Adventures, Inc.  
Alaskan Waters  
**New: Common Carrier**

All statutory requirements have been met. Background investigations pending.

**4923 South Restaurant + Coffee House:** South Restaurant and Café, LLC; Anchorage  
11124 Old Seward Highway, Ste A  
**Transfer: Beverage Dispensary**  
From: JL-LL Holding, LLC DBA JL-LL Holding; No Premises

All statutory requirements have been met. Department of Labor approves. Pending Municipality of Anchorage and Department of Revenue. Background investigations pending.

**2097 Tap Root:** TR2, Inc.; Anchorage  
3300 Spenard Road  
**Transfer: Beverage Dispensary**  
From: Tap Root Alaska, Inc.

All statutory requirements have been met. Department of Labor approves. Pending Municipality of Anchorage and Department of Revenue. Background investigations pending.

**5369 The Cannery Lodge:** The Cannery Lodge, LLC; Kenai  
2101 Bowpicker Lane, Unit 13  
**New: Lodge**

All statutory requirements have been met. Department of Environmental Conservation approves. Pending City of Kenai. Background investigations pending.

**89 The Liquor Well:** The Liquor Well, Inc.; Fairbanks North Star Borough  
771 Badger Road  
**Transfer: Package Store**  
From: McPeak, Inc. DBA McPeak's Badger Store

All statutory requirements have been met. Departments of Labor & Revenue approve.  
Pending Fairbanks North Star Borough. Background investigations pending.

**5181 Ursa Major Distilling:** Big Bear Enterprises, LLC; Fairbanks North Star Borough  
2922 Parks Highway  
**Transfer: Distillery**  
From: Robert Borland; 3738 Mariposa Lane

All statutory requirements have been met. Department of Revenue approves.  
Pending Fairbanks North Star Borough, State Fire Marshal, and Departments of  
Environmental Conservation and Labor. Background investigations complete.

**5362 West Berlin Restaurant:** William Hoopai; Anchorage  
4133 Mountain View Drive  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations pending. Temporary has been issued.

**5363 Winterlake Lodge:** Within the Wild Adventure Company; Mat-Su Borough  
North Shore Finger Lake (45 miles from Skwentna)  
**New: Lodge**

All statutory requirements have been met. Matanuska-Susitna Borough does not protest.  
Department of Environmental Conservation approves. Pending State Fire Marshal.  
Background investigations pending.

#### END OF DELEGATED CONSENT AGENDA

● **FIRST & SECOND WAIVERS**

**TAB 17**

**416 2Go Tesoro:** Tesoro Northstore Company; Mat-Su Borough  
3600 E Palmer-Wasilla Highway  
**License: Package Store**  
**First Waiver**

**1294 Big John's:** Irini, Inc.; Kenai Peninsula Borough  
No Premises  
**License: Package Store**  
**First Waiver**

- 1198 Brown Jug:** Liquor Stores USA North, Inc.; Anchorage  
No Premises  
**License:** Package Store  
**First Waiver**
- 1488 Cache Creek Lodge:** Cache Creek Lodge, LLC; Mat-Su Borough  
Mile 114.8 Parks Highway  
**License:** Beverage Dispensary – Tourism  
**Second Waiver**
- 301 Del Rois Bar & Liquor:** Del Rois Bar, Inc.; Mat-Su Borough  
Mile 39.5 Old Palmer Highway  
**License:** Beverage Dispensary  
**First Waiver**
- 302 Del Rois Bar & Liquor:** Del Rois Package Store, Inc.; Mat-Su Borough  
Mile 39.5 Old Palmer Highway  
**License:** Package Store  
**First Waiver**
- 622 Kalsin Bay Inn:** Wayne L. Sargent; Kodiak Island Borough  
Mile 29 Chiniak Highway  
**License:** Package Store  
**First Waiver**
- 4377 New Party Time Liquors:** New Party Time Liquors, Inc.; Anchorage  
No Premises  
**License:** Package Store  
**First Waiver**
- 534 No DBA:** Burkeshore Marina Enterprises, LLC; Houston  
No Premises  
**License:** Package Store  
**First Waiver**
- 4530 Regency Fairbanks Hotel:** Pacific Rim Associates I, Inc.; Fairbanks  
1288 Sadler Way  
**License:** Beverage Dispensary  
**First Waiver**
- 3268 Salty Sals Liquor Cabinet:** House of Liquors, Inc.; Sitka  
No Premises  
**License:** Package Store  
**First Waiver**

- 4686 Sicily's Pizza:** AGG Investments, Inc.; Mat-Su Borough  
259 S McCallister Drive  
**License:** Beverage Dispensary  
**Second Waiver**
  
- 410 The Forks Reborn:** The Forks Reborn, LLC; Mat-Su Borough  
No Premises  
**License:** Beverage Dispensary  
**First Waiver**
  
- 5261 The Rack:** Paul & Mikki's, Inc.; Dillingham  
3310 Nina Way  
**License:** Restaurant / Eating Place  
**First Waiver**
  
- 207 Tustumena Lodge:** Susan V. Cook; Kenai Peninsula Borough  
58840 Sterling Highway (Kasilof)  
**License:** Beverage Dispensary – Tourism  
**First Waiver**
  
- 1244 Woodshed:** Woodshed, LLC; Anchorage  
535 West 3<sup>rd</sup> Avenue  
**License:** Beverage Dispensary  
**First Waiver**

● **THIRD WAIVERS** **1:05 PM**      **TAB 18**

- 5170 La Bodega:** Isles, Inc.; Anchorage  
1200 W Northern Lights Blvd, Ste F  
**License:** Beverage Dispensary

● **FOURTH WAIVERS** **12:00 PM**      **TAB 19**

- 484 Gwin's Lodge:** Gwin's Lodge, Inc.; Kenai Peninsula Borough  
No Premises  
**License:** Beverage Dispensary

● **NOTICES OF VIOLATION**

A. Notices of Violation Issued and Licensee Responses **TAB 20**

● **TITLE 04 STATUTE REVIEW UPDATE** **1:10 PM**

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**Agenda**  
**February 12, 2015**  
**Juneau, Alaska**

- **MARIJUANA PRESENTATIONS & DISCUSSION** **9:00 AM**
  
- **NEXT ABC BOARD MEETING**



**Alcoholic Beverage Control Board  
 Schedule of Appearance  
 February 11, 2015  
 Juneau, Alaska**

<b><u>Time</u></b>	<b><u>Name/D.B.A.</u></b>	<b><u>Name of person to appear</u></b>	<b><u>Tab</u></b>
<b>11:00 AM</b>	Director Briefing	Director Cindy Franklin	<b>1</b>
<b>11:20 AM</b>	Public Testimony		
<b>11:55 AM</b>	Eagle Hotel Restaurant: No Response to NOV	Atli Dobrova, Licensee 727-8000	<b>4</b>
<b>12:00 PM</b>	Gwin's Lodge: 4 <sup>th</sup> Waiver & Transfer	Mike Mills, Dorsey & Whitney 276-4557	<b>5 &amp; 19</b>
<b>12:25 PM</b>	4 Royle Parkers: Licensee Conviction	Edward Lee, Son of Licensee 262-4670	<b>8</b>
<b>12:35 PM</b>	Circle M Bar: Licensee Conviction	Cassandra Powell, Licensee 750-9126	<b>9</b>
<b>12:55 PM</b>	Settler's Bay Golf Course: Renewal Protest	Bob Ackles, Licensee 355-1807	<b>13</b>
<b>1:00 PM</b>	Seong's Sushi Bar: Protest of Continued Operation	Seong S. Kim, Licensee 209-4020	<b>14</b>
<b>1:05 PM</b>	La Bodega: 3 <sup>rd</sup> Waiver	Pamela Hatzis, Licensee 748-4266	<b>18</b>

**License List by Tab Numbers**  
**February 11, 2015**

<b>License #</b>	<b>Establishment</b>	<b>Tab #</b>
416	2Go Tesoro	17
1295	4 Royle Parkers	8
1294	Big John's	17
4345	Blue Ginger Café	15
1198	Brown Jug	17
1488	Cache Creek Lodge	17
5371	Cannery Bay Restaurant	10
3639	Carnival Legend	15
3772	Circle M Bar	9
5359	Cynosure Brewing	15
301	Del Rois Bar & Liquor	17
302	Del Rois Bar & Liquor	17
5146	Eagle Hotel Restaurant & Lounge	4
4930	El Dorado	12
484	Gwin's Lodge / Gwin's Roadhouse	5 & 19
5365	Icy Strait Brewing Company	16
565	Ivory Jacks	15
5033	Jimmy Sushi	16
4345	Jimmy Sushi Restaurant	16
622	Kalsin Bay Inn	17
5368	La Baleine Café	16
5170	La Bodega	18
645	Land's End	16
4945	Last Call Tavern	10
4369	Majestic Valley Lodge	16
698	Marine Bar	16
701	Marine Liquor Store	16
4591	ms Noordam	15
4377	New Party Time Liquors	17
534	No DBA (Burkeshore Marina)	17
806	Office Cocktail Lounge	16
5300	Orca Song, M/V	15
4530	Regency Fairbanks Hotel	17
5373	Ruby Princess	15
3268	Salty Sals Liquor Cabinet	17
5366	Sea Wolf	16
4192	Seong's Sushi Bar & Chinese Takeout	14
4251	Settler's Bay Golf Course	13
4686	Sicily's Pizza	17
5357	Sourdough Mining Company	15
4923	South Restaurant + Coffee House	16
2097	Tap Root	16
5247	Tequila Kitchen Express	12

**License List by Tab Numbers**  
**February 11, 2015**

5361	Terra Bella Bakery Café	11
5369	The Cannery Lodge	16
410	The Forks Reborn	17
89	The Liquor Well	16
5358	The Perfect Cup - Family Bistro	15
897	The Place Bar & Motel	6
5261	The Rack	17
207	Tustumena Lodge	10 & 17
5181	Ursa Major Distilling	16
5362	West Berlin Restaurant	16
5363	Winterlake Lodge	16
1244	Woodshed	17

Tab

1



## MEMORANDUM

TO: Robert Klein, Chair  
and Members of the ABC Board

DATE: Wednesday, February 04, 2015

FROM: Cynthia Franklin, Director

RE: Director's Report

### Licensing Section

The early renewal deadline of December 31, 2014 came and went and the agency is rapidly approaching the final renewal deadline of February 28, 2015. To date, 833 renewals have been received out of 904 renewals due. The licensing section has some temporary help from Candy Deutsch, who is a short term non-permanent employee. Candy started in January to assist the licensing section due to the amount of time the licensing supervisor, Sarah Oates, has had to dedicate to the marijuana initiative implementation.

### Enforcement Section

The enforcement section has been working on inspections and compliance projects, including many "shoulder tap" investigations and a few complex investigations involving bottle clubs and keg parties. The enforcement officers conducted 63 inspections in Anchorage and Juneau and additional inspections in Fairbanks. They also conducted Title 4 training for two establishments in this reporting period. Chief Enforcement Officer Bob Beasley and Investigator Joe Bankowski attended bar security training at CHARR headquarters. Investigator Beasley reported that this training, which was conducted by Robert Smith of Nightclub Security Consultants from San Diego, California, was very valuable. He recommends that the training be added to the website as a recognized tool for the liquor industry.

### Title 4 Review Work

The Title 4 revisions continue to be shepherded by the steering committee through the legislative process. Many members of the steering committee have made public presentations outlining various aspects of the suggested changes to Title 4. Chairman Klein has worked with CHARR membership to achieve consensus on the changes that most affect various tiers of the alcohol industry. The number of hours of work attributed to the effort has been revised from 6,000 to 7,000 hours in light of these additional meetings. The steering committee is optimistic that the revisions will be well-received by the legislature.



### **AS 17.38 Legislative Update**

Work on implementation of AS 17.38 has continued to challenge the resources of the agency. I have testified or been available for questions at multiple committee meetings of the State Senate Affairs Committee, Joint Judiciary Committee, HHSS Committee, and House Community and Regional Affairs Committee, and listened to many other hearings. To date, only two bills relating to marijuana have been introduced (SB 30 and HB 59), but more are expected and the legislative process is time consuming and demanding on my time.

### **Alaska Municipal League Legislative Conference**

On February 17 and 18, 2015, I will travel with Sarah Oates to Juneau for the Alaska Municipal League Legislative Conference. I will provide a presentation on marijuana for the AML and on the 18<sup>th</sup> the ABC will combine forces with two other DCCED agencies in manning a booth providing information for municipalities and local governments regarding the function and mission of the ABC board.

Tab

**2**

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**Anchorage Meeting Minutes**  
**December 1, 2014**

**Board Members Present:**

Bob Klein, Chair  
Ellen Ganley, Vice Chair (joined at 10:25 AM due to travel)  
Ethan Billings, Member  
Marvin Yoder, Member  
Bobby Evans, Member (telephonic)

**Staff Members Present:**

Cynthia Franklin, Director  
Sarah Oates, Records & Licensing Supervisor  
Robert Beasley, Enforcement Supervisor

**ABC Board Counsel Present:**

Harriet Milks, Assistant Attorney General

- **DIRECTOR BRIEFING** [9:06:55 AM](#)
- A. Director's Report [9:07:01 AM](#) TAB 1
  
- **ADMINISTRATION** [9:22:40 AM](#)
- A. Approve minutes of the October 8, 2014 Board Meeting [9:24:27 AM](#) TAB 2  
  
Ethan Billings **motions to approve the minutes.**  
Marvin Yoder **seconds the motion.**  
**Motion carries.**  
Approved 4-0
  
- **PUBLIC TESTIMONY** [9:25:43 AM](#)
- A. Period of time for public testimony on issues not on this agenda.  
Please phone 1-800-315-6338 code 69173
  
- **EXECUTIVE SESSION** [9:55:58 AM](#)
- Marvin Yoder **motions to enter executive session.**  
Bobby Evans **seconds the motion.**  
**Motion carries.**  
Approved 4-0



**A. Budget & Staff Issues**

[1:40:20 PM](#)

Ellen Ganley **motions to enter executive session.**

Marvin Yoder **seconds the motion.**

**Motion carries.**

Approved 5-0

**B. 5281 Northern Lights Spa: Basile Group, LLC**

[10:50:29 AM](#)

TAB 3

Application for New Beverage Dispensary – Tourism License in Anchorage

**Administrative Hearing Proposed Decision**

Marvin Yoder **motions to accept the Administrative Law Judge’s recommendation (to deny the application).**

Ethan Billings **seconds the motion.**

**Motion carries.**

Approved 5-0

**C. 5278 Paradise Café and Bakery: Joan Deering**

[10:51:30 AM](#)

TAB 4

**5295 Lunchbox.: Timberwolf Ventures, Inc.**

Competing Applications for Final Restaurant / Eating Place License in Juneau

**Administrative Hearing Proposed Decision & Proposals for Action**

Marvin Yoder **motions to reject the Administrative Law Judge (ALJ)’s recommendation (to issue the license to Joan Deering).**

Ethan Billings **seconds the motion.**

**Motion carries.**

Approved 5-0

Daren Booten (of Timberwolf Ventures, Inc.) requests that the Board reconsider.

Marvin Yoder **motions to reconsider.**

Ellen Ganley **seconds the motion.**

**Motion carries.**

Approved 5-0

Cindy Franklin & Harriet Milks clarify what Board is considering. Bob Klein clarifies that Board needs to determine if they will grant the license to Joan Deering with Timberwolf Ventures, Inc. rescinding its application.

Bob Klein **enters motion to persist on rejection of ALJ’s decision.**

Ellen Ganley **moves.**

Ethan Billings **seconds the motion.**

**Motion carries.**

Approved 5-0

Ellen Ganley **motions to approve Paradise license.**  
Marvin Yoder **seconds the motion.**  
**Motion carries.**  
Approved 5-0

● **BOARD CONSIDERATION**

- A. **4173 Applebee's II:** Kodiak Apple, Inc. [1:27:31 PM](#) TAB 6  
7611 Debarr Road; Anchorage  
**License: Beverage Dispensary**

**No Response to NOV**

Sarah Oates **reports that licensee has since submitted written response to NOV. No action taken.**

- B. **110 Bering Sea Saloon:** Balassa Sobocienski [11:09:02 AM](#) TAB 7  
No Premises; Nome  
**Transfer: Beverage Dispensary**  
From: Stanley Sobocienski (deceased)

**Reconsideration of Transfer: Protest & Objection**

Marvin Yoder **motions to uphold protest from City of Nome.**  
Bobby Evans **seconds the motion.**  
**Motion carries.**  
Approved 5-0

- C. **3134 Copper Top Lounge:** Hooligans Lodging & Saloon, Inc. [1:30:43 PM](#) TAB 8  
44715 Sterling Highway; Soldotna  
**License: Beverage Dispensary – Tourism**

**No Response to NOV**

Sarah Oates **reports that licensee has since submitted written response to NOV. No action taken.**

- D. **598 FuSions:** Hong & Lees, Inc. [11:19:24 AM](#) TAB 9  
720 Gambell Street; Anchorage  
**License: Beverage Dispensary**

**Reconsideration of Sanctions**

Ellen Ganley **motions to reduce fine from \$10,000 to \$5,000 with condition that license is surrendered and expired.**  
Marvin Yoder **seconds the motion.**  
**Motion carries.**  
Approved 4-1 (Ethan Billings votes no).

- E. **5247 Tequila Kitchen Express:** Tequila Kitchen Express, LLC [11:44:26 AM](#) TAB 10  
2514 E Tudor Road; Anchorage  
**License: Restaurant / Eating Place**

**Failure to Comply with Board Requests**

Marvin Yoder **motions to immediately suspend the license until all transfer paperwork is received by staff.**

Ethan Billings **seconds the motion.**

**Motion carries.**

Approved 5-0

- F. **1011 Three Bears:** Three Bears Alaska, Inc. [11:48:35 AM](#) TAB 11  
22211 Birchwood Loop; Anchorage  
**License: Package Store**

**Reconsideration of Transfer**

Marvin Yoder **motions to deny reconsideration of the transfer.**

Ellen Ganley **seconds the motion.**

**Motion carries.**

Approved 5-0

- G. **5271 Wild Alaskan:** Alaskan Leader Tours, LLC [11:57:06 AM](#) TAB 12  
Alaskan Waters  
**License: Common Carrier**

**Operation of License**

Bobby Evans **motions to revoke the license because it does not operate as a common carrier.**

Ellen Ganley **seconds the motion.**

**Motion carries.**

Approved 5-0

● **ACTION ON LICENSEE CONVICTION/VIOLATION**

- A. Prior Licensee Sanctions TAB 13

- B. **3904 H & H Lakeview Restaurant:** Gerald Berryman [12:45:26 PM](#) TAB 14  
Mile 99.5 Parks Highway; Mat-Su Borough  
**License: Beverage Dispensary**

**Violation: Allowing Minor on Licensed Premises**

Ellen Ganley **motions to suspend the license for 30 days with 16 suspended; \$1000 fine with no additional violations for one year.**

Marvin Yoder **seconds the motion.**

**Motion carries.**

Approved 5-0

Ellen Ganley **motions to approve all licenses with delegation.**

Marvin Yoder **seconds the motion.**

**Motion carries.**

Approved 5-0

**62 Anchor Liquor Store:** Tiny Wings, Inc.; Cordova

201 Breakwater Avenue #2-3

**Transfer: Package Store**

From: 207 Breakwater Avenue

All statutory requirements have been met. State Fire Marshal approves.

Pending City of Cordova. Background investigations complete.

**4345 Blue Ginger Cafe:** Shine's Sushi Restaurant, LLC; Anchorage

11401 Old Glenn Highway, Ste 103

**Stock Transfer: Restaurant / Eating Place**

From: Shi Wu Huang (80%) and Min Hui Zheng (20%) to Zhi Hao Zhang (100%)

All statutory requirements have been met. Departments of Labor and Revenue approve.

Pending Municipality of Anchorage. Background investigations pending.

**1992 Brown Jug:** Liquor Stores USA North, Inc.; Anchorage

No Premises

**Transfer: Package Store**

From: Mark A. Sollenberger d/b/a Indian House Liquor Store; 27327 Seward Highway

All statutory requirements have been met. Municipality of Anchorage does not protest.

Department of Labor approves. Pending Department of Revenue.

Background investigations complete.

**4106 Fireweed Restaurant:** A Plus A, LLC; Haines

Historic Building #37 Blacksmith Road

**Transfer: Restaurant / Eating Place**

From: Fireweed Forest, LLC

All statutory requirements have been met. Department of Labor approves.

Pending City & Borough of Haines and Department of Revenue.

Background investigations pending.

**5360 Horizon Air – Deadhorse:** Horizon Air Industries, Inc.

Alaskan Skies

**New: Common Carrier – Single Destination**

All statutory requirements have been met. Background investigations pending.

Temporary has been issued.

**4551 L.E.D Ultra Lounge & Grill:** La Mexicana, Inc.; Anchorage [1:00:16 PM](#)  
901 West 6<sup>th</sup> Avenue  
**Transfer: Beverage Dispensary – Duplicate**  
From: Platinum Jaxx, Inc. d/b/a Platinum Jaxx Bar & Grill

All statutory requirements have been met. Department of Revenue approves.  
Pending Municipality of Anchorage and Department of Labor.  
Background investigations complete.

Bob Klein pulls from Delegated Consent.  
Marvin Yoder **motions to approve with delegation and allow Municipality to apply restrictions.**  
Ethan Billings **seconds the motion.**  
**Motion carries.**  
Approved 5-0

**4552 L.E.D Ultra Lounge & Grill:** La Mexicana, Inc.; Anchorage [1:00:19 PM](#)  
901 West 6<sup>th</sup> Avenue  
**Transfer: Beverage Dispensary – Duplicate**  
From: Platinum Jaxx, Inc. d/b/a Platinum Jaxx Bar & Grill

All statutory requirements have been met. Department of Revenue approves.  
Pending Municipality of Anchorage and Department of Labor.  
Background investigations complete.

Bob Klein pulls from Delegated Consent.  
Marvin Yoder **motions to approve with delegation and allow Municipality to apply restrictions.**  
Ethan Billings **seconds the motion.**  
**Motion carries.**  
Approved 5-0

**5350 Pasta Avanti:** Pasta Avanti, LLC; Anchorage  
302 G Street  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations pending. Temporary has been issued.

**5344 Raven Landing Center:** Retirement Community of Fairbanks; Fairbanks  
1222 Cowles Street  
**New: Restaurant / Eating Place**

All statutory requirements have been met. City of Fairbanks does not protest.  
Department of Environmental Conservation approves. Background investigations pending.  
Temporary has been issued.

**5343 Sherri's at 5<sup>th</sup>:** Sherri Warnke and Jubal Bryant; Anchorage  
137 West 5<sup>th</sup> Avenue  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations pending. Temporary has been issued.

**5354 Tide Pool Café & Bakery:** Bieri & Bieri, LLC; Seldovia  
257 Main Street  
**New: Restaurant / Eating Place – Public Convenience**

All statutory requirements have been met. State Fire Marshal approves.  
Pending City of Seldovia and Department of Environmental Conservation.  
Background investigations complete.

**4531 Tri-Grill:** La Mexicana, Inc.; Anchorage [1:00:25 PM](#)  
901 West 6<sup>th</sup> Avenue  
**Transfer: Beverage Dispensary**  
From: Platinum Jaxx, Inc. d/b/a Platinum Jaxx Bar & Grill

All statutory requirements have been met. Department of Revenue approves.  
Pending Municipality of Anchorage and Department of Labor.  
Background investigations complete.

Bob Klein pulls from Delegated Consent.  
Marvin Yoder **motions to approve with delegation and allow Municipality to apply restrictions.**  
Ethan Billings **seconds the motion.**  
**Motion carries.**  
Approved 5-0

**3560 Walgreens #16024:** Walgreens Co.; Fairbanks North Star Borough  
1350 Sportsman Way  
**Transfer: Package Store**  
From: Fairbanks Golf Course, Inc. d/b/a Fairbanks Golf course; 1735 Farmers Loop Road

All statutory requirements have been met. State Fire Marshal approves.  
Departments of Labor and Revenue approve. Pending Fairbanks North Star Borough.  
Background investigations pending.

**5356 Zudy's Café:** Zudy's Café, LLC; Seward  
501 Railway Avenue  
**New: Restaurant / Eating Place – Public Convenience**

All statutory requirements have been met. City of Seward does not protest.  
Department of Environmental Conservation approves. Background investigations pending.  
Temporary has been issued.

## END OF DELEGATED CONSENT AGENDA

### ● PROTESTS

[1:38:02 PM](#)

[TAB 16](#)

Ethan Billings **motions to uphold protest and approve with delegation.**

Marvin Yoder **seconds the motion.**

**Motion carries.**

Approved 5-0

#### 5353 **Fairbanks Distilling Company:** Patrick Levy; Fairbanks

410 Cushman Street

**New: Distillery**

All statutory requirements have been met. Pending Department of Environmental Conservation. Background investigations pending.

**City of Fairbanks protests pending issuance of Certificate of Occupancy.**

### ● OBJECTIONS

[12:56:18 PM](#)

[TAB 17](#)

Marvin Yoder **motions to approve all licenses with delegation and allow Municipality to apply restrictions.**

Ethan Billings **seconds the motion.**

**Motion carries.**

Approved 5-0

#### 4551 **L.E.D Ultra Lounge & Grill:** Robert Alexander; Anchorage

901 West 6<sup>th</sup> Avenue

**Transfer: Beverage Dispensary – Duplicate**

From: La Mexicana, Inc.

All statutory requirements have been met. Department of Revenue approves.

Pending Municipality of Anchorage and Department of Labor.

Background investigations pending.

**Public objection.**

#### 4552 **L.E.D Ultra Lounge & Grill:** Robert Alexander; Anchorage

901 West 6<sup>th</sup> Avenue

**Transfer: Beverage Dispensary – Duplicate**

From: La Mexicana, Inc.

All statutory requirements have been met. Department of Revenue approves.

Pending Municipality of Anchorage and Department of Labor.

Background investigations pending.

**Public objection.**

**4531 Tri-Grill:** Robert Alexander; Anchorage  
901 West 6<sup>th</sup> Avenue  
**Transfer: Beverage Dispensary**  
From: La Mexicana, Inc.

All statutory requirements have been met. Department of Revenue approves.  
Pending Municipality of Anchorage and Department of Labor.  
Background investigations pending.  
**Public objection.**

● **CONSENT AGENDA**

[1:35:24 PM](#)

**TAB 18**

Ellen Ganley **motions to approve all licenses.**  
Ethan Billings **seconds the motion.**  
**Motion carries.**  
Approved 5-0

**5031 Anchorage Brewing Company:** Anchorage Brewing, LLC; Anchorage  
148 W 91<sup>st</sup> Avenue  
**Transfer: Brewery**  
From: 717 W 3<sup>rd</sup> Avenue

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations complete.

**5324 BurgerFi:** Manifest Destiny, LLC; Anchorage  
600 E Northern Lights Blvd #118  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations complete. Temporary has been issued.

**5352 Casa Mexican Restaurant:** Ronnie 4, Inc.; Anchorage  
720 Muldoon Road  
**New: Restaurant / Eating Place**

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Background investigations complete. Temporary has been issued.

**5355 Ranch House Lodge:** Ranch House Lodge, LLC; Outside/Unorganized  
Mile 173 Glenn Highway (Glennallen)  
**New: Package Store**

All statutory requirements have been met. State Fire Marshal approves.  
Background investigations complete.



**2496 Texas Roadhouse, Inc.:** Texas Roadhouse Holdings, LLC; Anchorage  
9001 Old Seward Highway  
**Transfer: Beverage Dispensary**  
From: Sourdough Mining Co., an Alaskan Restaurant, Inc. d/b/a Sourdough Mining Co.;  
5200 Juneau Street

All statutory requirements have been met. Municipality of Anchorage does not protest.  
Departments of Labor and Revenue approve. Background investigations complete.  
Temporary has been issued.

**851 The Broiler:** Rodfather's, LLC; Juneau  
9109 Mendenhall Mall Road  
**Transfer: Restaurant / Eating Place**  
From: 8745 Glacier Highway, Ste 448

All statutory requirements have been met. City & Borough of Juneau does not protest.  
Department of Environmental Conservation approves.  
Background investigations complete. Temporary has been issued.

#### END OF CONSENT AGENDA

● **FIRST WAIVERS**

[1:36:50 PM](#)

TAB 19

Ellen Ganley **motions to approve all waivers.**  
Ethan Billings **seconds the motion.**  
**Motion carries.**  
Approved 5-0

**612 King Mountain Lodge:** King Mountain Lodge, LLC; Mat-Su Borough  
34097 N Glenn Highway  
**License:** Beverage Dispensary

**4738 Knik Kountry Liquor:** Knik Kountry Liquor, Inc.; Mat-Su Borough  
No Premises  
**License:** Beverage Dispensary

**757 Liquor Locker:** D.A.W.G., Inc.; Anchorage  
20146 Pilots Road, Suite D  
**License:** Package Store

**4733 No DBA:** Triplets, Inc.; Wasilla  
No Premises  
**License:** Beverage Dispensary

**1435 Wolverine Lodge:** Peggy J. Watson; Mat-Su Borough  
16.2 Lake Louise Junction Road  
**License:** Beverage Dispensary – Tourism

●	<b>THIRD WAIVERS</b>	<a href="#"><u>11:07:42 AM</u></a>	<a href="#"><u>TAB 20</u></a>
110	<b>Bering Sea Saloon:</b> Stanley L. Sobocienski; Nome No Premises License: Beverage Dispensary  Request withdrawn by Fred Odsen after protest of transfer upheld.		
●	<b>NOTICES OF VIOLATION</b>		
	A. Notices of Violation Issued and Licensee Responses		<a href="#"><u>TAB 21</u></a>
●	<b>TITLE 04 STATUTE REVIEW</b>	<a href="#"><u>2:24:53 PM</u></a>	<a href="#"><u>TAB 22</u></a>
	<b>Role of the ABC Board</b>		
	RB-1	<a href="#"><u>3:12:00 PM</u></a>	
	RB-2	<a href="#"><u>3:18:16 PM</u></a>	
	RB-3	<a href="#"><u>3:19:28 PM</u></a>	
	RB-4	<a href="#"><u>3:23:48 PM</u></a>	
	RB-5	<a href="#"><u>3:27:14 PM</u></a>	
	RB-6	<a href="#"><u>3:27:58 PM</u></a>	
	<b>Local Option</b>		
	LO-1	<a href="#"><u>3:31:08 PM</u></a>	
	LO-2	<a href="#"><u>3:31:56 PM</u></a>	
	LO-3	<a href="#"><u>3:38:02 PM</u></a>	
	LO-4	<a href="#"><u>3:40:46 PM</u></a>	
	LO-5	<a href="#"><u>3:43:18 PM</u></a>	
	<b>Meeting Adjourned For the Day.</b>	<a href="#"><u>3:49:42 PM</u></a>	

**State of Alaska**  
**Alcoholic Beverage Control Board**  
**Anchorage Meeting Minutes**  
**December 2, 2014**

**Board Members Present:**

Bob Klein, Chair  
Ellen Ganley, Vice Chair  
Ethan Billings, Member  
Marvin Yoder, Member  
Bobby Evans, Member (telephonic)

**Staff Members Present:**

Cynthia Franklin, Director  
Sarah Oates, Records & Licensing Supervisor

**ABC Board Counsel Present:**

Harriet Milks, Assistant Attorney General

● **TITLE 04 STATUTE REVIEW**

**TAB 22**

<b>Call to order</b>	<a href="#"><u>9:08:26 AM</u></a>
<b>Licensing</b>	<a href="#"><u>9:10:38 AM</u></a>
<b>F-1</b>	<a href="#"><u>9:13:11 AM</u></a>
<b>M-1</b>	<a href="#"><u>9:15:51 AM</u></a>
<b>M-2</b>	<a href="#"><u>9:18:05 AM</u></a>
<b>M-3</b>	<a href="#"><u>9:18:57 AM</u></a>
<b>W-1</b>	<a href="#"><u>9:22:54 AM</u></a>
<b>W-2</b>	<a href="#"><u>9:24:09 AM</u></a>
<b>P-1</b>	<a href="#"><u>9:28:08 AM</u></a>
<b>P-2</b>	<a href="#"><u>9:28:39 AM</u></a>
<b>P-3</b>	<a href="#"><u>9:30:53 AM</u></a>
<b>R-1</b>	<a href="#"><u>9:43:38 AM</u></a>
<b>R-2</b>	<a href="#"><u>9:47:11 AM</u></a>
<b>R-3</b>	<a href="#"><u>9:49:19 AM</u></a>
<b>R-4</b>	<a href="#"><u>9:57:09 AM</u></a>
<b>R-5</b>	<a href="#"><u>9:57:27 AM</u></a>
<b>R-6</b>	<a href="#"><u>10:00:57 AM</u></a>
<b>R-7 (A-N)</b>	<a href="#"><u>10:02:10 AM</u></a>
<b>Underage Drinking</b>	
<b>UAD-1</b>	<a href="#"><u>10:12:16 AM</u></a>
<b>UAD-2</b>	<a href="#"><u>10:13:21 AM</u></a>
<b>UAD-3</b>	<a href="#"><u>10:22:14 AM</u></a>

UAD-4 [10:23:12 AM](#)  
UAD-5 [10:24:48 AM](#)

Discussion about future processes [10:32:46 AM](#)

● **NEXT ABC BOARD MEETING** [10:52:54 AM](#)  
February 11-12 in Juneau

● **EXECUTIVE SESSION** [10:58:52 AM](#)

Ellen Ganley **motions to enter executive session.**  
Ethan Billings **seconds the motion.**  
**Motion carries.**  
Approved 5-0.

D. **5332 Wings N Things: Wings 'N Things, Inc.;** Anchorage [11:22:40 AM](#)  
701 West 36<sup>th</sup> Avenue A-17  
**New: Restaurant / Eating Place**

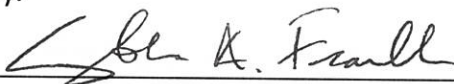
TAB 5

**Consideration of New License**

Ellen Ganley **motions to approve license with delegation.**  
Ethan Billings **seconds the motion.**  
**Motion carries.**  
Approved 5-0.

**Meeting Adjourned** [11:24:24 AM](#)

Minutes reviewed and approved by:

Cynthia A. Franklin, Director 

Date 12/03/14

Sarah D. Oates, Records & Licensing Supervisor 

Date 12/03/14

Tab

**3**





THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

January 21, 2015

Commissioner Gary Folger,  
Alaska Dept. of Public Safety  
4805 Dr. Martin Luther King, Jr. Avenue  
Anchorage, Alaska 99507

Re: Arming ABC Chief Investigator Robert Beasley

Dear Commissioner Folger:

I am requesting your concurrence to grant ABC Chief Investigator Robert Beasley Peace Officer powers in accordance with the provisions set forth in AS 04.06.110, and to allow the Alcoholic Beverage Control Board to authorize Investigator Beasley to carry a firearm in the performance of his duties as specified in 3 AAC 304.505(b).

Investigator Beasley has served as a law enforcement officer in the state of Alaska for more than twenty-five years. He holds an Advanced Police Officer certificate (#947) from the Alaska Police Standards Council, and is a graduate of the FBI National Academy, Session 194. Investigator Beasley also has more than 1,892 hours of APSC documented continued education / training hours.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Franklin".

Cynthia A. Franklin, Director  
Alcoholic Beverage Control Board

Concur:

A handwritten signature in blue ink, appearing to read "Gary Folger".  
Gary Folger, Commissioner  
Dept. of Public Safety

Attachments



STATE OF ALASKA

# Alaska Police Standards Council

This  
**Advanced Certificate**

Is Awarded To

**ROBERT L. BEASLEY**



who has qualified pursuant to 13 AAC 85.040 as a

# Certified Police Officer

given under our hands and seal this 18TH day of DECEMBER, 20 02.

  
Chairman

  
Executive Director

#947



FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE



*Issues this award thereby certifying that*

***Robert L. Beasley***

*Hoonah, Alaska, Police Department*

*has completed a general course of instruction afforded by the*

***FBI National Academy***

***United States Department of Justice***

*at Quantico in the State of Virginia for a period of eleven weeks ending this the eleventh day of September in the year of our Lord one thousand nine hundred ninety-eight and by these presents is entitled to such professional standing as a law enforcement officer as may be properly accorded by reason of the completion of such course of instruction*

*Janet Reno*  
Attorney General

*Jamie Teel*  
Director

# *Alaska Police Standards Council*

## *Employee Training History*

**Name** Beasley, Robert L **SSN** [REDACTED]64  
**Rank** Director **Degree**  
**Department** Unalaska Police Dept

<i>Start Date</i>	<i>End Date</i>	<i>Course Title</i>	<i>Sponsor</i>	<i>Hours</i>	<i>Cost / Student</i>
11/01/1985	11/01/1985	DISPATCH OPERATOR	KETCHIKAN POLICE DEPT	26	
02/20/1986	02/20/1986	VPSO Academy	Dept. of Public Safety	248	
05/19/1986	05/24/1986	ADVANCED FIRE INVESTIGATIVE TECH.	AK ASSOC FIRE & ARSON INVEST.	45.5	
07/08/1986	07/11/1988	Child Abuse & Exploitation	FLETC	40	
10/02/1986	10/02/1986	ESSENTIALS OF FIREFIGHTING	Dept. of Public Safety	21	
04/21/1987	04/21/1987	AEROMEDICAL EVACUATIONS	SE REGIONAL EMERGENCY MEDICAL	10	
08/15/1988	08/19/1988	Police Pistol/Revolver Shotgun & Ri	WRANGELL POLICE DEPT.	40	
05/01/1989	05/26/1989	VPSO Transition	Dept. of Public Safety	175	
06/08/1990	06/08/1990	F&W ENFORCEMENT TRAINING	Dept. of Public Safety	40	
01/10/1991	01/10/1991	Black Street Gangs Workshop	DEPT H&SS	40	
01/10/1991	01/10/1991	ETT	DEPT H&SS	40	
06/14/1991	06/14/1991	F&W ENFORCEMENT TRAINING	Dept. of Public Safety	40	
08/05/1991	08/09/1991	F.A.T.S. II	Dept. of Public Safety	1	
01/13/1992	01/18/1992	AST/FWP In-Service Training	Dept. of Public Safety	46	
05/11/1993	05/13/1994	Interviewing Techniques	John Reid & Assoc.	24	
05/30/1993	05/30/1993	FISH & WILDLIFE TRAINING	Dept. of Public Safety	40	
05/11/1994	05/11/1994	FISH & WILDLIFE ENFORCEMENT COURS	Dept. of Public Safety	0	
03/22/1995	03/22/1995	FIREFIGHT I RURAL	Dept. of Public Safety	90	
02/17/1996	02/18/1996	AEROMEDICAL EVACUATIONS	EMERGENCY MEDICAL SERVICES	16	
08/30/1996	08/30/1996	Domestic Violence Instructor	Dept. of Public Safety	40	
09/22/1996	09/27/1996	Breath Alcohol Supervisor	CRIME LAB	40	
09/22/1997	09/24/1997	Liability Issues for Jail Administr	AML/JIA	24	

# *Alaska Police Standards Council*

## *Employee Training History*

**Name** Beasley, Robert L **SSN** 542-74-9064  
**Rank** Director **Degree**  
**Department** Unalaska Police Dept

<i>Start Date</i>	<i>End Date</i>	<i>Course Title</i>	<i>Sponsor</i>	<i>Hours</i>	<i>Cost / Student</i>
11/03/1997	11/03/1997	Narcotic Investigation	WSIN	4	
12/15/1997	12/19/1997	Law Enforcement Management	AML/JIA	40	
02/21/1998	02/22/1998	Managing & Leading Change	Nat'l Fire Academy	16	
06/28/1998	09/11/1998	FBI National Academy	FBI NATIONAL ACADEMY	286	
04/08/1999	04/12/1999	SEXUAL ASSAULT RESPONSE TEAM	SOUTH PENINSULA HOSPITAL	36	
09/09/1999	09/10/1999	BREATH ALCOHOL SUPERVISION RECERT	CRIME LAB	15	
10/25/1999	10/29/1999	Law Enforcement Training Institute	Sacred Circle	40	
03/23/2000	03/24/2000	Advanced Sexual Abuse Interviewing	Div. of Family & Youth	12	
05/10/2000	05/10/2000	Demonstration Management	APOA CRIME CONFERENCE	2	\$0.00
05/10/2000	05/10/2000	Visioning the Future of Corrections	APOA CRIME CONFERENCE	3	\$0.00
05/11/2000	05/11/2000	Polly Klaas Investigation	APOA CRIME CONFERENCE	3	\$0.00
05/11/2000	05/11/2000	Ground Fighting Techniques	APOA CRIME CONFERENCE	1.5	\$0.00
05/12/2000	05/12/2000	Core Values	APOA CRIME CONFERENCE	3	\$0.00
05/12/2000	05/12/2000	Mexican Drug Store	APOA CRIME CONFERENCE	6	\$0.00
12/13/2000	12/13/2000	Rave Clubs & Deisgner Drugs	APOAWSIN	4	\$0.00
01/24/2001	01/26/2001	Medico-Legal Response to Sex Crimes: Challenges	Anchorage Police Department	24	\$0.00
03/19/2001	03/21/2001	NRA Police Rifle	HOONAH POLICE DEPT.	34	\$0.00
06/04/2001	06/08/2001	Law Enforcement Executive Management	FBI	40	\$0.00
10/28/2001	11/01/2001	Domestic Violence Conference	NEVADA	40	\$0.00
12/11/2001	12/14/2001	Executive Development Seminar	APOA	32	\$0.00
03/01/2002	03/02/2002	Progressive Govenance Within Tribal Org	DCIAmerica	16	\$0.00
01/10/2004	01/10/2004	LEO Flying Armed	UNALASKA DEPT OF PUBLIC SAFETY	2	\$0.00

# *Alaska Police Standards Council*

## *Employee Training History*

**Name** Beasley, Robert L **SSN** 542-74-9064  
**Rank** Director **Degree**  
**Department** Unalaska Police Dept

<i>Start Date</i>	<i>End Date</i>	<i>Course Title</i>	<i>Sponsor</i>	<i>Hours</i>	<i>Cost / Student</i>
03/24/2004	03/25/2004	Verbal Judo	UNALASKA DEPT OF PUBLIC SAFETY	16	\$0.00
05/20/2004	05/20/2004	Forensic Psychology (Sex Offender Invest)	APOA	4	\$0.00
06/25/2004	06/27/2004	Tactical Medic	UNALASKA DEPT OF PUBLIC SAFETY	24	\$0.00
06/28/2004	06/29/2004	Advanced Tactical Medic	UNALASKA DEPT OF PUBLIC SAFETY	16	\$0.00
07/11/2004	07/11/2004	Public Safety Ethics	UNALASKA DEPT OF PUBLIC SAFETY	8	\$0.00
11/30/2004	11/30/2004	Texas 7 & Performance Evaluations	AACOP	8	\$0.00
12/01/2004	12/01/2004	Executive Leadership & Communication	AACOP	8	\$0.00
12/02/2004	12/02/2004	Leadership Role in Mentoring New Warriors Ethics	AACOP	8	\$0.00
12/03/2004	12/03/2004	Psychological Cost of Learning to Kill	AACOP	8	\$0.00
12/06/2005	12/06/2005	Law & Liability Challenges for Police Executives	AACOP/FBINAA/APSC	7	\$0.00
12/07/2005	12/07/2005	Civil Liability & Use of Force	AACOP/FBINAA/APSC	7	\$0.00
12/08/2005	12/08/2005	Stress Management, Ethics & Leadership	AACOP/FBINAA/APSC	7	\$0.00
12/06/2006	12/06/2006	LEO Flying Armed	Transportation Security Admin.	1	\$0.00
12/07/2006	12/07/2006	Executive Development/Performance Leadership	APSC	8	\$0.00
12/08/2006	12/08/2006	Executive Development/Leadership Strategies	APSC	8	\$0.00
04/03/2007	04/03/2007	Homicide Reconstruction	APOA	1	\$0.00
04/03/2007	04/03/2007	Injury Identification & Documentation for LE	APOA	2	\$0.00
04/03/2007	04/03/2007	Recognizing Signs of PTSD Today's Soldiers	APOA	1	\$0.00
04/04/2007	04/04/2007	Who Killed King Tut	APOA	2	\$0.00
04/05/2007	04/05/2007	Detecting Counterfeit Immigration Documents	APOA	2	\$0.00

*Total Hours* 1892

Tab

**4**





Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, AK 99501

Date: 11-10-14  
 Number AB14-1253  
 Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Eagle Hotel, LLC	<b>License Number</b> 5146	<b>Type of License</b> Beverage Dispensary - Tourism
<b>D.B.A.</b> Eagle Hotel Restaurant & Lounge, 918 Colony Way, Palmer	<b>How Delivered</b> [ X ] Certified Mail # On-File [ ] In Person	<b>Law Enforcement Agency</b> Palmer Police Department
<b>Street or P.O. Box</b> 3200 Spenard Road	<b>City, State</b> Anchorage, AK	<b>Zip</b> 99503

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:** On 11-6-14, at about 1340 hours, Eagle Hotel Restaurant & Lounge server Tawna Lynn Davidson furnished an alcoholic beverage to a person under 21. This is a violation of Title IV.

Your attention is directed to **AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensees**

**You are directed to respond to the Director of the Alcohol Beverage Control Board 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  
 Alcoholic Beverage Control Board  
 2400 Viking Drive  
 Anchorage, Alaska 99501

7009 2820 0001 7253 2156

### 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.

<b>Receipt:</b>	<b>Violation Observed By:</b> UB 13-011
<b>Filed By:</b> <i>JR Hamilton</i>	<b>Title:</b> Investigator III

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**

  
Eagle Hotel, LLC  
918 S. Colony Way  
Palmer, AK 99503

*NOV 12 2014*  
*PS*

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*S. M. Mott*  Addressee

B. Received By (Printed Name) C. Date of Delivery  
*11/2/14*

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

*NOV 14 '14 AM 11:41*

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number *7009 2820 0001 7253 2156*  
(Transfer from service label)

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THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

**MEMORANDUM**

TO: Robert Klein, Chair  
and Members of the ABC Board

DATE: Tuesday, February 10, 2015

FROM: Sarah D. Oates  
Records & Licensing Supervisor

RE: Gwin's Lodge #484

An application was received by the Board on January 12, 2015 to transfer this license out of "no premises" to a company that currently operates a restaurant / eating place license at the old location of Gwin's Lodge. If the transfer is approved at this meeting, the buyer will begin operating this license at the beginning of the summer tourism season.

# Transfer Liquor License

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

(907) 269-0350  
Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc/Home.aspx>

License is:       Full Year                      OR                       Seasonal      List Dates of Operation: May 1 - Oct. 31

SECTION A - LICENSE INFORMATION			FEES
License Year: <b>2014/2015</b>	License Type: <b>Beverage Dispensary-Seasonal</b>	Statute Reference <b>Sec. 04.11.090</b>	Filing Fee: <b>\$100.00</b>
License #: <b>484</b>			Rest. Desig. Permit Fee: <del>(\$50.00)</del> <b>\$ 50.00</b>
Local Governing Body: (City, Borough or Unorganized): <b>Kenai Peninsula Borough</b>	Community Council Name(s) & Mailing Address: <b>None.</b>		Fingerprint:      \$ N/A <i>(\$51.50 per person)</i>
Name of Applicant (Corp/LLC/LP/LLP/Individual/Partnership): <b>Gwin's Resorts, LLC</b>	Doing Business As (Business Name): <b>Gwin's Lodge/Gwin's Roadhouse</b>	Business Telephone Number: <b>(907) 595-1266</b>	<b>TOTAL      \$150.00</b> ✓ <i>12424</i>
Mailing Address: <b>PO Box 769</b>	Street Address or Location of Premises: <b>14865 Sterling Highway Cooper Landing, AK 99572</b>	Fax Number: <b>(907) 595-1264</b>	Email Address: <b>office@gwinslodge.com</b>
City, State, Zip: <b>Cooper Landing, AK 99572-0769</b>			
Is any shareholder related to the current owner? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes" please state the relationship _____			
<b>SECTION B - TRANSFER INFORMATION</b>			
<input type="checkbox"/> Regular Transfer <input checked="" type="checkbox"/> Transfer with security interest: Any instrument executed under AS 04.11.670 for purposes of applying AS 04.11.360(4)(b) in a later involuntary transfer, must be filed with this Application. Real or personal property conveyed with this transfer must be described. Provide security interest documents. <input type="checkbox"/> Involuntary Transfer. Attach documents which evidence default under AS 04.11.670.		Name and Mailing Address of <i>CURRENT</i> Licensee: <b>Gwin's Lodge, Inc. 14865 Sterling Hwy. Cooper Landing, AK 99572</b>	
		Business Name (dba) <i>BEFORE</i> transfer: <b>Gwin's Lodge</b>	
		Street Address or Location <i>BEFORE</i> transfer: <b>No Premises.</b>	
<b>SECTION C - PREMISES TO BE LICENSED</b>			
Distance to closest school grounds: <b>4.0 miles Cooper Landing Elementary</b>	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 <b>OR</b> <input type="checkbox"/> Local ordinance No.	<input type="checkbox"/> Premises is GREATER than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input type="checkbox"/> Premises is LESS than 50 miles from the boundaries of an incorporated city, borough, or unified municipality. <input checked="" type="checkbox"/> Not applicable	
Distance to closest church: <b>3.3 miles Kenai Lake Baptist</b>	<i>Distance measured under:</i> <input checked="" type="checkbox"/> AS 04.11.410 <b>OR</b> <input type="checkbox"/> Local ordinance No.		
Premises to be licensed is: <input type="checkbox"/> Proposed building <input checked="" type="checkbox"/> Existing facility <input type="checkbox"/> New building		<input type="checkbox"/> Plans submitted to Fire Marshall (required for new & proposed buildings) <input checked="" type="checkbox"/> Diagram of premises attached	

# Transfer Liquor License

Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

(907) 269-0350  
Fax: (907) 334-2285  
<http://commerce.alaska.gov/dnn/abc>

## SECTION D – LICENSEE INFORMATION

1. Does any individual, corporate officer, director, limited liability organization member, manager or partner named in this application have any direct or indirect interest in any other alcoholic beverage business licensed in Alaska or any other state?

Yes  No If **Yes**, complete the following. Attach additional sheets if necessary.

Name	Name of Business	Type of License	Business Street Address	State
Keith Mantey	Gwin's Lodge/Gwin's Roadhouse	Restaurant/Eating Place	14865 Sterling Highway, Cooper Landing, AK 99572	Alaska
Wei Wei Jeang	Gwin's Lodge/Gwin's Roadhouse	Restaurant/Eating Place	14865 Sterling Highway Cooper Landing, AK 99572	Alaska

2. Has any individual, corporate officer, director, limited liability organization member, manager or partner named in this application been convicted of a felony, a violation of AS 04, or been convicted as a licensee or manager of licensed premises in another state of the liquor laws of that state?

Yes  No If **Yes**, attach written explanation.

## SECTION E – OWNERSHIP INFORMATION - CORPORATION

*Corporations, LLCs, LLPs and LPs must be registered with the Dept. of Community and Economic Development.*

Name of Entity (Corporation/LLC/LLP/LP) (or N/A if an Individual ownership): <b>Gwin's Resorts LLC</b>		Telephone Number: <b>(907) 595-1266</b>	Fax Number: <b>(907) 595-1264</b>
Corporate Mailing Address: <b>P.O. Box 769</b>	City: <b>Cooper Landing</b>	State: <b>Alaska</b>	Zip Code: <b>99572</b>
Name, Mailing Address and Telephone Number of Registered Agent: <b>Keith M. Mantey, 14865 Sterling Hwy, Cooper Landing, AK 99572 (214) 577-7082</b>		Date of Incorporation OR Certification with DCED: <b>9/30/2011</b>	State of Incorporation: <b>Alaska</b>

Is the Entity in "Good Standing" with the Alaska Division of Corporations?  Yes  No

If no, attach written explanation. Your entity **must** be in compliance with Title 10 of the Alaska Statutes to be a valid liquor licensee.

## Entity Members (Must include President, Secretary, Treasurer, Vice-President, Manager and Shareholder/Member with at least 10%)

Name	Title	%	Home Address & Telephone Number	Work Telephone Number	Date of Birth
Keith Mantey	Member	50	14865 Sterling Hwy, Cooper Landing, AK 99572	(907) 595-1266	04/04/1965
Wei Wei Jeang	Member	50	2709 Dublin Road, Plano, TX 75094 (469) 878-8643	(214) 659-4688	08/05/1964

# Transfer Liquor License

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**NOTE: If you need additional space, please attach a separate sheet.**

**SECTION F – OWNERSHIP INFORMATION – SOLE PROPRIETORSHIP (INDIVIDUAL OWNER & SPOUSE)**

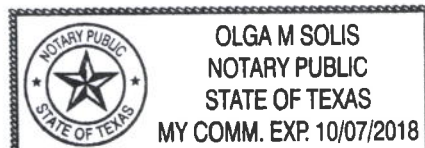
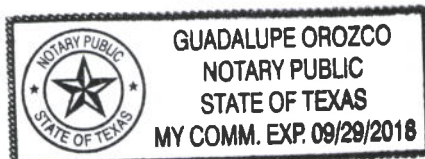
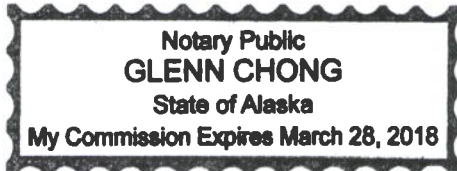
**Individual Licensees/Affiliates** (The ABC Board defines an "Affiliate" as the spouse or significant other of a licensee. Each Affiliate must be listed.)

Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:
Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:	Name: Address:  Home Phone: Work Phone:	Applicant <input type="checkbox"/> Affiliate <input type="checkbox"/>  Date of Birth:

**Declaration**

- I declare under penalty of perjury that I have examined this application, including the accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct and complete, and this application is not in violation of any security interest or other contracted obligations.
- I hereby certify that there have been no changes in officers or stockholders that have not been reported to the Alcoholic Beverage Control Board. The undersigned certifies on behalf of the organized entity, it is understood that a misrepresentation of fact is cause for rejection of this application or revocation of any license issued.
- I further certify that I have read and am familiar with Title 4 of the Alaska statutes and its regulations, and that in accordance with AS 04.11.450, no person other than the licensee(s) has any direct or indirect financial interest in the licensed business.
- I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

<b>Signature of Current Licensee(s)</b> Signature  Signature  Name & Title (Please Print) <b>Vicki Siter, President of Gwin's Lodge, Inc.</b>  Subscribed and sworn to before me this <b>13<sup>th</sup></b> day of <b>DECEMBER 2014</b> Notary Public in and for the State of Alaska  My commission expires: <b>03/28/18</b>	<b>Signature of Transferee(s)</b> Signature <b>12/19/14</b>  Signature  Name & Title (Please Print) <b>Keith Mantey and Wei Wei Jeang, Members of Gwin's Resorts LLC</b>  Subscribed and sworn to before me this <b>9<sup>th</sup></b> day of <b>December 2014</b> by <b>Keith Mantey only</b> Notary Public in and for the State of Texas  My commission expires: <b>September 29<sup>th</sup> 2018</b>
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## MEMORANDUM

TO: Robert Klein, Chair  
and Members of the ABC Board

DATE: Tuesday, February 10, 2015

FROM: Sarah D. Oates  
Records & Licensing Supervisor

RE: The Place Bar & Motel #897

AS 04.11.030 states that:

(b) If an application for the transfer of ownership of a license from a deceased licensee is not made within 90 days of the death of the licensee or within an additional 90 days if an application for transfer of ownership made by the executor is denied, or no petition is made to the board for an extension of time under (c) of this section within the time, the license is forfeited.

(c) The board may extend the time limits in (b) of this section on petition of the executor or administrator.

John R. Young, sole proprietor of The Place Bar & Motel, passed away on January 10, 2015. On January 27, Cole Young mailed a formal request to have the Board extend the 90-day time limit to transfer the ownership of the license until the probate matters are resolved in court.



Cole Young  
P.O. Box 723  
Soldotna, AK 99669

Tuesday, January 27, 2015

RE: License #897 The Place Bar and Motel

To Whom It May Concern:

My father was John Young, owner of The Place Bar and Motel. He passed away on 1/10/15. My brother, Jason Young, and I are co-executors of our father's estate. We have just begun the informal probate process. Our attorney expedited the motion to appoint my brother and I as personal representatives of our father's estate; however he has made it very clear that the informal probate process will take a minimum of six months to complete.

I would like to respectfully request an extension of time to submit the transfer application. We received the transfer paperwork packet last week. It is our intention to have the packet completed and ready to file immediately upon settling my father's estate.

Our attorney, Dale Dolifka is available to answer questions and clarify information related to our father's passing. His main number is (907) 262-2910.

Thank you very much for your consideration and your time.

Cole Young  
Cby\_ram@yahoo.com  
907-252-7145

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LICENSEE SANCTIONS UNDER AS 04.16.180						
Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Gerald Berryman	H & H Lakeview Restaurant	3904	Allowing person under 21 to remain on premises.	AS 04.16.052(2)	12/1/2014	30 Days suspension of license with 16 days suspended. \$1,000 fine. Must have no new violations for 1 year.
Hong & Lees, Inc.	FuSions	598	Licensee responsible for violations	AS 04.16.150	10/8/2014	120 Days Suspension of License with 30 Days Suspended. \$10,000 Fine. Must have no new violations for 1 year.
Muffin Man & Company, Inc.	Café 817	4449	Responsibility of licensee, agents, & employees & Licensed premises	AS 04.21.030 & 3 AAC 304.185 (c)	7/8/14	30 Days Suspension of License with 30 Days Suspended. Must have no new violations for 1 year.
Latin Connection Entertainment, LLC	Club Soraya	4353	Adulteration / Misbranding / False Advertising	3 AAC 304.405	7/8/14	30 Days suspension of license with 15 days suspended. \$1,000 fine. Must have no new violations for 1 year.
UMFA Inc.	De Canter Inn	297	Failure to have proper alcohol server training	AS 04.16.150	7/8/14	30 Days Suspension of License with 30 Days Suspended. Must have no new violations for 1 year.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Si Cha Sin	Nikko Garden	2069	Furnishing alcohol to persons under 21	AS 04.16.052(5)	7/8/14	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Young Hyon Kim	Sushi Garden, Inc. dba Kogi	5107	Responsibility of licensee, agents, & employees & Licensed premises	AS 04.21.030 & 3 AAC 304.185 (c)	4/29/14	30 Days Suspension of License with 23 Days Suspended. Must have no new violations for 1 year.
Tomio Demura	Old Power House Restaurant	4325	Responsibility of licensee, agents, & employees & Licensed premises	AS 04.21.030 & 3 AAC 304.185 (c)	12/10/2013	30 Days Suspension of License with 23 Days Suspended. Must have no new violations for 1 year.
Martin Moochan Kim	In & Out Bush Liquor #2	688	Furnishing alcohol to persons under 21	AS 04.16.052(5)	12/10/2013	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Jose Nanez	Chepo's Fiesta	2616	Furnishing alcohol to persons under 21 & Licensee responsible for violations	AS 04.16.052(5) & AS 04.16.150	12/10/2013	30 Days Suspension of License with 30 Days Suspended. Must have no new violations for 1 year.
Jimmy Zhou	Jimmy Sushi Restaurant	5033	Furnishing alcohol to persons under 21	AS 04.16.052(5)	10/2/2013	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Kwang Su Yoon, SOE, LLC	Roma's	4595	Licensee responsible for violations	AS 04.16.150	10/2/2013	30 Days Suspension of License with 23 Days Suspended. Must have no new violations for 1 year.
Chong Pak	Seoul Gate Restaurant	4941	Licensee responsible for violations	AS 04.16.150	5/30/2013	30 Days Suspension of License with 30 Days Suspended. Must have no new violations for 1 year.
Anna Maria Markos Kaloumenou	Angelo's Restaurant	3458	Failure to have proper alcohol server training	04.21.025(c)	2/12/2013	30 Days Suspension of License with 30 Days Suspended. Must have no new violations for 1 year.
Francisco Barajas	Aztecs Sports Bar and Grill	5042	Furnishing alcohol to persons under 21	AS 04.16.052(5)	9/5/2012	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Arturo & Gloria Esparza	Las Margaritas	4752	Furnishing alcohol to persons under 21	AS 04.16.052(5)	5/16/12	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Duane LeFleur	Tustemena Lodge	207	Furnishing alcohol to persons under 21	AS 04.16.052(5)	2/21/12	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Sivisay & Malada Vongsamath	Thai House Restaurant	4752	Furnishing alcohol to persons under 21	AS 04.16.052(5)	2/21/12	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Nancy Elkins	Creekside Liquor	1119	Furnishing alcohol to persons under 21	AS 04.16.052(5)	2/21/12	\$500 Fine. Must have no new violations for 1 Year.
John Pattee	Avenue Bar	1184	Conduct contrary to the best interests of the public		12/7/11	90 Days suspension of alcohol sales with 76 days suspended. \$2,000 fine. Must have no new violations for 1 year.
Sarah Lee Lo	Chiang Mai Ultimate Thai Restaurant	4459	Furnishing alcohol to persons under 21	AS 04.16.052(5)	12/7/11	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Levitta Lee Burks	Anchor Bar	61	Furnishing alcohol to persons under 21	AS 04.16.052(5)	5/24/11	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Gerald Berryman	H & H Lakeview Restaurant	3904	Furnishing alcohol to persons under 21	AS 04.16.052(5)	5/24/11	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Peter & Sherryl Scott	Inn Café	4351	Failure to have proper alcohol server training	AS 04.16.150	3/24/11	30 Days suspension of alcohol sales with 30 days suspended. Must have no new violations for 1 year.
Wesley J. & Linda M. Sherrill	Moose Pass Inn	752	Furnishing alcohol to persons under 21	AS 04.16.052(5)	3/24/11	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Hye Suk Min	Peking Restaurant	4215	Furnishing alcohol to persons under 21	AS 04.16.052(5)	3/24/11	60 Days suspension of alcohol sales. \$3,000 fine.
Ming Tze Chen	168 E-Lu-Fa Restaurant	4936	Furnishing alcohol to persons under 21	AS 04.16.052(5)	12/13/10	45 Days suspension of alcohol sales with 38 days suspended. \$1,000 fine. Must have no new violations for 1 year.
Monica S. Wirtz	Peking Wok Restaurant	2813	Failure to have proper alcohol server training & allowing employee to work without alcohol server training.	AS 04.16.150	12/13/10	30 Days suspension of alcohol sales with 30 days suspended. Must have no new violations for 1 year.
Dennis Freeman	West Rib Café and Pub	3667	No server card, pricing and marketing violations	AS 04.16.052(5)	9/30/10	45 Days suspension of alcohol sales with 40 days suspended. \$1,000 fine for no server card. \$500 fine for pricing and marketing violations. Must have no new violations for 1 year.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Fernando and Mary Nicolas	The Galley	1557	Furnishing alcohol to persons under 21	AS 04.16.052(5)	9/30/10	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. \$250 fine for having underage employees. Must have no new violations for 1 year.
Masahide & Kazuko Yamada	Yamaya Restaurant	3728	Furnishing alcohol to persons under 21	AS 04.16.052(5)	7/6/10	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Michael G. West	Dexter Roadhouse	1863	Furnishing alcohol to persons under 21	AS 04.16.052(5)	5/4/10	45 Days suspension of alcohol sales with 21 days suspended. \$1,000 fine. Must have no new violations for 1 year.
Nancy Ida Milani-Henson	Bush Bottle Inn	2729	Furnishing alcohol to persons under 21	AS 04.16.052(5)	5/4/10	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
James D. West	Board of Trade Saloon	144	Violation of Conditions imposed 2/26/10		9/30/10	35 Days previously suspended of the 45 days imposed to be served.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Albert W. Gartz	Northern Liquors	785	Furnishing Alcohol to persons under 21	AS 04.16.150	2/26/10	45 Days suspension of alcohol sales with 38 days suspended. \$1,000 fine. Must have no new violations for 1 year.
Dong J. Yi	Tokyo Japanese Steakhouse	4731	Business name change without approval or transfer		2/26/10	\$2,500 fine.
Catarino & Maria Patricia Robles	Chico's Mexican Restaurant	4326	Furnishing Alcohol to persons under 21	AS 04.16.150	2/26/10	45 Days suspension of alcohol sales with 38 days suspended. \$1,000 fine. Must have no new violations for 1 year.
Howard & Chum Sim	Tips Bar	1142	Failure to have proper alcohol server training	AS 04.16.150	2/26/10	45 Days suspension of alcohol sales with 40 days suspended. \$1,000 fine. Must have no new violations for 1 year.
James D. West	Board of Trade Saloon	144	Allowing impaired person to serve alcohol. Allowing drunken persons to remain on premises.	AS 04.16.030 AS 04.16.040	2/26/10	45 Days suspension of alcohol sales with 35 days suspended. \$2,000 fine. Must have no new violations for 1 year.
Juan Carlos Macias	Agave Restaurant	4854	Furnishing Alcohol to persons under 21	AS 04.16.180(b)	11/19/09	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Nohemi Reyes De Zambrano	La Fiesta Dos	3913	Failure to have proper alcohol server training	AS 04.16.150	7/14/09	30 Days Suspension of License with 15 Days Suspended
Filameno & Ana Bravos	El Chicano	3299	Furnishing Alcohol to persons under 21	AS 04.16.150	5/7/09	45 Days suspension of alcohol sales with 38 days suspended. \$500 fine. Must have no new violations for 1 year.
Carlos Carillo	Carlos' Fine Mexican Restaurant	3538	Furnishing Alcohol to persons under 21	AS 04.16.150	5/7/09	45 Days suspension of alcohol sales and \$2,000 fine. Must have no new violations for 1 year.
Deanna Peterson	FOE Aerie #4200	3133	Violating municipal ordinance (smoking)	AS 04.16.150	11/6/08	35 Days suspension of alcohol sales with 30 days suspended. \$1,000 fine.
Mayo	How How, Inc.	3796	Furnishing Alcohol to persons under 21	AS 04.16.150	8/28/08	45 Days suspension of alcohol sales with 30 days suspended. \$2,000 fine.
Minas Charalambous	Froso's	1540	Failure to have proper alcohol server training	AS 04.16.150	8/28/08	45 Days suspension of alcohol sales with 40 days suspended. \$1,000 fine.
Gary & Franchesca Cogdill	Big Lake Liquor	118	Furnishing Alcohol to persons under 21, and failure to have proper alcohol server training	AS 04.16.150	7/10/08	45 Days suspension of license with 38 days suspended. \$1,000 Fine.
Russell Wimmer, Jr.	Mendeltna Creek Lodge	2579	Furnishing Alcohol to persons under 21	AS 04.16.150	7/10/08	45 Days suspension of license with 38 days suspended. \$500 Fine.



Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Hye Suk Min	Peking Restaurant	4215	Furnishing Alcohol to persons under 21	AS 04.16.150	7/10/08	30 Days Suspension of License. \$1,500 Fine.
Richard Solis	3 Amigos Restaurant	3811	Failure to have proper alcohol server training	AS 04.16.150	7/10/08	4 Days Suspension of License.
Tuyen & Tran Thuy Dinh	Airport Restaurant & Lounge	3759	Failure to have proper alcohol server training	AS 04.16.150	7/10/08	4 Days Suspension of License.
C. Scott Bald & Carol Lallatin	Marina Restaurant	3021	Failure to have proper alcohol server training	AS 04.16.150	7/10/08	4 Days Suspension of License.
Konstantinos Kanaras	Appollo Restaurant	3230	Failure to have proper alcohol server training	AS 04.16.150	7/10/08	4 Days Suspension of license with 4 days suspended.
Dana Ma	Fu Do	4109	Furnishing Alcohol to persons under 21	AS 04.16.150	4/17/08	45 Days suspension of license with 38 days suspended.
Barbara Abbott	Tundra Lodge and R/V Park	1176	Furnishing Alcohol to persons under 21	AS 04.16.150	4/17/08	45 Days suspension of license with 35 days suspended. \$1,000 Fine.
Dennis Selman	Club Paris	258	Furnishing Alcohol to persons under 21	AS 04.16.150	4/17/08	45 Days suspension of license with 38 days suspended. \$1,000 Fine.
Si Cha Sin	Nikko Garden	2069	Furnishing Alcohol to persons under 21	AS 04.16.150	7/11/07	30 Days suspension of license with 15 days suspended. \$1,000 fine with \$500 suspended.
Jennifer Lee	New Peking Chinese Restaurant	3239	Furnishing Alcohol to persons under 21	AS 04.16.150	4/18/07	45 Days suspension of license with 38 days suspended. \$500 Fine.

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
James S. Yang	Mr. D's	2457	Failure to have proper alcohol server training	AS 04.16.150	4/18/07	7 Days suspension of license and \$500 fine.
Tami Kilbourn	Sunset Strip	1098	Furnishing Alcohol to persons under 21	AS 04.16.150	4/18/07	7 Days suspension of license (all 7 days suspended) and \$500 fine.
Carlos Carillo	Carlos' Fine Mexican Restaurant	3538	Furnishing Alcohol to persons under 21	AS 04.16.150	2/21/07	5 Days suspension of license. License suspension for alcohol sales only.
Benito Herrera	Jamico's Pizzeria	3889	Failure to have proper alcohol server training	AS 04.16.150	2/21/07	45 Days suspension of license with 38 days suspended. \$500 Fine.
Thomas Kirkman, Administrator	Craig Moose Lodge #1206	746	Furnishing Alcohol to persons under 21	AS 04.16.150	2/21/07	45 Days suspension of license with 38 days suspended. \$1,000 Fine.
James Bass	Bing Brown's	126	Failure to have proper alcohol server training	AS 04.16.150	11/29/06	1 Hour suspension of license.
John Riblett	Pizza Man	1533	Failure to have proper alcohol server training	AS 04.16.150	11/29/06	45 Days suspension of license with 38 days suspended. License suspension for alcohol sales only.
Sandra Ramos	Jalapeno's Mexican Restaurant	3766	Furnishing Alcohol to persons under 21	AS 04.16.150	11/29/06	45 Days suspension of license with 38 days suspended. License suspension for alcohol sales only. \$500 Fine.
Dennis Shaw	Salcha River Lodge	3487	Failure to have proper alcohol server training	AS 04.16.150	11/29/06	5 Days Suspension

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Alfred Sousa	Talkeetna Motel	1287	Furnishing Alcohol to persons under 21	AS 04.16.150	10/4/06	5 Days Suspension
Byron Yang	Golden Pond	2845	Furnishing Alcohol to persons under 21	AS 04.16.150	10/4/06	45 Days Suspension of License with 38 Days suspended, \$1,000 fine with \$500 suspended.
Itsuro Tamaki	Kumagoro Restaurant	2276	Failure to have proper alcohol server training	AS 04.16.150	10/4/06	45 Days Suspension of License with 38 Days suspended, \$1,000 fine.
Mary Lou Redmond	Diamond Jim's Package Store	2926	Furnishing Alcohol to persons under 21	AS 04.16.150	10/4/06	45 Days Suspension of License with 38 Days suspended, \$500 fine.
Ying Po Liu	Golden Shanghai	3467	Failure to have proper alcohol server training	AS 04.16.150	8/9/06	15 Days Suspension and \$1,000 Fine.
Charlampos Alefantinos	Bella Vista	107	Failure to have proper alcohol server training	AS 04.16.150	6/15/06	7 Days Suspension and \$1,000 fine.
Robert Clutts	Anchor River Inn	1309	Failure to have proper alcohol server training	AS 04.16.150	6/15/06	4 Days Suspension beginning 10/16/06.
Carlos Gomez	Pancho's Villa Restaurant	74	Furnishing Alcohol to persons under 21	AS 04.16.150	6/15/06	7 Days Suspension beginning 6/30/06 and \$500 fine.
Emmanuel Xeninkakis	Nero's Pizza	3369	Failure to have proper alcohol server training	AS 04.16.150	6/15/06	7 Days Suspension beginning 8/29/06 and \$500 fine.
Jose Nanez	Chepo's Fiesta		Failure to have proper alcohol server training	AS 04.16.150	6/15/06	7 Days Suspension and \$500 Fine.
Lewis T. Johnson	Galena Liquor Store	433	Licensee responsible for violations	AS 04.16.150	4/20/06	45 Days Suspension of License with 38 Days Suspended. \$500 fine

Licensee	Business	License Number	Offense	Statute	Date of Board Meeting	Sanction
Patricia Estrada	Mangia! Mangia!	4281	Furnishing Alcohol to persons under 21	AS 04.16.150	4/20/06	45 Days Suspension of License with 38 Days Suspended.
Marlene Marshall	Yukon Inn	1804	Licensee responsible for violations	AS 04.16.150	4/20/06	45 Days Suspension and \$1,000 fine.
Arturo Esparza	Las Margaritas	3363	Furnishing Alcohol to persons under 21	AS 04.16.051	2/9/06	30 Days Suspension of License with 15 Days Suspended
John Kartesz	Sheep Creek Lodge	1033	Furnishing Alcohol to persons under 21	AS 04.16.051	2/9/06	Licensee said he had sold business, but not transferred license. Board suspended licenses for package store (1032) & beverage dispensary (1033).

Tab

**8**



## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

DATE: February 3, 2015

FROM: Cynthia Franklin  
Director, ABC Board

RE: Violation – 4 Royal Parkers License #1295

The above licensee was charged with a violation of Title 4. Details of the charge and conviction are as follows:

Date of Violation: 06-28-14

Violation Charged: Selling alcohol to a drunken person per AS 04.16.030

Conviction: Same

Sentence: \$250 fine, 0 days jail, \$50 surcharge

Prior Licensee Sanctions: No prior sanctions on file.



Alcoholic Beverage Control Board  
2400 Viking Drive  
Anchorage, AK 99501

Date: 11-24-14  
Number AB14-1303  
Page 1 of 1 Page

## Notice of Violation

(3AAC 304.525)

<b>Licensee</b> Taek Young & Hee Hwan Lee	<b>License Number</b> 1295	<b>Type of License</b> Package Store
<b>D.B.A.</b> 4 Royle Parkers	<b>How Delivered</b> <input checked="" type="checkbox"/> Certified Mail # On-File <input type="checkbox"/> In Person	<b>Law Enforcement Agency</b> Alaska State Troopers
<b>Street or P.O. Box</b> PO Box 3069	<b>City, State</b> Soldotna, AK	<b>Zip</b> 99669

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:** Alcoholic Beverage Control Board Investigator Hamilton received information that licensee Hee Hwan Lee was issued a summons for selling an alcoholic beverage to a drunken person on 6-28-14, reference AK State Trooper report AK14046524. This is a violation of Title IV.

Your attention is directed to **AS 04.16.030: Prohibited conduct relating to drunken persons**

**You are directed to respond to the Director of the Alcohol Beverage Control Board 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  
Alcoholic Beverage Control Board  
2400 Viking Drive  
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.

<b>Receipt:</b>	<b>Violation Observed By:</b> AK14046525
<b>Filed By:</b> <i>JL Hamilton</i>	<b>Title:</b> Investigator III



IN THE DISTRICT COURT FOR THE STATE OF ALASKA AT KENAI
JUDGMENT

State of Alaska vs. Defendant Hee Hwan Lee
APSN 6286903 DOB 03/12/1950
DLN/ID ( ) CDL 6286903 DL/ID ST AK
Address PO Box 3069 Soldotna AK 99669

Case No. 3KN-14-01026CR
ATN 114836382 CTN 001
Plea [X] Guilty [ ] No contest [ ] Not guilty
Plea Agreement [X] Yes [ ] No [ ] Partial
Trial [ ] Court [ ] Jury DOV 06/27/2014

DEFENDANT IS ADJUDGED:

- [ ] NOT GUILTY. It is ordered that defendant is acquitted and discharged.
[X] GUILTY OF AS04.16.030(a)(1): Sell/Give Alcohol To Drunk Person ( ) Amended Charge
Class: A Misdemeanor
[ ] Motor vehicle used in offense (AS 28.15.181(a)) [ ] Traffic safety corridor [ ] Highway work zone
[ ] CMV offense: [ ] >26K lbs [ ] 15+ psgr [ ] hazmat [ ] DV offense per AS 18.66.990(3)&(5)
[ ] Any appearance or performance bond exonerated [ ] Sex offender reg. required by AS 12.63.100
[ ] DISMISSED: [ ] Cr. R. 43(a) [ ]

SENTENCE

SENTENCE IS IMPOSED AS FOLLOWS:

- 1. [ ] SUSPENDED IMPOSITION OF SENTENCE. Imposition of sentence is suspended and defendant is placed on probation subject to the conditions below.
2. FINE. \$ 250 with \$ 0 suspended. Due 8/16/14. Bail to fine \$ .
[ ] Credit court-ordered program fees to fine, including ASAP, if proof of payment to court clerk by fine due date.
3. JAIL. days with suspended. A warrant for your arrest will be issued unless you contact Wildwood Pretrial Facility by to arrange remand, and you remand as arranged but no later than .
4. SURCHARGES.
a. Police Training Surcharge due immediately: [X] \$50 (misd) [ ] \$10 (infrac/viol) [ ] None (fine under \$30)
b. [ ] Initial Jail Surcharge of \$50 per case due now to AG's Office at 1031 W. 4th Ave., #200, Anch., AK 99501
c. [ ] Suspended Jail Surcharge of \$100 per case with \$100 suspended. Surcharge must be paid if probation is revoked and, in connection, defendant is arrested and taken to jail or sentenced to jail.
5. TREATMENT.
a. [ ] ASAP. Report for treatment to [ ] Kenai [ ] ASAP [ ] within 10 days [ ] by . Complete recommended treatment. Pay all related costs. This may include residential treatment up to days plus required aftercare in addition to any jail time ordered above.
b. [ ] Do not consume or buy alcohol for a period of days years from the date of this judgment. Any ID card issued per AS 18.65.310 must list the buying restrictions until the restriction expires.
c. [ ] Complete [ ] state-approved DV intervention program [ ] anger management program [ ] mental health assessment. Follow all recommendations. Pay all fees. Submit quarterly compliance reports to Kenai District Attorney's Office [ ] and the court clerk.
6. COMMUNITY WORK SERVICE (CWS). Complete hours of CWS. Submit proof of completion to the court by . CWS is [ ] in lieu of jail [ ] condition of probation [ ] toward fine/surcharge at \$ per hour [ ] incomplete CWS converts to 3 hours of jail per CWS hour.
7. RESTITUTION. Make restitution [ ] as stated in the Restitution Judgment [ ] in an amount determined pursuant to Crim. R. 32.6(c)(2). Apply for PFD each year eligible until restitution is paid in full. Restitution will continue to be civilly enforceable after probation expires.
8. LICENSE ACTIONS. Surrender defendant's [ ] driver's [ ] license to the court immediately. Such license or privilege to apply for such license is [ ] revoked [ ] suspended for days years. [ ] A limited license is issued for days years with the following limits:
9. DNA. [ ] Defendant must give DNA sample if requested by an officer on state's behalf (AS 11.41 offense).
10. OTHER ORDER(s).

CONDITIONS OF PROBATION

Defendant is placed on probation for years months, subject to the following conditions:

- 1. Comply with all direct court orders listed above by the deadlines stated.
2. Obey all laws.
3. [ ] Have no direct or indirect contact with
4. [ ] Other.

Effective Date 8/1/14

I certify that I gave a copy of this judgment to:

- [X] DA [X] Def Def Atty by In-Court Clerk on
[X] DPS [ ] Jail [ ] ASAP [ ] Parks [ ] ABC [X] Med [ ] JS/ASTCOR
[ ] DMV by mail to 1300 W. Benson Blvd., Anch., AK 99503
[ ] w/ surr. lic. # 6286903 by Clerk/JA SAMS on 8.19.14

- [ ] District Court Judge Sharon A.S. Illsley
[X] Magistrate Judge Martin C. Fallon
[ ] Magistrate Judge Jennifer K. Wells



I certify this is a full, true and correct copy  
of an original document on file in the  
Alaska Courts at Kenai.

Witness my hand and the Seal of this court

*Sarah Rega*

Date 11.24.14

Magistrate / Clerk

IN THE DISTRICT COURT FOR THE STATE OF ALASKA

THIRD JUDICIAL DISTRICT AT KENAI

STATE OF ALASKA,	)
	)
Plaintiff,	)
	)
v.	)
	)
HEE HWAN LEE,	)
	)
Defendant.	)
_____	)

No. 3KN-S14-01026 CR

TRANSCRIPT OF PROCEEDINGS

August 1, 2014 - Pages 2 through 15

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ARRAIGNMENT

BEFORE THE HONORABLE MARTIN FALLON  
State Magistrate Judge

Kenai, Alaska  
August 1, 2014  
1:56 o'clock p.m.

APPEARANCES:

FOR THE PLAINTIFF:	MARGARET PATON-WALSH Assistant Attorney General Attorney General's Office Labor and State Affairs Section 1031 West Fourth Avenue Suite 200 Anchorage, Alaska 99501
FOR THE DEFENDANT:	HEE HWAN LEE <i>In propria persona</i>

P R O C E E D I N G S

1

2 KN7

3 01:56:50

4 THE COURT: Hee Lee? Ms. Lee? This is case number 3KN-  
5 14-1026. Why don't you come forward, yes, please, and who are  
6 you, sir?

7 UNIDENTIFIED MALE SPEAKER: I'm his -- I'm her son.

8 THE COURT: Okay.

9 UNIDENTIFIED MALE SPEAKER: But go ahead, (indiscernible)  
10 today because she knows some English but not a lot.

11 THE COURT: Okay. What language does she speak?

12 UNIDENTIFIED MALE SPEAKER: Korean.

13 THE COURT: So we can get -- we'll need to get a Korean  
14 language interpreter.

15 UNIDENTIFIED MALE SPEAKER: She can speak English but --

16 THE COURT: Why don't you come forward then, please, both  
17 of you. Just a second, we'll see if we can go forward. Good  
18 afternoon, ma'am. So I'm going to go through, explain to you  
19 what you've been charged with and what the possible penalties  
20 are and can you -- do you understand English well enough to go  
21 forward today without an interpreter?

22 UNIDENTIFIED MALE SPEAKER: Can you --

23 THE COURT: All right. I think it might be best, we'll go  
24 ahead and get a Korean -- is it Korean, sir?

25 UNIDENTIFIED MALE SPEAKER: Yes.

1 THE COURT: Yeah, and I'm sure you can interpret but we  
2 have -- there are official court interpreters that are sworn  
3 in and can do the interpretation according to the court rules  
4 and so just to avoid any problem --

5 UNIDENTIFIED MALE SPEAKER: Okay.

6 THE COURT: -- we'll have the interpreter come on. It  
7 takes a little extra time but -- and why don't you -- if you  
8 don't mind, just can you stay for a minute in case there's any  
9 issues with the translation? Were you able to explain --  
10 there was a video earlier about the right, all your rights?

11 UNIDENTIFIED MALE SPEAKER: Mm-hmm.

12 THE COURT: Were you able to explain those to your -- is  
13 it your mother?

14 UNIDENTIFIED MALE SPEAKER: Yes.

15 THE COURT: Okay. Does she understand her rights?

16 UNIDENTIFIED MALE SPEAKER: The rights in --

17 THE COURT: So, ma'am, do you have any question about your  
18 rights?

19 MS. LEE: Yes.

20 UNIDENTIFIED MALE SPEAKER: Okay.

21 THE COURT: All right.

22 UNIDENTIFIED MALE SPEAKER: She lis -- she watched the  
23 video and I tried explaining it as best as I could but I don't  
24 know so I just think it'd be better if you got that  
25 translated.

1 THE COURT: Okay.

2 (Clerk on the phone)

3 THE COURT: Do you know -- I'll swear in the interpreter  
4 but do you know do we have a script in other languages like in  
5 Korean, for instance, or can --

6 THE CLERK: I haven't see one.

7 THE COURT: I haven't seen one either. I'm not going to  
8 have the interpreter go through the whole script with her so I  
9 might just have to continue this and I want to give her a  
10 script. Can you see if -- yeah, see if --

11 THE CLERK: (Indiscernible - away from microphone).

12 THE COURT: Yeah, but then Korean. I wanted to give her a  
13 script.

14 THE CLERK: (Indiscernible - away from microphone).

15 THE COURT: See what -- yeah, see what they say. I'll  
16 swear in the interpreter. This is Magistrate Fallon in Kenai.  
17 Who's on the phone?

18 INTERPRETER: Yes, this is the Korean interpreter, Geo  
19 Mun.

20 THE COURT: All right. I need to have you sworn in so  
21 could you raise your right hand, please, ma'am?

22 INTERPRETER: Yes.

23 (Oath administered)

24 INTERPRETER: Yes, I do.

25 THE COURT: Okay. You can put your hand down. Can you

1 state your name and spell your last name for the record?

2 INTERPRETER: My name is Geo Mun. Last spelled as M as in  
3 Mary, U-N as in Nancy.

4 THE COURT: All right. Thank you, Ms. Mun.

5 INTERPRETER: You're welcome.

6 THE COURT: So we're on record in Case No. 3KN-14-1026.

7 Is there anything?

8 THE CLERK: The original of that.

9 THE COURT: Okay. And this is the time set for an  
10 arraignment. There is an arraignment script that explains  
11 important rights.

12 INTERPRETER: Yes?

13 THE COURT: Can you interpret that, please? And, Ms. Mun,  
14 the defendant's name is Ms. Lee so, Ms. Lee, you need to  
15 understand those rights before you can be arraigned. So we're  
16 going to continue today's arraignment until we can get the  
17 Korean script that you can read.

18 INTERPRETER: What do you mean? Yeah, what do you mean?  
19 Would you explain again?

20 THE COURT: We -- we'll -- we just showed a video that  
21 explained all of your rights in your criminal case.

22 INTERPRETER: Yes, I watched it but I don't understand --  
23 I don't fully understand.

24 THE COURT: Okay. So we are going to get you a script of  
25 that video, a written version of that video, in Korean.



1 INTERPRETER: Okay. Your Honor, I -- may I ask her for a  
2 clarification?

3 THE COURT: Yes, please.

4 INTERPRETER: So today is not like the guilty -- today is  
5 not the hearing for guilty or not guilty?

6 THE COURT: Yes, it is but before I can ask for a plea,  
7 she needs to review the script. All right. So, Madam, we --  
8 Ms. Lee?

9 MS. LEE: Yes?

10 THE COURT: You were just handed a script in Korean. Can  
11 you read that?

12 MS. LEE: Yes.

13 THE COURT: All right. So, Ms. Mun, can you tell her I  
14 want you to -- we're going to come back to you in a minute,  
15 I'll have you -- I'm going to take up the other cases and give  
16 you a chance to read that script.

17 MS. LEE: Yes.

18 INTERPRETER: Okay.

19 THE COURT: And we'll take -- and we'll come back and take  
20 up your case. So, Ms. Mun --

21 INTERPRETER: Okay.

22 THE COURT: -- I guess we can let you go. We'll have to  
23 -- we're going to need your services or at least one of the  
24 interpreters again in a few minutes.

25 INTERPRETER: Yeah, sure, Your Honor. I understand.



1 THE COURT: Oh, okay. We'll come back --

2 INTERPRETER: Is there anything else?

3 THE COURT: Just let Ms. Lee know that she can step back  
4 into the gallery and we'll take up her case after she's read  
5 the script.

6 INTERPRETER: Thank you. If I don't understand, what --  
7 what's going to happen?

8 MS. LEE: Judge, help me up, this -- I don't have  
9 experience this so I -- some writing I don't know in this  
10 (indiscernible).

11 INTERPRETER: Yeah, I -- basically, I don't have any  
12 experience so some -- even though I have a script, I don't --  
13 if I don't understand, then what do I have to do?

14 THE COURT: You'll -- so when I call you -- read through  
15 it as best you can now and when I call your case again, we'll  
16 have an interpreter on the line to help you with anything you  
17 don't understand.

18 MS. LEE: Okay.

19 THE COURT: So -- and -- yeah, so just a minute, if you  
20 could step back into the gallery and we'll take up your case  
21 again in just a minute. All right. Thank you, Ms. Lee.  
22 Thank you, Ms. Mun. We'll call back when we need you again.

23 INTERPRETER: Sure, Your Honor. Thank you for using our  
24 service. Good-bye.

25 THE COURT: Good-bye.

1 INTERPRETER: Thanks.

2 02:08:35

3 (Other matters)

4 03:08:44

5 THE COURT: So if we can get the interpreter and then I  
6 guess try to get Mr. Anderson back awhile.

7 (Clerk on the phone)

8 THE CLERK: Do you want Mr. Anderson on line?

9 THE COURT: Yeah, if you can. Is the interpreter -- once  
10 you're done with the interpreter. All right. Thank you.  
11 This is Magistrate Fallon. Who's on the line?

12 INTERPRETER: Yes, Your Honor, my name is Nam Wan Kang,  
13 Korean interpreter, ID No. 17390.

14 THE COURT: And how do you pronounce your last name again?

15 INTERPRETER: Last name is Kang, K-A-N-G, Kang.

16 THE COURT: All right. Mr. Kang, could you raise your  
17 right hand, please?

18 INTERPRETER: Yes, sir, go ahead.

19 (Oath administered)

20 INTERPRETER: I do, Your Honor.

21 THE COURT: Okay. You can put your hand down. Can you  
22 please state your name and spell your last name for the  
23 record?

24 INTERPRETER: Sure, it's -- my name is Nam Wan Kang, K-A-  
25 N-G.

1 THE COURT: All right. Thank you, Mr. Kangs [sic]. We're  
2 back on record in 3KN-14-1026. Ms. Lee is here, Mr. Kang, so  
3 I'll have you translate the following, can you ask Ms. Lee if  
4 she had a chance to read the arraignment script?

5 INTERPRETER: Yes, I have read the script.

6 THE COURT: And does she have any question about her  
7 rights?

8 INTERPRETER: No, Your Honor.

9 THE COURT: All right. And can she look at the citation  
10 and tell me if her name and date of birth are correct?

11 INTERPRETER: Yes, they are correct.

12 THE COURT: Okay.

13 INTERPRETER: But the address is wrong.

14 THE COURT: All right. What is a good mailing address for  
15 you?

16 INTERPRETER: 3069.

17 THE COURT: So P. O. Box 3069, Soldotna?

18 MS. LEE: Yes.

19 THE COURT: All right. We have that, Mr. Kang, just a --  
20 we have a good mailing address and you did look at the script.  
21 All right. So, Ms. Lee, you're charged with selling alcohol  
22 to a drunk person. That's a Class A misdemeanor. And you're  
23 --

24 INTERPRETER: Okay.

25 THE COURT: You face anywhere from zero to one year in

1 jail, anywhere from zero to a \$10,000 fine.

2 INTERPRETER: Okay.

3 THE COURT: There is also \$50 police training surcharge  
4 and \$100 suspended jail surcharge. (Pause) So do you  
5 understand what you're charged with and what the possible  
6 penalties might be?

7 INTERPRETER: Yes.

8 THE COURT: All right. Would you like to have an attorney  
9 help you with this case?

10 INTERPRETER: No.

11 THE COURT: What would you like to do?

12 INTERPRETER: I will go ahead and pay the penalty or fine.

13 THE COURT: All right. You want to accept the offer  
14 that's on the pink sheet?

15 INTERPRETER: Yes, Your Honor.

16 THE COURT: Okay. So I'm going to ask Ms. Paton from the  
17 state to put the offer on the record, if you could translate  
18 the offer. Ms. Paton?

19 MS. PATON: If you plea --

20 INTERPRETER: Okay.

21 THE COURT: Okay.

22 MS. LEE: Yes, Your Honor.

23 MS. PATON: The offer is as follows, if she pleads guilty  
24 to the charge of selling to an intoxicated person, it would be  
25 a flat fine of \$250 and surcharges and fees.

1 MS. LEE: Yes.

2 INTERPRETER: Okay.

3 MS. LEE: I understand, Your Honor.

4 THE COURT: Okay. So I need to ask you a number of  
5 questions before I can ask for a plea.

6 INTERPRETER: Okay.

7 THE COURT: First, you understand you do not have to plead  
8 guilty. You could plead not guilty and take this case to  
9 trial.

10 INTERPRETER: Yes.

11 THE COURT: Okay. And you have the right to have an  
12 attorney represent you. If you can't afford one, one would be  
13 appointed to represent you. Are you willing to go forward  
14 without an attorney?

15 INTERPRETER: No, I don't need a lawyer.

16 THE COURT: Okay. And if you go forward today, you'd be  
17 waiving all the trial rights that you reviewed in the  
18 arraignment script. Are you willing to waive those trial  
19 rights?

20 INTERPRETER: Yes.

21 THE COURT: If you go forward -- if you are not a United  
22 States citizen, a guilty plea could affect your immigration  
23 status.

24 INTERPRETER: Yes, I'm a U.S. citizen.

25 THE COURT: Okay. And if the court accepts the agreement

1 you've reached with the state, you would waive your right to  
2 appeal the sentence at a later time.

3 MS. LEE: I understand.

4 INTERPRETER: Yes.

5 THE COURT: Are you sick or under the influence of any  
6 drugs, alcohol, medication today?

7 INTERPRETER: No.

8 THE COURT: And other than the offer that was made, has  
9 anyone made any other promises or threats to force you to  
10 enter a plea today?

11 INTERPRETER: No.

12 THE COURT: Okay. So to the charge of selling alcohol to  
13 a drunk person, how do you plead?

14 INTERPRETER: Oh, I could not properly judge whether the  
15 person was drunk or not. The person just walked in and so I  
16 assumed that the person was within walking distance and lived  
17 in the neighborhood.

18 THE COURT: Okay. No, I'm asking if she's going to plead  
19 guilty or not guilty. If she wants to accept the state's  
20 offer, she needs to plead guilty.

21 MS. LEE: Yes, Your Honor.

22 THE COURT: So how do you plead?

23 INTERPRETER: Guilty.

24 THE COURT: Okay. I've reviewed the charging document. I  
25 do find a factual basis for your plea so I'll accept your



1 plea.

2 MS. LEE: Yes.

3 INTERPRETER: Okay.

4 THE COURT: And I find that it was made knowingly and  
5 intelligently.

6 MS. LEE: Yes.

7 INTERPRETER: Okay.

8 THE COURT: And, Ms. Paton, this seems fair enough. I  
9 don't necessarily need any comments but, Ms. Lee, any --  
10 anything you'd like to say before sentence is imposed?

11 MS. LEE: No.

12 INTERPRETER: No.

13 THE COURT: All right. So I accept the agreement you've  
14 reached with the state and I find it meets the court's  
15 sentencing goals. There's a fine of \$250 with zero suspended.  
16 How long do you need to pay that?

17 INTERPRETER: No.

18 THE COURT: Well, how much -- when can you pay that? How  
19 long can you --

20 MS. LEE: Right now.

21 THE COURT: Okay. Well, I'll set the fines due  
22 August 8th. That's one week from today but you can pay it  
23 right now on your way out.

24 MS. LEE: Yes.

25 THE COURT: Okay. There is also a \$50 police training

1 surcharge.

2 MS. LEE: Yes.

3 THE COURT: Did we get a mailing address?

4 THE CLERK: We did.

5 THE COURT: Okay. Any questions about the sentence?

6 MS. LEE: No.

7 INTERPRETER: No.

8 THE COURT: Okay. All right. Thank you, ma'am. We have  
9 some paper work here for you. You can pay your fine on the  
10 way out.

11 MS. LEE: Okay. Thank you, Your Honor.

12 THE COURT: Thank you, ma'am.

13 INTERPRETER: Thank you, Your Honor.

14 THE COURT: All right. Thank you, Mr. Kang.

15 INTERPRETER: Okay. And thank you for your generous  
16 services. Bye-bye, Your Honor.

17 THE COURT: Good-bye. Have a good day.

18 (Off record)

19 03:24:23

20 END OF REQUESTED PORTION

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TRANSCRIBER'S CERTIFICATE

I, Linda S. Foley, hereby certify that the foregoing pages numbered 2 through 15 are a true, accurate, and complete transcript of proceedings in Case No. 3KN-S14-01026 CR, State of Alaska v. Hee Hwan Lee, transcribed by me from a copy of the electronic sound recording to the best of my knowledge and ability.

November 8, 2014

\_\_\_\_\_  
Linda S. Foley, Transcriber



# Alaska Department of Public Safety

## Incident Report

**Incident: AK14046524**

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**Incident Type:** Assault - Simple [13B]

**Incident time:** 06/27/2014 11:20 -

**Reported time:** 06/27/2014 11:20

**Incident location:** 36185 KENAI SPUR HIGHWAY, RIDGEWAY SOLDOTNA, Kenai Peninsula Borough AK USA 99669

**Incident status:** Closed by arrest

**Summary:** On 6/27/14 at 1120 hours the Soldotna Public Safety Communication Center received a report of a possible assault in Soldotna. AST and Soldotna Police responded to the scene which was found to be approximately 1 1/2 mile of the Kenai Spur Highway in the 4Royal Parkers parking lot. I contacted Rosaline Washington and Paul Tickett in the parking lot. Washington and Tickett both showed signs of extreme intoxication and talking with them was difficult at times due to their extremely slurred speech. I observed Washington to have fresh blood on her forehead from a scratch between her eyes running down toward her nose. Washington also had a scratch mark on her neck under her chin. Washington stated they had walked from Nikiski and were trying to walk to Anchorage. Washington stated Tickett was her protector and nothing happened and she just wanted to leave. Washington stated the scratch was from a willow branch. Washington stated she was an alcoholic and later provided a partial sample for a PBT which showed a breath alcohol of .301%. Tickett stated they had walked from Nikiski on their way to Anchorage and had slept outside last night. Tickett said he would never hurt Washington and he never hit her. Tickett stated he went into 4Royal Parkers liquor store and bought a bottle of R & R Whiskey just before we showed up. SPD observed Tickett walk out of 4Royal Parkers upon their arrival. Tickett provided a partial sample for a PBT which showed a breath alcohol of .267%. I found a bottle of R & R Whiskey shoved down the front of Tickett's pants. I spoke with four witnesses that had observed the altercation. The witnesses stated they observed Tickett and Washington stumbling down the sidewalk and observed an argument. They observed Tickett push Washington onto the ground. Tickett was arrested for Assault IV but was later found to have two prior Assault IV convictions in the previous ten years which changed the charge to an Assault III.

## Incident Activities/Offenses

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- Alcohol - AS04.16.030(a)(1) - Sell or Give Alcohol To Drunk Person
- Alcohol - AS04.16.040 - Drunk Person On Licensed Premises
- Assault - AS11.41.220(a)(5)(A) - Assault 3rd - Violates AS11.41.230(a)(1) or (2) and, Within Preceding 10 years, Convicted on 2 or More Separate Occasions of Crimes Under AS11.41.100-11.41.170
- Unlawful Contact - AS11.56.755(a) - Unlawful Contact 2nd - Contacts Domestic Violence Victim Prior To Initial Appearance before Judge or Magistrate

## Involved Persons/Organizations

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### BARTLETT, HARLENE LUCEILLE

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**Classification:** Interview; Witness

**SID:** AK7310249                      **DL:** 7212901 AK  
**Gender:** Female                      **DOB:** 01/15/1962  
**Height:** 5'5"                      **Weight:** 230lb                      **Build:**  
**Race:** Unknown                      **Hair Color:** Brown                      **Eye Color:** Brown  
**Address:** 35855 KOBUK STREET, SOLDOTNA, Kenai Peninsula Borough AK  
USA 99669 (Beat/zone: HDQD, SOLDOTNA)

**E-mail:**

**Telephone:** (Cellular phone) (214) 280-8974

**Telephone:** (Landline) (907) 262-7160

### BARTLETT, KEVIN SHAWN

---

**Classification:** Interview; Witness

**SID:** AK7310512                      **DL:** 7213125 AK  
**Gender:** Male                      **DOB:** 09/12/1955  
**Height:** 6'0"                      **Weight:** 230lb                      **Build:**  
**Race:** White                      **Hair Color:** Brown                      **Eye Color:** Brown  
**Address:** 35855 KOBUK STREET, SOLDOTNA, Kenai Peninsula Borough AK  
USA 99669 (Beat/zone: HDQD, SOLDOTNA)

**E-mail:**

**Telephone:** (Landline) (907) 262-7160

## **KOHLER, HEATHER MARIAN**

---

**Classification:** Interview; Witness

**SID:** AK7250566                      **DL:** 7164933 AK  
**Gender:** Female                      **DOB:** 10/16/1989  
**Height:** 5'1"                      **Weight:** 130lb                      **Build:**  
**Race:** White                      **Hair Color:** Brown                      **Eye Color:** Brown  
**Address:** 2819 COOK INLET VIEW DRIVE, Apt. D3, KENAI, Kenai Peninsula  
Borough AK USA 99611 (Beat/zone: HDQA)

**E-mail:**

**Telephone:** (Cellular phone) (907) 690-0845

## **LEE, HEE HWAN**

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**Classification:** Arrested; Charged; Citation issued to; Interview

**SID:** AK6286903                      **DL:** 6286903 AK  
**Gender:** Female                      **DOB:** 03/12/1950  
**Height:** 5'3"                      **Weight:** 145lb                      **Build:**  
**Race:** Asian                      **Hair Color:** Black                      **Eye Color:** Brown  
**Address:** 36185 KENAI SPUR HIGHWAY, RIDGEWAY SOLDOTNA, Kenai  
Peninsula Borough AK USA 99669

**E-mail:**

**Telephone:** (Landline) (907) 262-4670

## **MARTIN, FLORA MYRTLE**

---

**Classification:** Other (see remarks)

**SID:** AK7103950                      **DL:** 1018500 AK  
**Gender:** Female                      **DOB:** 03/22/1984  
**Height:** 5'1"                      **Weight:** 180lb                      **Build:**





**Classification:** Interview; Victim

**SID:** AK6040164                      **DL:** 6040164 AK  
**Gender:** Female                      **DOB:** 12/31/1964  
**Height:** 5'3"                      **Weight:** 125lb                      **Build:**  
**Race:** Indian                      **Hair Color:** Black                      **Eye Color:** Black  
**Address:** 830 4TH AVENUE, KOTZEBUE, Kenai Peninsula Borough AK USA  
99752  
**E-mail:**

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## WILLCOX, JEFFREY WAYNE

**Classification:** Interview; Witness

**SID:** AK7587365                      **DL:** 7377333 AK  
**Gender:** Male                      **DOB:** 10/19/1964  
**Height:** 6'3"                      **Weight:** 200lb                      **Build:**  
**Race:**                      **Hair Color:** Unknown or  
completely bald                      **Eye Color:** Brown  
**Address:** 255 N KOBUK STREET, SOLDOTNA, Kenai Peninsula Borough AK  
USA 99669  
**E-mail:**  
**Telephone:** (Landline) (907) 260-4000

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## Involved Property

- P14024040 / Spirits / Evidence / R&R WHISKEY Full: 1
- P14024227 / Audio recordings : CD/DVD/Blu-ray / Evidence / CD/DVD/Blu-ray AUDIO-VEFO
- P14024566 / Audio recordings : CD/DVD/Blu-ray / Evidence / CD/DVD/Blu-ray

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## Involved Addresses

- 36185 KENAI SPUR HIGHWAY / Incident location / RIDGEWAY, SOLDOTNA, Alaska, USA 99669

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## Involved Officers

- Assisting officer / #SJWO WEBBER, SAMUEL J / Assisting officer
- Reporting unit / #SOLE AST SOLDOTNA POST / Reporting unit

- Reporting officer / #VEFO FOWLER, VERNIE E / Reporting officer

## Reports

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### Arrest report

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**Subject:** TICKETT, PAUL WAYNE / Arrested; Charged; Interview / DOB: 05/06/1971 (43)  
Gender: Male (3420 PENLAND AVENUE, Unit 182, ANCHORAGE, Municipality of Anchorage AK USA 99501 ) FBI: 811251PA1 DL:AK:6414555

**Author:** #VEFO FOWLER, V. **Report time:** 06/28/2014 10:22

**Charges:** (1) AS11.41.220(a)(5)(A) Violates AS11.41.230(a)(1) or (2) and, Within Preceding 10 years, Convicted on 2 or More Separate Occasions of Crimes Under AS11.41.100-11.41.170 ()  
(2) AS04.16.040 Drunk Person On Licensed Premises ()  
(3) AS11.56.755(a) Unlawful Contact 2nd - Contacts Domestic Violence Victim Prior To Initial Appearance before Judge or Magistrate ()

### Arrest report

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**Subject:** LEE, HEE HWAN / Arrested; Charged; Citation issued to; Interview / DOB: 03/12/1950 (64) Gender: Female (36185 KENAI SPUR HIGHWAY, RIDGEWAY SOLDOTNA, Kenai Peninsula Borough AK USA 99669 (Landline) (907) 262-4670 ) DL:AK:6286903

**Author:** #VEFO FOWLER, V. **Report time:** 07/08/2014 08:04

**Charges:** (1) AS04.16.030(a)(1) Sell or Give Alcohol To Drunk Person ()

### Victim report

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**Subject:** WASHINGTON, ROSALINE / Interview; Victim / DOB: 12/31/1964 (49) Gender: Female (830 4TH AVENUE, KOTZEBUE, Kenai Peninsula Borough AK USA 99752 ) FBI: 686029VB5 DL:AK:6040164

**Author:** #VEFO FOWLER, V. **Report time:** 06/28/2014 10:25

**Offender/Offense:**  
**TICKETT, PAUL WAYNE**

AK14046524 [001] AS11.41.220(a)(5)(A) Adult Violates AS11.41.230 (a)(1) or (2) and, Within Preceding 10 years, Convicted on 2 or More Separate Occasions of Crimes Under AS11.41.100-11.41.170 06/27/2014 Pending

AK14046524 [003] AS11.56.755(a) Adult Unlawful Contact 2nd - Contacts Domestic Violence Victim Prior To Initial Appearance before Judge or Magistrate 06/27/2014 Pending

**Victim services notified:** Yes **Victim services accepted:** No

**Victim services notified by:** SGT. FOWLERSPD OFFICER KOENIG

**Victim notified:**

**Sexual assault kit:** No **Time:**

## General report

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**Author:** #VEFO FOWLER, V.

**Report time:** 06/27/2014 11:20

### **Narrative:**

On 6/27/14 at 1120 hours the Soldotna Public Safety Communication Center received a report of a possible assault in Soldotna. AST and Soldotna Police responded to the scene which was found to be approximately 1 1/2 mile of the Kenai Spur Highway in the 4Royal Parkers parking lot. Soldotna Police Officer Koenig arrived before me and was contacting a male and a female in the parking lot area near the sidewalk. The male and female were identified as **Rosaline Washington, AK6040164** and **Paul Tickett, AK6414555**. SPD observed Tickett walk out of 4Royal Parkers upon their arrival.

Washington and Tickett both showed signs of extreme intoxication and talking with them was difficult at times due to their extremely slurred speech. Both Washington and Tickett had blood shot watery eyes and a strong odor of alcohol. They staggered and swayed as they stood. I observed Washington to have fresh blood on her forehead from a scratch between her eyes running down toward her nose. Washington also had a scratch mark on her neck under her chin. Tickett was not cooperative and would walk away from me at times toward Washington. Tickett said nothing happened and he was only trying to buy food. Tickett said Washington was yelling at him. Tickett said he did not hold her down and he did not hurt her. Tickett said Washington was scratched by a branch and he did not "hurt his love". I placed Tickett in handcuffs and patted him down for safety. Inside the front waistband of his pants I found a bottle of R & R Whiskey that was unopened. I placed Tickett in the rear of my patrol vehicle to sort out what had occurred.

I attempted to speak to Washington who was uncooperative and continually walked away from me. Washington stated they had an argument and had walked from Nikiski and were trying to walk to Anchorage. Washington stated Tickett was her protector and



nothing happened and she just wanted to leave. Washington stated the scratch was from a willow branch. Washington stated she was an alcoholic and later provided a partial sample for a PBT which showed a breath alcohol of .301%.

I called and spoke to one of the complainants by phone, **Heather Kohler, AK7250566**. Kohler stated she was driving on the Kenai Spur Highway and saw two native people standing on the sidewalk and appeared to be in an argument. Kohler said she saw a female holding a bag, wearing a purple jacket. This description was consistent with Washington. Kohler stated she saw the two of them tussle and the male grabbed her by the throat while standing to the side of her. Kohler said she could see her face and it appeared she was distraught and she felt he was assaulting her so she called 911.

I requested Tickett provide PBT sample which he did not adequately do. I obtained a partial sample for a PBT which showed a breath alcohol of .267%.

I re-contacted Washington and asked her about being held by the throat and she stated nothing happened. Washington said Tickett was her protector. I tried to get information on a family member or someone that Washington could stay with. I was able to locate a phone number and spoke to a male who stated he knew the both of them but when they were intoxicated they were difficult to handle. The male said he did not want Washington to stay at his house. Washington's level of intoxication was very high and we could not find any place for her to go. Soldotna Police took Washington into protective custody and transported her to Central Peninsula Hospital. SPD provided the information for victims of domestic violence. Washington was then transported to Wildwood Pretrial Facility for a Title 47 hold.

I re-contacted Tickett and read him his Miranda Advisement. Tickett at first said he did not want to speak with me. Tickett then changed his mind and agreed to speak with me. Tickett said he would never hurt Washington and he never hit her. Tickett stated he went into 4Royal Parkers liquor store and bought a bottle of R & R Whiskey just before we showed up. I advised Tickett he was under arrest for Assault IV.

I went into 4Royal Parkers Liquor Store and observed the R & R Whiskey on the shelf. The whiskey had the same price tag as the bottle I found in Tickett's pants. The lot number on the back of the bottles on the shelf was the same as the bottle I had seized from Tickett. I spoke with Mr. Lee. Lee stated his wife had sold the bottle of whiskey to Tickett. Lee's wife, **Hee Hwan Lee, AK6286903**, told me that she sold the bottle to him and said she didn't know he was intoxicated or drunk. Hee Lee said he was not driving. I advised Lee I would contact them later for a charge of Selling to a Drunk Person. I confirmed the liquor license number of 4Royal Parkers was 1295. Hee Lee's TAB card number was 84024.

I contacted **Harlene Bartlett, AK7310249**, and her husband, **Kevin Bartlett, AK7310512**, who were operating a burger trailer across the street from 4Royal Parkers. The Bartlett's stated they saw them walking down the sidewalk and she walked away from him and it looked like they got into a scuffle. They observed Tickett shove her to the ground and then picked her up and kissed her. Kevin stated he was going to go over there but Harlene did instead so Kevin and Tickett wouldn't get into an altercation. Harlene said she walked across the street and yelled at him to stop and Tickett told her he was protecting her.

I went to the hair salon across the street from 4Royal Parkers and spoke with **Jessica Phillips, AK7190026**. Phillips stated she came up front and saw the male shoving her toward the road and then the man walked into the liquor store. Phillips said she could tell they were both drunk. I also contacted **Jeffrey Willcox, AK7587365**, who stated he saw them walking down the sidewalk and they appeared falling down drunk and they were hugging. Willcox stated he saw the male push the female to the ground and yelling at her to watch his stuff. Willcox said it looked like he was trying to get money from her and out of her pockets. The female walked away from him but he would grab the bag she was holding and pull her back. The male grabbed her by the shoulders and she was trying to get away from him. The female threw something on the ground which Willcox believed to be money and the male picked it up and went into the liquor store.

During the arrest of Tickett he yelled multiple times at Washington in an attempt to speak with her. I advised him to not talk to her. Washington was taken to the hospital for medical clearance by SPD. Tickett was also taken to the hospital by Trooper Webber. Before going into the hospital Trooper Webber told Tickett to not speak with Washington. Upon entry into the hospital Tickett yelled "I love you" at Washington. He was then moved away where he couldn't see her any longer. Tickett was cleared at the hospital and remanded to Wildwood Pretrial Facility on a no bail status.

I later confirmed in APSIN that Tickett has two prior convictions for Assault IV under AS 11.41.230(a)(1). One conviction is on 07/14/08 and the second on 11/02/06. The convictions appear to be out of the Kotzebue Court.

On 6/28/14 I contacted Hee Lee at 4Royal Parkers and gave her a misdemeanor citation for Selling to a Drunk Person. It should be noted I put the wrong address for her and for the liquor store on the citation. I put the address as 36185 Sterling Highway and the correct address is 36185 Kenai Spur Highway.

I took photos of Washington although she did not cooperate with the photos. I also took photos of Tickett and photos of the liquor bottles in 4Royal Parkers. I also took photos of the liquor bottle that I seized that matched the lot number from 4 Royal Parkers. The photos were placed on the AST photo server. My audio contact with all parties were placed into AST evidence.

## Supplementary report

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**Author:** #SJWO WEBBER, S.

**Report time:** 06/27/2014 12:15

**Remarks:**

**Narrative:**

On 6/27/2014 at approx. 1215 hours I met with Sgt. Fowler in the parking lot of Four Royle Parkers per his request. Sgt. Fowler had arrested **Paul Tickett, AK6414555**, for (DV) Assault IV and Intoxicated on a Licensed Premise and requested that I transport him Wildwood Pre-Trial. I noted P. Tickett appeared highly intoxicated as displayed by his watery bloodshot eyes, slurred speech and the odor of alcohol that was on his breath and person. I was advised that his PBT sample had been .267 BrAC.

I moved him from Sgt. Fowler's patrol vehicle to my own and transported P. Tickett to Central Peninsula Hospital (CPH) for a medical evaluation prior to remand due to his high level of intoxication. I knew that P. Tickett's girlfriend (**Rosaline Washington, AK6040164**) who was the victim of his assault had also been transported to CPH for a medical evaluation due to intoxication.

Upon our arrival at CPH I warned P. Tickett that he would be charged with an additional criminal charge of if he attempted to communicate or talk with his girlfriend. P. Tickett, who was handcuffed and sitting on the rear seat of my patrol vehicle, told me in a slurred voice that he wasn't even in trouble. I informed him that he was under arrest and escorted him into the Emergency Room at CPH. I informed the ER staff that P. Tickett could not communicate with his girlfriend.

One of the hospital staff met us and began escorting us from the waiting room to a treatment room. While walking through the ER I was able to see R. Washington laying on a gurney in a treatment room approx. 20 feet from us. P. Ticket looked at the room and yelled, "I love you!" to which R. Washington responded that she loved him too. I advised him to be quiet and to not speak to R. Washington and we walked to a different treatment room, out of sight of R. Washington. I informed Sgt. Fowler of the contact between P. Tickett and R. Washington.

After an extended wait P. Tickett was seen by one of the ER's attending physicians. During the examination he admitted to drinking alcohol and taking an oxycodone pill earlier. He medically cleared P. Tickett and we left the hospital.

I transported P. Tickett to Wildwood Pre-Trial and remanded him there without further incident. This concludes my involvement in the incident.

Tab

**9**



THE STATE  
of **ALASKA**

GOVERNOR BILL WALKER

Department of Commerce, Community,  
and Economic Development

ALCOHOLIC BEVERAGE CONTROL BOARD

2400 Viking Drive  
Anchorage, Alaska 99501  
Main: 907.269.0350  
TDD: 907.465.5437  
Fax: 907.334.2285

TO: Robert Klein, Chair and  
Members of the Board

DATE: February 3, 2015

FROM: Cynthia Franklin  
Director, ABC Board

RE: Violation – Circle M Bar License #3772

The above licensee was charged with a violation of Title 4. Details of the charge and conviction are as follows:

Date of Violation: 01-27-2014

Violation Charged: Furnishing alcoholic beverage to a person under age 21 per AS 04.16.052

Conviction: Disorderly Conduct per AS 11.61.110(a)(6)

Sentence: \$500 fine, 10 days jail with 10 suspended, \$50 surcharge

Prior Licensee Sanctions: None on file.





Alcoholic Beverage Control Board  
5848 East Tudor Road  
Anchorage, AK 99507

Date: 1-27-14  
Number AB14-0044  
Page 1 of 1 Page

## Notice of Violation

(3 AAC 304.525)

Licensee	License Number	Type of License
Del Inc.	3772	Beverage Dispensary
D.B.A. Circle M Bar 1323 Old Richardson Hwy	How Delivered <input checked="" type="checkbox"/> Certified Mail # On-File <input type="checkbox"/> In Person	Law Enforcement Agency Alaska State Troopers
Street or P.O. Box PO Box 58469	City, State Fairbanks, AK	Zip 99711

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:** On 1-17-14, at about 2015 hours, Circle M bartender Elizabeth Mae Bellmay sold an alcoholic beverage to a person under 21 (age 18) and allowed the underage person to remain on the premises. Also present on the premises was licensee Cassandra Elaine Powell. Prior to selling the alcoholic beverage, Bellmay asked Powell if "95" was old enough. Powell advised Bellmay UB was 28. When asked to provide proof of server education, Powell stated she does have it; she just didn't have it on her. This is a violation of Title IV.

Your attention is directed to **AS 04.16.052: Furnishing of alcoholic beverages to persons under the age of 21 by licensees, AS 04.16.150: Licensee responsible for violations and 3AAC304.465: Alcohol server education course**

**You are directed to respond to the Director of the Alcohol Beverage Control Board 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.**

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

Shirley A. Cote', Director  
Alcoholic Beverage Control Board  
2400 Viking Drive  
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: UB 13-012
Filed By: <i>JR Hamilton</i>	Title: Investigator III



# Alcoholic Beverage Control Board

## Incident Report

**Incident: AB14000044**

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**Incident Type:** Liquor Laws [LIQU]  
**Incident time:** 01/17/2014 20:15 -  
**Reported time:** 01/17/2014 20:15  
**Incident location:** 1323 OLD RICHARDSON HIGHWAY, NORTH POLE, Fairbanks North Star Borough AK USA 99705 (Beat/zone: HJJG, RICHARDSON)  
**Incident status:** Closed, Juvenile referred other agency  
**Summary:** On 1-17-14, at about 2015 hours, Circle M Bar bartender Elizabeth Mae Bellmay sold an alcoholic beverage to a person under 21 (Underage Buyer 13-012; age 18) and allowed the underage person to remain on the premises. Also present on the premises was licensee Cassandra Elaine Powell. Prior to selling the alcoholic beverage, Bellmay asked Powell if "95" was old enough. Powell advised Bellmay UB was 28. Powell was asked to provide proof of server education and stated she does have it; she just didn't have it on her. A charge of furnishing alcohol to a person under 21 and allowing an under 21 person on a licensed premises is being referred to the DAO for Bellmay. A charge of allowing another to sell or serve an alcoholic beverage to a person under 21 and licensee responsible for violations for failing to show proof of server education is being referred to the DAO for Powell. The incident occurred during a compliance check.

### Incident Activities/Offenses

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- ABC - Compliance Check (covert)
- ABC - Issue Notice Of Violation (Licensee Response Required)
- Alcohol - AS04.16.052(1) - Licensee Sell Alcohol To Minor
- Alcohol - AS04.16.052(2) - Licensee Allow Minor on Alcohol Premises
- Alcohol - AS04.16.052(5) - Furnish Deliver To Minor While Licensee Working on Premises
- Alcohol - AS04.16.150 - Licensee Responsible for Alcohol Violations

### Involved Persons/Organizations

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#### BELLMAY, ELIZABETH MAE

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**Classification:** Charged; Interview; Suspect

<b>SID:</b>	AK0931906	<b>DL:</b>	0931906 AK		
<b>Gender:</b>	Female	<b>DOB:</b>	06/19/1962		
<b>Height:</b>	5'10"	<b>Weight:</b>	160lb	<b>Build:</b>	
<b>Race:</b>	White	<b>Hair Color:</b>	Brown	<b>Eye Color:</b>	Brown

**Address:** 303 W 4TH AVENUE, NORTH POLE, Fairbanks North Star Borough  
AK USA 99705 (Beat/zone: HJBU)

**E-mail:**

**Telephone:** (Landline) (907) 488-8444

**Telephone:** (Cellular phone) (907) 687-3651

## CIRCLE M BAR

---

**Classification:** Operator

**ID:** **Type:** Bar

**Address:** 1323 OLD RICHARDSON HIGHWAY, NORTH POLE, Fairbanks North Star Borough AK  
USA 99705 (Beat/zone: HJJG, RICHARDSON)

**E-mail:** No known E-mail

**Telephone:** (Landline) (907) 488-8444

## POWELL, CASSANDRA ELAINE

---

**Classification:** Charged; Interview; Owner; Suspect

**SID:** AK6378555 **DL:** 6378555 AK

**Gender:** Female **DOB:** 07/06/1966

**Height:** 5'7" **Weight:** 167lb **Build:**

**Race:** Indian **Hair Color:** Brown **Eye Color:** Brown

**Address:** 1113 HOLMES ROAD, NORTH POLE, Fairbanks North Star Borough  
AK USA 99705 (Beat/zone: HJJG)

**E-mail:**

**Telephone:** (Cellular phone) (907) 750-9126

**Telephone:** (Landline) (907) 457-1123

**Telephone:** (Cellular phone) (907) 750-1175

## Involved Addresses

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- 1323 OLD RICHARDSON HIGHWAY / Incident location / NORTH POLE, Alaska, USA 99705 (Beat/zone: HJJG, RICHARDSON)

## Involved Officers

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- Reporting unit / #ABCH ABC ENFORCEMENT STATEWIDE / Reporting unit
- Reporting officer / #FRH0 HAMILTON, FRANCIS J / Reporting officer

## Reports

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## Proposed Charges Report

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**Subject:** BELLMAY, ELIZABETH MAE / Charged; Interview; Suspect / DOB: 06/19/1962 (52) Gender: Female (303 W 4TH AVENUE, NORTH POLE, Fairbanks North Star Borough AK USA 99705 (Beat/zone: HJBU) ) FBI: 984890FA1 DL:AK:0931906

**Charges to be Considered:** AS04.16.052(5) Furnish Deliver To Minor While Licensee Working on Premises; : Adult; Inc: AB14000044; Offense Date:01/17/2014; Offense Address: 1323 OLD RICHARDSON HIGHWAY, NORTH POLE, Fairbanks North Star Borough AK USA 99705 (Beat/zone: HJJG, RICHARDSON); : #FRH0 HAMILTON, F. ()

AS04.16.052(2) Licensee Allow Minor on Alcohol Premises; : Adult; Inc: AB14000044; Offense Date:01/17/2014; Offense Address: 1323 OLD RICHARDSON HIGHWAY, NORTH POLE, Fairbanks North Star Borough AK USA 99705 (Beat/zone: HJJG, RICHARDSON); : #FRH0 HAMILTON, F. ()

## Proposed Charges Report

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**Subject:** POWELL, CASSANDRA ELAINE / Charged; Interview; Owner; Suspect / DOB: 07/06/1966 (48) Gender: Female (1113 HOLMES ROAD, NORTH POLE, Fairbanks North Star Borough AK USA 99705 (Beat/zone: HJJG) (Cellular phone) (907) 750-9126 ) FBI: 624316HD7 DL:AK:6378555

**Charges to be Considered:** AS04.16.052(1) Licensee Sell Alcohol To Minor; : Adult; Inc: AB14000044; Offense Date:01/17/2014; Offense Address: 1323 OLD RICHARDSON HIGHWAY, NORTH POLE, Fairbanks North Star Borough AK USA 99705 (Beat/zone: HJJG, RICHARDSON); : #FRH0 HAMILTON, F. ()

AS04.16.150 Licensee Responsible for Alcohol Violations; : Adult; Inc: AB14000044; Offense Date:01/17/2014; Offense Address: 1323 OLD RICHARDSON HIGHWAY, NORTH POLE, Fairbanks North Star Borough AK USA 99705 (Beat/zone: HJJG, RICHARDSON); : #FRH0 HAMILTON, F. ()

## General report

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**Author:** #FRH0 HAMILTON, F.

**Report time:** 01/28/2014 08:28

**Narrative:**

**OBSERVATION:**

On 1-17-14, at about 2011 hours, Underage Buyer 13-012; age 18, herein referred to as UB, entered Circle M Bar. I remained outside. At about 2015 hours, UB sent me a text message essentially relating she had been furnished, later learned sold, a Corona beer. Age was not asked but ID was asked for. The ID presented was a valid military dependent card which has the date of birth on the back of the card in the upper left corner. It reads, "1995AUG16".

**OFFICER ACTION:**

At about 2019 hours, I entered the establishment and located UB seated at the bar with an opened bottled Corona beer in front of her. I took a photo of UB seated with the beer. I introduced myself to the bartender, who UB identified as her server. UB provided me her ID card and departed the establishment. The bartender was identified as Elizabeth M. Bellmay. Contact was also made with Cassandra E. Powell, who identified herself as the owner. I later checked the Alcoholic Beverage Control Board (ABC) files and learned she is a licensee of more than 30 days.

**INTERVIEW #1, SI, E.M. BELLMAY:**

Conducted in a non-custodial manner. Bellmay repeatedly stated UB's ID said 95. I advised her she was right. Bellmay then looked at UB's ID card again and stated that was not the ID UB showed her; she could read it without putting on her glasses. I asked her how she got UB's birth year right to which she replied the ID said "95". I then advised Bellmay UB was only 18. Bellmay asked the owner if 95 was good to be servered and the owner, Powell, said it was. Bellmay recalls serving UB a Corona beer. Bellmay said something just didn't click, she asked for ID because UB didn't look 18 or 30. Bellmay has been serving alcoholic beverages for 10-15 years and has received alcohol server training, TAP card which expires 11-5-16, instructor HRK.

**INTERVIEW #2, SI, C.E. POWELL:**

Conducted in a non-custodial manner. During my conversation with Bellmay, she kept saying to Powell, that she said 95. Powell would reply by saying I thought you said 85. Powell started a conversation with UB and advised UB she had a daughter about UB's age. She stated she also asked UB if she was 28 to which UB said, "Yeah". While talking to me, Powell stated she heard "84" and then started a conversation with UB about her daughter being the same age. When asked to provide proof of server education, she stated she was just stopping by and did not have her server card.

**OFFICER ACTION:**

I later checked with Alaska Cabaret, Hotel, Restaurant & Retailer's Association and learned that Powell does have current server education. Powell was advised she needed to have her server education card when conducting business on the premises. I then advised them of what was going to happen regarding charges against Bellmay. I then departed the establishment.

**NOTE:**

UB completed 11 compliance checks on 1-17-14. Two establishments sold an alcoholic beverage. UB also advised me that when Bellmay asked Powell about her birth year, Powell replied she wasn't good at that stuff and said UB was 28 years old.

**EVIDENCE:**

Digital audio and photos. The beer was left at the establishment.

**CASE STATUS:**

Closed. A charge of furnishing alcohol to a person under 21 and allowing an under 21 person to enter and remain are being referred to the DAO for Bellmay. A charge of allowing another to sell or server an alcoholic beverage to a person under 21 and licensee responsible for violations is being referred to the DAO for Powell.



This complaint is based upon the statement of Underage Buyer 13-012; age 18, herein referred to as UB. UB was conducting an alcohol compliance check at the Defendant's establishment, Circle M Bar, a licensed liquor establishment in or near North Pole, where the Defendant sold UB a bottled Corona beer, an alcoholic beverage and allowed the underage person to remain on the licensed premises. Further upon the statement of the Defendant that he did furnish UB the alcoholic beverage. Finally, UB was a person whose age was verified by Investigator F.R. Hamilton, Alcoholic Beverage Control Board, prior to the furnishing and UB was working as an undercover operative for the Alcoholic Beverage Control Board.

I certify under penalty of perjury that the above information is true.

A handwritten signature in cursive script that reads "F.R. Hamilton". The signature is written in black ink and is positioned above a horizontal line.

Signature of Complainant



IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

State of Alaska,  
vs.  
Cassandra Elaine Powell,  
Plaintiff,  
Defendant.

CASE NO: 4FA-14-00453CR

**JUDGMENT**

DOB: 07/06/1966 APSIN: 6378555  
DL/ID ( CDL): 6378555 - AK ATN: 114146838

CTN Offense  
001 AS04.16.052(1): Licensee Sell Alcohol To Minor  
**Amended:** AS11.61.110(a)(6): Disorderly Conduct

DV Offense per  
Date of Offense: AS 18.66.990  
01/17/2014 No

The following charge was **dismissed**:

CTN Offense  
002 AS04.16.150: Licensee Respons For Alcohol Violations 01/17/2014 No

PLEA:  Guilty

PLEA AGREEMENT:  Yes

Defendant was found and adjudged:

- GUILTY of the **amended** offense named above.
- Any bond in this case is exonerated.

**SENTENCE**

Sentence is imposed as follows:

JAIL: Defendant is committed to the custody of the Commissioner of Corrections to serve

CTN: Period:  
001 10 days with 10 days suspended. Defendant is to be credited for time already served in this case.

FINE:

CTN: Fine:  
001 Defendant is fined \$500.00. Defendant may perform 80 hours of community work service in lieu of fine. Proof of community work service or payment of the fine is due to the court by 06/01/2015.

POLICE TRAINING SURCHARGE: To be paid within 10 days:

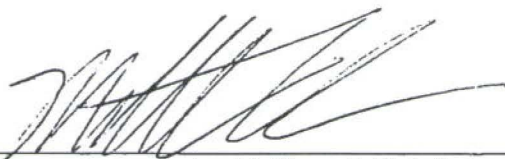
CTN: Surcharge:  
001  \$50 (Misd)

INITIAL JAIL SURCHARGE: \$50 per case. Due within 10 days to Attorney General's Office, 1031 W. 4<sup>th</sup> Ave. #200, Anchorage, AK 99501

SUSPENDED STATE JAIL SURCHARGE: \$100 per case with \$100 suspended. Must be paid if probation is revoked and, in connection, defendant is arrested and taken to jail or is sentenced to jail.

- PROBATION: Defendant is placed on probation for 1 year, subject to the following conditions:
  - Comply with all direct court orders listed above by the deadlines stated.
  - No criminal violations.
  - The defendant is to get a recertified TAM's card within one year.
  - No jailable offenses.

November 14, 2014  
Effective Date

  
\_\_\_\_\_  
Judge Matthew C Christian

Clerk: ASH

Date signed: 11-18-14

I certify that on 11/14/14  
a copy of this judgment was sent to:

- |     |                                              |                                          |                                         |
|-----|----------------------------------------------|------------------------------------------|-----------------------------------------|
| PD  | <input checked="" type="checkbox"/> Def/Atty | <input checked="" type="checkbox"/> DA   | <input type="checkbox"/> ASAP           |
|     | <input type="checkbox"/> AG                  | <input checked="" type="checkbox"/> Jail | <input checked="" type="checkbox"/> DPS |
| AST | <input checked="" type="checkbox"/> Police   | <input type="checkbox"/> CFEC            | <input type="checkbox"/> Other: _____   |
- DMV, 1300 W. Benson Blvd., Anch., AK 99503  
 with surrendered lic # \_\_\_\_\_

Clerk: JP

IN THE DISTRICT COURT FOR THE STATE OF ALASKA AT FAIRBANKS

Ctrm: 202

Date: November 14, 2014

STATE OF ALASKA

vs.

Cassandra Elaine Powell

Judge: Christian

Clerk: Helmick

Case: 4FA-14-00453CR

PROCEEDINGS: Change of Plea

COUNSEL PRESENT

Plaintiff: Andrew Baldock, Assistant District Attorney

Defendant: Rachel Andeer, Assistant Public Defender

Defendant: Present/Out of Custody

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01:46:28 To this case

01:46:31 Andeer: Guilty to DC (a)(6) 10/10, 1 year probation, \$500 fine, get TAMS card. Agrees to waive right to future witness clause.

01:47:12 Court: Will not accept that condition. Will put in telephonic witnesses pursuant to CR 38.1 and US v. Leeth.

01:47:40 Court advises of rights and maximum penalties.

01:48:06 Defendant acknowledges and understands waiver of her rights.

01:48:12 Defendant: Decision is knowing, voluntary, not under the influence, am a US citizen.

01:48:24 Defendant enters guilty plea to amended disorderly conduct.

01:48:25 COURT: Accept guilty plea.

Sentencing Comments by Andeer.

01:48:46 Defendant waives right of allocution.

01:49:05 Court's Sentencing Comments.

01:50:17 COURT IMPOSES SENTENCE

01:50:18 CTN 001:

10 days with 10 days suspend.

1 year good behavior.

\$500 fine due by 06/01/2015.

Get recertified in TAMS card with in one year.

01:50:46 CTN 002:

Dismissed, 43(a).

In the District Court of the State of Alaska  
Fourth Judicial District in Fairbanks, Alaska

AB14-0044  
Agency Number

State of Alaska,

Plaintiff

vs.

Cassandra Elaine Powell

DOB/ 7-6-66  
ID/ 6378555

Defendant

ATN: 114 146 838

Misdemeanor  
Criminal Complaint

No. \_\_\_\_\_ Cr.

VRA CERTIFICATION I certify that this document and its attachments do not contain (1) the name of a victim of a sexual offense listed in AS 12.61.140 or (2) a residence or business address or telephone number of a victim of or witness to any crime unless it is an address used to identify the place of the crime or it is an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

DOMESTIC VIOLENCE OFFENSES Per AS 18.66.990(3) and (5)  
 ALL COUNTS  NONE  SPECIFIED BELOW

CTN 001  
FURNISHING OF ALCOHOLIC  
BEVERAGES TO PERSONS UNDER  
THE AGE OF 21 BY LICENSEES  
A.S. 04.16.052(1)

Complainant states that on or about the 17<sup>th</sup> of January, 2014, at or near North Pole in the Fourth Judicial District, State of Alaska, Cassandra Elaine Powell, a licensee or an agent or an employee of the licensee with criminal negligence allowed another person to sell, give, or barter an alcoholic beverage to a person under the age of 21 years within licensed premises.

All of which is a class A misdemeanor offense being contrary to and in violation of A.S. 04.16.052(1) and against the peace and dignity of the State of Alaska.

CTN 002  
LICENSEE RESPONSIBLE  
FOR VIOLATIONS  
A.S. 04.16.150

Complainant states that on or about the 17<sup>th</sup> of January, 2014, at or near North Pole in the Fourth Judicial District, State of Alaska, Cassandra Elaine Powell,

Did either knowingly allow agents or employees to violate this title or regulation adopted under this title nor recklessly or with criminal negligence fail to act in accordance with the duty prescribed under AS 04.21.030 with the result that an agent or employee of this licensee violates a law or regulation.

All of which is a class A misdemeanor offense being contrary to and in violation of A.S. 04.16.150 and against the peace and dignity of the State of Alaska.



This complaint is based upon the statement of Underage Buyer 13-012; age 18, herein referred to as UB. UB was conducting an alcohol compliance check at the Defendant's establishment, Circle M Bar, a licensed liquor establishment in or near North Pole. The Defendant is a licensee of that establishment. The on-duty bartender asked the Defendant if UB, born in 1995, was old enough to be served. The Defendant's replied she wasn't good with that stuff, but approved the sale. The bartender sold UB a bottled Corona beer, an alcoholic beverage and allowed the underage person to remain on the licensed premises. The Defendant, a licensee of more than 30 days, was asked to provide proof of server education. She stated she does have it but could not provide proof. Finally, UB was a person whose age was verified by Investigator F.R. Hamilton, Alcoholic Beverage Control Board, prior to the furnishing and UB was working as an undercover operative for the Alcoholic Beverage Control Board.

I certify under penalty of perjury that the above information is true.

A handwritten signature in cursive script that reads "F.R. Hamilton". The signature is written in black ink and is positioned above a horizontal line.

Signature of Complainant

ALCOHOLIC BEVERAGE CONTROL BOARD  
UNDERAGE BUYER NOTES

ABC Case No. A1314-0044

Date: 1-17-14 Time In: 2011 Time Sold: 2015 Time Out: 2019

Name of Business: CIRCLE M BAR

Store #: \_\_\_\_\_ Alcohol License #: 3772

Address: 1323 Old

CLERK DESCRIPTION

The seller is: (Height/Weight/Age are approximates) Name Tag: \_\_\_\_\_

Male ( ) Female (X) Hair Color Black Eye Color \_\_\_\_\_

Height 5'6" Weight 145 Age 50 Glasses:  Yes or  ~~NO~~ BUB

Wearing Jeans and a tank top.

PURCHASE

I purchased Corona w/ lime, an alcoholic beverage and paid \$ 3.50  
Describe Alcohol Purchased

I was not questioned as to my age (INSERT WAS OR WAS NOT)

I was asked for my identification (INSERT WAS OR WAS NOT)

NOTES:

I walked into the bar and approached the bar inside. I asked for a corona with lime. she asked for my ID. I presented it to her and she put on her glasses and walked to the register. she came over to the bar and asked a lady sitting at the bar if '95 was old enough. The lady said she wasn't good with that stuff, but said I was. she said I was 28 and looked at me. I smiled and the bartender served me the corona. I paid and started talking to the lady next to me (the one who verified my age) and she was telling me how the bar was previously owned by her father and passed down to her and her brother. I took a fake sip.

I have read the above statement and all the facts are true and correct

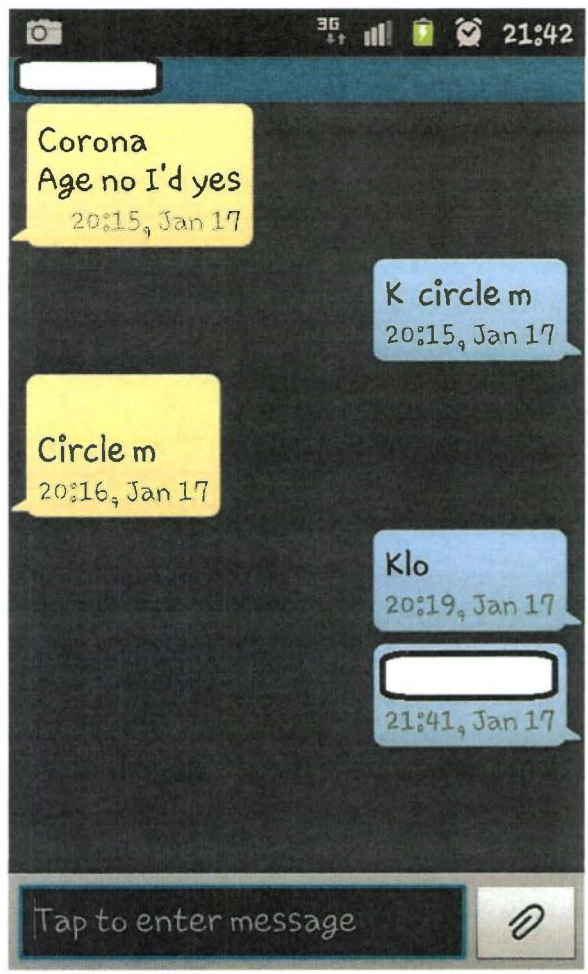
Buyer # 13-012 Age 18 DOB: 08/16/95



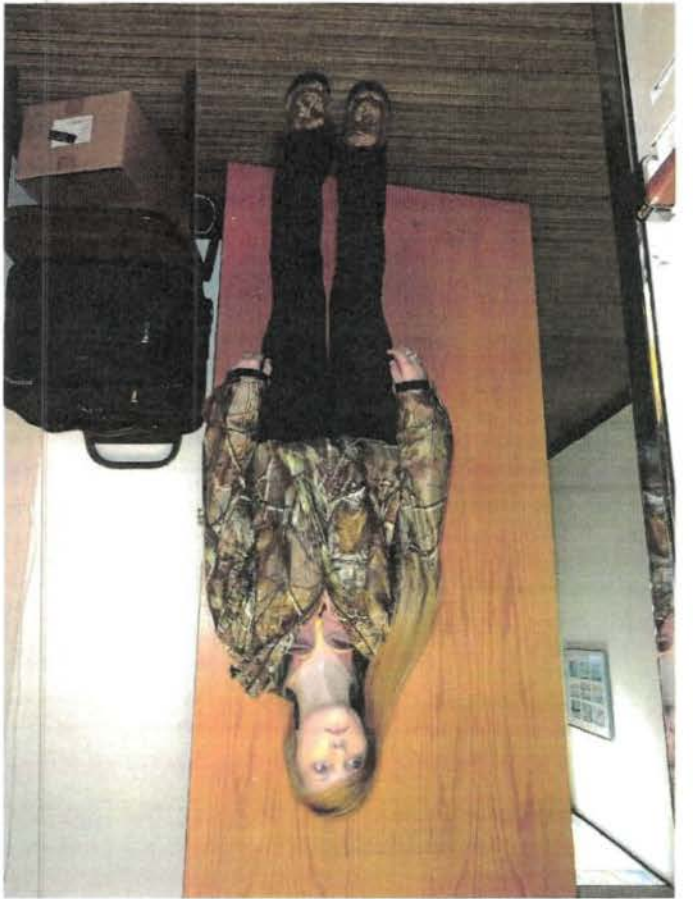
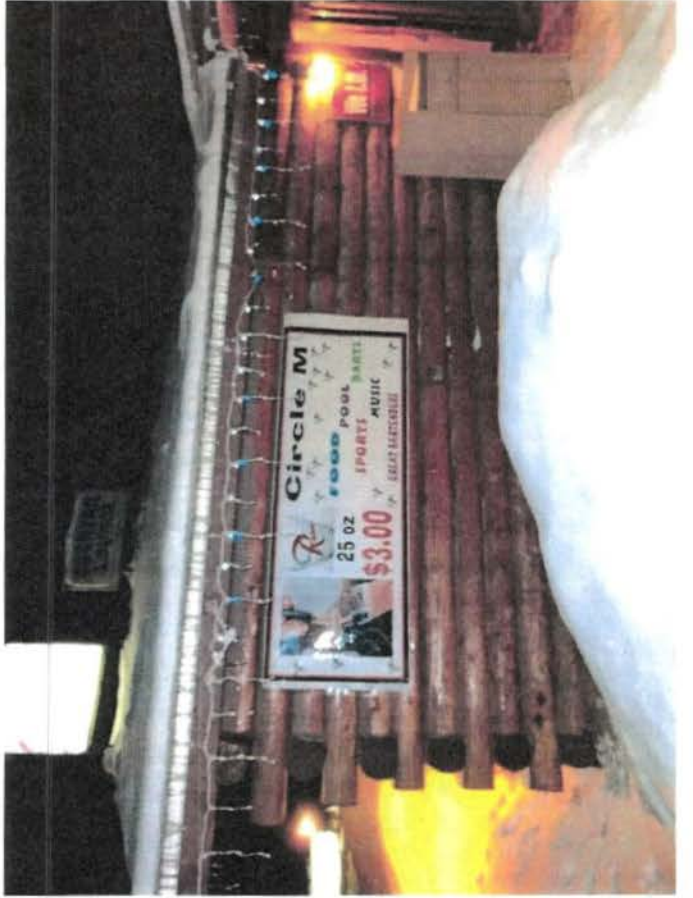
DATE OF BIRTH: 1995AUG16 | HEIGHT: 123 | WEIGHT: 64 | HAIR: BR | EYES: BL

DATE OF ISSUE: 2011JAN08 | SPECIAL: WITH ACTIVE DUTY LIMITS FOR OVER 30 DAYS

USE FORM 1173-1 OCT 02 PROPERTY OF US GOVERNMENT











7006 3450 0003 7321 3132

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 or PO Box No. \_\_\_\_\_  
 City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, August 2006 See Reverse for Instructions

1-11-14 1507  
 Nicole Henderson  
 12-12-17  
 Exp.  
 Krome  
 Exp. 11-5-16  
 1-17-14

2011 Circle M  
 2015 Text Ag no JAYES  
 GEORGIA  
 2019 left  
 Didn't look LR on 30  
 Why Asked ID  
 10-15 YAS Boatleader  
 TAP 6-19-62 11-5-16  
 ENST. LRK  
 Elizabeth Mae Bellamy  
 303 W 4th Ave NA 99705  
 687-3651 cell  
 WK 488 8444  
 0331906 ~~NA~~ 6-19-62  
 203  
 Red AS 85  
 Just didn't check

Total Mileage "shown" Vehicle

Time	Vehicle
	CASSANDRA Elaine Powell
	103 78555 7-6-106
	NO Server Card on hand
	750 9126 cell

2230 10:7

IN THE DISTRICT COURT FOR THE STATE OF ALASKA

FOURTH JUDICIAL DISTRICT AT FAIRBANKS

STATE OF ALASKA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 CASSANDRA ELAINE POWELL, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

No. 4FA-S14-00453 CR

TRANSCRIPT OF PROCEEDINGS

November 14, 2014 - Pages 2 through 7

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COP HEARING

BEFORE THE HONORABLE MATTHEW C. CHRISTIAN  
District Court Judge

Fairbanks, Alaska  
November 14, 2014  
12:38 o'clock p.m.

APPEARANCES:

FOR THE PLAINTIFF: UNKNOWN  
Assistant District Attorney  
510 Second Avenue  
Suite 200  
Fairbanks, Alaska 99701

FOR THE DEFENDANT: RACHEL E. ANDEER  
Fairbanks Trial Courts  
101 Lacey Street  
Fairbanks, Alaska 99701



P R O C E E D I N G S

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202

12:38:32

MS. ANDEER: Have Cassandra Powell.

THE COURT: This is 4FA-14-453. Time set for a change of plea. Is there a Rule 11?

MS. ANDEER: There is, Your Honor.

THE COURT: What is that?

MS. ANDEER: Ms. Powell is going to plead guilty to disorderly conduct, A-6 --

THE COURT: Yeah?

MS. ANDEER: -- for a sentence of 10 days with all 10 days suspended. She'll have one year of probation, a \$500 fine and she has agreed to get her TAMS card. She has a current TAMS card but she understands that she has to be re-certified within the year of probation and, in addition, in a -- as a condition of the Rule 11 agreement, she agrees to waive her right to future witnesses clause.

THE COURT: Yeah, I won't accept that term. I'll put in telephonic witnesses pursuant to *U.S. v. Leath* and Criminal Rule 38.1. That's it. I don't know if that creates a problem for the state or not.

DISTRICT ATTORNEY: That's fine.

THE COURT: All right. Okay. So, ma'am, in A-6, is that a hazardous condition or if I'm --

1 MS. ANDEER: Yes, it's create a hazard.

2 THE COURT: All right. And, ma'am, do you understand if  
3 you pled guilty to disorderly conduct, you're admitting you  
4 created a hazardous situation for others by reason of your  
5 conduct on the date in question?

6 MS. POWELL: Yes.

7 THE COURT: You understand you're giving up your right to  
8 have a jury trial?

9 MS. POWELL: Yes.

10 THE COURT: A right to have your lawyer help you with that  
11 trial?

12 MS. POWELL: Yes.

13 THE COURT: Right to have your lawyer ask a police  
14 officer, other witnesses questions that may or may not benefit  
15 you?

16 MS. POWELL: Yes.

17 THE COURT: Right to call witnesses?

18 MS. POWELL: Yes.

19 THE COURT: Right to testify in your own defense?

20 MS. POWELL: Yes.

21 THE COURT: Right to remain silent?

22 MS. POWELL: Yes.

23 THE COURT: Right to appeal?

24 MS. POWELL: Yes.

25 THE COURT: Are you a U.S. citizen?

1 MS. POWELL: Yes.

2 THE COURT: Are you under the influence of alcohol, drugs  
3 or medication today?

4 MS. POWELL: No.

5 THE COURT: Anybody force or make you change your plea?

6 MS. POWELL: No.

7 THE COURT: Is this your free and voluntary decision in  
8 all respects?

9 MS. POWELL: Yes.

10 THE COURT: All right. To the charge of disorderly  
11 conduct, how did you wish to plead?

12 MS. POWELL: Guilty.

13 THE COURT: Court will accept a guilty plea. It's being  
14 knowingly and voluntarily made prior to sentencing. Anything  
15 else from the state?

16 DISTRICT ATTORNEY: No.

17 THE COURT: Anything, Ms. Andeers?

18 MS. ANDEER: Just that Ms. Powell has almost no criminal  
19 history and she will not be back and this is not in her  
20 character.

21 THE COURT: All right. Ms. Powell, anything you want to  
22 say?

23 MS. POWELL: No.

24 THE COURT: All right. This -- yeah, you don't strike me  
25 as any sort of master mind criminal. It looks to me like you

1 did bad math in your head so just got to be more careful.

2 MS. POWELL: Yeah, well, my -- make a long story short, my  
3 dog got lost and I was on the computer because I got her that  
4 -- where you scan them and it -- if they go to the pound or  
5 the vet, they call you, that little device.

6 MS. ANDEER: Microchip? Yeah.

7 MS. POWELL: And it was like a week before and I never got  
8 on the computer and did it so I was trying to do two things at  
9 once with the music loud so, yeah, I was going -- that's  
10 basically what happened, you know, stupidity. I should have  
11 --

12 THE COURT: Life happens. Just be more careful in the  
13 future.

14 MS. POWELL: Yeah, I should have just stopped. I haven't  
15 had kids in awhile so I haven't learned to do two things at  
16 once. I was good at it one time but my kids are gone.

17 THE COURT: You can get those calendars that have the flip  
18 day too that say don't sell anyone --

19 MS. POWELL: Oh, I got all that. I got two extra and then  
20 on the registers, there's one and then where you serve the  
21 coke for the bartenders, the year is there. They got little  
22 stickers. I called the ABC Board and had them send me more.

23 THE COURT: Yeah, because you -- you'd hate to lose your  
24 business just because of something like that. All right.  
25 Pursuant to your guilty plea to disorderly conduct, the court

1 will find you guilty pursuant to the Rule 11 agreement and  
2 post 10 days in jail, 10 suspended, for one year, \$500 fine  
3 due to June 1, 2015. You're to get re-certified with your  
4 TAMS card within the one-year period of probation. Otherwise  
5 obey all laws, commit no criminal or jailable offenses and  
6 I'll waive Rule 39. Court just appointed the PD's a few days  
7 ago.

8 THE CLERK: (Indiscernible - away from microphone).

9 MS. POWELL: Thank you.

10 THE COURT: Comp II's dismissed, 43(a), correct?

11 DISTRICT ATTORNEY: Yes.

12 MS. ANDEER: Yes.

13 THE COURT: All right.

14 MS. POWELL: Thank you.

15 MS. ANDEER: Thank you.

16 THE COURT: Ms. Andeers, can I draft you for the next --  
17 we'll draft you for the next one.

18 (Off record)

19 12:43:03

20 END OF REQUESTED PORTION  
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TRANSCRIBER'S CERTIFICATE

I, Linda S. Foley, hereby certify that the foregoing pages numbered 2 through 7 are a true, accurate, and complete transcript of proceedings in Case No. 4FA-S14-00453 CR, State of Alaska v. Cassandra Elaine Powell, transcribed by me from a copy of the electronic sound recording to the best of my knowledge and ability.

February 2, 2015

\_\_\_\_\_  
Linda S. Foley, Transcriber